

COMMITTEE OF THE WHOLE JANUARY 12, 2010

**ZONING BY-LAW AMENDMENT FILE Z.02.057
BLOCK 18 (BETTI) INC.
WARD 1**

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.02.057 (Block 18 (Betti) Inc.) BE APPROVED, to rezone Areas "B" and "C" from A Agricultural Zone to OS1 Open Space Conservation Zone and RT1(H) Residential Townhouse Zone with the Holding Symbol "(H)" under Exception 9(1226), respectively, and to retain the "A" Agricultural Zone category on Area "A", all in the manner shown on Attachment #3, subject to the following conditions:
 - a) that prior to the enactment of the implementing Zoning By-law:
 - i) the Owner shall certify to the satisfaction of the Vaughan Engineering Department that the construction debris identified in the Phase 1 Environmental Site Assessment (ESA) Report has been properly removed and disposed off site and that the single well found on site, which is no longer required, has been properly decommissioned in accordance with Ontario Regulation 903 and copies of the completed Water Well Records are submitted to the Vaughan Engineering Department as confirmation that the works have been satisfactorily undertaken;
 - b) that the implementing Zoning By-law include the following:
 - i) the "H" Holding provision shall be removed from the lands zoned RT1(H) Townhouse Residential Zone upon the allocation of water and sanitary sewage treatment capacity by Vaughan Council.
2. THAT the Owner enter into a Development Agreement with the City respecting the design and construction for the extension of the Grand Trunk Avenue road allowance to Rutherford Road and the lands to be added to the stormwater management pond, to the satisfaction of the City.

Contribution to Sustainability

The contribution to sustainability will be determined through the Site Plan Approval process for the future residential street townhouse development in the proposed RT1(H) Residential Townhouse Zone (Area "C") of the subject lands.

Economic Impact

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

Communications Plan

On December 15, 2003, a Notice of a Public Hearing was circulated to all property owners within 120 m of the subject lands and to the Maple Village and Gates of Maple Ratepayer Associations. A written submission by Ms. Lyn MacMillan, 9605 Dufferin Street, dated January 5, 2004, was received with respect to a number of development applications in Block 18, including the subject application, which identified the following concerns:

- a) the protection of the wetlands and streams in Block 18 concerning any impacts to the 48.5 ha (120 acre) Nature Reserve located on the east side of Dufferin Street in Block 11 that was donated by the MacMillian family to the Nature Conservancy of Canada; and,
- b) the incorporation of open space, greenways and buffer areas around woodlots in Block 18.

Ms. MacMillian, in a private agreement with the Nature Conservancy of Canada, created the MacMillan Private Nature Reserve located on the east side of Dufferin Street, as shown on Attachment #1. The incorporation of open space, greenways and buffer areas around woodlots have been addressed through the approval of the Block 18 Community Design Plan where woodlots have been identified and protected in the Community Plan and through the zoning by-law.

The recommendation of the Committee of the Whole on January 5, 2004, 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 January 12, 2004.

Purpose

The Owner has submitted a Zoning By-law Amendment Application (Block 18 (Betti) Inc.), specifically to amend By-law 1-88, to rezone the subject lands shown on Attachments #1 and #2, in the manner shown on Attachment #3, as follows:

Area "A"	Remain zoned A Agricultural Zone, which will form part of the Carrville District Centre and will be subject to a future zoning amendment application together with the adjacent lands to the east (Carrville District Centre lands).
Area "B"	Rezone from A Agricultural Zone to OS1 Open Space Conservation Zone, which is consistent with the adjacent lands (existing stormwater management pond) to the west.
Area "C"	Rezone from A Agricultural Zone to RT1(H) Residential Townhouse Zone with the Holding Symbol "(H)", subject to Exception 9(1226), which is consistent with the lands to the west to create full lots for a future street townhouse development.

The Zoning By-law Amendment would also facilitate the completion of Grand Trunk Avenue through to Rutherford Road.

Background - Analysis and Options

The 0.8 ha subject lands shown on Attachments #1 and #2 are located on the north side of Rutherford Road, west of Dufferin Street, being Part of Lot 16, Concession 3, within Planning Block 18, City of Vaughan. The subject lands have 40.25 m frontage along Rutherford Road and a lot depth of approximately 210 m. The surrounding land uses are shown on Attachment #2.

The subject Zoning By-law Amendment application was considered by Vaughan Council at a Public Hearing on January 5, 2004, together with a related Draft Plan of Subdivision File 19T-02V03 (Nino Betti). At that time, the Owner proposed 15 townhouse units, and the extension of Grand Trunk Avenue as shown on Attachment #4.

On December 5, 2005, the subject lands were purchased by Block 18 (Betti) Inc. to facilitate and finalize the development of the subject lands. In 2009, the Owner met with the Vaughan Engineering Department and the Vaughan Legal Services Department respecting the existing development applications and the following was determined:

- a) approximately 0.52 ha of the subject lands will be conveyed to the City of Vaughan through Land Titles for the completion of Grand Trunk Avenue;
- b) the remaining lands (0.28 ha) will be incorporated with the adjoining lands, as shown on Attachment #3, specifically:

- i) Area "A" totaling approximately 0.14 ha to be incorporated with the Carrville District Centre to the east;
- ii) Area "B" totaling approximately 0.03 ha to be incorporated with the existing stormwater management pond to the west; and,
- iii) Area "C" totaling approximately 0.11 ha to be incorporated with the lands to the west owned by Nine-Ten West Limited (Plan of Subdivision File 19T-00V17) for future street townhouses.

The Vaughan Development Planning Department, in consultation with the Vaughan Engineering Department and the Vaughan Legal Services Department, concurs with the Owner's letter dated July 17, 2009, that Plan of Subdivision File 19T-02V03 is no longer required, as the lands for the public road and addition to the stormwater pond can be dedicated to the City, thereby resulting in a parcel of land for the proposed street townhouse units on the west side of the future public road and a parcel for the future Carrville District Centre lands on the east side of the road. The Owner should formally close Draft Plan of Subdivision File 19T-02V03, to the satisfaction of the Development Planning Department.

The Vaughan Engineering Department advises that the Owner will be required to enter into a Development Agreement with the City respecting the design and construction for the extension of the Grand Trunk Avenue road allowance to Rutherford Road and the lands to be added to the stormwater management pond, to the satisfaction of the City.

Official Plan

The subject lands are designated "Low Density Residential" and "Carrville District Centre" by OPA #600 and further designated "Settlement Area" by OPA #604 (Oak Ridges Moraine Conservation Plan). The application conforms to the policies of the Official Plan.

Zoning By-law

The subject lands are zoned A Agricultural Zone by By-law 1-88. The Owner proposes to amend By-law 1-88, in the manner shown on Attachment #3, as follows:

Area "A"	Remain A Agricultural Zone, which will form part of the Carrville District Centre and will be subject to a further zoning amendment together with the adjacent lands to the east (Carrville District Centre lands).
Area "B"	Rezone from A Agricultural Zone to OS1 Open Space Conservation Zone, which is consistent with the adjacent lands to the west (existing stormwater management pond).
Area "C"	Rezone from A Agricultural Zone to RT1(H) Residential Townhouse Zone with the Holding Symbol "(H)", subject to Exception 9(1226), which is consistent with the abutting lands to the west to create full lots for a future street townhouse development.

The purpose of placing the Holding Symbol "(H)" on the lands proposed to be zoned RT1(H) Residential Townhouse Zone is to ensure that adequate water supply and sanitary sewage treatment capacity is available and allocated by Vaughan Council to accommodate future residential development on the lands. Placing the Holding Symbol "(H)" on those lands is consistent with the existing zoning on the adjacent residential block to the west, within Draft Plan of Subdivision File 19T-00V17 (Nine-Ten West Limited).

Planning Considerations

The proposed Zoning By-law Amendment will result in the division of land that will facilitate the extension of Grand Trunk Avenue and thereby complete its southerly extension to Rutherford Road. The amendment will complete the residential street townhouse blocks and the stormwater management pond to the west, within the approved Draft Plan of Subdivision 19T-00V17 (Nine-Ten West Limited) and will afford additional lands to the future Carrville District Centre to the east.

The amendment is consistent with the existing adjacent zoning and with the approved Community Design Plan for Planning Block 18. Accordingly, the Development Planning Department can support the Zoning By-law Amendment to rezone the subject lands, in the manner shown on Attachment #3.

Vaughan Engineering Department

A Phase 1 Environmental Site Assessment (ESA) Report has been reviewed and found to be acceptable by the Vaughan Engineering Department.

The Vaughan Engineering Department requires the Owner to certify to the satisfaction of the Engineering Department, that the construction debris identified in the Phase 1 Environmental Site Assessment (ESA) Report has been properly removed and disposed off site and that the single well found on site, which is no longer required, has been properly decommissioned in accordance with Ontario Regulation 903. Copies of the completed Water Well Records are to be submitted to the Engineering Department as confirmation that the works have been satisfactorily undertaken. A condition to this respect has been included in the recommendation of this report.

Archaeological Assessment

The subject lands were part of the Stage 1-2 Archaeological Assessment prepared by Archaeological Services Inc. in January 5, 2009, for the adjacent Nine-Ten West Draft Plan of Subdivision (File 19T-00V17). This assessment was cleared by the Ministry of Culture, and the subdivision conditions for clearance by the City of Vaughan have been satisfied. As a result, the Vaughan Cultural Services Division has no objection to the approval of Zoning By-law Amendment File Z.02.057.

Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the priorities set forth in Vaughan Vision 2020, particularly "Plan & Manage Growth & Economic Vitality".

Regional Implications

The Region of York Transportation Services Department has reviewed the Zoning By-law Amendment application and has no objections to its' approval.

Conclusion

Zoning By-law Amendment File Z.02.057 (Block 18 (Betti) Inc.) has been reviewed in accordance with the policies of OPA #600, the approved Block 18 Community Plan, Zoning By-law 1-88 and the surrounding area context. The application will facilitate the extension of Grand Trunk Avenue to Rutherford Road, the completion of the residential street townhouse blocks and stormwater management block to the west, and additional lands to the east for the future development of the Carrville District Centre, in a manner consistent and compatible with the surrounding land use context. On this basis, the Development Planning Department can support the approval of the Zoning By-law Amendment Application.

Attachments

1. Context Location Map
2. Location map
3. Proposed Zone Boundaries
4. Proposed Draft Plan of Subdivision 19T-02V03 (January 5, 2004 Public Hearing)

Report prepared by:

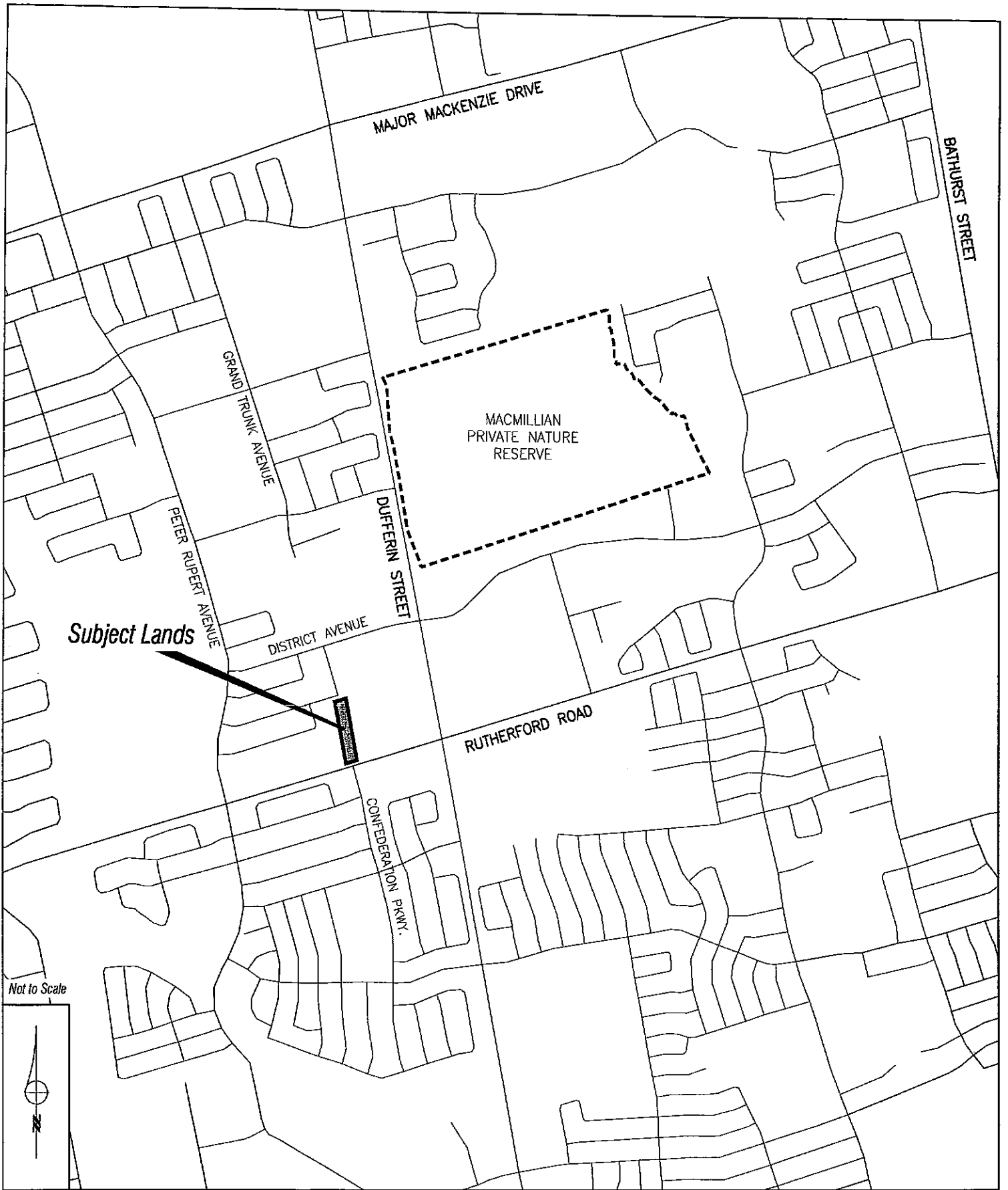
Stephen Lue, Planner, ext. 8210
Carmela Marrelli, Senior Planner, ext. 8791
Mauro Peverini, Manager of Development Planning, ext. 8407

Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

GRANT UYEVAMA
Director of Development Planning

/LG



Context Location Map

LOCATION:
Part of Lot 16, Concession 3

APPLICANT:
Block 18 (Betti) Inc.

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The City Above Toronto

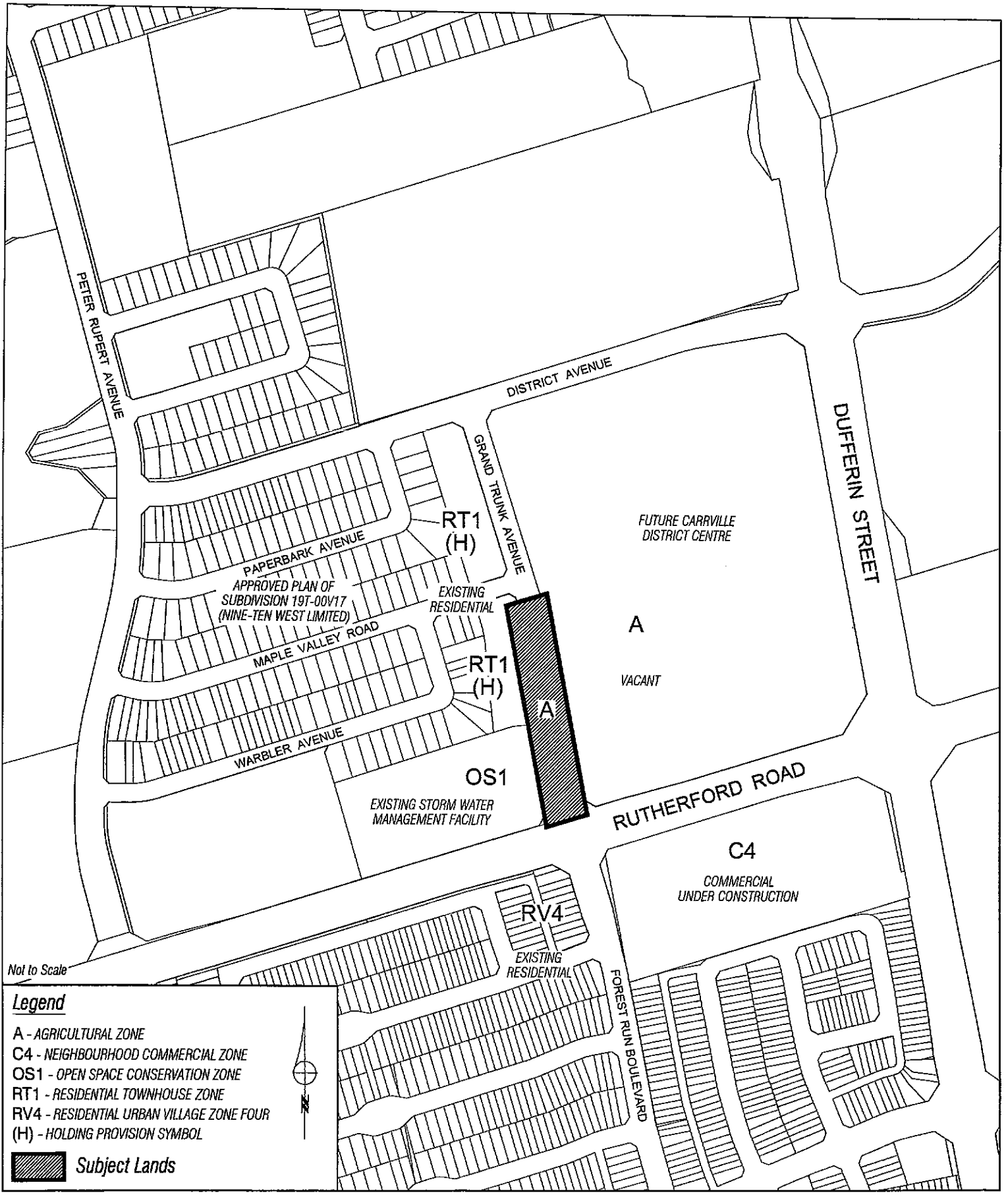
Development Planning Department

Attachment

FILE:
Z.02.057

DATE:
November 27, 2009






Not to Scale

Legend

- A - AGRICULTURAL ZONE
- C4 - NEIGHBOURHOOD COMMERCIAL ZONE
- OS1 - OPEN SPACE CONSERVATION ZONE
- RT1 - RESIDENTIAL TOWNHOUSE ZONE
- RV4 - RESIDENTIAL URBAN VILLAGE ZONE FOUR
- (H) - HOLDING PROVISION SYMBOL

 Subject Lands

Location Map

LOCATION:
Part of Lot 16, Concession 3

APPLICANT:
Block 18 (Betti) Inc.

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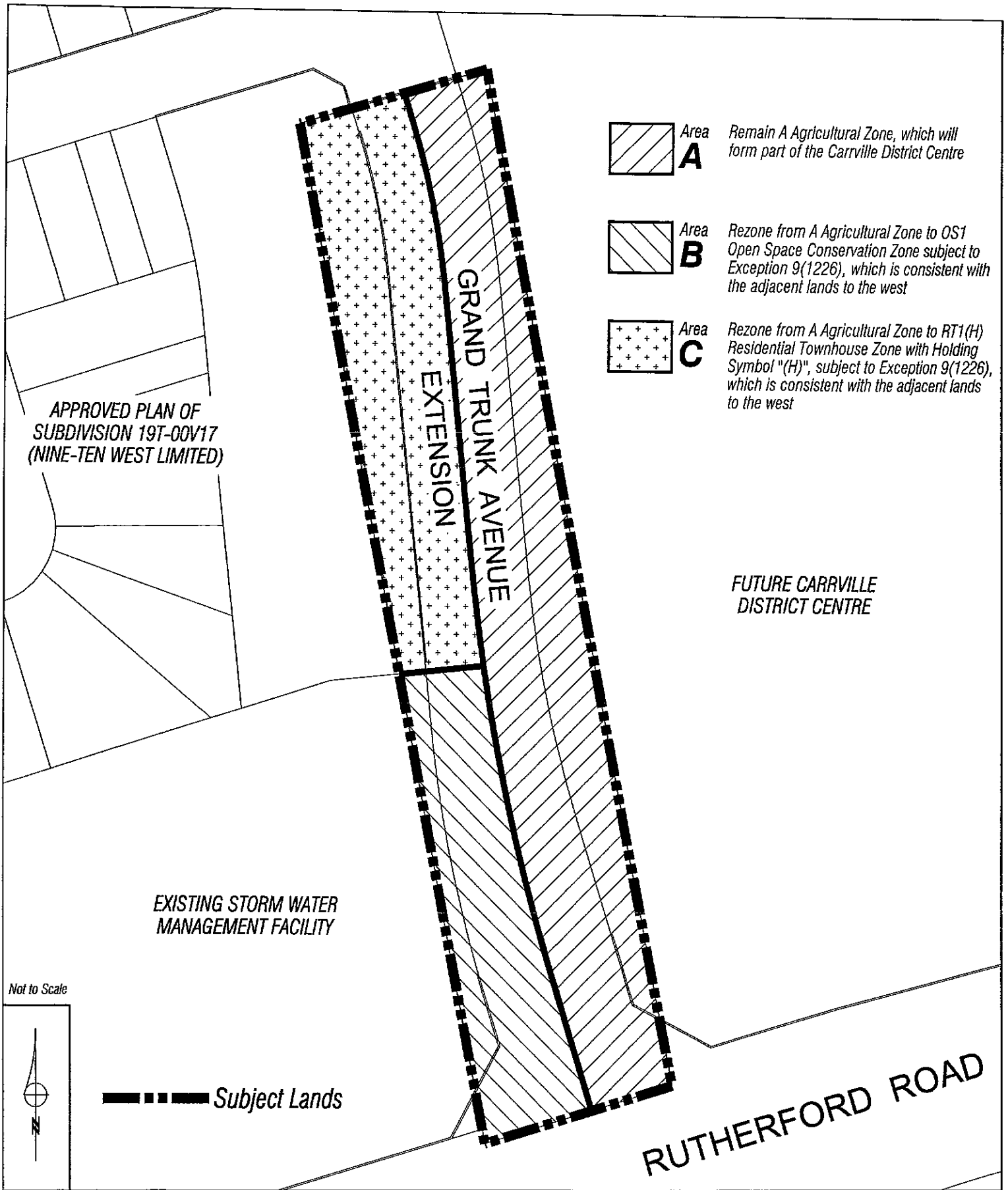
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Proposed Zone Boundaries

LOCATION:
Part of Lot 16, Concession 3

APPLICANT:
Block 18 (Betti) Inc.

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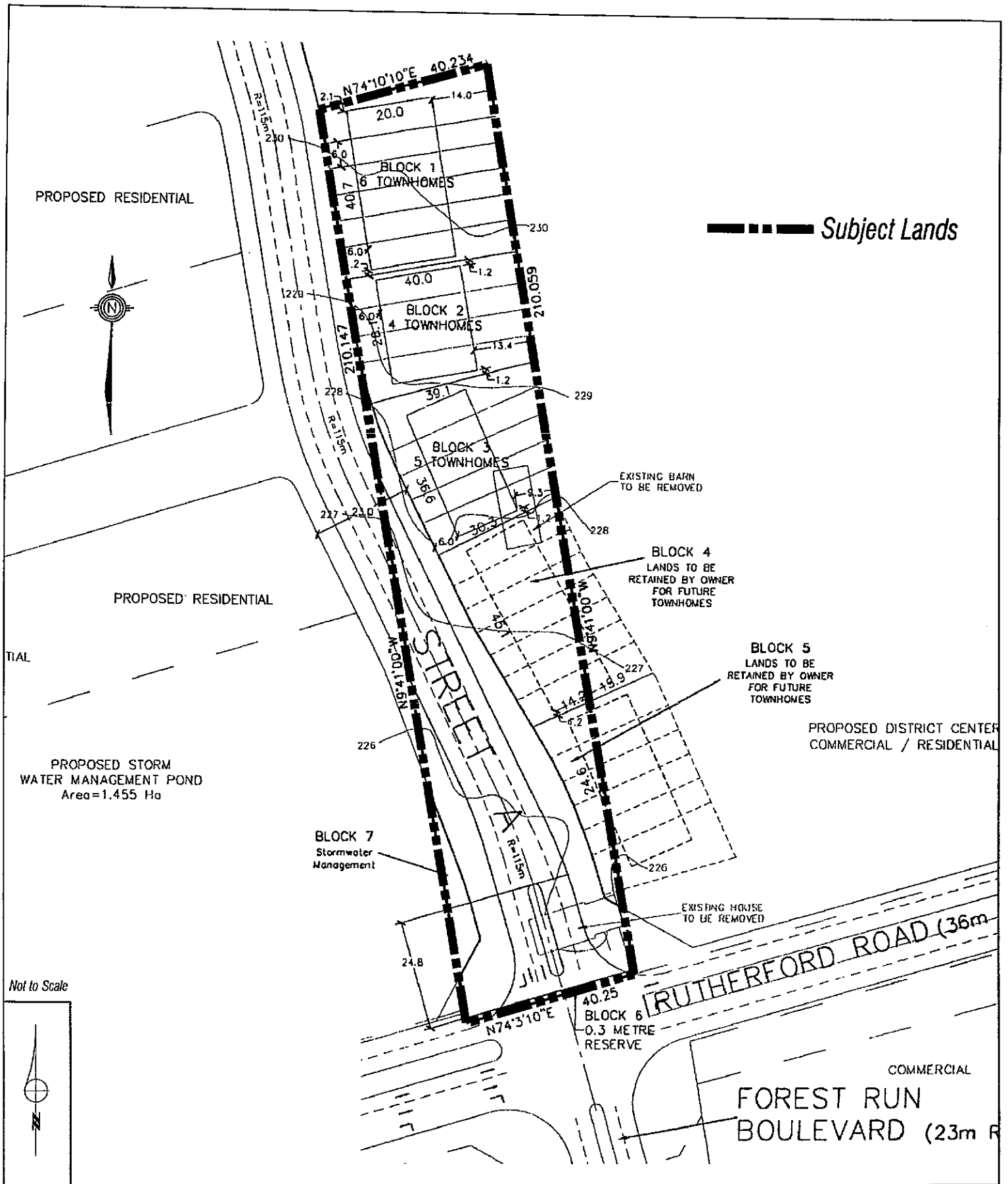
Development Planning Department

Attachment

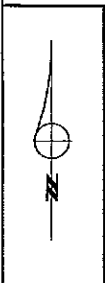
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Proposed Draft Plan of Subdivision 19T-02V03
January 5, 2004 Public Hearing

APPLICANT:
 Block 18 (Betti) Inc.

LOCATION:
 Part of Lot 16, Concession 3

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