

**EXTRACT FROM COUNCIL MEETING MINUTES SEPTEMBER 25, 2012**

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**KLEINDOR DEVELOPMENTS INC.**

**WARD 1 – VICINITY OF MAJOR MACKENZIE DRIVE AND REGIONAL ROAD 27**

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated September 4, 2012, be approved;
- 2) That the following deputations be received:
  1. Mr. Mark D. Yarranton, KLM Planning Partners Inc., Concord, on behalf of the applicant; and
  2. Mr. Claudio Travierso, Kleinburg and Area Ratepayers' Association, Kleinburg; and
- 3) That the following communication be received:
  - C4. Mr. Ken Schwenger, President, Kleinburg and Area Ratepayers' Association, Kleinburg.

THAT the Public Hearing report for File Z.12.028 (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.

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

This will be addressed when the technical report is completed.

- Date the Notice of a Public Meeting was circulated: August 10, 2012
- Circulation Area: 150 m and Kleinburg and Area Ratepayers' Association
- Comments Received as of August 21, 2012: None

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#### Purpose

The Owner has submitted the following Zoning By-law Application (File Z.12.028) to amend Exception 9(1313) to Zoning By-law 1-88, to rezone the subject lands shown on Attachments #1 and #2 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 addition of the Holding Symbol "(H)" to RD1 Residential Detached Zone One (minimum 18 m frontage and minimum 540 m<sup>2</sup> lot area), RD2 Residential Detached Zone Two (minimum 15 m frontage and minimum 450 m<sup>2</sup> lot area), RD3 Residential Detached Zone Three (minimum 12 m frontage and minimum 324 m<sup>2</sup> lot area), OS1 Open Space Conservation Zone and OS2 Open Space Park Zone, as shown on Attachment #3, to facilitate the development of 194 detached dwelling units, an elementary school, neighbourhood park and open space on 19.13 ha shown on Attachment #4, and amend the zoning standards of Zoning By-law 1-88 and Exception 9(1313) as follows:

	By-law Standard	Zoning By-law 1-88 Requirements for RD1, RD2 and RD3 Zone	Proposed Exceptions to Zoning By-law 1-88
a.	Minimum Interior Side Yard Abutting A Non-Residential Use Including A Walkway, Greenway, Buffer Block or Stormwater Management Block (Lots 1, 25, 75, 76, 187 and 188)	3.5 m	1.2 m
b.	Minimum Landscape Area abutting a Street Line	30 m in width abutting Major Mackenzie Drive	3.5 m

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#### Background - Analysis and Options

Location	<ul style="list-style-type: none"><li>North of Major Mackenzie Drive, and west of Regional Road 27, shown as “Subject Lands” on Attachments #1 and #2.</li></ul>
Official Plan Designation	<ul style="list-style-type: none"><li>“Serviced Residential-Humber Trails Central”, “Elementary School”, and “Neighbourhood Park” by OPA #601 (Kleinburg-Nashville Community Plan), as amended by OPA #686, and are 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>Official Plan #601 requires a community edge buffer with a width of between 30 m to 50 m abutting Major Mackenzie Drive. The stretch of Major Mackenzie Drive adjacent to the subject lands is to be realigned south of its current location, with the lands within the current alignment to be for local road and/or residential use, and therefore the Official Plan policy of a 30m to 50 m buffer is not applicable.</li><li>“Low-Rise Residential” by the new City of Vaughan Official Plan 2010, which was adopted by Vaughan Council on September 7, 2010 (as modified on September 27, 2011 and April 17, 2012) and is pending approval from the Ontario Municipal Board.</li><li>Application conforms to the Official Plan.</li></ul>
Zoning	<ul style="list-style-type: none"><li>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 addition of the Holding Symbol “(H)” by Zoning By-law 1-88, subject to Exception 9(1313).</li><li>Application does not comply with Zoning By-law 1-88.</li></ul>
Surrounding Land Uses	<ul style="list-style-type: none"><li>Shown on Attachment #2.</li></ul>

#### Preliminary Review

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

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	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENT(S)</b>
a.	Conformity with City Official Plans	<ul style="list-style-type: none"> <li>▪ The application will be reviewed in the context 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 zoning on the subject lands will be reviewed in consideration of compatibility with other uses on the site and the surrounding land use context, and the future lotting and road pattern, and the proposed stormwater management pond facility to be located to the south (off-site) to accommodate the future residential use.</li> </ul>
c.	Plan of Subdivision 19T-05V10	<ul style="list-style-type: none"> <li>▪ Plan of Subdivision 19T-05V10 (formerly Lake Rivers Inc.) is draft approved and Zoning By-law 31-2009 is in effect for the subject lands;</li> <li>▪ Modifications are proposed to Plan of Subdivision 19T-05V10 including: the relocation of all (2) stormwater management ponds on the subject lands to one large facility located south of Major Mackenzie Drive on a former waste disposal site, shown as M4 Pits and Quarries Industrial Zone on Attachment #2; and, the increase in the berm width (Block 198) adjacent to the Railway right-of-way (Attachment #4) to accommodate a swale for stormwater management purposes;</li> <li>▪ As a result of these modifications, the subject lands require a zoning amendment to address the lotting changes, road adjustments created, and the requested Phase 1 and Phase 2 boundary adjustment.</li> <li>▪ A revised draft plan of subdivision has been submitted to correspond with the proposed zoning, which is currently being reviewed by all commenting City departments and external public agencies.</li> </ul>
d.	Stormwater Management	<ul style="list-style-type: none"> <li>▪ The swale proposed within the berm (Block 198) 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 stormwater management pond facility, south of Major Mackenzie Drive must be provided to the satisfaction of the City.</li> </ul>

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e.	Major Mackenzie Drive Re-Alignment	<ul style="list-style-type: none"><li>▪ The future land uses (lotting and road pattern) between the subject lands and the realigned Major Mackenzie Drive must be conceptually addressed to ensure appropriate zoning requirements are established.</li><li>▪ Road access to the stormwater management pond facility to the south of the realigned Major Mackenzie Drive must be approved to the satisfaction of the Vaughan Development/Transportation Engineering Department.</li></ul>
f.	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, cycling to promote alternative modes of transportation, energy efficient lighting, reduction in pavement and roof-top treatment to address the "heat island" effect, etc, will be reviewed and implemented through the draft plan of subdivision process, if approved.</li></ul>
g.	Phase 1 Environmental Report	<ul style="list-style-type: none"><li>▪ The Phase 1 ESA (Environmental Site Assessment) submitted in support of the application and required stormwater management facilities must be approved to the satisfaction of the Vaughan Development/Transportation Engineering Department and the Toronto and Region Conservation Authority.</li></ul>

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

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

#### **Regional Implications**

The application has 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 application will be considered in the technical review of the application, 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. Proposed Zoning (Phase 1)
4. Modified Draft Approved Plan of Subdivision 19T-05V10
5. Current Zoning Exceptions 9(1313)

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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.)