

## **CITY OF VAUGHAN**

### **EXTRACT FROM COUNCIL MEETING MINUTES OF FEBRUARY 17, 2015**

Item 4, Report No. 8, of the Committee of the Whole (Public Hearing), which was adopted without amendment by the Council of the City of Vaughan on February 17, 2015.

**4**

**OFFICIAL PLAN AMENDMENT FILE OP.14.010  
ZONING BY-LAW AMENDMENT FILE Z.14.042  
LCT INVESTMENT GROUP LTD.  
WARD 2 – VICINITY OF KIPLING AVENUE AND MEETING HOUSE ROAD**

**The Committee of the Whole (Public Hearing) recommends:**

- 1) That the recommendation contained in the following report of the Commissioner of Planning, Director of Development Planning and Manager of Development Planning, dated February 3, 2015, be approved;**
- 2) That a community meeting be organized by the local Ward Councillor with the applicant, representatives of the West Woodbridge Homeowners' Association, residents and appropriate City staff to address issues raised;**
- 3) That the following deputations be received:**
  - 1. Mr. Murray Evans, Evans Planning Inc., Keele Street, Vaughan, on behalf of the applicant;**
  - 2. Mr. Nick Pinto, President West Woodbridge Homeowners' Association, Mapes Avenue, Woodbridge; and**
  - 3. Ms. Maria Verna, President Village of Woodbridge Ratepayers' Association, Woodbridge Avenue, Woodbridge; and**
- 4) That Communication C3 from Mr. John Zipay, John Zipay and Associates, Gilbert Court, Burlington, dated January 23, 2015, be received.**

#### **Recommendation**

The Commissioner of Planning, Director of Development Planning, and Manager of Development Planning recommend:

- 1. THAT the Public Hearing report for Files OP.14.010 and Z.14.042 (LCT Investment Group Ltd.) BE RECEIVED; and, that any issues identified be addressed by the Vaughan Planning Department in a comprehensive report to the Committee of the Whole.**

#### **Contribution to Sustainability**

The contribution to sustainability such as site and building design initiatives will be determined when the technical report is considered.

#### **Economic Impact**

This will be addressed when the technical report is completed.

#### **Communications Plan**

- a) Date the Notice of Public Hearing was circulated: January 9, 2015**
- b) Circulation Area: 150 m and to the West Woodbridge Homeowners' Association and the Village of Woodbridge Ratepayers' Association**

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- c) The Notice of Public Hearing was also posted on the City's web-site at [www.vaughan.ca](http://www.vaughan.ca) and a Notice Sign was installed on the property in accordance with the City's Notice Sign Procedures Protocol.
- d) Comments Received as of January 20, 2015: None

### Purpose

To receive comments from the public and the Committee of the Whole on the following applications on the subject lands shown on Attachments #1 and #2, to facilitate a proposed mixed-use development consisting of 518.7 m<sup>2</sup> to 550 m<sup>2</sup> of commercial gross floor area in stand-alone Building "G" (up to 785 m<sup>2</sup> if heritage building included) and 72 residential units (36 block townhouse and 36 stacked townhouse units) and to maintain the existing heritage building (Moddy Darker House) for either commercial or residential use, as shown on Attachments #3 to #8 inclusive:

1. Official Plan Amendment File OP.14.010 to amend the City of Vaughan Official Plan 2010 (VOP 2010), Volume 2 (Kipling Avenue Corridor Secondary Plan) for the "Low-Rise Mixed Use" designation, as follows:

Table 1:

	<b>Vaughan Official Plan 2010 (Kipling Avenue Corridor Secondary Plan) Policies for the "Low-Rise Mixed Use" Designation</b>	<b>Proposed Amendments to the VOP 2010 (Kipling Avenue Corridor Secondary Plan) Policies for the "Low-Rise Mixed Use" Designation</b>
a.	Maximum Permitted Building Height - 11m (3-storeys)	Permit a maximum building height of 13.5 m (3-storeys) for the townhouse and stacked townhouse dwelling units (Blocks A to F2 – Attachment #3)
b.	Minimum Building Height - 7 m (2-storeys) for structures that include commercial uses	Permit a minimum building height of 6.2 m (2-storeys) for the proposed commercial building (Building G and recognize the existing heritage building – Attachment #3)
c.	Minimum Building Setback - 3 m	Permit a minimum building setback of 0 m along Kipling Avenue (Buildings E1 to E3, F1, F2 and G – Attachment #3)
d.	Maximum gross floor area (GFA) of 100m <sup>2</sup> for at-grade commercial uses within the same building as the residential uses	Permit a maximum GFA of 785 m <sup>2</sup> for commercial uses in two stand-alone buildings (Building G and the existing heritage building – Attachment #3)

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e.	Maximum of six attached residential townhouse units in a row	Permit a maximum of eight attached residential townhouse units in a row (Block C - Attachment #3)
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2. Zoning By-law Amendment File Z.14.042 to amend Zoning By-law 1-88, specifically to rezone the subject lands from C1 Restricted Commercial Zone (commercial uses) subject to Exception 9(1375) to RM2 Multiple Residential Zone (townhouse and stacked townhouse dwellings and the existing heritage building to be used for either commercial or residential use) and C4 Neighbourhood Commercial Zone (commercial uses), in the manner shown on Attachment #3, together with the following site-specific zoning exceptions:

Table 2:

	<b>By-law Standard</b>	<b>Zoning By-law 1-88, RM2 Multiple Residential Zone and C4 Neighbourhood Commercial Zone Requirements</b>	<b>Proposed Exceptions to the RM2 Multiple Residential Zone and C4 Neighbourhood Commercial Zone Requirements</b>
a.	Definition for a Lot	“Lot” - means a parcel of land fronting on a street separate from any abutting land to the extent that a Consent (severance) contemplated by Section 49 of the Planning Act, R.S.O. 1983 would not be required for its conveyance. For the purpose of this paragraph, land defined in an application for a Building Permit shall be deemed to be a parcel of land and a reserve shall not form part of the lot.	“Lot” – for the purpose of zoning compliance means the subject lands are considered to be one lot regardless of the number of buildings constructed on the lot, the creation of any new lot by plan of condominium, part lot control, consent, and/or any easements or restrictions.
b.	Definition for a Stacked Townhouse Dwelling	The By-law does not include a definition for a Stacked Townhouse Dwelling.	“Dwelling, Stacked Townhouse” - means an attached low-rise residential building form containing three or more dwelling units, each of which has: 1) one direct access from the outside ground level; 2) one or two walls with abutting dwelling units; and, 3) is

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			above or below another dwelling unit
c.	Maximum Lot Coverage	i. RM2 Zone - 50% ii. C4 Zone - 33%	Combined RM2 and C4 Zones - 50%
	<b>By-law Standard</b>	<b>Zoning By-law 1-88, RM2 Multiple Residential Zone Requirements</b>	<b>Proposed Exceptions to the RM2 Multiple Residential Zone Requirements</b>
a.	Permitted Uses	i. Apartment Dwelling ii. Multiple Residential Dwelling iii. Block Townhouse Dwelling iv. Day Nursery	Permit the following additional uses in the existing Detached Dwelling (Heritage Building): Business or Professional Office; Community Centre; Day Nursery; Personal Service Shop; Bank or Financial Institution, and a Retail Store.
b.	Minimum Amenity Area	6,480 m <sup>2</sup> (90 m <sup>2</sup> / 3 Bedroom Unit - 72 units)	1,300 m <sup>2</sup> (18 m <sup>2</sup> / unit)
c.	Minimum Front Yard (Kipling Avenue)	4.5 m	0 m
d.	Minimum Rear Yard	4.5 m	25 m (from CP Rail Line)
e.	Minimum Exterior Side Yard (Private Road)	4.5 m	0.8 m (To recognize existing Heritage Building)
f.	Maximum Building Height	11 m	13.5 m (3-storeys) [The Official Plan permits a maximum building height of 11 m (3-storeys)]

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	<b>By-law Standard</b>	<b>Zoning By-law 1-88, RM2 Multiple Residential Zone Requirements</b>	<b>Proposed Exceptions to the RM2 Multiple Residential Zone Requirements</b>
g.	Minimum Building Height	Zoning By-law 1-88 does not include a minimum building height for a stacked townhouse dwelling in this Zone.	8.5 m (3-storeys) [The Official Plan permits a maximum building height of 8.5 m (2-storeys)]
h.	Maximum Number of Townhouse Units in a Row	Zoning By-law 1-88 does not include this standard for this Zone, however, it is identified in the Official Plan (maximum 6 units).	8 units (Block C - Attachment #5)
i.	Minimum Landscaped Area Abutting the Streetline (Kipling Avenue)	6 m	0 m
j.	Maximum Gross Floor Area of Commercial (Heritage Building)	Commercial not permitted	235 m <sup>2</sup>
	<b>By-law Standard</b>	<b>Zoning By-law 1-88, C4 Neighbourhood Commercial Zone Requirements</b>	<b>Proposed Exceptions to C4 Neighbourhood Commercial Zone Requirements</b>
a.	Permitted Uses	<ul style="list-style-type: none"> <li>• Bank or Financial Institution</li> <li>• Brewers Retail Outlet</li> <li>• Business or Professional Office</li> <li>• Club or Health Centre</li> <li>• Eating Establishment</li> <li>• Eating Establishment, Convenience</li> <li>• Eating Establishment, Take-Out</li> <li>• L.C.B.O. Outlet</li> <li>• Personal Service Shop</li> </ul>	Permit only the following uses: <ul style="list-style-type: none"> <li>• Bank or Financial Institution</li> <li>• Business or Professional Office</li> <li>• Eating Establishment</li> <li>• Eating Establishment, Convenience</li> <li>• Eating Establishment, Take-Out</li> <li>• Outdoor patio</li> <li>• Personal Service Shop</li> </ul>

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		<ul style="list-style-type: none"> <li>• Pet Grooming Establishment, to be contained within a wholly enclosed building</li> <li>• Pharmacy</li> <li>• Photography Studio</li> <li>• Place of Entertainment</li> <li>• Retail Store</li> <li>• Service or Repair Shop</li> <li>• Supermarket</li> <li>• Veterinary Clinic</li> <li>• Video Store</li> </ul>	<ul style="list-style-type: none"> <li>• Pet Grooming Establishment, to be contained within a wholly enclosed building</li> <li>• Photography Studio</li> <li>• Retail Store</li> <li>• Day Nursery</li> <li>• Service or Repair Shop</li> <li>• Veterinary Clinic</li> <li>• Video Store</li> </ul>
b.	Minimum Parking Requirements (Commercial Uses)	<ul style="list-style-type: none"> <li>i. Bank or Financial Institution - 6 spaces per 100 m<sup>2</sup> of GFA</li> <li>ii. Business or Professional Office - 3.5 spaces per 100m<sup>2</sup> of GFA</li> <li>iii. Day Nursery - 1.5 spaces per employee</li> <li>iv. Eating Establishment, Convenience - 1 space for each four persons comprised in the designed maximum capacity or 16 spaces per 100 m<sup>2</sup> of GFA, whichever is greater</li> <li>v. Regulated Health Professional Office - 5 spaces per practitioner</li> <li>vi. Retail Store - 6 spaces per 100 m<sup>2</sup> of GFA</li> </ul>	Minimum parking requirement for the permitted commercial uses in Building G and the existing heritage building - 6.5 spaces per 100 m <sup>2</sup> of GFA.
c.	Minimum Loading Space Requirement	1 loading space	0 loading spaces
d.	Minimum Front Yard (Kipling Avenue)	11 m	0 m
e.	Minimum Rear Yard	15 m	14 m (from CP Rail Line)

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f.	Minimum Lot Depth	60 m	- 0 m (South Lot Line) - 130.65 m (North Lot Line)
g.	Maximum Building Height	11 m	6.2 m (2-storeys, where the second storey may be architectural) (The Official Plan permits a minimum building height of 7 m)
h.	Maximum Gross Floor Area	7,000 m <sup>2</sup>	Permit a maximum commercial GFA of 550 m <sup>2</sup>
i.	Minimum Setback to a Residential Zone	22.5 m	Shall not apply to the residential uses (RM2 Zone) on the subject lands
j.	Minimum Landscaping Strip Width	i. 2.4 m abutting a Residential Zone ii. 6 m abutting a public street	0 m

Additional zoning exceptions may be identified through the detailed review of the applications and will be considered in a technical report to a future Committee of the Whole meeting.

**Background - Analysis and Options**

Location	<ul style="list-style-type: none"> <li>West side of Kipling Avenue, north of Woodbridge Avenue, shown as "Subject Lands" on Attachments #1 and #2.</li> </ul>
Official Plan Designation	<ul style="list-style-type: none"> <li>The subject lands are designated "Low-Rise Mixed-Use" by Vaughan Official Plan 2010 (VOP 2010), Volume 2 (Kipling Avenue Corridor Secondary Plan).</li> <li>VOP 2010 permits mixed-use residential/commercial development ranging between a maximum building height of 11 m (3-storeys) to a minimum building height of 7 m (2-storeys) where a commercial component with a maximum commercial gross floor area of 100 m<sup>2</sup> is located at-grade within the building where there is a residential component.</li> <li>The proposal includes a maximum building height of 13.5 m for the residential (townhouse and stacked townhouse) uses and a minimum building height of 6.2 m (2-storeys) with a</li> </ul>

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	<p>combined gross floor area of 785 m<sup>2</sup> for the commercial uses in the stand-alone and heritage buildings</p> <ul style="list-style-type: none"> <li>▪ The application does not conform to the Official Plan. In order to implement the proposed site-specific Official Plan policies identified in Table 1, an amendment to VOP 2010, Volume 2 (Kipling Avenue Corridor Secondary Plan) is required. The applicant has submitted the subject application to amend VOP 2010 to implement their development proposal.</li> </ul>
Heritage Conservation District	<ul style="list-style-type: none"> <li>▪ The subject lands are designated under Part V of the <i>Ontario Heritage Act</i>, as part of the Woodbridge Heritage Conservation District. The existing heritage building “Moddy Darker House”, built in 1885, is included in the Listing of Buildings of Architectural and Historical Value, being the City of Vaughan's Register of Property of Cultural Heritage and Registered under Part IV, Subsection 27 of the <i>Ontario Heritage Act</i> (as approved by Council on June 27, 2005). Designated buildings included in the Listing of Buildings of Architectural and Historical Value are protected by Provincial legislation, the City's Official Plan and by Heritage By-law and are required to be conserved.</li> </ul>
Zoning	<ul style="list-style-type: none"> <li>▪ The subject lands are zoned C1 Restricted Commercial Zone by Zoning By-law 1-88, subject to Exception 9(1375), which permits a maximum of 24 live/work units and a maximum of 44 commercial units for business and professional office use on the subject lands.</li> <li>▪ The proposal to rezone the subject lands to RM2 Multiple Residential Zone and C4 Neighbourhood Commercial Zone to permit 72 residential units (36 block townhouse and 36 stacked townhouse units), and commercial buildings with a combined gross floor area up to 785 m<sup>2</sup>, as shown on Attachment #3, requires an amendment to the Zoning By-law. In order to implement the proposed zoning and site-specific zoning exceptions identified in Table 2, the applicant has submitted the subject Zoning By-law Amendment application.</li> </ul>
Surrounding Land Uses	<ul style="list-style-type: none"> <li>▪ Shown on Attachment #2.</li> </ul>

#### Preliminary Review

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



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	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENT(S)</b>
a.	Conformity with Regional and City Official Plans	<ul style="list-style-type: none"> <li>▪ The applications will be reviewed in consideration of the applicable Regional and City Official Plan policies, with particular consideration given to the Low-Rise Mixed-Use policies in VOP 2010, Volume 2 (Kipling Avenue Corridor Secondary Plan).</li> </ul>
b.	Appropriateness of Proposed Uses	<ul style="list-style-type: none"> <li>▪ The appropriateness of the proposed mixed-use residential/commercial uses and zoning categories and site-specific exceptions will be reviewed in consideration of the surrounding existing and planned land uses, with particular consideration given to land use and built form compatibility, and appropriate development standards, including but not limited to: <ul style="list-style-type: none"> <li>- the increase to the maximum permitted building height for the residential buildings;</li> <li>- the reduced minimum building height for the commercial building;</li> <li>- the provision of two stand-alone commercial buildings with a combined GFA of 785 m<sup>2</sup> instead of at-grade commercial uses limited to 100 m<sup>2</sup> in the same building with residential uses; and,</li> <li>- the proposed reduced building setbacks and landscaping strip width abutting Kipling Avenue within a Heritage Conservation District.</li> </ul> </li> </ul>
c.	Woodbridge Heritage Conservation District Plan (HCDP)	<ul style="list-style-type: none"> <li>▪ The retention of and any modifications to the Moddy Darker House must be reviewed and approved by the Vaughan Planning Department, Cultural Heritage Division and Heritage Vaughan Committee.</li> <li>▪ A Heritage Impact Study has been submitted for review and approval by the Vaughan Planning Department, Cultural Heritage Division.</li> <li>▪ The proposed buildings will be reviewed with respect to maintaining the heritage character and historical streetscape, and must conform to the Woodbridge Heritage Conservation District Plan.</li> <li>▪ The proposed development must conform to the Heritage Conservation District Plan guidelines for Character Area 1 (Kipling Avenue North) and be approved by the Vaughan Planning Department, Cultural Heritage Division and the Heritage Vaughan Committee.</li> </ul>

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d.	Urban and Architectural Design	<ul style="list-style-type: none"><li>▪ The proposed landscaping will be reviewed for, among other matters, providing common amenity space, private amenity space and tree preservation.</li><li>▪ The proposed building and site signage will be reviewed in consideration of Section 11 - Special Sign Districts of the Sign By-law.</li><li>▪ The proposal must be considered by the City of Vaughan Design Review Panel.</li></ul>
e.	Related Site Development Application	<ul style="list-style-type: none"><li>▪ The related Site Development File DA.14.072 will be reviewed concurrently with the zoning application to ensure, but not limited to, appropriate building and site design, pedestrian connectivity, barrier free access, vehicular access, internal traffic circulation, parking, landscaping, amenity area, servicing and grading.</li></ul>
f.	Servicing	<ul style="list-style-type: none"><li>▪ The Functional Servicing and Stormwater Management Report submitted in support of the applications must be reviewed and approved by the York Region Transportation and Community Planning Department and the Vaughan Development Engineering and Infrastructure Planning Department.</li><li>▪ The availability of water and sanitary servicing capacity for the proposed residential development (72 units) must be identified and formally allocated by Vaughan Council, if the applications are approved. Should servicing capacity not be available, the use of the Holding Symbol "(H)" will be considered for the subject lands or a portion(s) thereof.</li></ul>
g.	Noise Report	<ul style="list-style-type: none"><li>▪ The Noise Report submitted in support of the applications (given the proximity to the CP Rail Line, Kipling Avenue, and employment uses) must be reviewed and approved by York Region and the Vaughan Development Engineering and Infrastructure Planning Department.</li></ul>
h.	Sustainable Development	<ul style="list-style-type: none"><li>▪ Opportunities for sustainable design, including CEPTD (Crime Prevention Through Environmental Design), LEEDS (Leadership in Energy and Environmental Design), permeable pavers, bio-swales, drought tolerant landscaping, energy efficient lighting, bicycle racks for the commercial buildings, reduction in pavement to address the "heat island" effect, etc., will be reviewed and implemented through the site plan approval process, for the mixed-use development, if approved.</li></ul>

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i.	Phase 1 Environmental Report	▪ The Phase 1 ESA (Environmental Site Assessment) submitted in support of the applications must be approved to the satisfaction of the Vaughan Development Engineering and Infrastructure Planning Services Department.
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**Relationship to Vaughan Vision 2020/Strategic Plan**

The applicability of the applications to the Vaughan Vision will be determined when the technical report is considered.

**Regional Implications**

The applications have been circulated to York Region for review and comment. Any issues will be addressed when the technical report is considered.

**Conclusion**

The preliminary issues identified in this report and any other issues identified through the processing of the applications will be considered in the technical review of the applications, together with comments from the public and Vaughan Council expressed at the Public Hearing or in writing, and will be addressed in a comprehensive report to a future Committee of the Whole meeting.

**Attachments**

1. Context Location Map
2. Location Map
3. Site Plan and Proposed Zoning
4. Landscape Plan
5. Elevations - Blocks E1 to E3
6. Typical Elevations - Blocks A-D
7. Stacked Townhouse Elevations - Blocks F1 and F2
8. Commercial Elevations - Block G

**Report prepared by:**

Judy Jeffers, Planner, ext. 8645  
Carmela Marrelli, Senior Planner, ext. 8791

(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)