

**ZONING BY-LAW AMENDMENT FILE Z.06.029
NINE-TEN INVESTMENTS LIMITED
REPORT #P.2006.40**

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.06.029 (Nine-Ten Investments Limited) BE APPROVED to:
 - i) rezone Parcel "A" as shown on Attachment #3, from OS5 Open Space Environmental Protection Zone to RD3 (H) Residential Detached Zone Three with the Holding Symbol "H";
 - ii) rezone Parcels "B" and "C" as shown on Attachment #3, from OS5 Open Space Environmental Protection Zone to RD4 (H) Residential Detached Zone Four with the Holding Symbol "H";
 - iii) rezone Lot 6 as shown on Attachment #3, from a split RS1 Residential Semi-Detached Zone One/RD4 (H) Residential Detached Zone Four to a straight RD4 Zone; and,
 - iv) remove the Holding Symbol "(H)" from Lots 60-62, currently zoned RD3 (H) Residential Detached Zone Three, as shown on Attachment #3.
2. THAT the Owner submit a revised Block 18 Community Design Plan to provide an amended subdivision streetscape drawing reflecting the minor revisions to the approved Plan of Subdivision 19T-00V17, to the satisfaction of the Development Planning Department.

Economic Impact

There are no requirements for new funding associated with this report.

Purpose

The Owner has submitted an application to amend the Zoning By-law on the subject lands shown on Attachment #1, specifically to amend Zoning By-law 1-88 in the following manner:

- i) rezone Parcel "A" as shown on Attachment #3, from OS5 Open Space Environmental Protection Zone to RD3 (H) Residential Detached Zone Three with the Holding Symbol "(H)" for the purpose of adding Parcel "A" to Lot 16 in the approved Draft Plan of Subdivision 19T-00V17;
- ii) rezone Parcels "B" and "C" as shown on Attachment #3, from OS5 Open Space Environmental Protection Zone to RD4 Residential Detached Zone Four with the Holding Symbol "H" for the purpose of adding these parcels to the adjacent easterly and northerly lots in the approved Plan of Subdivision 19T-00V17;
- iii) rezone Lot 6 as shown on Attachment #3, from a split RS1 Residential Semi-Detached Zone One/RD4 (H) Residential Detached Zone Four to a straight RD4 Zone, to reflect minor adjustments to the lot lines; and
- iv) remove the Holding Symbol "(H)" from Lots 60-62, currently zoned RD3 (H) Residential Detached Zone Three, as shown on Attachment #3.

Background - Analysis and Options

The subject lands shown on Attachment #1 are located north of Rutherford Road and west of Dufferin Street, within Planning Block 18, City of Vaughan. The subject lands are located within the approved Draft Plan of Subdivision File 19T-00V17, as shown on Attachment #2. The subject lands are currently vacant. The surrounding land uses for each parcel/lot are as follows:

- North - Parcel "A": future residential (RD3 (H) Residential Zone with the Holding Symbol "(H)"); Parcel "B": open space (OS5 Zone); Parcel "C": future residential (RD4 (H) Residential Zone with the Holding Symbol "(H)"); Lot 6: future road/residential (RD4 Residential Zone); Lots 60-62: future residential (RS1 Residential Zone with Holding Symbol "(H)")
- South - Parcels "A", "B", "C": open space (OS5 Zone); Lot 6: future storm water pond (OS1 Zone); Lots 60-62: future road/residential (RD4 Residential Zone)
- East - Parcel "A": future residential (RD3 Residential Zone with Holding Symbol "(H)"); Parcel "B": future residential (RD4 (H) Residential Zone with Holding Symbol "(H)"); Parcel "C": future road/residential (RS1 Zone); Lots 60-62: future residential (RD3 Residential Zone); Lot 6: future residential (RS1 Residential Zone)
- West - Parcels "A", "B", "C": open space (OS5 Zone); Lot 6: future residential (RD4 Residential Zone); Lots 60-62: future residential (RD3 Residential Zone)

On May 5, 2006, a Notice of Public Hearing was circulated to all property owners within 120m of the limits of the approved Draft Plan of Subdivision 19T-00V17, and to the Gates of Maple Ratepayers' Association and the Maple Village Ratepayers' Association. To date, no comments have been received. The recommendations of the Committee of the Whole on May 29, 2006 to receive the Public Hearing report and to forward a technical report to a future Committee of the Whole meeting was ratified by Council on June 12, 2006.

Official Plan

The subject lands are designated "Low Density Residential" by OPA #600, as amended by OPA #604 (Oak Ridges Moraine Conformity Plan), which further designates the lands "Settlement Area". The proposed amendments to the Zoning By-law conforms to the Official Plan.

Zoning

The proposed zoning amendments are shown on Attachment #3. Parcels "A", "B" and "C" are zoned OS5 Open Space Environmental Zone; Lot 6 is split-zoned RS1 Residential Semi-Detached Zone One/RD4 Residential Detached Zone Four; and Lots 60 to 62 are zoned RD3 (H) Residential Detached Zone Three subject to the Holding Symbol "H", by By-law 1-88, subject to Exception 9(1226). The removal of the Holding Symbol "(H)" is contingent upon the availability of water and sanitary servicing capacity to service the lots.

Phase 1 of the proposed Draft Plan of Subdivision 19T-00V17, as shown on Attachment #2, is currently allocated 198 units for water and sanitary servicing capacity. Due to the finalization and minor changes of the lotting pattern, 195 units are proposed in Phase 1 thereby making three (3) additional units from Phase 2 available for servicing. As a result, the Owner proposes to remove the Holding Symbol "(H)" from Lots 60 to 62 (total of 3 units), while maintaining the Phase 1 unit count 198 for allocation of servicing capacity, as shown on Attachment #3.

The Development Planning Department can support the removal of the Holding Symbol "(H)" from Lots 60 to 62 as the current allocation of water and sanitary servicing capacity (198 units) will remain unchanged.

Subdivision Design

There are no significant changes to the draft plan of subdivision. The road pattern for the subdivision plan will remain unchanged. Upon approval of the implementing zoning by-law by Council, the total number of units will remain at 198 units within Phase 1, which is consistent with

what was originally allocated for water and sanitary servicing capacity. The original conditions of subdivision approval dated June 21, 2004 will remain in effect. However, the Owner is required to provide an amended subdivision streetscape drawing to reflect the revisions to the subdivision plan, to the satisfaction of the Development Planning Department.

Oak Ridges Moraine Conservation Plan

The subject lands are located on the Oak Ridges Moraine and are designated as "Settlement Area" by OPA #604, which amends OPA #600 to be in conformity with the Oak Ridges Moraine Conservation Plan (ORMCP). OPA #604 contains transition provisions respecting the processing of applications, which were submitted prior to the enactment of the ORMCP (November 16, 2001). The previous subdivision and zoning approvals for the subject lands were transitional applications, and as a result were not subject to the provisions of the ORMCP. Further, OPA #604 contains provisions for processing applications, which are considered to be "further approvals" of previously approved transitional applications. A further approval is a subsequent approval resulting from a condition of a transitional application such as a draft plan of subdivision. The transitional draft plan of subdivision for these lands contained conditions for a zoning amendment. The applicant has submitted an assessment of the requirements of OPA #604, and has suggested that this zoning application is a "further approval" and therefore not subject to the provisions of the ORMCP. The Development Planning Department concurs with this statement.

Notwithstanding the above, the Development Planning Department is satisfied that the proposed rezoning of Parcel "A", as shown on Attachment #2 from OS5 Open Space Environmental Protection to RD3 (H), Residential Detached Zone Three with the Holding Symbol "(H)" and the rezoning Parcels "B" and "C" from OS5 Zone to RD4 (H) Residential Detached Zone Four with the Holding Zone "(H)" is located outside of the limits of the adjacent tableland woodlot, and its associated buffer, and therefore there are no natural features being removed as a result of this application. The Development Planning Department is satisfied that the proposed application conforms to the requisite provisions of the Oak Ridges Moraine Conservation Plan, and can therefore be supported.

Toronto and Region Conservation Authority

The Toronto and Region Conservation Authority (TRCA) has advised that the rezoning of Parcels "A", "B" and "C" are outside of the limits of the woodlot and therefore TRCA has no objections to the proposed rezoning.

Planning Considerations

The Owner is proposing to amend Zoning By-law 1-88, to rezone Parcels "A", "B", and "C" from OS5 Open Space Environmental Protection Zone to RD3 (H) and RD4 (H) Residential Detached Zone Three and Four both with the Holding Symbol "H" as shown on Attachment #3, in order to increase the size of the abutting lots in approved Draft Plan of Subdivision 19T-00V17; and to rezone Lot 6 from a split zone RD4 Residential Detached Zone Four and RS1 Residential Semi-Detached Zone to a straight RD4 Residential Detached Zone Four to reflect minor adjustments to the lot lines; and to remove the Holding Symbol (H) from Lots 60 to 62, which is currently zoned RD3 (H) Zone.

The rezoning of Parcels "A", "B" and "C" will result in a land addition to the adjacent approved residential lots. The application does not result in the creation of any new lots. The rezoning of Lot 6 is technical in nature, and required to correct the split zone for Lot 6 resulting from the shifting of the approved lot lines. The implementing zoning by-law will rezone Lot 6 to RD4 Residential Detached Zone Four.

The Owner has reconfigured the lotting pattern in Phase 1 of Draft Approved Plan of Subdivision 19T-00V17 resulting in 195 lots instead of the 198 originally approved. As a result, a total of three (3) lots were made available in Phase 1 of Draft Plan of Subdivision 19T-00V17. With the availability of three units in Phase 1, the Owner has requested the removal of the Holding Symbol

“(H)” from Lots 60 to 62 within Phase 2 of the Plan, and to be part of Phase 1. The overall 198 unit allocation will not change.

In light of the above, the Development Planning Department can support the Zoning By-law Amendment Application as outlined.

Servicing

The Engineering Department previously reserved the allocation of sewage servicing capacity on the subject lands for 198 units for Phase 1. There is no change to the allocation of servicing capacity to approved Draft Plan of Subdivision 19T-00V17.

Relationship to Vaughan Vision 2007

This report is consistent with the priorities set forth in Vaughan Vision 2007, particularly ‘A-5’, “Plan and Manage Growth”.

Conclusion

The Development Planning Department has reviewed the proposed Zoning By-law Amendment Application to rezone portions of the subject lands, as shown on Attachment #3. The application will facilitate the removal of the Holding Symbol “(H)” on Lots 60 to 62 in Phase 2 resulting from the availability of three units in Phase 1, the rezoning of part of the lands within the OS5 Open Space Environmental Protection Zone that will be added to the adjacent approved residential lots, and the rezoning of Lot 6 from a split zone to RD4 Residential Detached Zone Four. The proposed zoning amendments will not change the overall lotting or road pattern of the approved Draft Plan of Subdivision 19T-00V17, as shown on Attachment #2. For these reasons, the Development Planning Department can support the approval of the Zoning By-law Amendment Application.

Attachments

1. Location Map
2. Approved Draft Plan of Subdivision 19T-00V17
3. Proposed Zoning Amendments

Report prepared by:

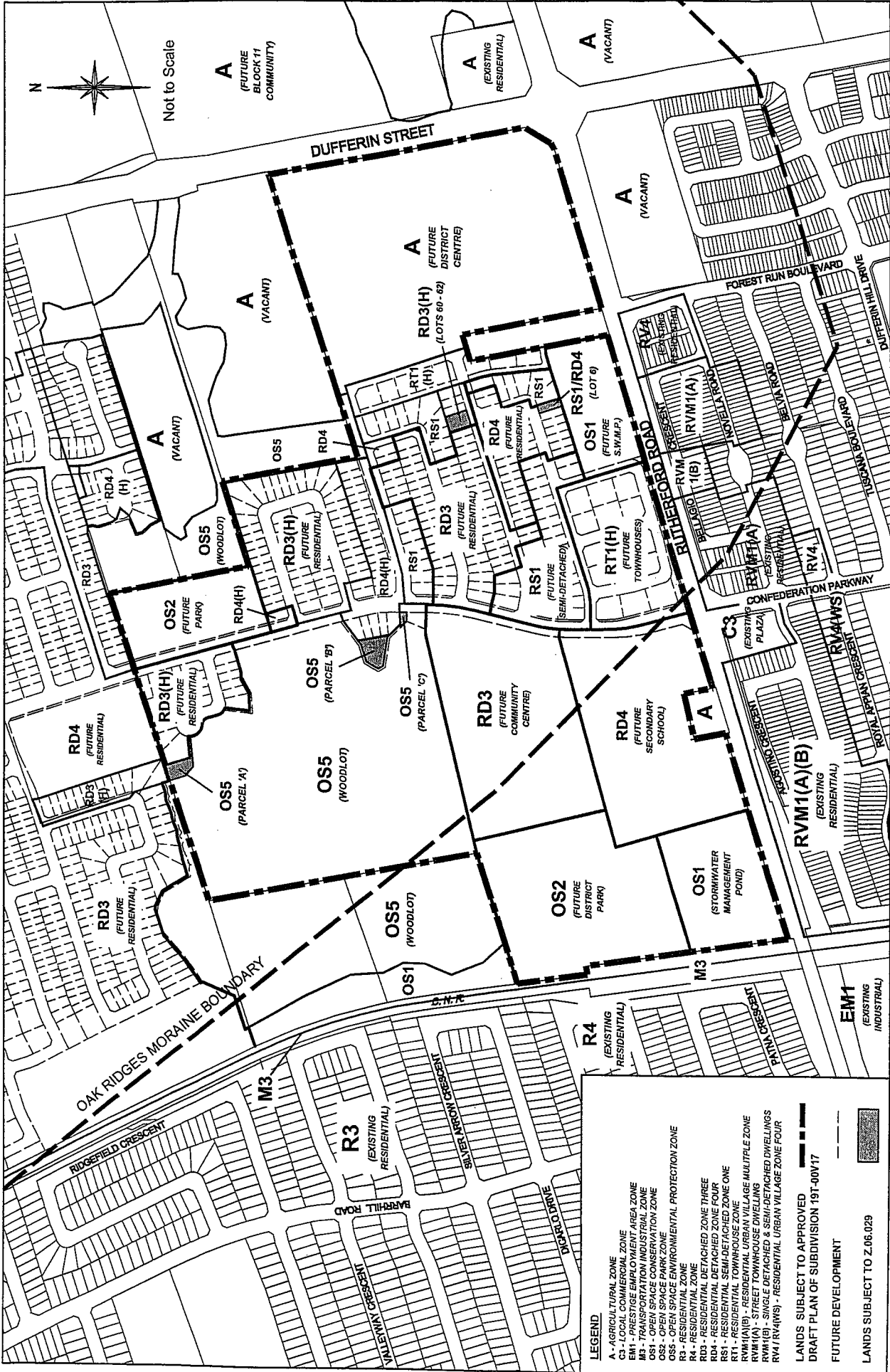
Stephen Lue, Planner I, ext. 8210
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Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

MARCO RAMUNNO
Director of Development Planning

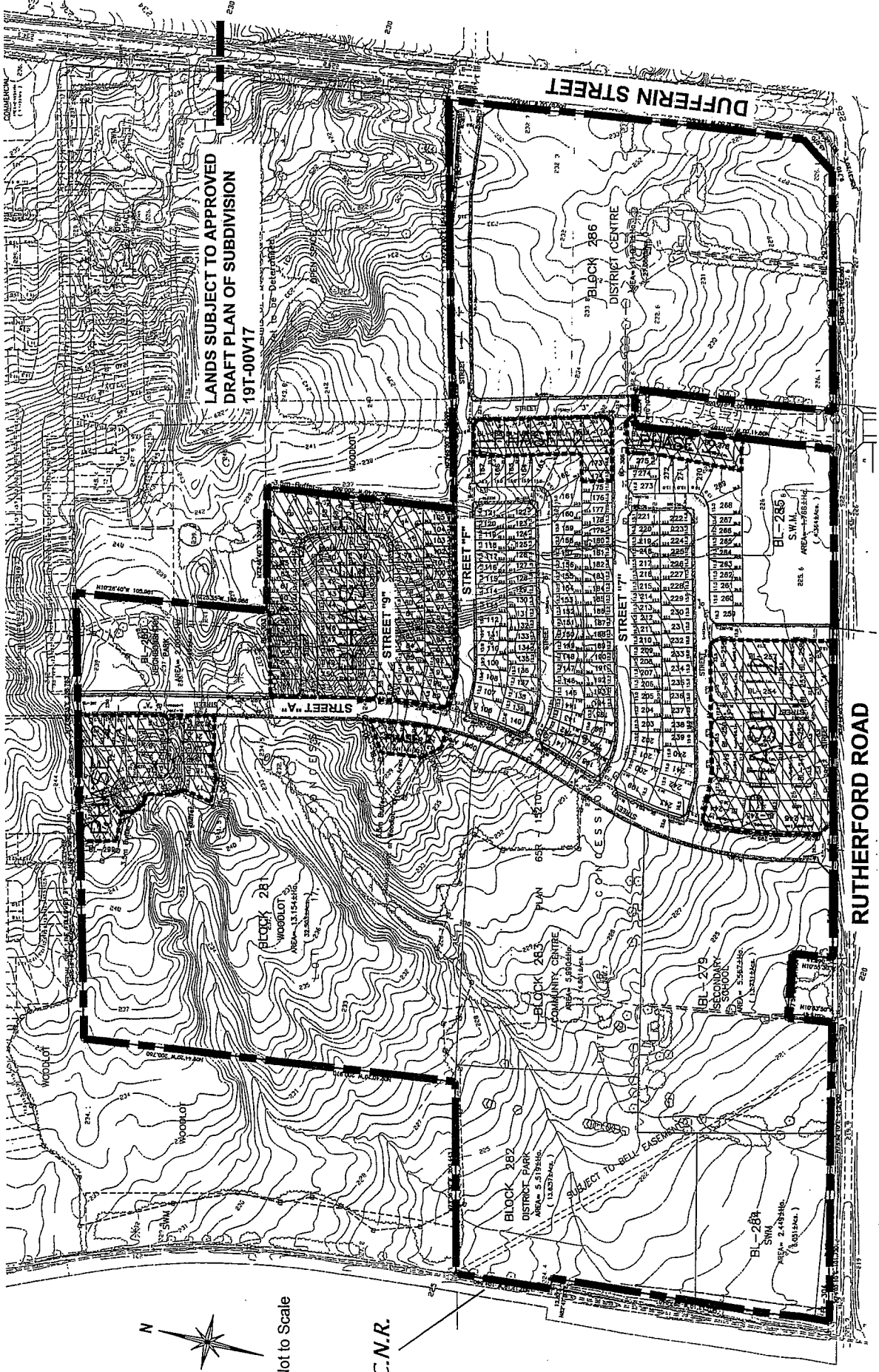
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Attachment 1
FILE No.: Z.06.029
RELATED FILES: 19T-00V17 & Z.00.091
June 13, 2006

City of **Vaughan**
Development Planning Department

Location Map
Part of Lots 16 & 17,
Concession 3
APPLICANT:
NINE-TEN INVESTMENTS LIMITED
N:\DFT\1 ATTACHMENTS\Z.06.029



LANDS SUBJECT TO APPROVED
DRAFT PLAN OF SUBDIVISION
19T-00V17



Not to Scale

C.N.R.

**Approved Draft Plan
of Subdivision 19T-00V17**

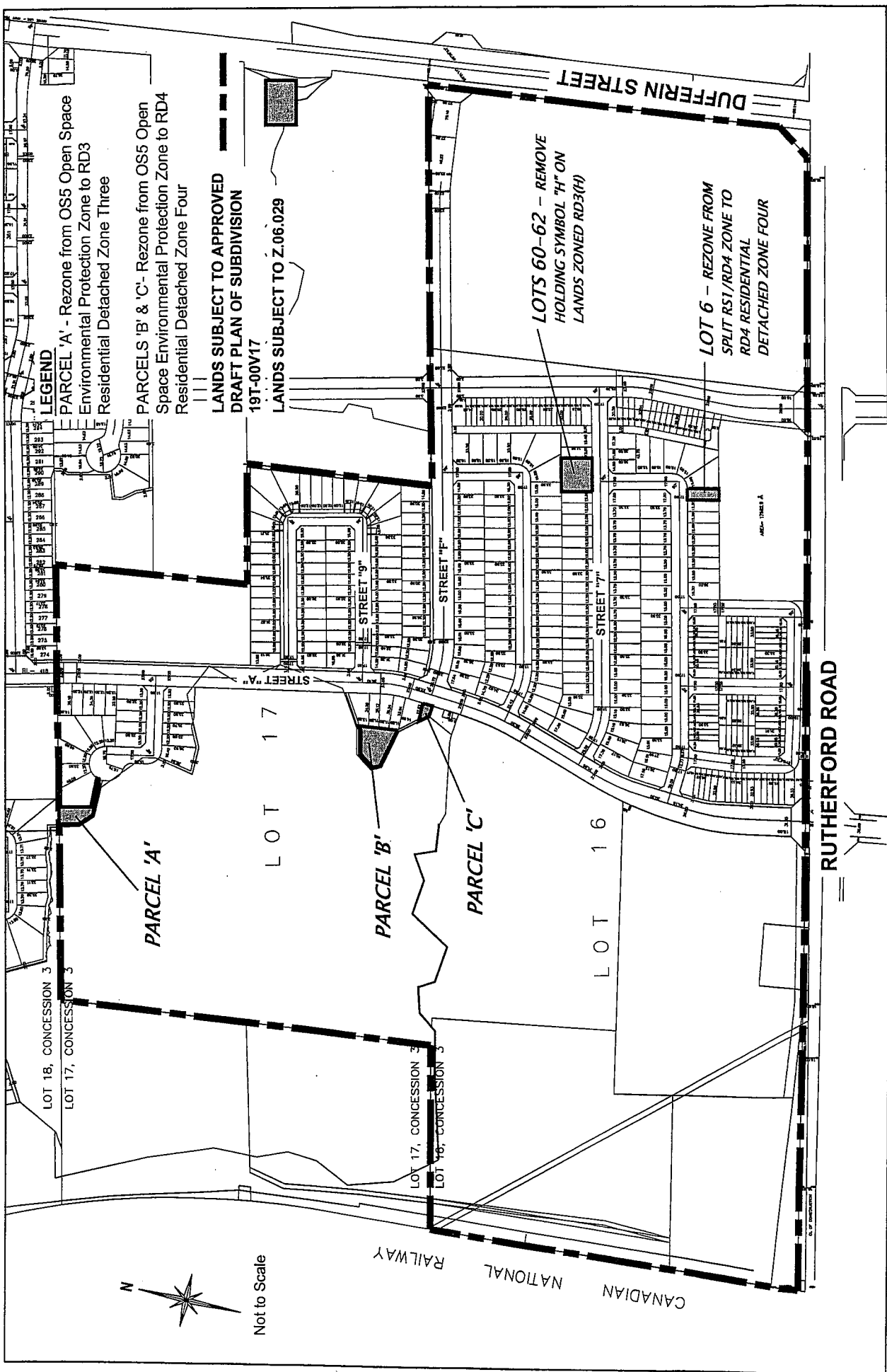
APPLICANT:
NINE-TEN
INVESTMENTS LIMITED
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Part of Lots 16 & 17,
Concession 3



Development Planning Department

Attachment
2
FILE No.:
Z.06.029
RELATED FILES:
19T-00V17 & Z.00.091
June 13, 2006



Attachment 3

FILE No.:
 Z.06.029
 RELATED FILES:
 19T-00V17 & Z.00.091
 June 13, 2006

City of Vaughan Development Planning Department

Proposed Zoning Amendments

Part of Lots 16 & 17,
 Concession 3

APPLICANT:
 NINE-TEN
 INVESTMENTS LIMITED
NS\PTA\ ATTACHMENTS\Z\06.029