

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 26, 2017

Item 2, Report No. 32, of the Committee of the Whole (Public Hearing), which was adopted without amendment by the Council of the City of Vaughan on September 26, 2017.

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**ZONING BY-LAW AMENDMENT FILE Z.17.007
DRAFT PLAN OF SUBDIVISION FILE 19T-17V002
G. FARRUGGIO ET AL.
WARD 1 - VICINITY OF KIRBY ROAD AND KIPLING AVENUE**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Deputy City Manager, Planning & Growth Management, Director of Development Planning and Senior Manager of Development Planning, dated September 19, 2017, be approved; and**
- 2) That the deputation of Mr. Claudio Brutto, Brutto Consulting Limited, representing the applicant, be received.**

Recommendation

The Deputy City Manager, Planning & Growth Management, Director of Development Planning and Senior Manager of Development Planning recommend:

1. THAT the Public Hearing report for Files Z.17.007 and 19T-17V002 (G. Farruggio et al.) 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 such as subdivision design and sustainable features 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: August 25, 2017.

The Notice of Public Hearing was also posted on the City's website at www.vaughan.ca and a Notice Sign was installed on the property in accordance with the City's Notice Sign Procedures and Protocols.

- b) Circulation Area: An expanded notification area beyond 150 m, as shown on Attachment #1, and to the Kleinburg and Area Ratepayers' Association.

- c) Comments Received:

Any written comments received will be forwarded to the Office of the City Clerk to be distributed to the Committee of the Whole as a Communication. All written comments that are received will be reviewed by the Development Planning Department as input in the application review process and will be addressed in a technical report to be considered at a future Committee of the Whole meeting.

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Purpose

To receive comments from the public and the Committee of the Whole on the following applications for the subject lands, as shown on Attachments #1 and #2, regarding a proposal for the development of a residential plan of subdivision consisting of 20 residential lots:

1. Zoning By-law Amendment File Z.17.007 to amend Zoning By-law 1-88, specifically to:
 - a) rezone the subject lands from A Agricultural Zone, subject to site-specific Exception 9(702), to RD2 Residential Detached Zone Two and OS1 Open Space Conservation Zone in the manner shown on Attachment #3, together with the following site-specific zoning exception:

Table 1

	Zoning By-law 1-88 Standard	Requirements of the RD2 Residential Detached Zone Two Zone	Proposed Exceptions to the RD2 Residential Detached Zone Two Zone
a.	Minimum Interior Side Yard (abutting a non- residential use)	3.5 m	1.2 m (for Lots 7, 8, 11 and 20 only)

- b) Amend Schedule "E-781" of site-specific Exception 9(702) to delete the subject lands from the schedule.

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.

2. Draft Plan of Subdivision File 19T-17V002 to facilitate the development of a residential plan of subdivision, as shown on Attachment #3, consisting of the following:

Block Number	Land Use	Area (ha)
1-20	Residential Lots	1.298
21	Open Space	0.023
22	Open Space Buffer	0.121
23	Stormwater Management	0.643
24-25	Landscaped Areas	0.035
26-27	0.3 m Reserves	0.001
Streets "A" and "B"	Public Street (18.5 m ROW, 112 m)	0.401
Total		2.522

The proposed Draft Plan of Subdivision would divide the subject lands into separate parcels. The north parcel, which is identified as "Other Lands Owned by Applicant", does not form part of the subject lands, as shown on Attachment #3.

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Background - Analysis and Options

Location	<ul style="list-style-type: none">▪ The subject lands are located south of Kirby Road, west of Kipling Avenue, being the southerly half of the property known municipally as 5315 Kirby Road, City of Vaughan, as shown on Attachments #1 and #2.
Official Plan Designation	<ul style="list-style-type: none">▪ The subject lands are located within the Kipling Avenue Community and designated “KN Low-Rise Residential 1”, “Special Study Area”, “Natural Areas” and “Agricultural” by VOP 2010, Volume 2, Section 11.8 – the North Kleinburg-Nashville Secondary Plan (NKNSP). A Minor Collector Road is identified along the eastern boundary of the subject site, abutting the hydro corridor, as shown on Schedule B3 of the NKNSP. The “KN Low-Rise Residential 1” designation permits single family detached dwelling units with a maximum building height of 3 storeys. The proposed zoning to facilitate a Draft Plan of Subdivision for detached dwellings conforms to the Official Plan.▪ Schedule B3 of the NKNSP identifies a Special Study Area (SSA) on the subject lands. Section 4.8 c) of the NKNSP recognizes that lands within the SSA may have development potential, subject to a detailed Environmental Impact Study (EIS) prepared to the satisfaction of the City in consultation with the Toronto and Region Conservation Authority (TRCA) and any other agency having jurisdiction. Through the review of the EIS report, any lands found to have development potential shall be considered for development under the policies of the “KN Low-Rise Residential 1” designation, without further amendment to the plan. The review of the Environmental reports was undertaken through the Block Plan process, discussed below.
Block 55 Plan	<ul style="list-style-type: none">▪ The Block 55 Plan (File BL.55.2013), as shown on Attachment #4, was approved by Vaughan Council on May 27, 2014.▪ Through the Block 55 Plan approval process, Environmental reports were submitted, and reviewed and approved by the TRCA and the City, and concluded that the most appropriate use for the developable area of the SSA's is residential, particularly larger lot sizes to reduce imperviousness and promote groundwater infiltration and water quality treatment. Accordingly, the Block 55 Land Use Plan, as shown on Attachment #4, identifies low-rise residential uses for the portion of the subject lands identified as an SSA on Schedule B3 of the NKNSP.

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	<ul style="list-style-type: none"> ▪ The Draft Plan of Subdivision includes 20 residential lots, which is consistent with the Official Plan overall density target of 30 persons and jobs per hectare and to the 34.8 persons and jobs per hectare identified in the Block 55 Plan, based on a full build-out of 796 residential units. ▪ The proposed Draft Plan of Subdivision does not include the Minor Collector Road identified on Schedule B3 of the NKNSP because the road has been relocated to the east side of the hydro corridor in accordance with the approved Block 55 Plan. ▪ The Neighbourhood Development objectives of the NKNSP advocate an urban environment that provides for safe, functional and attractive residential/mixed-use neighbourhoods. The proposed Draft Plan of Subdivision forms part of the Block 55 Plan (Attachment #4), and will facilitate the development of a cohesive and complete community with a mix of land uses, housing types and activities. ▪ The proposed Draft Plan of Subdivision must be consistent with the Environmental Impact Studies approved by the City of Vaughan and respective public authorities as part of the Block 55 Plan approval process. ▪ The proposed Draft Plan of Subdivision conforms to Vaughan Official Plan 2010 and the Block 55 Plan.
Zoning	<ul style="list-style-type: none"> ▪ The subject lands are zoned A Agricultural Zone, subject to site-specific Exception 9(702), by Zoning By-law 1-88, as shown on Attachment #2, which permits the creation of a maximum of one (1) additional residential lot with a minimum lot area of 4.1 ha for the entire property known municipally as 5315 Kirby Road. ▪ In order to implement the proposed Draft Plan of Subdivision shown on Attachment #3, an amendment to Zoning By-law 1-88 is required. ▪ The Owner has excluded the northerly portion of 5315 Kirby Road from the applications and therefore, these lands will remain zoned as A Agricultural Zone, subject to site-specific Exception 9(702). However, Schedule E-781, of site-specific Exception 9(702) must be amended to remove the subject lands from this schedule.
Surrounding Land Uses	<ul style="list-style-type: none"> ▪ Shown on Attachment #2.

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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 and Block 55 Plan	<ul style="list-style-type: none"> ▪ The applications will be reviewed in consideration of the policies of Vaughan Official Plan 2010 (VOP 2010) and the North Kleinburg-Nashville Secondary Plan. ▪ The final Draft Plan of Subdivision must conform to the approved Block 55 Plan (Attachment #4), including but not limited to the location of the land use designations, public rights-of-way, access, open space, greenbelt and buffers.
b.	Greenbelt Plan (2017)	<ul style="list-style-type: none"> ▪ The lands identified as “Other Lands Owned by Applicant” on Attachment #3 are zoned A Agricultural, subject to site-specific Exception 9(702), and located within the Protected Countryside and Natural Heritage System of the Greenbelt Plan (2017). These lands are designated “Natural Areas” and identified as a Core Feature by VOP 2010, and designated “Natural Areas” and “Agricultural” by the North Kleinburg-Nashville Secondary Plan. These lands contain a Provincially Significant Wetland (PSW 59), which were identified to support significant fauna, and to function as a breeding area for amphibians and as habitat for birds. ▪ The Protected Countryside Goals of Section 1.2.2, and more specifically Section 1.2.2.2 Environmental Protection, provide the following (in part): <ul style="list-style-type: none"> ▪ Protection, maintenance and enhancement of natural heritage, hydrologic and landform features, areas and functions, including protection of habitat for flora and fauna and particularly species at risk; ▪ Protection and restoration of natural and open space connections between the Oak Ridges Moraine, the Niagara Escarpment, Lake Ontario, Lake Simcoe and the major river valley lands; ▪ Protection, improvement or restoration of the quality and quantity of ground and surface water and the hydrological integrity of watersheds; and

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		<ul style="list-style-type: none"> Provision of long-term guidance for the management of natural heritage and water resources when contemplating such matters as watershed/subwatershed and stormwater management planning, water and wastewater servicing, development, infrastructure, open space planning and management, aggregate rehabilitation and private or public stewardship programs. Section 3.2.3.10 of VOP 2010 requires that Core Features and their related vegetation protection zone(s) be conveyed to the City and/or TRCA as a condition of development approval. To enable comprehensive management, such features shall not be fragmented, but shall be brought into public ownership to ensure their continued protection and management. Although the northerly lands are not subject to the current Zoning By-law Amendment and Draft Plan of Subdivision applications, opportunities for the dedication of these lands into public ownership will be explored with the Owner through the review of the subject applications. The subject applications will be reviewed in consideration of the protection of the natural features, including buffers, that exist on the subject lands and adjacent lands, together with the applicable Provincial, Regional, and City Official Plan policies, and in consultation with the TRCA and Provincial Ministries.
c.	Appropriateness of Proposed Rezoning and Exceptions	<ul style="list-style-type: none"> The appropriateness of the proposed zoning categories, as shown on Attachment #3, will be reviewed in consideration of the policies of VOP 2010, the North Kleinburg-Nashville Secondary Plan, the approved Block 55 Plan and the surrounding existing and planned land use context. A Holding Symbol “(H)” may be placed on Lots 8 to 20 as the road access to these lots is dependent on the development of the abutting properties to the east and west. Draft Plan of Subdivision and Zoning By-law Amendment applications have been filed with the City for the property to the east (1539028 Ontario Inc. - Files 19T-14V001 and Z.14.072) and west (F. Greco - Files 19T-16V007 and Z.16.032). These applications are currently under review by the Development Planning Department. Access from the north (i.e. Kirby Road) is not possible, given its location in the Greenbelt. Lands zoned with the Holding Symbol “(H)” cannot be developed until Council enacts a By-law to remove the Holding Symbol “(H)” and only when all conditions for the removal of the “(H)” have been satisfied.

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d.	Draft Plan of Subdivision	<ul style="list-style-type: none"> ▪ The proposed Draft Plan of Subdivision will be reviewed in consideration of the proposed road network, including a potential temporary turning circle at the west limit of Street “A”, dependent on the timing of future development on adjacent lands, the pedestrian network, the existing and planned surrounding land uses, and the lot sizes and lotting pattern with the proposed, existing and approved residential development in the area. ▪ Access to the proposed Draft Plan of Subdivision must be reviewed and approved to the satisfaction of the City. The pedestrian network (i.e. trails, sidewalks) within the surrounding lands will be reviewed.
e.	Studies and Reports	<ul style="list-style-type: none"> ▪ The Owner has submitted the following studies and reports in support of the applications, which must be approved to the satisfaction of the City and/or respective public approval authority: <ul style="list-style-type: none"> - Draft Zoning By-law - Environmental Site Assessment (ESA) Phase 1 - Environmental Impact Study (EIS) - Vegetation Community Preservation Report - Tree Inventory Plan - Community Services and Facilities Study - Stormwater Management Compliance and Servicing Analysis - Greenbelt Conformity Report - Master Environmental Servicing Plan (MESP) - Noise Brief - Stage 1 & Stage 2 Archaeological Assessments - Architectural and Urban Design Guidelines ▪ Additional reports may be required as part of the development application review process.
f.	Servicing Capacity	<ul style="list-style-type: none"> ▪ The availability of water and sanitary servicing capacity for the proposed development must be identified and formally allocated by Vaughan Council, if the applications are approved. Should servicing capacity not be available, a Holding Symbol “(H)” will be placed on the subject lands, which will be removed once servicing capacity is identified and allocated to the subject lands by Vaughan Council.
g.	Urban Design and Architectural Guidelines	<ul style="list-style-type: none"> ▪ The future development in this Draft Plan of Subdivision must conform to the Vaughan Council approved Block 55 (Kipling Avenue Community) Urban Design Guidelines, should the applications be approved.

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h.	Toronto and Region Conservation Authority (TRCA)	<ul style="list-style-type: none">▪ The subject lands are partially located within the TRCA Regulated Area, as established by Ontario Regulation 166/06, and in an area identified as a significant groundwater recharge area. Therefore, the Owner must obtain all necessary permits from the TRCA, and the TRCA must review and approve the applicable reports submitted in support of the applications.
i.	Parkland Dedication	<ul style="list-style-type: none">▪ The Owner will be required to pay to the City of Vaughan cash-in-lieu of the dedication of parkland in accordance with the <i>Planning Act</i> and City's Cash-in-Lieu of Parkland Policy, should the applications be approved. The final value of the cash-in-lieu of parkland dedication will be determined by the Office of the City Solicitor, Real Estate Department.
j.	Hydro One Networks Inc.	<ul style="list-style-type: none">▪ An existing Hydro Corridor abuts the proposed Draft Plan of Subdivision to the east. The applications have been circulated to Hydro One Networks Inc. for review and comment.

Relationship to Term of Council Service Excellence Strategy Map (2014-2018)

The applicability of these applications to the Term of Council Service Excellence Strategy Map (2014-2018) will be determined when the technical report is considered.

Regional Implications

The applications have been circulated to the York Region Community Planning and Development Services Department for review and comment. Any issues will be addressed when the technical report is considered.

Conclusion

The preliminary issues identified in this report and any other issues identified through the processing of the applications will be considered in the technical review of the applications, together with comments from the public and Vaughan Council expressed at the Public Hearing or in writing, and will be addressed in a comprehensive report to a future Committee of the Whole meeting.

Attachments

1. Concept Location Map
2. Location Map
3. Draft Plan of Subdivision File 19T-17V002 & Proposed Zoning
4. Approved Block 55 Plan (File BL.55.2013)

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.)