

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 19, 2013**

Item 2, Report No. 11, of the Committee of the Whole (Public Hearing), which was adopted without amendment by the Council of the City of Vaughan on March 19, 2013.

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**OFFICIAL PLAN AMENDMENT FILE OP.12.020  
ZONING BY-LAW AMENDMENT FILE Z.12.049  
DRAFT PLAN OF SUBDIVISION FILE 19T-05V10  
KLEINDOR DEVELOPMENTS INC.  
WARD 1 – VICINITY OF MAJOR MACKENZIE DRIVE AND REGIONAL ROAD 27**

The Committee of the Whole (Public Hearing) recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated February 26, 2013, be approved;
- 2) That the following deputations be received:
  1. Mr. Robert Klein, Kleinburg Area Ratepayers' Association, Kleinburg;
  2. Mr. Frank Greco, Islington Avenue, Kleinburg; and
  3. Mr. Mark Yarranton, KLM Planning Partners Inc., Jardin Drive, Concord, on behalf of the applicant; and
- 3) That Communication C3, from Mr. Paul Mantella, President, Nashville Area Ratepayers' Association (NARA), Greenboro Drive, Toronto, dated February 21, 2013, be received.

**Recommendation**

The Commissioner of Planning recommends:

THAT the Public Hearing report for Files OP.12.020, Z.12.049 and 19T-05V10 (Kleindor Developments Inc.) BE RECEIVED; and, that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole.

**Contribution to Sustainability**

The contribution to sustainability will be determined when the technical report is considered.

**Economic Impact**

This will be addressed when the technical report is completed.

**Communications Plan**

- a) Date the Notice of a Public Meeting was circulated: February 1, 2013
- b) Circulation Area: 150 m and to the Kleinburg and Area Ratepayers' Association
- c) Comments Received as of February 12, 2013: None

**Purpose**

The Owner has submitted the following applications on the subject lands shown on Attachments #1 and #2, to facilitate a proposed residential Draft Plan of Subdivision (Phase 2), as shown on Attachment #5, consisting of 185 lots (12.2 m to 18.3 m frontages) for detached dwellings, and buffer, maintenance, future development, and valley/woodlot blocks:

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1. Official Plan Amendment File OP.12.020 to amend the following policies of the “Serviced Residential-Humber Trails Central” designation in OPA #601 (Kleinburg-Nashville Community Plan), as amended by OPA #686, as shown on Attachment #3:

	<b>Official Plan Policies for the “Serviced Residential-Humber Trails Central” Designation</b>	<b>Proposed Amendments to the “Serviced Residential-Humber Trails Central” Policies in OPA #686</b>
a.	The permitted density shall not exceed a maximum of 11.2 units per net residential hectare, and a maximum of 312 detached residential dwelling units on the combined Phase 1 and Phase 2 lands.	Permit a maximum density of 12.9 units per net residential hectare on the Phase 2 lands, which results in an increase of 1.7 units per net residential hectare and 73 additional detached dwelling units on the subject Phase 2 lands, as shown on Attachment #5; and, a maximum of 385 detached dwelling units on the combined Phase 1 and Phase 2 lands.
b.	Fully serviced population of 1,155 for the “Serviced Residential-Humber Trails Central” designation on the combined Phase 1 and Phase 2 lands.	Fully serviced population of 1,425 (on the combined Phase 1 and Phase 2 lands) for the “Serviced Residential-Humber Trails Central” designation representing an increase of 270 people for the Phase 2 lands.

2. Zoning By-law Amendment File Z.12.049 to amend Zoning By-law 1-88, subject to Exception 9(1313), specifically to rezone the subject lands from RD1(H) Residential Detached Zone One, RD2(H) Residential Detached Zone Two, OS1(H) Open Space Conservation Zone and OS2(H) Open Space Park Zone, all with the Holding Symbol “(H)”, as shown on Attachment #6, to RD1 Residential Detached Zone One, RD2 Residential Detached Zone Two, RD3 Residential Detached Zone Three, OS1 Open Space Conservation Zone and OS2 Open Space Park Zone, as shown on Attachment #4, together with the following site-specific zoning exceptions:

	<b>By-law Standard</b>	<b>By-law 1-88 Requirements of Exception 9(1313)</b>	<b>Proposed Exception to 9(1313)</b>
a.	Minimum Landscape Area Abutting a Street Line (Major Mackenzie Drive)	30 m	3.5 m

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b.	Minimum Interior Side Yard on a lot abutting a non-residential use (OS1 Zone) or a buffer block (along Major Mackenzie Drive).  (ie. Lots 81, 92, 98, 106 and 107 as shown on Attachment #4)	3.5 m	1.2 m
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Other zoning exceptions may be identified through the detailed review of the applications.

- Revised Draft Plan of Subdivision File 19T-05V10 (Phase 2) as shown on Attachment #5, that includes the following:

<b>Lots/Blocks</b>	<b>Land Use</b>	<b>Area (ha)</b>	<b>Units</b>
<b>Lots</b>			
1-185	Detached Dwelling Units:		
	- 18.3 m Frontages	4.571	60
	- 15.3 m Frontages	2.714	50
	- 12.2 m Frontages	3.028	75
<b>Blocks</b>			
186 & 187	Valleylands & Woodlots	4.297	
188 & 189	Buffers	0.662	
190	Future Development	0.279	
191	Easement for Storm, Sanitary, Watermain and Gas Purposes	0.202	
192 - 213	0.3 M Reserves	0.007	
214	Berm	0.302	
	Streets	3.822	
	<b>Total</b>	<b>19.884</b>	<b>185</b>

### Background - Analysis and Options

Location	<ul style="list-style-type: none"> <li>North of Major Mackenzie Drive, west of Regional Road 27, shown as "Subject Lands" on Attachments #1 and #2.</li> </ul>
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Official Plan Designation	<ul style="list-style-type: none"> <li>▪ “Serviced Residential-Humber Trails Central”, “Neighbourhood Park” and “Valley and Stream Corridor” by in-effect OPA #601 (Kleinburg-Nashville Community Plan), as amended by OPA #686 (as shown on Attachment #3), and identified in OPA #601 as being in a “Potential Groundwater Recharge Area/Potential Groundwater Discharge Area” (Schedule “B1”) and “Highway 27 Humber Valley Forest North Major Mackenzie (WL) with a Low Functional Rating” (Schedule “B4”).</li> <li>▪ In-effect OPA #601 requires a 30 m to 50 m wide community edge buffer abutting Major Mackenzie Drive. The stretch of Major Mackenzie Drive adjacent to the subject lands is proposed to be realigned and relocated south of its current location as shown on Attachment #5. The lands lying within the current and proposed road alignments will be used for residential uses consistent with the subject lands, and therefore, the Official Plan policy requiring a 30 m to 50 m buffer would no longer be applicable to the subject lands.</li> <li>▪ The in-effect Official Plan permits a maximum density of 11.2 units per net residential hectare on the combined Phase 1 and Phase 2 lands and a maximum of 312 detached residential dwelling units; the proposed residential subdivision includes an additional 73 lots for detached dwelling units within the Phase 2 portion of the subject lands, thereby increasing the maximum density to 12.9 units per net residential hectare on the Phase 2 lands, and increasing the maximum number of units on the combined Phase 1 and Phase 2 lands to 385, which requires an amendment to the Official Plan.</li> <li>▪ “Low-Rise Residential” and “Natural Areas” by the new City of Vaughan Official Plan 2010 (VOP 2010), which was adopted by Vaughan Council on September 7, 2010 (as modified on September 27, 2011, March 20, 2012 and April 17, 2012) as further modified and endorsed by Region of York Council on June 28, 2012, and is pending approval from the Ontario Municipal Board. The “Low Rise Residential” designation of VOP 2010 permits detached dwellings and does not prescribe a maximum density for this designation. The new Official Plan also recognizes the new realignment of Major Mackenzie Drive. The proposal conforms to VOP 2010.</li> </ul>
Zoning	<ul style="list-style-type: none"> <li>▪ The subject lands are zoned RD1(H) Residential Detached Zone One, RD2(H) Residential Detached Zone Two, OS1(H) Open Space Conservation Zone and OS2(H) Open Space Park Zone, all with the Holding Symbol “(H)” by Zoning By-law 1-88, subject to Exception 9(1313).</li> <li>▪ The proposed Draft Plan of Subdivision does not comply with Zoning By-law 1-88, as identified earlier in the “Purpose” section of this report, and therefore, a Zoning By-law Amendment is required.</li> </ul>

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Surrounding Land Uses	<ul style="list-style-type: none"> <li>Shown on Attachment #2.</li> </ul>
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### Preliminary Review

Following a preliminary review of the applications, the Development Planning Department has identified the following matters to be reviewed in greater detail:

	MATTERS TO BE REVIEWED	COMMENT(S)
a.	Conformity with City Official Plan	<ul style="list-style-type: none"> <li>The applications will be reviewed in consideration of the applicable City Official Plan policies.</li> </ul>
b.	Appropriateness of Proposed Zoning	<ul style="list-style-type: none"> <li>The appropriateness of permitting the proposed revisions to the existing zoning to correspond with the revised Draft Plan of Subdivision on the subject lands will be reviewed in consideration of compatibility with other uses on the site, the surrounding land use context, the future lotting and road pattern, and the proposed stormwater management pond facility to be located south of Major Mackenzie Drive (off-site), as shown on Attachment #5.</li> </ul>
c.	Plan of Subdivision 19T-05V10	<ul style="list-style-type: none"> <li>Plan of Subdivision 19T-05V10 (formerly Lake Rivers Inc.) was draft approved by Vaughan Council in October 2009, with Phase 1 shown on Attachment #7 being registered in December 2012 as Plan 65M-4383.</li> <li>The following modifications are proposed to Plan of Subdivision File 19T-05V10 for the lands within the Phase 2 portion of the Plan of Subdivision: <ul style="list-style-type: none"> <li>the relocation of the two stormwater management ponds on the subject lands to one large facility located south of Major Mackenzie Drive (as shown on Attachment #5) on a former waste disposal site and zoned M4 Pits and Quarries Industrial Zone, as shown on Attachment #2; and,</li> <li>an increase in the width of the proposed berm (Block 214) adjacent to the railway right-of-way (Attachment #5) to accommodate a swale for stormwater management purposes.</li> </ul> </li> <li>As a result of the proposed modifications to the approved Plan of Subdivision on the subject lands, a Zoning By-law amendment is required to address the additional lots, lotting changes, road adjustments, and the requested Phase 1 and Phase 2 boundary adjustment.</li> <li>The revised Draft Plan of Subdivision and Official Plan and Zoning By-law Amendment applications are currently being reviewed by City departments and external public agencies.</li> </ul>

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d.	Stormwater Management	<ul style="list-style-type: none"> <li>▪ The swale proposed within the berm (Block 214) adjacent to the railway right-of-way for stormwater management purposes must be approved to the satisfaction of the Vaughan Development/Transportation Engineering Department and the Toronto and Region Conservation Authority.</li> <li>▪ The design requirements for the proposed stormwater management pond facility south of Major Mackenzie Drive must be approved to the satisfaction of the Vaughan Development/Transportation Engineering Department and the Toronto and Region Conservation Authority.</li> <li>▪ The ownership of the proposed stormwater management pond facility located south of Major Mackenzie Drive must be confirmed to the satisfaction of the City and the Toronto and Region Conservation Authority.</li> </ul>
e.	Major Mackenzie Drive Re-alignment	<ul style="list-style-type: none"> <li>▪ The future land uses (lotting and road pattern) for the lands located between the subject lands and the realigned Major Mackenzie Drive must be conceptually addressed to ensure appropriate connectivity, land use compatibility, and zoning standards.</li> <li>▪ Road access to the proposed stormwater management pond facility on the south side of the realigned Major Mackenzie Drive must be approved to the satisfaction of the Vaughan Development/Transportation Engineering Department.</li> </ul>
f.	Holding Symbol “(H)” Conditions	<ul style="list-style-type: none"> <li>▪ Water and sewage servicing allocation has not been identified for the subject lands. Accordingly, the subject lands shown on Attachment #2 will be subject to the Holding Symbol “(H)”, which cannot be removed until servicing capacity has been identified and allocated by Vaughan Council, if the applications are approved. The Owner may also be required to enter into a No Pre-Sales Agreement with the Region of York to prohibit the purchase and sale of the lots and/or blocks to any end user (homeowners), until servicing is identified and allocated by Vaughan Council for the proposed development.</li> <li>▪ The Environmental Assessment must identify a preferred alignment for Major Mackenzie Drive and the associated grade separation for the CP Railway to the satisfaction of the City of Vaughan and Region of York; the Environmental Assessment or a Feasibility Study (undertaken by the City of Vaughan and/or the Owner) must identify, to the satisfaction of the Region of York, that particular lots and/or blocks are no longer impacted by the proposed alignment of Major Mackenzie Drive and the associated grade separation of the CP Railway prior to the removal of the Holding Symbol “(H)” from the subject lands.</li> <li>▪ The design requirements for the proposed stormwater management pond facility to be located south of Major Mackenzie Drive must be approved to the satisfaction of the Vaughan Development/Transportation Engineering Department and the Toronto and Region Conservation Authority, prior to the removal of the Holding Symbol “(H)” from the subject lands.</li> </ul>

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g.	Phase 1 Environmental Report	<ul style="list-style-type: none"><li>▪ The Phase 1 ESA (Environmental Site Assessment) submitted in support of the applications and required stormwater management facility must be approved to the satisfaction of the Vaughan Development/Transportation Engineering Department and the Toronto and Region Conservation Authority.</li></ul>
h.	Urban Design and Architectural Guidelines	<ul style="list-style-type: none"><li>▪ The proposed development must conform to the Molise Kleinburg Estates/Lake Rivers Community Urban Design Guidelines and Architectural Design Guidelines for the subject lands.</li></ul>
i.	Sustainable Development	<ul style="list-style-type: none"><li>▪ Opportunities for sustainable design, including CEPTD (Crime Prevention Through Environmental Design), LEEDS (Leadership in Energy and Environmental Design), permeable pavers, bio-swales, drought tolerant landscaping, energy efficient lighting, and a reduction in pavement to address the "heat island" effect, etc., will be reviewed and implemented through the draft plan of subdivision process, if approved.</li></ul>

#### **Relationship to Vaughan Vision 2020/Strategic Plan**

The applicability of the applications to the Vaughan Vision will be determined when the technical report is considered.

#### **Regional Implications**

The applications have been circulated to the Region of York 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 applications will be considered in the technical review of the applications, together with comments from the public and 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.

#### **Attachments**

1. Context Location Map
2. Location Map
3. Kleinburg-Nashville Community Plan – Official Plan Amendment #601, Land Use Schedule
4. Proposed Zoning (Phase 2)
5. Modified Draft Plan of Subdivision File 19T-05V10 (Phase 2)
6. Approved Draft Plan of Subdivision File 19T-05V10 (Phases 1 and 2) and Current Zoning Exception 9(1313)
7. Modified Draft Approved Plan of Subdivision File 19T-05V10 (Phase 1)

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**Report prepared by:**

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(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)