

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF FEBRUARY 18, 2014

Item 1, Report No. 8, of the Committee of the Whole (Public Hearing), which was adopted, as amended, by the Council of the City of Vaughan on February 18, 2014, as follows:

By approving that Communication C13 from Mr. Mark J. McConville, Humphries Planning Group Inc., Chrislea Road, Vaughan, dated February 5, 2014, be received.

1

**OFFICIAL PLAN AMENDMENT FILE OP.13.014
ZONING BY-LAW AMENDMENT FILE Z.13.040
7827 KIPLING AVENUE HOLDINGS INC.
WARD 2 - VICINITY OF KIPLING AVENUE AND BURWICK AVENUE**

The Committee of the Whole (Public Hearing) recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning and the Director of Development Planning, dated February 4, 2014, be approved; and
- 2) That the following deputations be received:
 1. Mr. Mark McConville, Humphries Planning Group Inc., Chrislea Road, Woodbridge, on behalf of the applicant; and
 2. Mr. Nick Pinto, The West Woodbridge Homeowners Association, Mapes Avenue, Woodbridge.

Recommendation

The Commissioner of Planning and the Director of Development Planning recommend:

1. THAT the Public Hearing report for Files OP.13.014 and Z.13.040 (7827 Kipling Avenue Holdings Inc.) BE RECEIVED; and, that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole.

Contribution to Sustainability

The contribution to sustainability 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 a Public Hearing was circulated: January 10, 2014.
- b) Circulation Area: 150 m.
- c) Comments received as of January 21, 2014: None.

Purpose

The owner has submitted the following applications on the subject lands shown on Attachments #1 and #2 to permit a Business or Professional Office use (310 m²) within the existing dwelling (ground and second floors, and attic), with an accessory storage area in the basement as shown on Attachment #4. There are no exterior revisions proposed for the existing dwelling, but the rear yard will be converted into a parking area to serve the business and professional office uses as shown on Attachment #3. The applications are as follows:

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF FEBRUARY 18, 2014

Item 1, CW(PH) Report No. 8 – Page 2

1. Official Plan Amendment File OP.13.014 to amend OPA #240 (Woodbridge Community Plan) as amended by OPA #695 (Kipling Avenue Corridor Plan), specifically the “Mid Density Mixed Use” designation to permit 310 m² of the existing dwelling to be used for a Business or Professional Office use (except the basement to be used for storage purposes only), whereas OPA #695 permits a maximum of 100 m² of grade related business and professional office uses on the property, in addition to the existing single-detached residential dwelling use.
2. Zoning By-law Amendment File Z.13.040 to amend Zoning By-law 1-88, specifically the R2 Residential Zone to permit 310 m² of the existing dwelling to be used for a Business or Professional Office use (excluding a regulated health professional office or clinic), and to retain the permission for one single detached residential dwelling on the site together with the following site-specific zoning exceptions:

	By-law Standard	By-law 1-88, R2 Residential Zone Requirements	Proposed Exceptions to R2 Residential Zone
a.	Minimum Parking and Access Requirements	310 m ² @ 3.5 spaces/100 m ² = 11 spaces	310 m ² @ 2.5 spaces/100 m ² = 7 parking spaces + 1 small car parking space
b.	Width of Driveway Access	7.5 m	3.5 m adjacent to the parallel parking spaces
c.	Minimum Size of a Parking Space	2.7 m x 6.0 m	2.6 m x 5.7 m and one small car parking space - 2.3 m x 4.6 m
d.	Minimum Aisle Width	6.0 m	3.5 m
e.	Permitted Uses	One single detached dwelling with 15 m frontage, Home Occupation Use, Private Home Day Care and Tutoring, Private School, Church	Permit a 310 m ² Business or Professional Office use (excluding a Regulated Health Professional Office or Clinic) within the existing building excluding basement which will be used for storage purposes only; and Retain permission for a one single detached dwelling on the property
f.	Minimum Front Yard and Interior Side Yard Setback Requirements (Dwelling without attached garage)	Front Yard – 11 m Interior Side Yard - 4.5 m (north and south)	Front Yard - 3.15 m to the nearest part of the building (verandah), 2.2 m to the steps (both existing) Interior Side Yard - 4.32 m and 1.10 m to the south and north lot lines, respectively (existing)

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF FEBRUARY 18, 2014

Item 1, CW(PH) Report No. 8 – Page 3

g.	Minimum Landscape Strip Width (Kipling Avenue)	6.0 m	2.2 m
h.	Minimum Lot Frontage	15.0 m	14.85 m (existing)

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.

Analysis and Options

Location	<ul style="list-style-type: none">▪ East side of Kipling Avenue, north of Regional Road 7, known municipally as 7827 Kipling Avenue, City of Vaughan, as shown on Attachments #1 and #2.▪ The 0.059 ha parcel has 14.85 m frontage on Kipling Avenue with a lot depth of approximately 40 m. The parcel is currently developed with a 2-storey detached dwelling, and a garage and gazebo structures, the latter two of which are proposed to be demolished.
Official Plan Designation a) In-effect OPA #240, as amended by OPA #695 b) New VOP 2010	<ul style="list-style-type: none">▪ The subject lands are designated ‘Mid Density Mixed Use’ by in-effect OPA #695 (Kipling Avenue Corridor Plan), which permits a maximum of 100 m² of grade related business or professional office use on the subject lands.▪ The subject lands are designated “Low-Rise Mixed-Use” by Section 11.5 of Volume 2 of the new City of Vaughan Official Plan 2010 (VOP 2010), which was adopted by Vaughan Council on September 7, 2010 (as modified by Council on September 27, 2011, March 20, 2012, and April 17, 2012), and was approved in part by the Ontario Municipal Board on December 2, 2013. VOP 2010 permits a maximum of 100 m² of office uses on the subject lands.▪ The proposal to permit 310 m² of the existing dwelling to be used for a business or professional office use does not conform to in-effect OPA #695 and to VOP 2010. The proposal to maintain a detached dwelling use on the subject lands conforms to the Official Plans.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF FEBRUARY 18, 2014

Item 1, CW(PH) Report No. 8 – Page 4

Zoning	<ul style="list-style-type: none">▪ The subject lands are zoned R2 Residential Zone by Zoning By-law 1-88, which permits a single detached dwelling, with minimum lot frontage of 15 m and the following additional uses: Home Occupation Use, Private Home Day Care and Tutoring, Private School, and Church, subject to zoning standards.▪ An amendment to Zoning By-law 1-88 is required to amend the R2 Residential Zone to permit 310 m² of the existing dwelling (except the basement) to be used for a business or professional office use and the proposed site-specific zoning exceptions required to implement the proposed use.▪ The proposal to retain the permission for one single detached residential dwelling on the subject lands in an R2 Residential Zone complies with Zoning By-law 1-88, save and except for the minimum lot frontage of 14.85 m (existing), whereas a minimum of 15 m is required.
Surrounding Land Uses	<ul style="list-style-type: none">▪ Shown on Attachment #2.

Preliminary Review

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

	MATTERS TO BE REVIEWED	COMMENT(S)
a.	Conformity with Provincial Policies, and Regional and City Official Plans	<ul style="list-style-type: none">▪ The applications will be reviewed in consideration of the applicable Provincial policies, and Regional and City Official Plan policies.
b.	Appropriateness of Proposed Zoning and Site-Specific Exceptions	<ul style="list-style-type: none">▪ The appropriateness of the proposed zoning and site-specific zoning exceptions will be reviewed in consideration of the surrounding existing and planned land uses, with particular consideration given to the entire dwelling (except basement) being used for a business and professional office use.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF FEBRUARY 18, 2014

Item 1, CW(PH) Report No. 8 – Page 5

c.	Parking/Access Adequacy/Road Widening	<ul style="list-style-type: none">▪ The owner is proposing to pave the existing rear yard to create additional parking on the site, which will be reviewed in consideration of potential impacts on the adjacent properties.▪ The adequacy of the proposed 8 parking spaces on the property, their size and physical arrangement on the site will be reviewed to ensure proper site functioning.▪ Access improvements and any required road widening along Kipling Avenue must be identified by the Vaughan Development/Transportation Engineering Department.▪ The Vaughan Development Transportation Engineering Department must review and approve the parking study submitted in support of the applications.
d.	Tree Inventory and Arborist Report	<ul style="list-style-type: none">▪ The subject lands contain several mature trees, some of which will be removed as a result of paving the rear yard to provide additional parking. The Vaughan Development Planning Department must review and approve the Tree Inventory and Arborist Report submitted in support of the applications.
e.	Woodbridge Heritage Conservation District	<ul style="list-style-type: none">▪ The subject lands are located within the Woodbridge Heritage Conservation District Plan area and the residential dwelling is identified as a contributing building. Any revisions to the dwelling, new signage and/or removal of the existing garage must be approved by the Vaughan Cultural Services Division and Heritage Vaughan.
f.	Related Site Development File DA.13.097	<ul style="list-style-type: none">▪ The owner has submitted related Site Development File DA.13.097, which will be reviewed in consideration of, but not limited to, appropriate site design, opportunities for sustainable design, access, pedestrian connectivity, barrier free accessibility, internal traffic circulation, garbage/recycling, snow storage, parking, landscaping, stormwater management, and signage details.

Relationship to Vaughan Vision 2020/Strategic Plan

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

Regional Implications

The applications have been circulated to the Region of York for review. Any comments will be included in the technical report to the Committee of the Whole.

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 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.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF FEBRUARY 18, 2014

Item 1, CW(PH) Report No. 8 – Page 6

Attachments

1. Context Location Map
2. Location Map
3. Site Plan
4. Floor Plans

Report prepared by:

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Mauro Peverini, Manager of Development Planning, ext. 8407

(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.)