

**3. ZONING BY-LAW AMENDMENT FILE Z.95.032
DRAFT PLAN OF SUBDIVISION FILE 19T-95098
KLEINBURG RESIDENTIAL ESTATES LTD.
PRELIMINARY REPORT**

P.2005.34

Recommendation

The Commissioner of Planning recommends:

THAT the Public Hearing report for Files Z.95.032 and 19T-95098 (Kleinburg Residential Estates Ltd.) BE RECEIVED; and that any issues identified be addressed by Staff in a comprehensive report to the Committee of the Whole.

Economic Impact

This will be determined when the technical report is completed.

Purpose

The Owner has submitted an application to amend the Zoning By-law to rezone the subject lands shown on Attachment #1 from A Agricultural Zone to RR Rural Residential Zone and to permit exceptions to the minimum lot area and lot frontage requirements to allow 21 lots for single detached residential dwelling units with lot areas ranging from 0.38 ha to 0.74 ha and lot frontages ranging from 22.1m to 99.4m. The Owner has also submitted an application for a Draft Plan of Subdivision to facilitate the development of 21 residential lots and 1 block to be developed with the adjacent northerly lands, and two 20m wide roads, one providing access to the proposed plan from the extension of Richard Lovatt Court to the south as shown on Attachment #2.

Background - Analysis and Options

The subject lands shown on Attachment #1 are located on the east side of Huntington Road, north of Nashville Road, in Part of Lots 26 and 27, Concession 9, City of Vaughan. The subject lands have an area of 10.8 ha and frontage of 20m and 20.12m on Richard Lovatt Court and Huntington Road, respectively.

The subject lands are designated "Suburban Residential", with a "Neighbourhood Park" overlay designation adjacent to the valley, by OPA #601 (Kleinburg-Nashville Community Plan), as shown on Attachment #3. The east part of the subject lands are designated "Protected Countryside" by the Greenbelt Plan as shown on Attachment #1. The lands are zoned A Agricultural Zone by By-law 1-88. The site is used for agricultural purposes. The surrounding land uses are:

- North - agricultural (A Agricultural Zone)
- South - estate residential (RR Rural Residential Zone)
- West - CP rail line (M3 Transportation Industrial Zone) and Huntington Road
- East - Humber River valley (OS1 Open Space Conservation Zone; Protected Countryside)

On May 13, 2005, a Notice of Public Hearing was mailed to all property owners within 120 metres of the subject lands, and to the Kleinburg and Area Ratepayers' Association. No comments have been received to date. Any responses received will be addressed in the technical review and included in a detailed staff report to a future Committee of the Whole meeting.

On March 27, 1995, the City received the original Zoning By-law Amendment and Draft Plan of Subdivision applications. The original proposal was to be developed in two phases with phase one consisting of 10 lots for single detached residential dwelling units with lot areas ranging from 0.40 ha to 0.98 ha and frontages ranging from 37m to 45m. This application was considered by the Committee of the Whole at a Public Hearing on September 15, 2003 and was not processed any further. The phase two portion of the development was not part of the applications. The proposal has since been revised to reflect the applications that are subject to this report.

Preliminary Review

Following a preliminary review of the proposed applications, Staff has identified the following matters to be reviewed in greater detail:

- the applications will be reviewed in the context of the applicable Official Plan policies including the minimum lot size requirements and compatibility with adjacent land uses;
- a comprehensive development plan is to be submitted that will show an appropriate and functional lotting and road pattern to facilitate development of the subject lands and the "Suburban Residential" lands directly abutting to the north;
- the Official Plan includes a "Neighbourhood Park" designation at the east end of the site adjacent to the valleylands; the Official Plan requires that new development shall provide for the linkage of public open space to connect, where possible, woodlands and river valleys to provide continuous open space corridors; the proposal does not include any parkland; City Staff has advised that parkland is required, whereas the Owner has indicated that instead they will provide cash-in-lieu of parkland;
- the subject lands are designated "Protected Countryside" in the Greenbelt Plan; in accordance with the Section 5.2 of the Greenbelt Plan, only applications that have been submitted on or after December 16, 2004, are required to conform with the Greenbelt Plan; the subject applications were submitted on March 27, 1995, prior to December 16, 2004, and therefore are not required to conform;
- the appropriateness of the proposed reduced lot area from 0.40 ha to 0.38 ha, and reduced lot frontage from 45 m to frontages ranging from 22.1m to 42.9m for the RR Rural Residential Zone will be reviewed;
- the development limits adjacent to the valleylands must be confirmed by the City and Toronto and Region Conservation Authority;
- the subject lands are adjacent to the a rail line and will be required to address the noise attenuation and structural setback requirements of CP Rail to implement the proposed residential development;
- the method of servicing the subject lands, either municipal or private sanitary sewer services needs to be determined; the Official Plan requires Suburban Residential development to be serviced by municipal water supply; the allocation of water and sewer services needs to be provided; a master environmental and servicing report is required;
- a traffic report will be required to assess the appropriateness of a single access road servicing the proposed lots and those lots existing on Richard Lovatt Court and Charles Cooper Court from Nashville Road; and,
- the Owner has submitted geotechnical, slope stability/erosion, soil quality, and hydrogeology studies, which must be reviewed and approved.

Relationship to Vaughan Vision 2007

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

Conclusion

The above issues, but not limited to, will be considered in the technical review of the applications, together with comments expressed by the public and Council at the Public Hearing or in writing, and addressed in a comprehensive report to a future Committee of the Whole meeting.

The proposal to amend Zoning By-law amendment and for approval of a Draft Plan of Subdivision to facilitate 21 lots for single detached residential dwellings will be reviewed in the context of the applicable Official Plan policies respecting lot size, servicing, parkland dedication, protection of environmental features, compatibility with adjacent land uses, and the appropriateness of the exceptions to the Zoning By-law respecting minimum lot area and minimum lot frontage.

Attachments

1. Location Map
2. Draft Plan of Subdivision
3. OPA #601 - Land Use Schedule

Report prepared by:

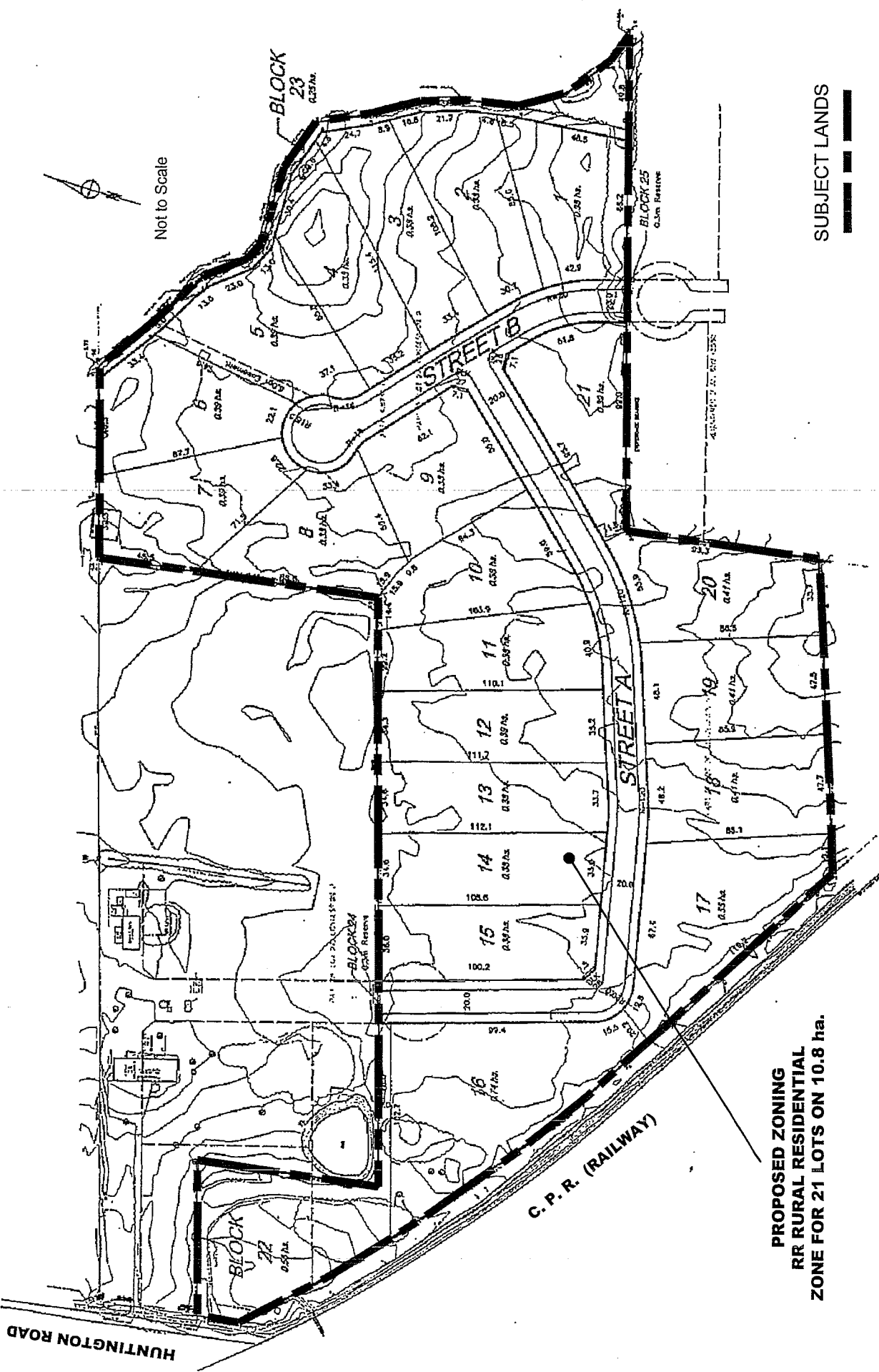
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Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

MARCO RAMUNNO
Director of Development Planning

/LG



Draft Plan of Subdivision

APPLICANT:
KLEINBURG RESIDENTIAL
ESTATES LTD.

Part Lots 26 & 27,
Concession 9

City of
Vaughan

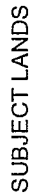
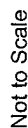
Development Planning Department

Attachment

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















FILE No.:
19T-95098 &
Z.95.032

May 9, 2005



NEIGHBOURHOOD
PARK

LEGEND

- | | |
|---|--|
|  | SERVICED RESIDENTIAL |
|  | FUTURE RESIDENTIAL |
|  | SUBURBAN RESIDENTIAL |
|  | CORE AREA |
|  | SPECIAL USE - GOLF |
|  | RURAL AREA |
|  | VALLEY & STREAM CORRIDOR |
|  | OPEN SPACE |
|  | NEIGHBOURHOOD PARK |
|  | LINEAR PARK |
|  | INTER-REGIONAL TRAIL |
|  | WASTE DISPOSAL ASSESSMENT AREA |
|  | REGIONAL ROAD 27 TRAIL ROUTE (PREFERRED) |
|  | REGIONAL ROAD 27 TRAIL ROUTE (ALTERNATE) |
|  | ELEMENTARY SCHOOL |
|  | AMENDMENT AREA |
|  | VALLEY POLICY AREAS 1 TO 4 |

Kleinburg / Nashville Community Plan (OPA #601) - Land Use Schedule

APPLICANT:
KLEINBURG RESIDENTIAL
ESTATES LTD.
Part of Lots 26 & 27,
Concession 9

\\DFT\1 ATTACHMENTS\19\191-95098(r)-3

City of Vaughan

Development Planning Department

Attachment

3

FILE No.:
19T-95098 &
Z.95.032

May 27, 2005

FILE No.:
19T-95098 &
Z.95.032

May 27, 2005