

## **COMMITTEE OF THE WHOLE JUNE 16, 2008**

### **OFFICIAL PLAN AMENDMENT FILE OP.06.025 KLEINBURG RESIDENTIAL ESTATES LTD. REPORT #P.2007.2**

#### **Recommendation**

The Commissioner of Planning recommends:

1. THAT Official Plan Amendment File OP.06.025 (Kleinburg Residential Estates Inc.) BE APPROVED, specifically to amend OPA #601 (Kleinburg-Nashville Community Plan) for the subject lands shown on Attachment #2, to facilitate residential development on individual private wells on an interim basis, until the municipal water supply can be provided for 21 estate residential detached dwelling units in Draft Plan of Subdivision 19T-95098, within the "Suburban Residential" designation.
2. THAT the implementing Official Plan Amendment include the following policies:
  - a) require the Subdivision Owner or Builder to design and construct a complete municipal water system up-front in accordance with all City standards and criteria to allow for individual lot connection and municipal water supply once water supply capacity becomes available and is formally allocated to the Plan; and,
  - b) require the Subdivision Owner or Builder to be responsible to decommission such interim private service and transition towards the municipal water supply service.

#### **Economic Impact**

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

#### **Communications Plan**

On December 15, 2006, a Notice of Public Hearing was circulated to all property owners within 120 m of the subject lands, and to the Kleinburg and Area Ratepayers' Association; and to R. Dickinson, 133 Donhill Crescent; F. Zdanowski, 800 Nashville Road; N. Zuccaro, EMC Group Ltd.; and J. Kennedy, KLM Planning Partners Inc.; who requested notification as it is related to Plan of Subdivision 19T-95098. Through the circulation of this notice, no written comments were received by the Development Planning Department. The recommendation of the Committee of the Whole to receive the Public Hearing report of January 22, 2007, and to forward a comprehensive report to a future Committee of the Whole meeting, was ratified by Council on January 29, 2007.

One of the recommendations from the Public Hearing required the applicant to consult with the Kleinburg and Area Ratepayers' Association respecting the naming of Street "A" as shown on Attachment #2. The applicant, consulted with the Ratepayers' Association, and Street "A" was named "Mizuno Court", which was approved by Council on April 2, 2007.

#### **Purpose**

The Owner has submitted an Official Plan Amendment Application (File OP.06.025), specifically to amend OPA #601 (Kleinburg-Nashville Community Plan), on the subject lands shown on Attachment #1, to facilitate residential development on individual private wells on an interim basis, until the municipal water supply can be provided for 21 estate residential detached dwelling units in Plan of Subdivision 19T-95098, which was approved by Council on September 25, 2006 within the "Suburban Residential" designation and 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 are irregular in shape, with a frontage of approximately 20 m on each of Richard Lovat Court and Huntington Road.

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, and also "Natural Heritage System within the Protected Countryside" by the Greenbelt Plan, as shown on Attachment #1. The lands are currently zoned A Agricultural Zone by By-law 1-88. The surrounding land uses are shown on Attachment #1.

On September 25, 2006, Council approved Draft Plan of Subdivision 19T-95098, subject to conditions, and approved Zoning By-law Amendment Application Z.95.032, to rezone the subject lands to RR(H) Rural Residential Zone, OS1 Open Space Conservation Zone, and OS2 Open Space Park Zone in the manner shown on Attachment #2, with the provision that the residential portion of the lands be zoned with the Holding Symbol "(H)", which cannot be removed until an Official Plan Amendment has been approved by Council to permit private wells on an interim basis. The required technical report comprising the Master Environmental Servicing Plan - Kleinburg Residential Estates (MESP) dated August 2005 and prepared by Valdor Engineering Inc., was submitted by the Owner to the City Engineering Department, and has been reviewed and determined that the plan can proceed on individual private wells on an interim basis. OPA #601 requires that the subject lands be serviced by municipal water supply, and consequently, the Owner submitted an Official Plan Amendment application to permit private wells on an interim basis for the water supply.

## **Land Use Policies/Planning Considerations**

The Development Planning Department has reviewed the Official Plan Amendment application to permit residential development on individual private wells on an interim basis, until the municipal water supply can be provided for 21 estate residential detached dwelling units shown on Attachment #2, in light of the following land use policies respecting the proposal.

### a) Region of York Official Plan

The subject lands are designated "Towns and Villages" by the Regional Official Plan, which permits residential development subject to the servicing capacity being addressed. In accordance with Section 6.7 "Water and Sewer Strategies" of the *Regional Official Plan*, which requires the provision of water and sewer services, and the allocation and the phasing of water supply and sanitary sewer capacity, the City is currently undertaking 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. The Region of York has advised they have no objection to the application.

### b) City Official Plan Amendment #601

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, and also "Natural Heritage System within the Protected Countryside" by the Greenbelt Plan, as shown on Attachment #1. The Official Plan permits detached residential dwellings, schools and park/open space uses. The Official Plan requires estate residential subdivisions within lands designated "Suburban Residential" to have a range of lot sizes related to the site's topography, vegetation and soil characteristics to retain a semi-rural residential

character. The draft plan of subdivision shown on Attachment #2 provides for a range of lot areas and configurations in accordance with the Official Plan.

The Official Plan requires lands designated "Suburban Residential" to be serviced by a private sewage septic system with lot areas of sufficient size to accommodate two septic tile beds and municipal water system. The subdivision plan is proposed to be serviced by well water on an interim basis and by private individual sewage septic systems. In order to allow for the usage of private individual wells for water supply for the plan shown on Attachment #2, an amendment to the Official Plan is required. The Development Planning and Engineering Departments can support the amendment on the basis of the Subdivision Owner designing and constructing a complete municipal water system up-front in accordance with all City standards and criteria to allow for individual lot connection and supply once water supply capacity becomes available and is formally allocated to the draft plan, and decommissioning such interim private service and transition towards the municipal water supply service. The by-law to facilitate the plan and final draft plan approval cannot be enacted until the Official Plan Amendment is approved and in effect. The conditions of draft plan approval for Plan of Subdivision 19T-95098 provided conditions restricting the sale of the subject lots pending an amendment to the Official Plan, which is to be in full force and effect.

The City is currently undertaking the Local Water and Wastewater Servicing Strategy Master Plan Class Environmental Assessment (EA) Study for the Kleinburg-Nashville Service Area, which is expected to be finalized by Late Fall 2008/Early Winter 2008. The Class EA Study will identify servicing infrastructure improvements (i.e., water supply and sanitary services) required to support the build out of the planned and proposed developments for the Kleinburg-Nashville Community. The Official Plan requires development within the "Suburban Residential" designation to be on full municipal water supply. The completion of the Class EA for the purposes of addressing the planned and proposed developments for the Kleinburg-Nashville Community will determine the infrastructure that is required to support the proposal. The proposal is also in keeping with the infrastructure policies of the *Provincial Policy Statement (2005)* and *Places To Grow*.

#### City Engineering Department

The Engineering Department has reviewed the application and provides the following comments:

a) Environmental Site Assessment (ESA)

Prior to final approval of the draft plan or any portion thereof, a Phase 1 and Phase II Environmental Site Assessment (ESA) are required to be submitted for approval by the City. The City will require documented proof of the registration of the Record of Site Condition (RSC) with the Environmental Site Registry of the Ministry of the Environment (MOE), which includes the acknowledgement from the MOE and a signed RSC by a qualified person, which shall be submitted for approval to the City. A condition of approval was included in the report that recommended approval of the draft plan of subdivision on September 25, 2006.

b) Engineering Services

The City Engineering Department has reviewed the *Master Environmental Servicing Plan - Kleinburg Residential Estates (MESP)*, dated August 2005 and prepared by Valdor Engineering Inc. The plan is located in the Kleinburg-Nashville Service Area of the York Region Water Distribution System. The plan can be provided with a looped water supply by extending the existing 300 mm diameter watermain on Huntington Road and connecting to the existing 200 mm diameter watermain on Richard Lovat Court. However, due to the present water servicing capacity restriction in the Kleinburg-Nashville Service Area, the plan can proceed on individual private wells based on the commitment by the Owner to design and construct a complete municipal water system up-front, in accordance with all City standards and criteria to allow for

individual lot connection and supply once servicing allocation capacity becomes available and is formally allocated to the plan.

#### Toronto and Region Conservation Authority (TRCA)

The TRCA has reviewed the proposal, including, but not limited to, *Pumping Test Report*, dated January 2008, by McClymont & Rak Engineers Inc., and *Reponses To The Queries of Geohydrology Study*, dated January 2008, by McClymont & Rak Engineers Inc., and has no objection to the proposal to allow development on an interim basis until municipal water supply can be provided for the draft plan.

#### Relationship to Vaughan Vision 2020

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

#### Regional Implications

The Region has reviewed the proposal and has advised that the subject lands are draft approved and will ultimately be serviced by municipal water. Therefore, there is no objection to the proposal and the lands are exempt from Regional Official Plan approval.

#### Conclusion

The Development Planning Department has reviewed Official Plan Amendment File OP.06.025 (Kleinburg Residential Estates Inc.) to amend OPA #601 (Kleinburg-Nashville Community Plan) to facilitate residential development on individual private wells on an interim basis, until the municipal water supply can be provided for 21 estate residential detached dwelling units in Plan of Subdivision 19T-95098, within the "Suburban Residential" designation for the subject lands, as shown on Attachment #2.

The City is currently undertaking the Local Water and Wastewater Servicing Strategy Master Plan Class Environmental Assessment (EA) Study for the Kleinburg-Nashville Service Area, which is expected to be finalized by Late Fall 2008/Early Winter 2008. The Class EA Study will identify servicing infrastructure improvements (i.e., water supply and sanitary services) required to support the build out of the planned and proposed developments for the Kleinburg-Nashville Community and determine the infrastructure that is required to support the proposal. The subdivision will be serviced on private septic system, and in the interim on private well water services until such time as full municipal water service is available in the area, at which time the applicant will be responsible to decommission such interim private service and transition towards the municipal service.

The Official Plan Amendment Application is consistent with the *Provincial Policy Statement (2005)* and *Places to Grow*, can be supported by Regional Official Plan policies, and would result in development that would be appropriate and compatible with the context of the existing community.

The Development Planning Department can support the approval of the Official Plan Amendment Application, in accordance with the recommendation of this report.

**Attachments**

1. Location Map
2. Draft Plan of Subdivision 19T-95098
3. Kleinburg-Nashville Community Plan - Land Use Schedule

**Report prepared by:**

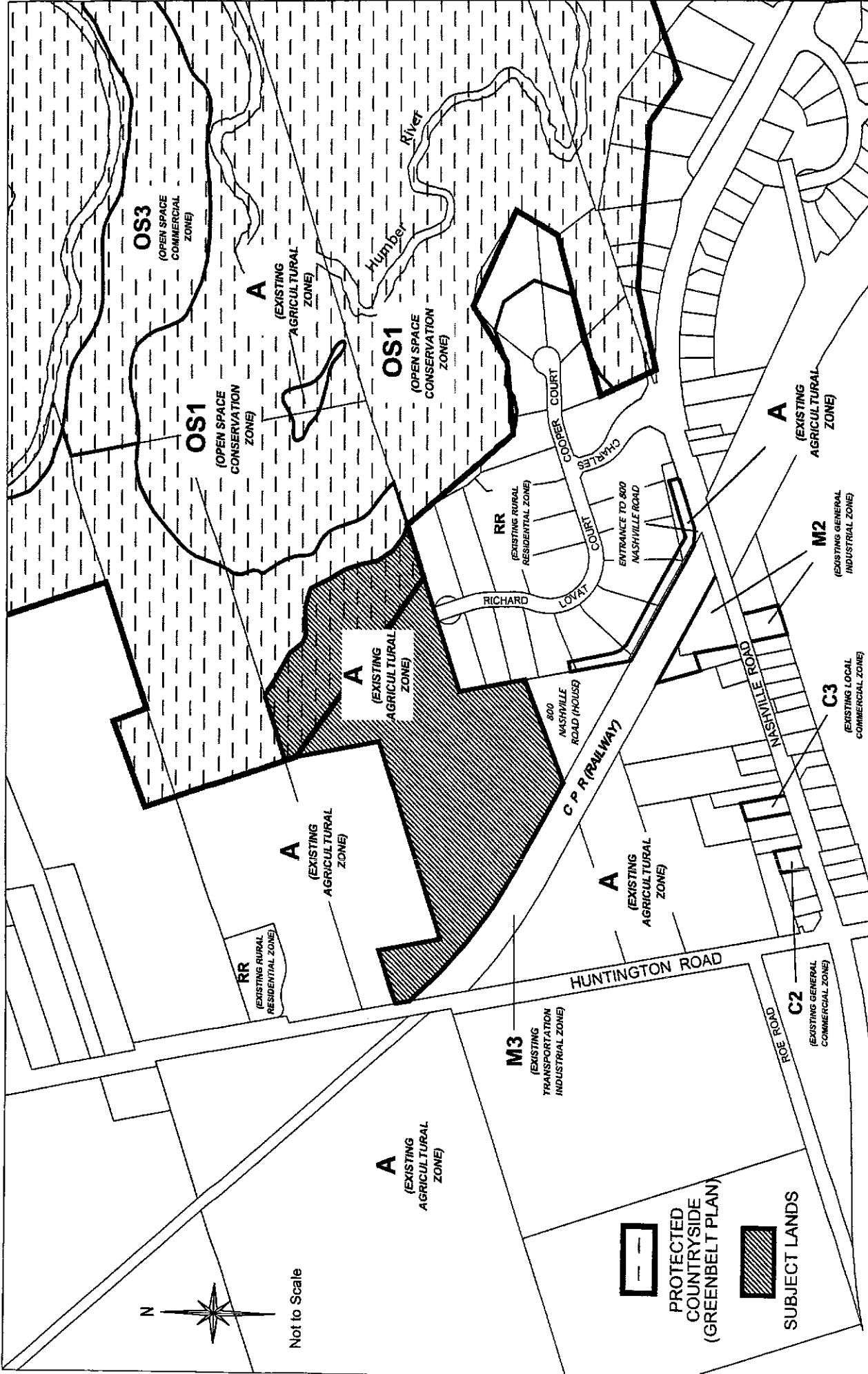
Judy Jeffers, Planner, ext. 8645  
Mauro Peverini, Senior Planner, ext. 8407

Respectfully submitted,

JOHN ZIPAY  
Commissioner of Planning

GRANT UYEVAMA  
Manager of Development Planning

/LG



# Attachment

FILE No.:  
OP.06.025  
RELATED FILES:  
19T-95098 & Z.95.032  
October 30, 2006

# City of Vaughan

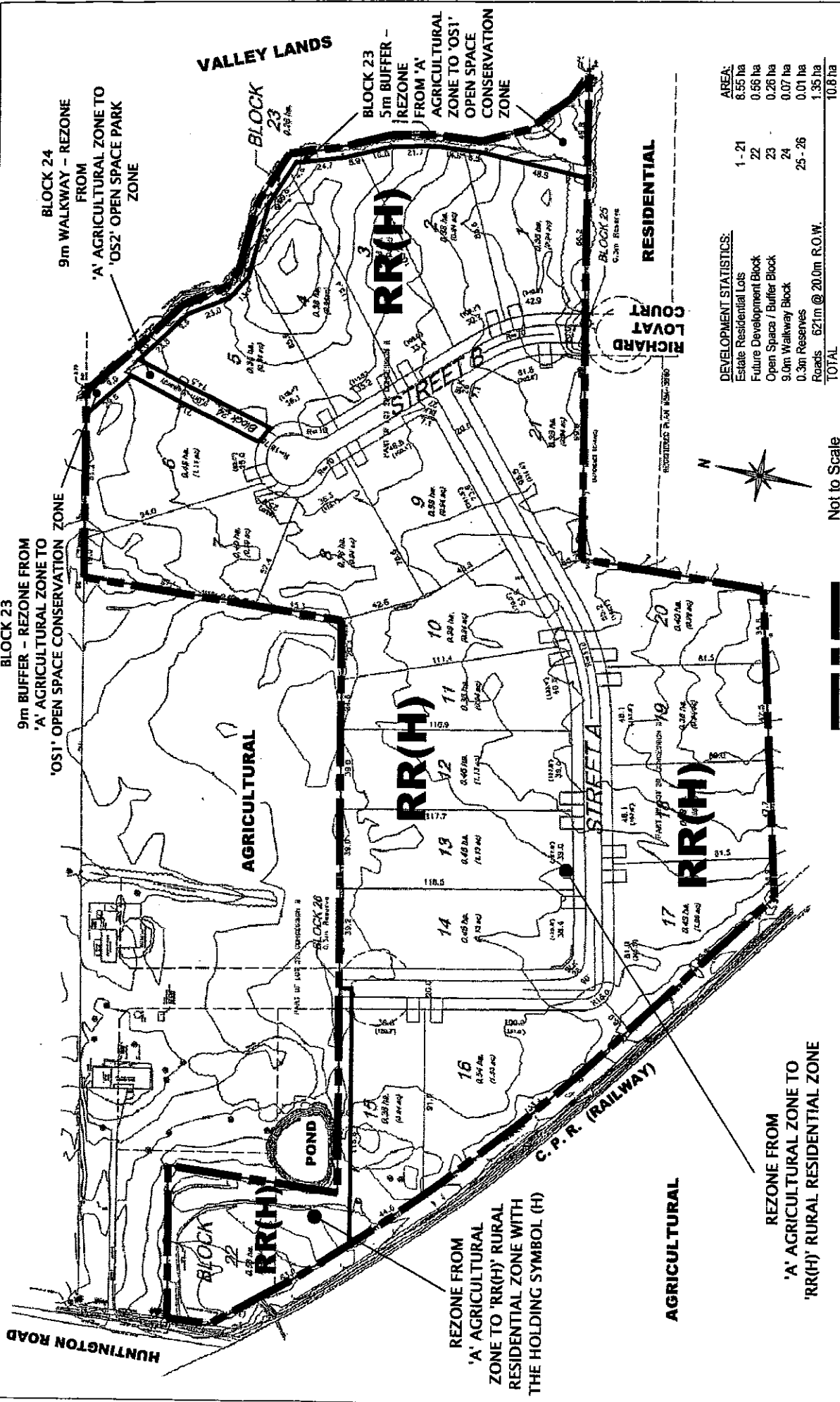
Development Planning Department

# Location Map

Part Lots 26 & 27,  
Concession 9

APPLICANT:  
KLEINBURG RESIDENTIAL ESTATES LTD.

NA.0PT.1 ATTACHMENTS.OP.vp.06.025



AREA:	1-21	22	23	24	25-26	TOTAL
Estate Residential Lots						
Future Development Block						
Open Space / Buffer Block						
9.0m Walkway Block						
0.3m Reserves						
Roads 621m @ 20.0m R.O.W.						
<b>TOTAL</b>						<b>10.8 ha</b>



Not to Scale

**SUBJECT LANDS**

# Attachment 2

FILE No.: OP.06.025  
 RELATED FILES: 19T-95098 & Z.95.032  
 October 30, 2006

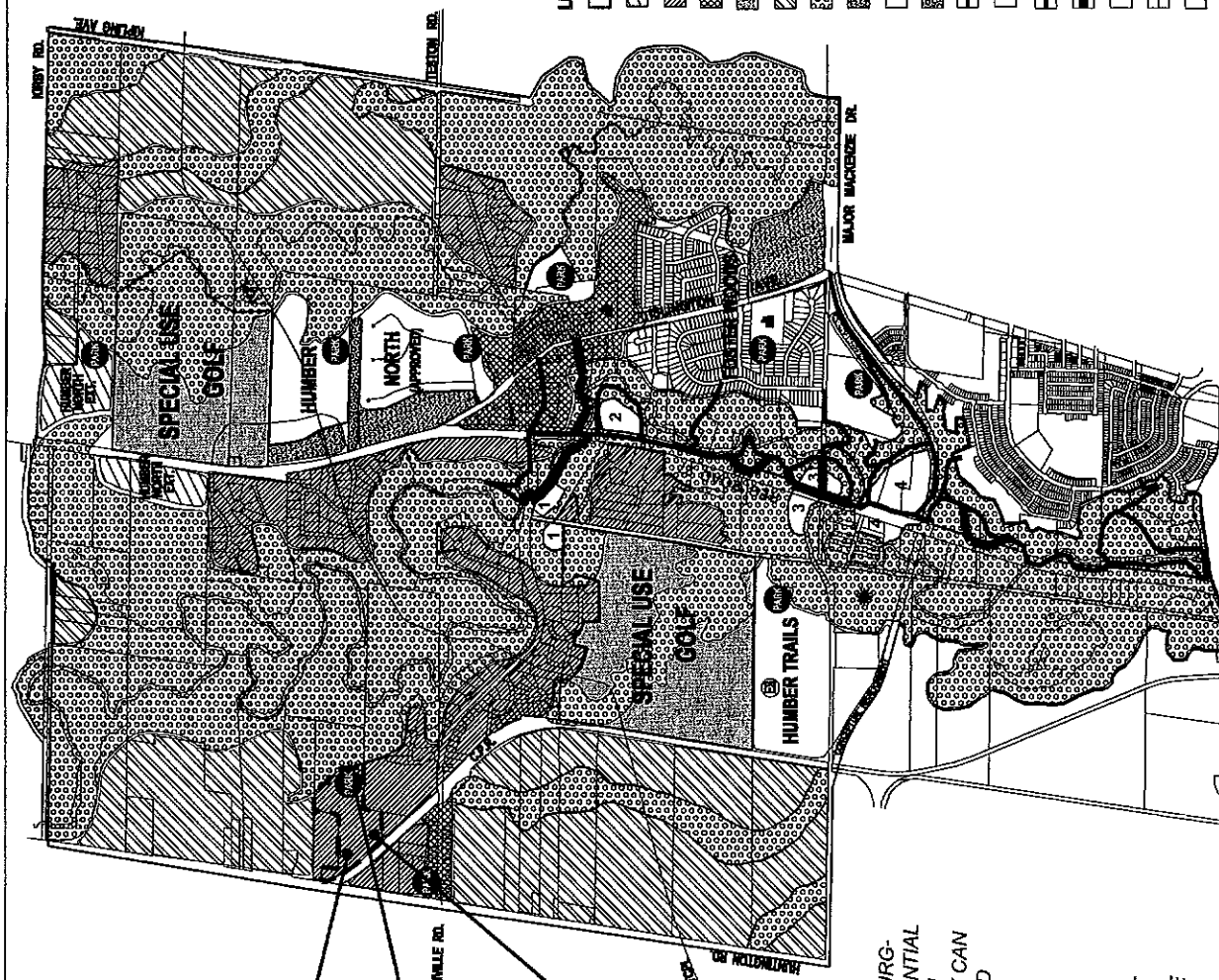
# City of Vaughan

Development Planning Department

## Draft Plan of Subdivision 19T-95098

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

NS/0PT/ ATTACHMENTS/OP/06.025



SUBJECT LANDS  
 NASHVILLE RD.  
 NEIGHBOURHOOD PARK

TO AMEND OFFICIAL PLAN AMENDMENT #601 (KLEINBURG-NASHVILLE COMMUNITY PLAN) TO FACILITATE RESIDENTIAL DEVELOPMENT ON INDIVIDUAL PRIVATE WELLS ON AN INTERIM BASIS, UNTIL THE MUNICIPAL WATER SUPPLY CAN BE PROVIDED FOR 21 ESTATE RESIDENTIAL DETACHED DWELLING UNITS IN PLAN OF SUBDIVISION 19T-95098, WITHIN THE "SUBURBAN RESIDENTIAL" DESIGNATION, AND REQUIRE THE SUBDIVISION OWNER OR BUILDER TO DESIGN AND CONSTRUCT A COMPLETE WATER SYSTEM UP-FRONT IN ACCORDANCE WITH ALL CITY STANDARDS AND CRITERIA TO ALLOW FOR INDIVIDUAL LOT CONNECTION AND MUNICIPAL WATER SUPPLY ONCE WATER SUPPLY CAPACITY BECOMES AVAILABLE AND IS FORMALLY ALLOCATED TO THE PLAN.

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

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



Development Planning Department

# Attachment 3

FILE No.:  
 OP 06.025  
 RELATED FILES:  
 19T-95098 & Z.95.032  
 June 6, 2008

- 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