

**1.    OFFICIAL PLAN AMENDMENT FILE OP.05.002  
ZONING BY-LAW AMENDMENT FILE Z.05.007  
NASHDENE GARDEN ESTATES INC.  
PRELIMINARY REPORT**

**P.2005.25**

**Recommendation**

The Commissioner of Planning recommends:

THAT the Public Hearing report for Files OP.05.002 and Z.05.007 (Nashdene Garden Estates Inc.) 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 applications to:

1.        Amend the Official Plan to redesignate the subject lands from “General Commercial (Special Policy)” under OPA #607 (adopted by Council and before the Ontario Municipal Board) to “High Density Residential” and “General Commercial”.
2.        Amend the Zoning By-law to rezone the subject lands from A Agricultural Zone to RA3 Apartment Residential Zone and C4 Neighbourhood Commercial Zone with the required site-specific exceptions to implement the final approved site plan.

The applications would facilitate the development of the subject lands having a lot area of approximately 4.873 ha with residential condominium buildings having a maximum height of eight (8) storeys and approximately 450 units, and a three-storey mixed use commercial/office building having a total gross floor area of approximately 13,500 m<sup>2</sup>.

**Background - Analysis and Options**

The 1.62 ha site shown on Attachment #1 is located at the southeast corner of Jane Street and Springside Road, in Lot 17, Concession 4, City of Vaughan. The site is relatively flat and is currently undeveloped.

The subject lands are within the Vaughan Centre Secondary Plan Area as defined by OPA #600, as amended by OPA #607. The subject lands are designated “General Commercial (Special Policy)” by OPA #607, which was adopted by both the City of Vaughan Council and the Region of York Council on June 28, 2004, and September 10, 2004 respectively. The Amendment was been appealed to the Ontario Municipal Board (OMB) and is currently before the Board for its’ consideration. The property is zoned A Agricultural Zone by By-law 1-88. The surrounding land uses are:

- North - Springside Drive; stormwater management pond (OS1 Open Space Conservation Zone) and Maple High School (R4 Residential Zone)
- South - CN pullback track (M3 Transportation Industrial Zone) and vacant land (A Agricultural Zone – subject to OMB approved Official Plan and Zoning

Amendment Applications (Files OP.03.005 and Z.03.015) to permit high density residential uses)

East - valleyland (OS1 Open Space Conservation Zone) and townhouses (RM2 Multiple Residential Zone)

West - Jane Street; automobile dealership under construction (C1 Restricted Commercial Zone and C1(H) Restricted Commercial with Holding Symbol (H)), and Paramount Canada's Wonderland (TPC Theme Park Commercial Zone)

On April 22, 2005, a Notice of Public Hearing was circulated to all property owners within 120 metres of the subject lands, and to the Maple Landing Ratepayers Association, Paramount Canada's Wonderland, and CN Rail.

To date, CN has provided the following comments:

"CN has strong concerns with respect to the introduction of residential uses in proximity to our MacMillan Yard pullback track, which is an integral part of the rail yard and is in fact the most important trackage in the entire 1,100 acre operation. Residential uses are fundamentally incompatible with the rail yard operations. In accordance with Ministry of the Environment and CN Guidelines, residential uses should be separated a minimum of 300m from rail yards, which are classified as Class III industrial facilities.

The Province, with the updated Provincial Policy Statement and the proposed Greater Golden Horseshoe Plan, has become acutely aware of the need to protect significant transportation infrastructure from incompatible development and of the need to protect the integrity of such facilities for their goods movement function. There is stronger Provincial direction and policies in this regard.

CN strongly supported the City in their opposition to the development on the south side of the pullback track and strongly supported the City's comprehensive land use planning study for the area, which culminated in OPA #607, containing policies for commercial/industrial uses for the subject property. CN continues to strongly support the City's comprehensive planning analysis and the intent and policy direction established in OPA #607 for the subject property."

No other comments have been received to date. Any other responses received will be addressed in the technical report to a future Committee of the Whole meeting.

#### Preliminary Review

Following an initial review of the applications, Staff has identified the following matters to be reviewed in greater detail:

- the applications will be reviewed in the context of the applicable Provincial, Regional and City policies;
- the subject property is one of three parcels at the northeast corner of Jane Street and Rutherford Road, that are within the Vaughan Centre Secondary Plan Area; these parcels are subject to OPA #607, which is before the Ontario Municipal Board; the final disposition of OPA #607 should be determined, prior to preparing a technical report for consideration by the Committee of the Whole;
- the appropriateness of the proposed commercial and residential uses and density will be assessed in the context of the site location, potential building form, and compatibility with the surrounding existing and permitted land uses;

- a planning justification, traffic, servicing, environmental, noise and vibration, and archaeological study must be submitted in support of the applications, to the satisfaction of the appropriate authorities;
- environmental concerns with respect to the tributary on the east side of the site, and noise from the CN pullback track, Paramount Canada's Wonderland, and the abutting and vicinity arterial roads will be assessed;
- the Region of York must approve the proposed access driveway locations and designs, and traffic report; and,
- the availability of water and sanitary servicing capacity for the proposal must be identified and allocated by Council, if approved.

### **Relationship to Vaughan Vision 2007**

The applicability of this application 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 application, 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. In particular, the proposal will be reviewed in consideration of Provincial, Regional and City policies, the appropriateness of the residential density proposed, compatibility with surrounding land uses, and the ability of the road network and municipal infrastructure to accommodate the development.

### **Attachments**

1. Location Map
2. Conceptual Site Plan
3. Conceptual Elevations (Residential)
4. Conceptual Elevations (Residential)
5. Conceptual Elevations (Office/Commercial)

### **Report prepared by:**

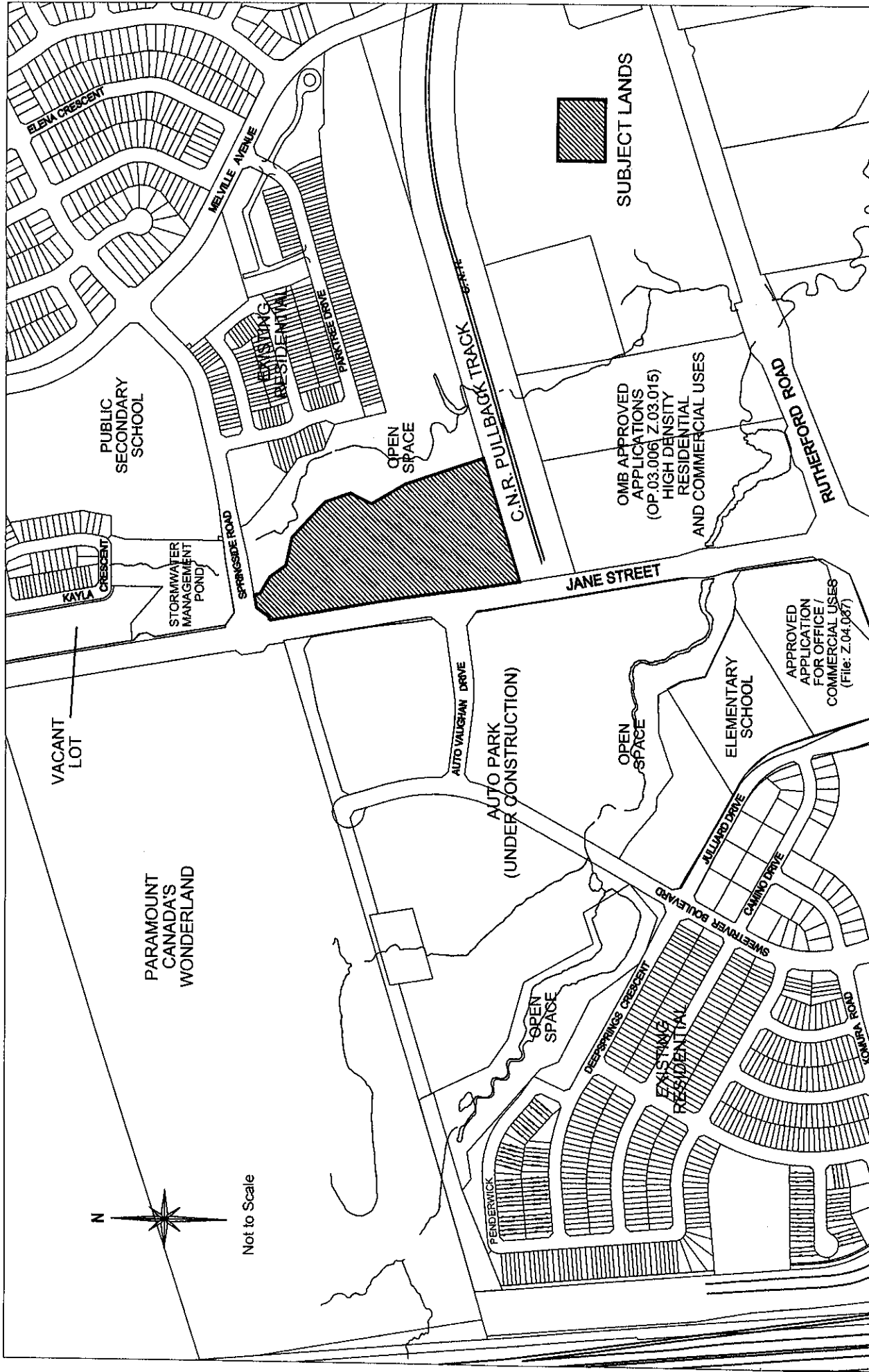
Mauro Peverini, Senior Planner, ext. 8407  
Grant Uyeyama, Manager of Development Planning, ext. 8635

Respectfully submitted,

JOHN ZIPAY  
Commissioner of Planning

MARCO RAMUNNO  
Director of Development Planning

/CM



# Location Map

Part of Lot 17,  
Concession 4

APPLICANT:  
NASHDENE GARDEN ESTATES INC.

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# City of Vaughan

Development Planning Department

# Attachment

FILE No's:  
OP.05.002  
& Z.05.007

April 18, 2005



SUBJECT LANDS

OMB APPROVED APPLICATIONS (OP.03.006 Z.03.015) HIGH DENSITY RESIDENTIAL AND COMMERCIAL USES

APPROVED APPLICATION FOR OFFICE / COMMERCIAL USES (File: Z.04.067)

AUTO PARK (UNDER CONSTRUCTION)

PUBLIC SECONDARY SCHOOL

ELEMENTARY SCHOOL

PARAMOUNT CANADA'S WONDERLAND

Not to Scale

N



VACANT LOT

STORMWATER MANAGEMENT POND

OPEN SPACE

OPEN SPACE

OPEN SPACE

EXISTING RESIDENTIAL

EXISTING RESIDENTIAL

C.N.R. PULLBACK TRACK

JANE STREET

RUTHERFORD ROAD

MELVILLE AVENUE

ELVA CRESCENT

KAYLA CRESCENT

SPRINGSIDE ROAD

AUTO VAUGHAN DRIVE

ALWARD DRIVE

CHAMNO DRIVE

SWEETNER BOULEVARD

KONUDA ROAD

PENDERWICK

DESPRINGING CRESCENT

SPRINGSIDE ROAD



Not to Scale

BLDG - B  
6 STOREY  
RESIDENTIAL TOWER

BLDG - A  
6 STOREY  
RESIDENTIAL TOWER

JANE STREET

BLDG - C  
6 STOREY  
RESIDENTIAL TOWER

3 - STOREY  
COMMERCIAL  
OFFICE  
BUILDING

C. N. R.

CNR TRACKS

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SUBJECT LANDS

LANDS TO BE REZONED FROM  
'A' AGRICULTURAL ZONE TO  
'RA3' RESIDENTIAL APARTMENT ZONE

LANDS TO BE REDESIGNATED FROM  
"GENERAL COMMERCIAL (SPECIAL POLICY)"  
TO "HIGH DENSITY RESIDENTIAL"

LANDS TO BE REZONED FROM  
'A' AGRICULTURAL ZONE TO  
'C4' NEIGHBOURHOOD COMMERCIAL ZONE

LANDS TO BE REDESIGNATED FROM  
"GENERAL COMMERCIAL (SPECIAL POLICY)"  
TO "GENERAL COMMERCIAL"

# Conceptual Site Plan

Part of Lot 17,  
Concession 4

APPLICANT:  
NASHDENE GARDEN ESTATES INC.

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CITY OF  
**Vaughan**

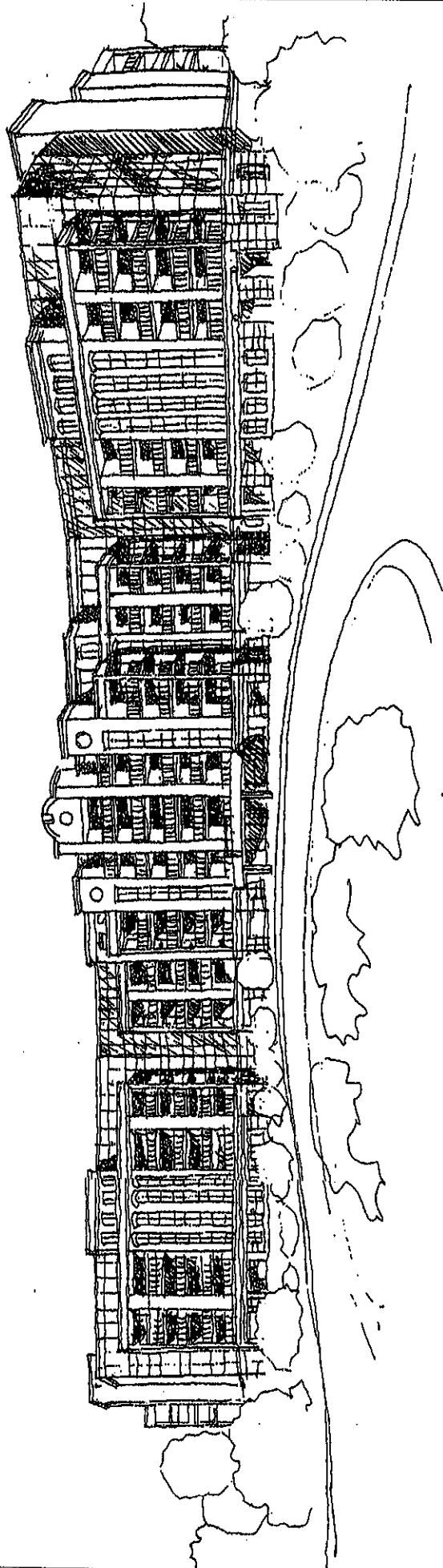
Development Planning Department

# Attachment

# 2

FILE No's:  
OP.05.002  
& Z.05.007

April 21, 2005



Not to Scale

# Conceptual Elevations (Residential)

APPLICANT:  
NASHDENE GARDEN ESTATES INC.

Part of Lot 17,  
Concession 4

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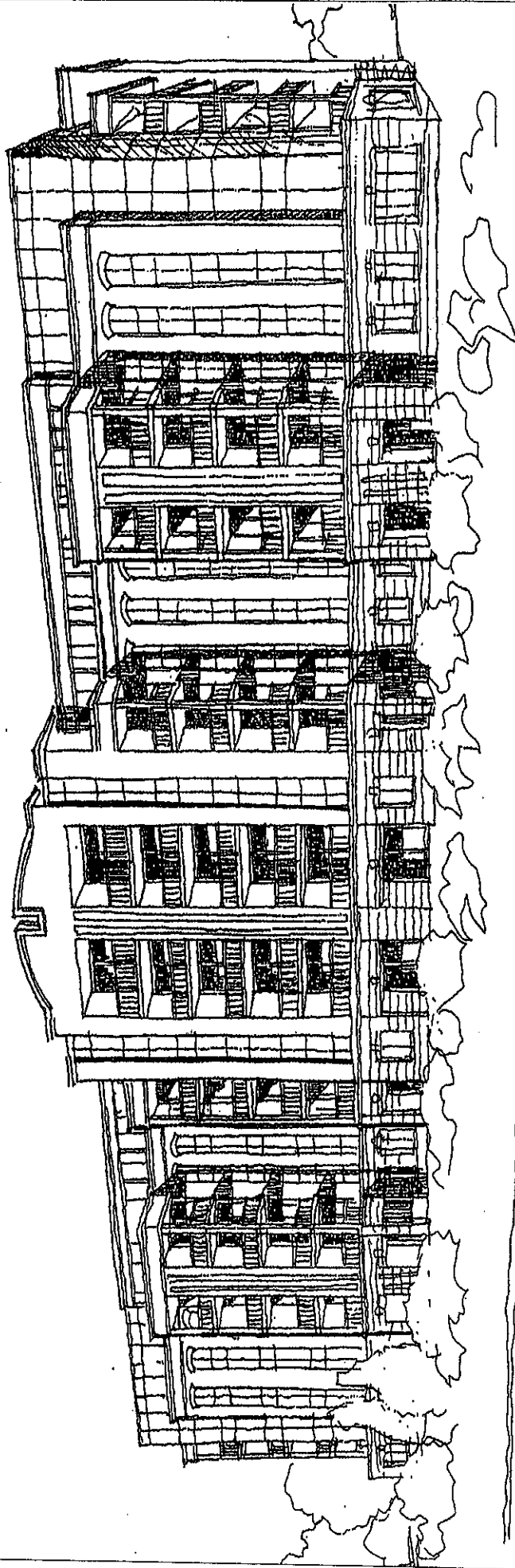
# City of Vaughan

Development Planning Department

# Attachment 3

FILE No's.:  
OP.05.002  
& Z.05.007

April 18, 2005



Not to Scale

# Conceptual Elevations (Residential)

APPLICANT:  
NASHDENE GARDEN ESTATES INC.

Part of Lot 17,  
Concession 4

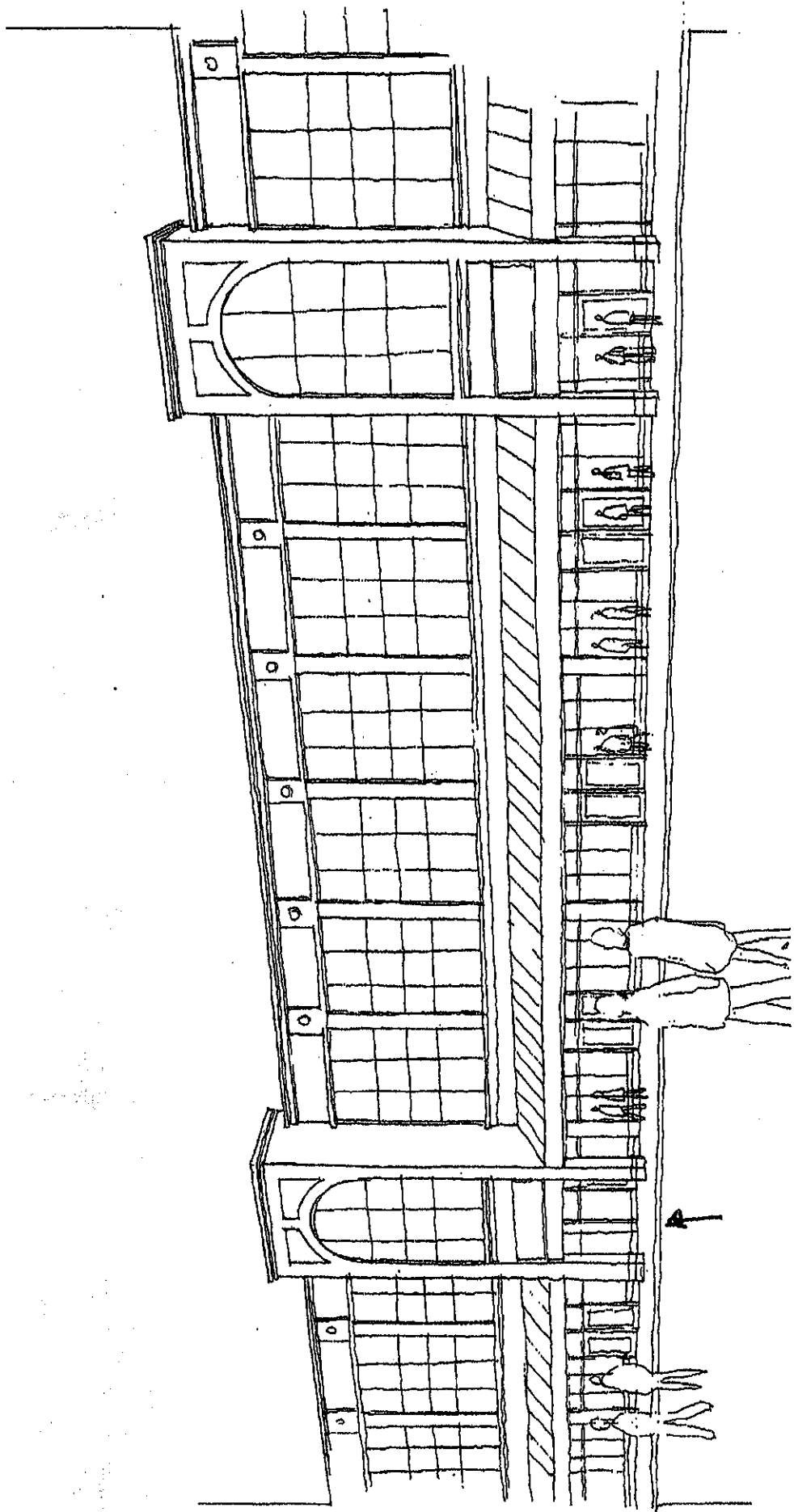
# City of Vaughan

Development Planning Department

# Attachment 4

FILE No's.:  
OP.05.002  
& Z.05.007

April 18, 2005



Not to Scale

# Conceptual Elevations (Office / Commercial)

APPLICANT:  
NASHDENE GARDEN ESTATES INC.  
Part of Lot 17,  
Concession 4

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City of  
**Vaughan**

Development Planning Department

# Attachment 5

FILE No's:  
OP.05.002  
& Z.05.007  
April 18, 2005