

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 19, 2013**

Item 1, Report No. 11, of the Committee of the Whole (Public Hearing), which was adopted without amendment by the Council of the City of Vaughan on March 19, 2013.

**ZONING BY-LAW AMENDMENT FILE Z.12.045**  
**BEAVERBROOK HOMES (KLEINBURG) INC.**  
**WARD 1 - VICINITY OF ISLINGTON AVENUE AND NASHVILLE ROAD**

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

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated February 26, 2013, be approved; and
- 2) That the following deputations be received:
  1. Mr. Robert Klein, Kleinburg Area Ratepayers' Association, Kleinburg;
  2. Mr. Frank Greco, on behalf of Klienburg Business Improvement Association, Islington Avenue, Kleinburg;
  3. Mr. Vince Baffa, Averton Developments, Pennsylvania Avenue, Vaughan, on behalf of the applicant; and
  4. Mr. Paul Couillard, IBI Group Architects, Richmond Street West, Toronto, on behalf of the applicant.

## Recommendation

The Commissioner of Planning recommends:

THAT the Public Hearing report for File Z.12.045 (Beaverbrook Homes (Kleinburg) 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 Meeting was circulated: February 1, 2013
- b) Circulation Area: 150 m and Kleinburg and Area Ratepayers' Association
- c) Comments Received as of February 12, 2013: None

## Purpose

The Owner has submitted Zoning By-law Amendment File Z.12.045 on the subject lands shown on Attachments #1 and #2, specifically to amend Zoning By-law 1-88, subject to Exception 9(1330), to facilitate a residential development consisting of a 2 to 3-storey apartment building with 34 units, as shown on Attachments #3 to #9 inclusive:

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	By-law Standard	By-law 1-88, RM2 Multiple Residential Zone, subject to site-specific Exception 9(1330) Requirements	Proposed Exceptions to the RM2 Zone, Exception 9(1330)
a.	Minimum Interior Side Yard	13.6 m to the south lot line for Inn Building (Building “A”)	13.1 m
b.	Maximum Building Height	Mill Building (Building “C”): <u>East Elevation</u>  i) 6.5 m - to top of flat roof ii) 7.9 m - to mid-point of gable roof	Mill Building (Building “C”): <u>East Elevation</u>  i) 6.8 m - to top of flat roof ii) 8.15 m - to mid-point of gable roof
c.	Building Footprint	Location of buildings, structures, walkways and parking, etc. shall comply with Schedule 1 to By-law 266-2009, as shown on Attachment #9	Permit the location of buildings, parking, enclosed pedestrian connections, sunrooms, etc., as shown on Attachments #3

Additional zoning exceptions may be identified through the detailed review of the applications.

### **Background - Analysis and Options**

#### Ontario Municipal Board

On October 5, 2009, the Ontario Municipal Board (OMB) issued a decision, approving site-specific OPA #703, and site-specific By-law 266-2009, upon a settlement between the City and the then Owners (10360 Islington Avenue Inc. and Josie and Fabio Alviani). In general, the decision permits a low-rise residential building with a maximum GFA of 4,416 m<sup>2</sup> and building height of 2 to 3-storeys (specific locations), and incorporates the existing Martin Smith Heritage Building. The Decision permits the low-rise building with a maximum of 52 apartment dwelling units, or a maximum of 80 apartment residence suites (a suite in an apartment building where sanitary conveniences are provided and which does not permit cooking facilities or the installation of cooking equipment). Site-specific development standards were established in the implementing Official Plan and Zoning By-law to maintain the heritage character of any future development.

#### Previous Application (File: Z.07.031)

The property is subject to previous Zoning By-law Amendment File Z.07.03 that facilitated the approved development shown on Attachment #9. The current Owner has revised the proposal as shown on Attachment #3, which includes the following changes to the approved plan:

- the footprint for Building “C” extends beyond the approved building envelope;

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- enclosed pedestrian connections are proposed between Buildings “B” and “C” and between Building “C” and Martin Smith House;
- the building height for Building “C” has been increased as noted in the “Purpose” section of this report; and,
- the driveway and parking along the south limit of the property has been redesigned.

Location	<ul style="list-style-type: none"><li>▪ On the west side of Islington Avenue, south of Nashville Road, shown as “Subject Lands” on Attachments #1 and# 2.</li></ul>
Official Plan Designation	<ul style="list-style-type: none"><li>▪ “Village Residential” (tableland) and “Valley and Stream Corridor” (valleyland) by in-effect OPA #601 (Kleinburg-Nashville Community Plan), as amended by OPA #633 and OPA #703.</li><li>▪ In-effect OPA #703 permits a maximum of 52 apartment dwelling units and a maximum gross floor area of 4,416 m<sup>2</sup> on the subject lands. The Official Plan provides policies that require the east building elevations facing Islington Avenue and the west building elevations facing the valleylands to not exceed a maximum building height of 2-storeys and 3-storeys, respectively. The Official Plan permits the existing heritage Martin Smith House (260.13 m<sup>2</sup>) to be used as an amenity area/space with the proposed development.</li><li>▪ OPA #703 has been incorporated into Volume 2 of the new City of Vaughan Official Plan 2010 (VOP 2010) as an Area Specific Policy under Section 12.4 of Volume 2. Volume 1 of VOP 2010 was adopted by Vaughan Council on September 7, 2010 (as modified September 27, 2011, March 20, 2012, and April 17, 2012) as further modified and endorsed by Region of York Council on June 28, 2012, and is pending approval from the Ontario Municipal Board. Volume 2 of VOP 2010 was adopted by Vaughan Council on September 27, 2010 (as further modified on March 20, 2012) and is also pending approval by the OMB. The subject lands are designated “Low-Rise Residential/Village Residential Area A”. The built form permits 1 residential building with a maximum gross floor area of 4,416m<sup>2</sup>, a maximum building height of 2-storeys on all east building elevations facing Islington Avenue, and a maximum building height of 3-storeys adjacent to the valleylands.</li><li>▪ The proposed land uses, building heights and gross floor area conforms to the Official Plans.</li></ul>

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Zoning	<ul style="list-style-type: none"> <li>The subject lands are zoned RM2(H) Multiple Residential Zone with the addition of the Holding Symbol “(H)” (tableland) and OS1 Open Space Conservation Zone (valleylands) by Zoning By-law 1-88, subject to Exception 9(1330), which permits the proposed apartment dwelling units.</li> <li>The proposed zoning exceptions, as identified in the “Purpose” section of this report, do not comply with Zoning By-law 1-88, and therefore, an amendment to the Zoning By-law is required.</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 application, the Development Planning Department has identified the following matters to be reviewed in greater detail:

	MATTERS TO BE REVIEWED	COMMENT(S)
a.	City Official Plan Policies	<ul style="list-style-type: none"> <li>The Zoning By-law Amendment Application, together with the related Site Development Application (File DA.12.112), will be reviewed in consideration of the applicable City Official Plan policies, specifically OPA #703.</li> </ul>
b.	Kleinburg-Nashville Heritage Conservation District	<ul style="list-style-type: none"> <li>The Martin Smith House (10,384 Islington Avenue), which was built in the style of an Ontario farmhouse with full-width verandah and central gable in 1852, is designated under Part V of the <i>Ontario Heritage Act</i>, as part of the Kleinburg-Nashville Heritage Conservation District, and is included in the Listing of Buildings of Architectural and Historical Value, the City of Vaughan’s Register of Property of Cultural Heritage Value as per Part IV, Subsection 27 of the <i>Ontario Heritage Act</i>. Designated buildings are protected by By-law and shall be preserved.</li> <li>The proposed low-rise building will be reviewed with respect to maintaining the heritage character of the building and historical streetscape, and must conform with the Heritage District Plan and Design Guidelines.</li> <li>The application must be reviewed by the Heritage Vaughan Committee.</li> </ul>

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c.	City of Vaughan Design Review Panel	<ul style="list-style-type: none"><li>▪ The proposal was considered by the City of Vaughan Design Review Panel on October 25, 2012. Consideration will be given to the recommendations of the Panel.</li></ul>
d.	Landscaping	<ul style="list-style-type: none"><li>▪ The proposed landscape plan (Attachment #4) will be reviewed for, among other matters, providing common amenity space and pedestrian connections, preserving existing trees, and reinforcing the relationship between the buildings and the street.</li></ul>
e.	Toronto and Region Conservation Authority (TRCA)	<ul style="list-style-type: none"><li>▪ The subject lands abut valley lands to the west. The application must be reviewed to the satisfaction of the Toronto Region Conservation Authority and the City of Vaughan.</li><li>▪ The applicant should consider conveying the valleylands to either the City or TRCA.</li></ul>
f.	Servicing	<ul style="list-style-type: none"><li>▪ The servicing infrastructure requirements, including sanitary, water and stormwater management, must be addressed, to the satisfaction of the City.</li><li>▪ The availability of water and sanitary sewage servicing capacity for the proposed residential units must be identified and allocated by Council, if approved. The removal of the Holding Symbol "(H)" will be conditional on servicing being identified and allocated by Vaughan Council.</li></ul>
g.	Parkland Dedication	<ul style="list-style-type: none"><li>▪ The provision of cash-in-lieu of parkland dedication in accordance with the Planning Act and the City's "Cash-In-Lieu of Parkland" Policy shall be required, if approved.</li></ul>

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h.	Related Site Development Application	<ul style="list-style-type: none"><li>▪ The related Site Development File DA.12.112 will be reviewed in consideration of, but not limited to, appropriate building and site design, barrier free accessibility, pedestrian connectivity, relationships between the proposed building and the Martin Smith House, vehicular access, internal traffic circulation, parking, landscaping, environmental sustainability, waste management, servicing and grading.</li><li>▪ All issues identified through the review of Site Development File DA.12.112 will be addressed together with the subject Zoning By-law Amendment application in a comprehensive report to a future Committee of the Whole meeting.</li><li>▪ The Owner is required to submit a Record of Site Condition acknowledged by an Officer of the Ministry of the Environment, to the satisfaction of the Vaughan Development/Transportation Engineering Department.</li><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, bicycle racks to promote alternative modes of transportation, energy efficient lighting, reduction in pavement and roof-top treatment to address the "heat island" effect, green roofs, etc., will be reviewed and implemented through the site plan approval process, if approved.</li></ul>
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#### Relationship to Vaughan Vision 2020/Strategic Plan

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

#### Regional Implications

The application has been circulated to the Region of York 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 application will be considered in the technical review of the application, 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.

#### Attachments

1. Context Location Map
2. Location Map
3. Site Plan
4. Landscape Plan

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5. East & South Elevations

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- 6. West Elevations
- 7. North Elevations
- 8. Preliminary Massing
- 9. Schedule "1" to By-law 266-2009

**Report prepared by:**

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(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.)