COMMITTEE OF THE WHOLE (PUBLIC HEARING) SEPTEMBER 15, 2008

3. OFFICIAL PLAN AMENDMENT FILE OP.03.007
1321362 ONTARIO INC., 11336 HIGHWAY 27 LIMITED PARTNERSHIP,
KLEINBURG NORTH INC. & 1422174 ONTARIO LTD. - LEA VIVOT IN-TRUST

P.2008.34

ZONING BY-LAW AMENDMENT FILE Z.03.008 DRAFT PLAN OF SUBDIVISION FILE 19T-03VO2 1321362 ONTARIO INC.

ZONING BY-LAW AMENDMENT FILE Z.08.035 DRAFT PLAN OF SUBDIVISION FILE 19T-08VO4 11336 HIGHWAY 27 LIMITED PARTNERSHIP

ZONING BY-LAW AMENDMENT FILE Z.08.036 DRAFT PLAN OF SUBDIVISION FILE 19T-08VO5 KLEINBURG NORTH INC.

ZONING BY-LAW AMENDMENT FILE Z.08.037 DRAFT PLAN OF SUBDIVISION FILE 19T-08VO6 1422174 ONTARIO LTD. - LEA VIVOT IN-TRUST

Recommendation

The Commissioner of Planning recommends:

THAT the Public Hearing report for File OP.03.007 (1321362 Ontario Inc., 11336 Highway 27 Limited Partnership, Kleinburg North Inc. and 1422174 Ontario Ltd. - Lea Vivot In-Trust), Files Z.03.008 and 19T-03V02 (1321362 Ontario Inc.), Files Z.08.035 and 19T-08V04 (11336 Highway 27 Limited Partnership), Files Z.08.036 and 19T-08V05 (Kleinburg North Inc.) and Files Z.08.037 and 19T-08V06 (1422174 Ontario Ltd. - Lea Vivot In-Trust) BE RECEIVED; and, that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole.

Economic Impact

This will be addressed when the technical report is completed.

Communications Plan

On August 22, 2008, a Notice of Public Hearing was circulated to all property owners within 120m of the subject lands, and to the Kleinburg and Area Ratepayers' Association. As of September 2, 2008, no comments have been received by the Development Planning Department. Any responses received will be addressed in the technical review and included in individual comprehensive reports to a future Committee of the Whole meeting.

Purpose

The Owner has submitted the following applications on the subject lands shown on Attachment #1:

1. An Official Plan Amendment Application (File OP.03.007) to amend OPA #601 (Kleinburg-Nashville Community Plan), specifically to address the housing and population growth, sanitary and water servicing, and road improvement requirements, prior to permitting development on the subject lands designated "Future Residential - Humber North Expansion Area". The application also proposes the following, however, the

Owners have not specifically requested amendments to the Official Plan to implement the requested standards:

- i) a 20 m wide Community Edge Buffer along Regional Road 27 instead of a 30 m to 50 m Community Edge Buffer as required by OPA #601; and,
- ii) 17.5 m double-loaded local road right-of-ways and 15 m single-loaded local road right-of-ways instead of 18.5 m to 20 m local road right-of-ways as required by OPA #601.
- Four Zoning By-law Amendment Applications (Files Z.03.007, Z.08.035, Z.08.036 and Z.08.037) to amend By-law 1-88, specifically to rezone the subject lands from A Agricultural Zone to R1 Residential Zone (minimum lot frontage 18 m and lot area 648m²), OS1 Open Space Conservation Zone and OS2 Open Space Park Zone, as shown on Attachments #3 to #6 inclusive.
- 3. Four Draft Plans of Subdivision Applications (Files 19T-03V02, 19T-08V04, 19T-08V05 and 19T-08V06) to facilitate four residential plans of subdivision consisting of a total of 151 lots and 6 blocks for 3 future lots for detached dwellings with lot frontages of 18 m and lot areas of 702 m² on a total of 59.98 ha, as shown on Attachment #2. The respective statistics for each plan of subdivision is as follows:

File 19T-03V02 (as shown on Attachment #3)

•	47 Dwelling Units	4.52 ha
-	Future Residential (Blocks 48-50)	0.13 ha
=	Stormwater Pond (Block 51)	0.38 ha
•	10 m Buffer (Block 52)	0.21 ha
•	20 m Community Edge Buffer (Blocks 53 & 54)	0.39 ha
•	Road Widening (Block 55)	0.07 ha
•	Roads & 0.3 m Reserves	1.59 ha
	Total Site Area	7.29 ha

File 19T-08V04 (as shown on Attachment #4)

ĸ	53 Dwelling Units	5.37 ha
E	1 Existing Dwelling	0.36 ha
•	Future Residential (Blocks 55-57)	0.15 ha
•	Stormwater Pond (Block 58)	0.85 ha
•	9 m Storm Pond Access (Block 63)	0.05 ha
	20 m Community Edge Buffer (Blocks 60 & 61)	0.37 ha
•	Open Space/Valleylands (Block 59)	1.07 ha
	6 m Emergency Road Access (Block 62)	0.04 ha
=	Road Widening	0.12 ha
•	Roads & 0.3 m Reserves	<u>0.96 ha</u>
	Total Site Area	9.34 ha

File 19T-08V05 (as shown on Attachment #5)

	5 Dwelling Units	0.98 ha
•	10 m Buffer (Block 8)	0.41 ha
•	20 m Community Edge Buffer (Block 7)	0.04 ha
•	Open Space/Valleylands (Block 6)	8.61 ha
•	Roads & 0.3m Reserves	0.08 ha
	Total Site Area	10.12 ha

File 19T-08V06 (as shown on Attachment #6)

•	45 Dwelling Units	4.28 ha
=	1 Linear Park (Block 46)	1.15 ha
•	20 m Community Edge Buffer (Block 47)	0.36 ha
•	Open Space/Valleylands (Block 48)	25.96 ha
•	Roads & 0.3m Reserves	<u>1.48 ha</u>
	Total Site Area	33.23 ha

The applicant intends to maintain ownership of the valleylands, and to maintain the two existing detached dwelling units and use one for a residence and the other for a commercial artist's studio, which are within the valleyland area.

Background - Analysis and Options

The subject lands shown on Attachment #1 are located on the west side of Regional Road 27, south of Kirby Road, in Part of Lots 29 and 30, Concession 9, City of Vaughan. The subject lands have an area of 59.98 ha, with frontage along Regional Road 27.

The subject lands are designated "Future Residential - Humber North Expansion Area" and "Valley and Stream Corridor" by OPA #601 (Kleinburg-Nashville Community Plan), as shown on Attachment #7. The lands are also within the "Natural Heritage System of the Protected Countryside" of the *Greenbelt Plan*. The lands are zoned A Agricultural Zone, OS1 Open Space Conservation Zone and OS3 Open Space Commercial Zone by By-law 1-88, subject to Exception 9(167), which permits agricultural uses. The subject lands are currently used for agricultural and residential purposes.

Files OP.03.007, Z.03.008 and 19T-03V02 were previously considered by the Committee of the Whole at the March 24, 2003 Public Hearing. The recommendation of the Committee of the Whole to receive the Public Hearing report on March 24, 2003 (which proposed 53 detached lots on a 40.52 ha plan of subdivision for File 19T-03V02 and included the southerly lands that are now within File 19T-08V06), and to forward a comprehensive report to a future Committee of the Whole meeting, was ratified by Council on March 31, 2003.

On December 12, 2005, Council adopted the December 5, 2005 Committee of the Whole recommendation responding to the September 26, 2005 Council resolution for the Development Planning Department to review two concept development proposals brought forward by the applicants, Kleinburg and Area Ratepayers Association and the Hedgerow Lane Residents to establish a buffer area along the southern limits of the subject lands adjacent to the Hedgerow Lane Subdivision as shown on Attachment #8. The recommendation also stated that the community edge buffer of 30 m to 50 m was appropriate, and that Council receive the "Principles of Development Concepts" submitted by the applicants respecting the terms of development for the subject lands, as shown on Attachment #9.

A portion of the subject lands fall within the "Natural Heritage System of the Protected Countryside" of the *Greenbelt Plan*. In a letter dated November 9, 2006, the Ministry of Municipal Affairs and Housing accepted the City's position that Section 5.2.1 of the *Greenbelt Plan* applied to OPA #601, as the Official Plan was amended prior to December 16, 2004, and stated in the letter, "that approval may continue to be recognized and that any further applications to implement the Official Plan approval are not required to conform with the Greenbelt Plan."

Preliminary Review

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

- i) the applications will be reviewed in the context of the City's Official Plan, Region of York Official Plan, Provincial Policy Statement and Places to Grow-Growth Plan regarding the conformity of the subject lands to the applicable policies and requirements of these documents with respect to the proposed land uses, sustainability, environment, and servicing and transportation infrastructure;
- ii) review will be given to the appropriateness of the proposed 20 m wide Community Edge Buffer along Regional Road 27 instead of a 30 m to 50 m Community Edge Buffer, and the inclusion of the 20 m Community Edge Buffer and stormwater management lands in the calculation of residential density whereas these lands are not to be included accordance with OPA #601; on April 11, 2008, the OMB issued its decision approving a 20 m wide Community Edge Buffer and allowing the inclusion of the 20 m wide Community Edge Buffer and stormwater management lands in the calculation of residential density for the Kerrowood Developments Ltd. Plan of Subdivision (File 19T-84076), south of the subject lands;
- review will be given to the appropriateness of the proposed 17.5 m double-loaded local road right-of-ways and 15 m single-loaded local road right-of-ways instead of 18.5 m to 20 m right-of-ways as required by OPA #601, and the 6 m wide emergency road access intersecting Regional Road 27;
- iv) the issues respecting access (i.e., vehicular, privacy fencing), servicing and liability will be reviewed as the applicant intends to maintain ownership of the valleylands, and to maintain the existing two detached dwelling units and use one for a residence and the other for a commercial artist's studio, which are within the valleyland area for Plan of Subdivision 19T-08V06;
- v) review will be given to the Official Plan requirement for the completion of the Local Water and Wastewater Servicing Strategy Master Plan Class Environmental Assessment (EA) Study for the Kleinburg-Nashville Community to identify servicing infrastructure improvements (i.e., water supply and sanitary sewer services) required to support the build out of the planned and proposed developments in the Kleinburg-Nashville Community;
- vi) the Official Plan requires that features such as valleys/woodlots and linkages for passive environmental, recreation and education be protected; that community edge buffers be provided; and that the staking of lands be undertaken to establish the limits of development; an appropriate buffer in public ownership will be required to be conveyed along the westerly limit of Draft Plan of Subdivision 19T-08V06; the applications will be reviewed in the context of these requirements;
- vii) the following supporting reports were submitted for the applications within the Humber North Extension Area: Planning Analysis Humber North Extension, dated June 2008 by Humphries Planning Group Inc.; North Humber Extension Development Functional Servicing Report, dated June 2008 by The Municipal Infrastructure Group Ltd.; Geotechnical Investigation Proposed Residential Subdivision, Part of East Half of Lot 29, Concession 9, dated January 9, 2008 by Terraprobe Limited; Geotechnical Investigation Proposed Residential Subdivision 11336 Highway 27, Village of Kleinburg, dated February 20, 2008 by Terraprobe Limited; Hygrogeological Investigation Proposed Residential Development, 11336 & 11270 Highway 27, dated June 23, 2008 by Terraprobe Limited; Phase I Environmental Assessment 11336 Highway 27 & 11270 Highway 27, dated December 10, 2007 by Try Environmental Services Inc.; Environmental Report Humber North Extension Area, dated May 20, 2008 by Ages Limited; and Traffic Impact Assessment Proposed Street "A" Intersection At Highway 27, dated May 30, 2007 by Sernas Transtech; the applications and

supporting documents will be reviewed by the applicable City Departments and external public agencies, and any additional required supporting documents will be identified and submitted for review;

viii) the appropriateness of the proposed land uses, including the road pattern for the subject lands, will be reviewed within the context of the surrounding existing and planned land uses for the Kleinburg-Nashville Community.

Relationship to Vaughan Vision 2020

The applicability of these applications to the Vaughan Vision will be determined when the individual technical reports are considered.

Regional Implications

The applications have been circulated to the Region of York for review and comment. The subject lands are designated "Rural Policy Area" by the Regional Official Plan. Any issues will be addressed when the individual technical reports are considered.

Conclusion

The above issues, but not limited to, 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 be addressed in individual comprehensive reports to a future Committee of the Whole meeting. In particular, the applications will be reviewed in the context of the applicable Provincial, Regional and City policies; the requirements of external public agencies (i.e., Toronto and Region Conservation Authority, Region of York, York Region School Boards, etc.); sustainability and environmental considerations; and servicing and transportation infrastructure requirements; and, the completion, review and approval of supporting studies.

Attachments

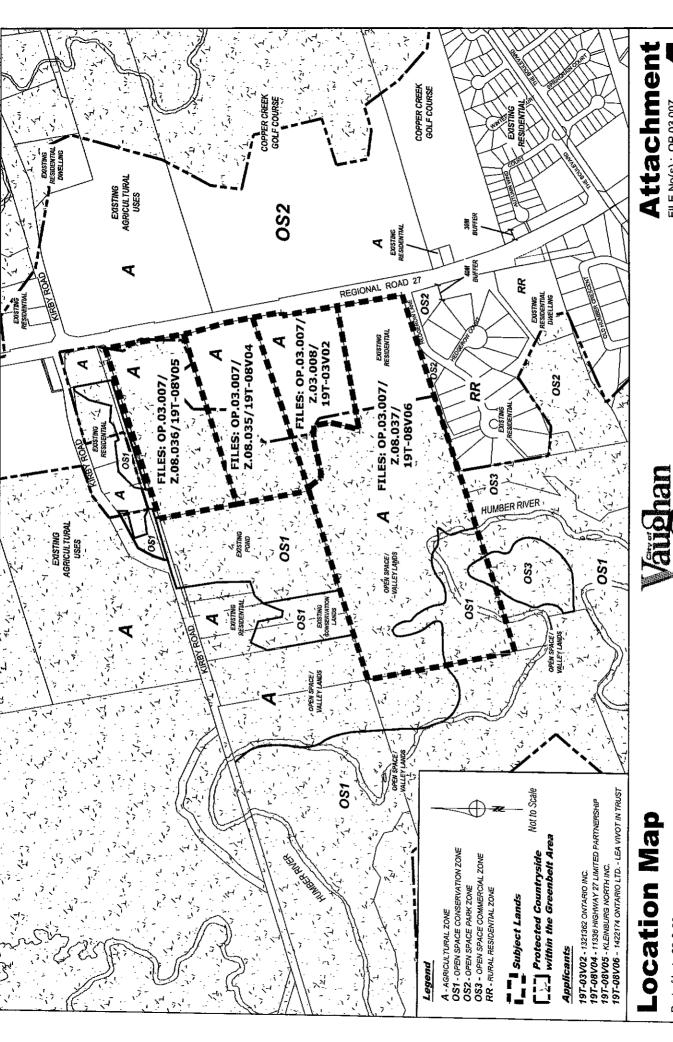
- Location Map
- 2. Consolidated Draft Plans of Subdivision
- 3. Plan of Subdivision 19T-02V03 and Proposed Zoning
- 4. Plan of Subdivision 19T-08V04 and Proposed Zoning
- 5. Plan of Subdivision 19T-08V05 and Proposed Zoning
- 6. Plan of Subdivision 19T-08V06 and Proposed Zoning
- 7. Kleinburg-Nashville Community Plan (OPA #601) Land Use Schedule
- 8. Concept Plans
- 9. Principles of Development Concepts

Report prepared by:

Judy Jeffers, Planner, ext. 8645 Mauro Peverini, Senior Planner, ext. 8407

Respectfully submitted,

JOHN ZIPAY Commissioner of Planning GRANT UYEYAMA Senior Manager of Development Planning



Attachment

FILE No(s).: OP.03.007 Z.03.008 & 19T-03V02 Z.08.035 & 19T-08V04 Z.08.036 & 19T-08V05 Z.08.037 & 19T-08V06 August 20, 2008

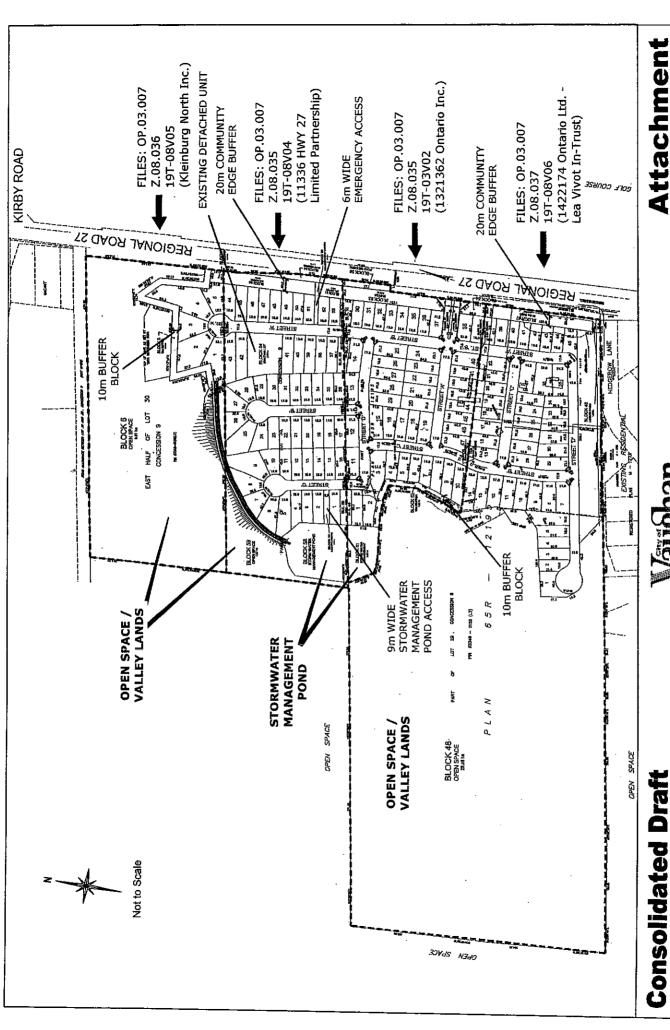
Development Planning Department

The City Above Toronto

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Part of Lots 29 & 30 Concession 9

APPLICANT: 1321362 ONTARIO INC. & OTHERS



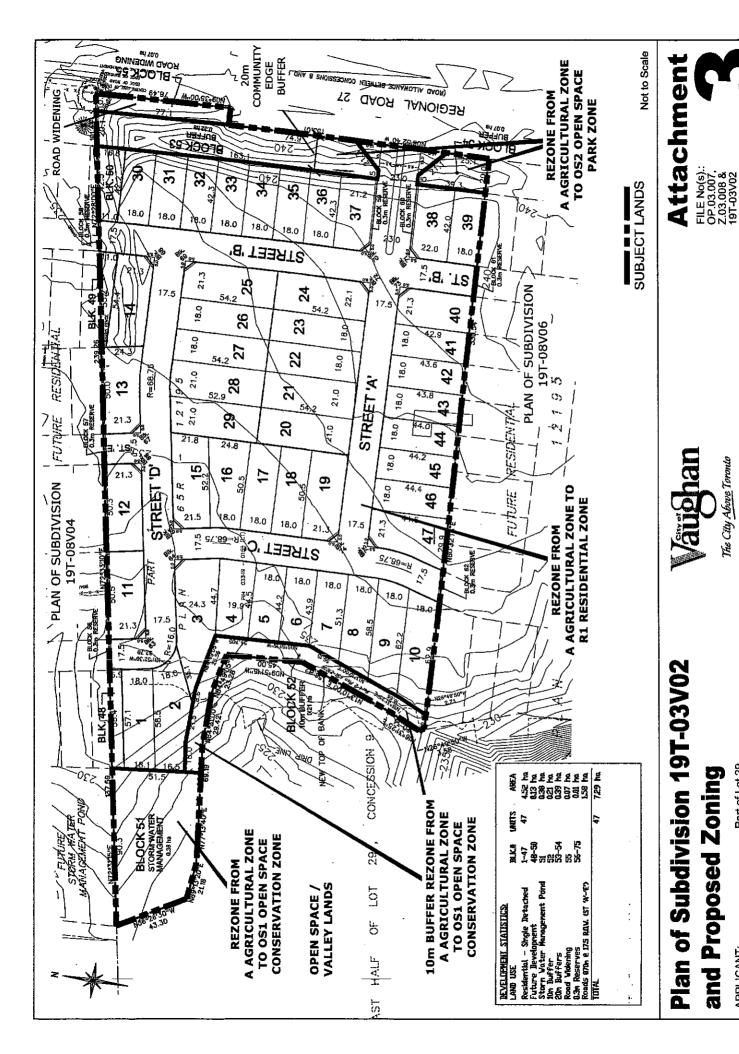
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Development Planning Department

FILE No(s).: OP.03.007 Z.03.008 & 19T-03V02 Z.08.035 & 19T-08V04 Z.08.036 & 19T-08V05 Z.08.037 & 19T-08V06 August 20, 2008

APPLICANT: 1321362 ONTARIO INC. & OTHERS

Part of Lots 29 & 30 Concession 9 Plans of Subdivision



August 20, 2008

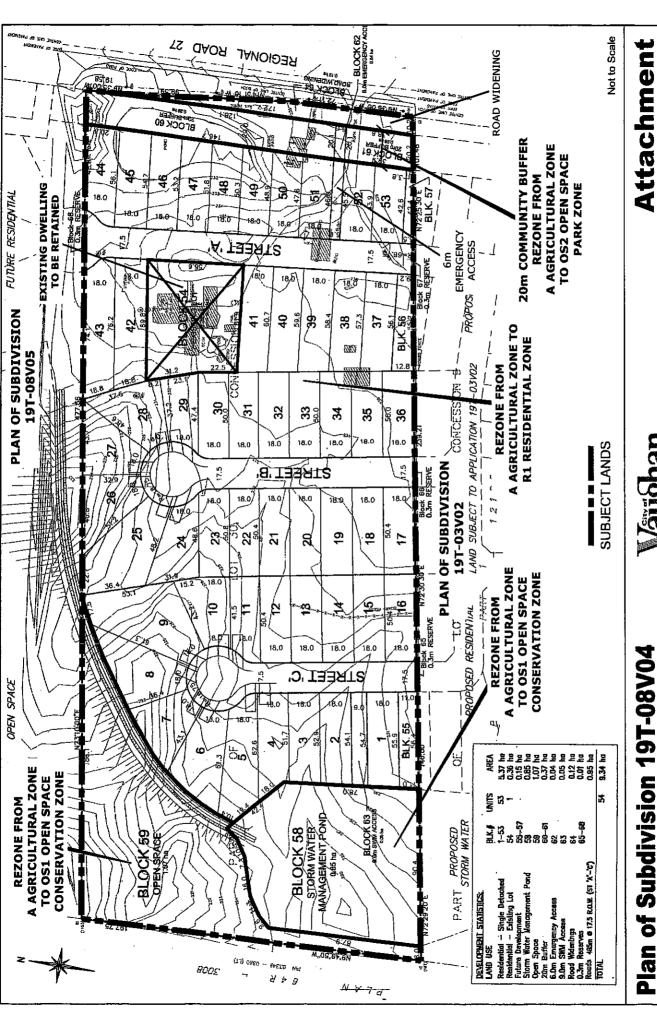
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Part of Lot 29 Concession 9

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APPLICANT: 1321362 ONTARIO INC.

The City Above Toronto



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Development Planning Department

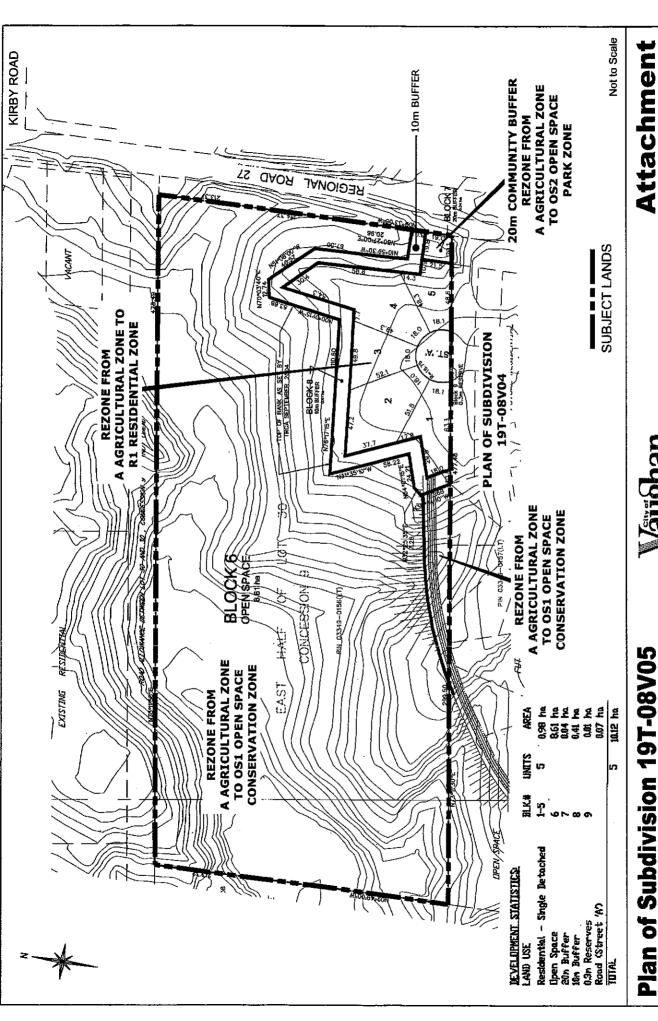
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August 20, 2008

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Part of Lot 30 Concession 9 APPLICANT: 11336 HIGHWAY 27 LIMITED PARTNERSHIP

and Proposed Zoning



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Development Planning Department

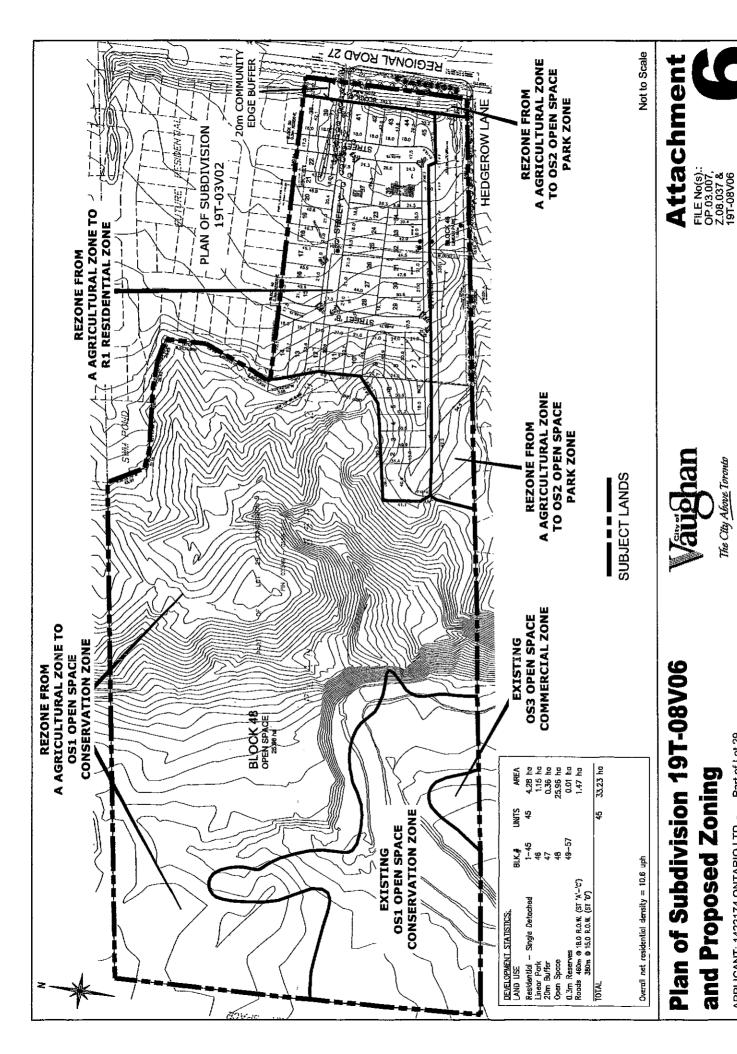
Part of Lot 30 Concession 9

APPLICANT: KLEINBURG NORTH INC.

and Proposed Zoning

Attachment FILE No(s).: OP.03.007, Z.08.036 & 19T-08V05

August 20, 2008



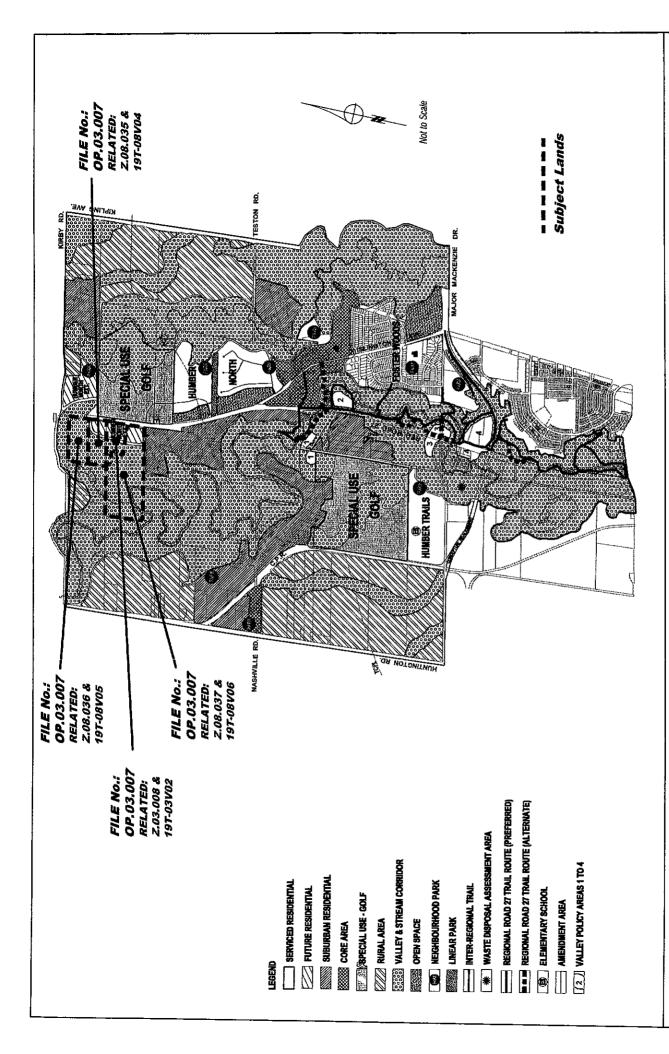
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Part of Lot 29 Concession 9

APPLICANT: 1422174 ONTARIO LTD. -LEA VIVOT IN TRUST

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

APPLICANT: 1321362 ONTARIO INC. & OTHERS

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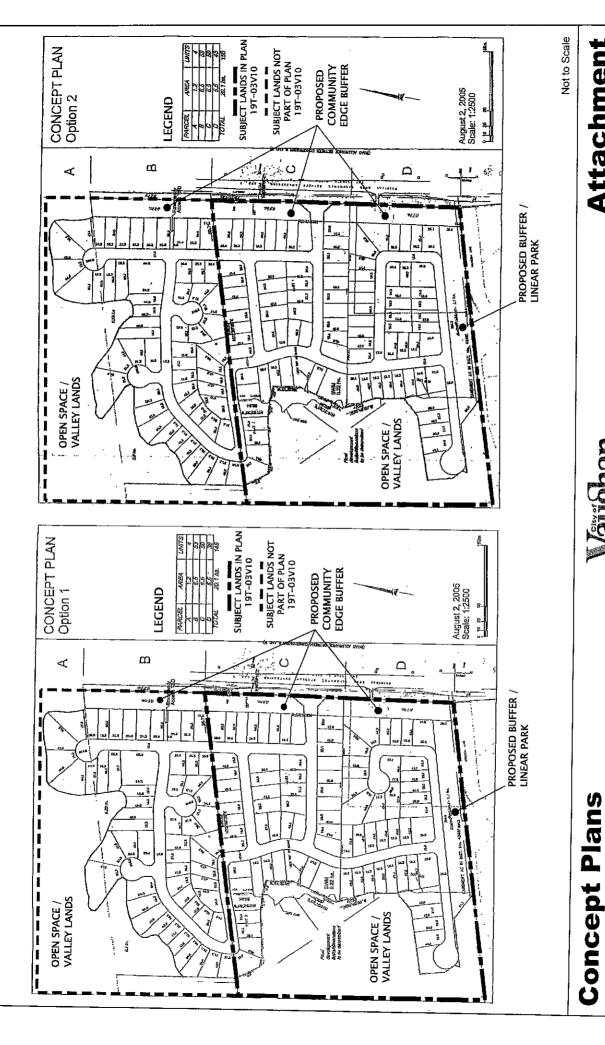
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Development Planning Department

FILE No(s):: OP.03.007 Z.03.008 & 19T-03V02 Z.08.035 & 19T-08V04 Z.08.036 & 19T-08V05 Z.08.037 & 19T-08V06 August 20, 2008

Attachment



Development Planning Department The City Above Toronto

APPLICANT: 1321362 ONTARIO INC. & OTHERS

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Part of Lots 29 & 30 Concession 9

Attachment

FILE No(s).: OP.03.007 Z.03.008 & 19T-03V02 Z.08.035 & 19T-08V04 Z.08.036 & 19T-08V05 Z.08.037 & 19T-08V06 August 20, 2008

ATTACHMENT 9 - PRINCIPLES OF DEVELOPMENT CONCEPTS

Principles of Development Concepts (Options 1 and 2) as discussed with KARA and Hedgerow Lane Ratepayers Representative

- 1. One main access from HWY 27 supplemented by one emergency access also from HWY 27. Final location of these access points shall be determined with the Region of York as required.
- 2. Buffer/Parkland area to be calculated based on 5% of the net developable area of the final limits of development to be determined through the land use planning process.
- 3. Buffer/parkland area to be linear in fashion and located at the south end of the plan area, directly north of the Hedgerow Lane subdivision. This area is to be passive in nature and require no maintenance upon construction. (Status of 6.1m easement in favour of Bell Telephone Company registered as instrument number 42481 in 1959 to be determined).
- 4. The buffer/parkland block, shall have frontage on a single loaded road. Such road shall have a maximum right-of-way width of 15m.
- 5. Easterly boundary (along HWY 27) to contain a buffer strip 30m in width. It is recognized that this area is largely occupied by a berm of varied heights. This berm is stable and shall be maintained. Additional height and landscaping of the berm in various locations will be evaluated/determined at the draft plan of subdivision stage. The final berm is to be natural, with no maintenance requirements.
- 6. The westerly limit of development is conceptual in natural. Final limits of development will be determined at the draft plan of subdivision stage with the appropriate commenting and review agencies.
- 7. Stormwater management block shown on the plan is conceptual in natural. Final location, limits and area shall be determined at the draft plan of subdivision stage.
- 8. Average lot size will be approximately 10,000 square feet.
- 9. Final unit count for properties will be subject to detailed application submissions and approvals.

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