

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 14, 2013

Item 21, Report No. 19, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on May 14, 2013, as follows:

By receiving the following Communications:

C14. Ms. Sabrina Niceforo, Kipling Avenue, Vaughan, dated May 13, 2013; and

C18. Director of Development Planning, dated May 14, 2013.

21

OFFICIAL PLAN AMENDMENT FILE OP.12.017

ZONING BY-LAW AMENDMENT FILE Z.12.038

DRAFT PLAN OF SUBDIVISION FILE 19T-12V010

KIPCO LANDS DEVELOPMENTS LTD.

WARD 2 - VICINITY OF KIPLING AVENUE AND MEETING HOUSE ROAD

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated April 30, 2013:

Recommendation

The Commissioner of Planning recommends:

1. THAT Official Plan Amendment File OP.12.017 (Kipco Lands Developments Ltd.) BE APPROVED, to re-designate the subject lands shown on Attachments #2 and #3 from "High Density Residential Neighbourhood", "Mid Density Mixed Use", and Parkettes" as shown on Attachment #6 to "Mid Density Mixed Use" to facilitate the development of 56 townhouse units, 1 detached unit, 1 semi-detached unit, and the preservation of 1 heritage dwelling and 2 contributing heritage dwellings, as shown on Attachment #4.
2. THAT Zoning By-law Amendment File Z.12.038 (Kipco Lands Developments Ltd.) BE APPROVED, specifically to amend Zoning By-law 1-88 to:
 - a) rezone the subject lands shown on Attachments #2 and #3 from R3 Residential Zone to RM2(H) Multiple Residential Zone and R4(H) Residential Zone each with the addition of the Holding Symbol "(H)" and R3 Residential Zone, in the manner shown on Attachment #4, together with the site-specific zoning exceptions identified in Table 1 of this report; and,
 - b) that the Holding Symbol "(H)" shall not be removed from the lands zoned R4(H) Residential Zone and RM2(H) Multiple Residential Zone, as shown on Attachment #4, until Vaughan Council identifies and allocates water supply and sewage servicing capacity to the subject lands.
3. THAT Draft Plan of Subdivision File 19T-12V010 (Kipco Lands Developments Ltd.) as shown on Attachment #5, BE APPROVED, to facilitate a Draft Plan of Subdivision for 4 residential blocks and 1 residential lot, subject to the Conditions of Draft Approval set out in Attachment #1 to this report.
4. THAT the Subdivision Agreement for Draft Plan of Subdivision File 19T-12V010 include the following condition:

"The Owner shall pay to Vaughan by way of certified cheque cash-in-lieu of the dedication of parkland equivalent to 5% or 1 ha per 300 units of the value of the subject lands, prior to the issuance of a Building Permit, in accordance with the Planning Act and the City's Cash-in-lieu Policy. The Owner shall submit an appraisal of the subject lands, in accordance with Section 42 of the Planning Act,

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 14, 2013

Item 21, CW Report No. 19 – Page 2

prepared by an accredited appraiser for approval by the Vaughan Legal Services Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment."

Contribution to Sustainability

The applications implement the following Goal and Objective of Green Directions Vaughan:
Goal 4: To create a vibrant community where citizens, businesses and visitors thrive.

Objective 4.1: To foster a City with strong social cohesion, and engaging arts scene, and a clear sense of its culture and heritage.

In accordance with the goal and objective identified above, the Owner has advised that the following, but not limited to, sustainable site and building features will be included in the proposed development:

- i) high efficiency fixtures, fittings and appliances (e.g.: dual flush toilets, low flow shower heads and faucets);
- ii) HVAC equipment that uses no CFC refrigerants;
- iii) to the extent possible, use of building materials and products that are extracted and manufactured within the region;
- iv) low E double glazed windows; and,
- v) high efficiency furnaces, air conditioning units and bathroom fans.

Economic Impact

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

Communications Plan

On November 2, 2012, a Notice of Public Hearing was circulated to all land owners within 150 m of the subject lands, the West Woodbridge Homeowners Association, and to those individuals requesting notification.

At the Public Hearing on November 27, 2012, several residents expressed the following concerns in opposition of the applications:

- i) the parkette should not be removed;
- ii) the proposed dwellings are too high and will result in shadows on the adjacent lands;
- iii) an insufficient number of visitor parking spaces are proposed;
- iv) the two, 100 year old trees located along the north property line (behind 8248 Kipling Avenue) should be maintained;
- v) the existing garage located behind 8248 Kipling Avenue should be maintained; and,
- vi) the proposal will result in increased traffic in the area.

In addition, two letters were received prior to the Public Hearing:

A letter was submitted from a landowner on Powesland Crescent that expressed concerns about the proposed development and the impact it will have on the existing traffic in the area. The landowner strongly opposed this form of development as it changes the character of the neighbourhood.

Another letter was submitted by a representative of the West Woodbridge Homeowners Association, which expressed support for the proposed development stating that it meets the

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 14, 2013

Item 21, CW Report No. 19 – Page 3

intent of the Growth Plan and Provincial Policy Statement and is in keeping with the policies contained in OPA #695 (Kipling Avenue Corridor Plan). The individual also indicated that the Owner has met with the Association to discuss and resolve their concerns.

A letter was also received after the Public Hearing from an individual representing the adjacent landowner to the west (Canuck Properties). The letter indicated that there was an oversight in the Public Hearing report, which should have identified that the Official Plan Amendment Application will also result in the removal of the “High Density Residential Neighbourhood” designation and the deletion of a north/south road identified in OPA #695 on the subject lands, as shown on Attachment #6.

The recommendation of the Committee of the Whole to receive the Public Hearing report of November 27, 2012, was ratified by Vaughan Council on December 11, 2012.

Purpose

The Owner has submitted the following applications on the subject lands shown on Attachments #2 and #3, to facilitate the residential development of 56 freehold townhouse units and 1 detached unit served by a private condominium road and visitor parking, a semi-detached unit, and 1 heritage dwelling and 2 heritage contributing dwellings as shown on Attachment #4:

1. Official Plan Amendment File OP.12.017, specifically to amend in-effect OPA #240 (Woodbridge Community Plan), as amended by OPA #695 (Kipling Avenue Corridor Plan) to redesignate the subject lands from “High Density Residential Neighbourhood”, “Mid Density Mixed Use” and “Parkette” to “Mid Density Mixed Use”.
2. Zoning By-law Amendment File Z.12.038 to amend Zoning By-law 1-88, specifically to rezone the subject lands from R3 Residential Zone to R3 Residential Zone (existing heritage dwelling) and R4(H) Residential Zone (for semi-detached dwelling) and RM2(H) Multiple Residential Zone (for 56 townhouse dwellings and one detached dwelling) each with the addition of the Holding Symbol “(H)” in the manner shown on Attachment #4, together with the site-specific exceptions to Zoning By-law 1-88 as identified in Table 1 of this report.
3. Draft Plan of Subdivision File 19T-12V010 to facilitate a plan of subdivision consisting of 4 residential blocks and 1 residential lot as shown on Attachment #5, to facilitate the future development of the subject lands with the following:

Block 2 – Townhouse and one detached unit	- 57 units (freehold)	1.0175 ha
Block 3 - 1 semi-detached and 2 detached units	- 4 units	0.1059 ha
Block 4 - Road widening/Sight Triangle		0.0310 ha
Block 5 - 0.3 m Reserve		0.0002 ha
<u>Lot 1 – Freehold Detached Dwelling Unit (existing) - 1 unit</u>		<u>0.0560 ha</u>
Total	62 units	1.2106 ha

Background - Analysis and Options

The subject lands shown on Attachments #2 and #3 are located on the west side of Kipling Avenue, south of Gordon Drive, and east of the Canadian Pacific Railway line, and are comprised of the properties municipally known as 8222, 8228, 8234, 8238, 8246 and 8248 Kipling Avenue, in the City of Vaughan.

The 1.2106 ha property represents an assembly of 6 residential lots with a combined frontage of 99 m on Kipling Avenue. The lands are currently developed with residential dwellings and several detached garages and storage buildings. Two of the existing residential dwellings (8228 and 8236 Kipling Avenue) are located on Block 3, and 8248 Kipling Avenue is located on Lot 1,

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 14, 2013

Item 21, CW Report No. 19 – Page 4

as shown on Attachment #5. 8228 Kipling Avenue is a heritage dwelling registered under the Ontario Heritage Act, and 8236 and 8248 Kipling Avenue are considered to be heritage contributing dwellings.

Land Use Policies/Planning Considerations

The Vaughan Development Planning Department has reviewed the Official Plan and Zoning By-law Amendment and Draft Plan of Subdivision applications in consideration of the following land use policies:

Provincial Policy Statement 2005 (PPS)

The Provincial Policy Statement (PPS) provides policy direction on matters of Provincial interest related to land use planning and development, and sets the policy foundation for regulating the development and use of land. The PPS includes policies that direct new growth to urban areas which contributes to the creation of strong and safe communities, healthy environments and long term economic growth.

Policy 1.1.1 states (in part) that healthy, liveable and safe communities are sustained by:

- i) promoting efficient development and land use patterns which sustain the financial well-being of the province and municipalities over the long term;
- ii) accommodating an appropriate range of housing mix of residential, employment (including industrial, commercial and institutional uses), recreational and open space uses to meet long-term needs;
- iii) avoiding development and land use patterns which may cause environmental or public health and safety concerns;
- iv) avoiding development and land use patterns which would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas; and,
- v) promoting cost effective development standards to minimize land consumption and servicing costs.

The PPS promotes a full range of housing types and densities to meet projected demographic and market requirements of current and future residents, by ensuring all forms of residential intensification in parts of built-up areas have sufficient infrastructure to create a potential supply of new housing units. The PPS is supportive of intensification that is planned and coordinated within built-up areas that have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.

The Development Planning Department is satisfied that the applications will facilitate the reuse and development of an underutilized parcel of land that meets the intent of the PPS with respect to efficient use of land and infrastructure, and providing a range of housing types on lands that are environmentally safe and will not compromise public safety.

Provincial Growth Plan-Places to Grow

The Province's Places to Grow Plan sets out a framework to provide overall leadership and guidance to municipalities as they plan for growth in their communities. The plan sets out policy on a wide range of issues including, managing growth, general intensification, infrastructure planning, among other policies. The plan states that intensification makes more efficient use of land by accommodating growth within existing urban areas and that intensification is the key to revitalizing city centres and making them more people focused and liveable. The inherent goal of the Growth Plan is to manage growth by directing and focusing it to a hierarchy of intensification

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 14, 2013

Item 21, CW Report No. 19 – Page 5

areas including urban growth centres, major transit stations, intensification corridors and local corridors. The proposed development conforms to the Provincial Growth Plan as it proposes development in an area designated for higher density development by the City's Official Plan.

Regional Official Plan (YROP)

The Region of York Official Plan (YROP) designates the subject lands as "Urban Area", which permits a wide range of residential, commercial, industrial and institutional uses. The objectives of the Regional Plan include targeting growth to existing built-up portions of urban areas, encouraging carefully planned intensification, and providing for a broad range of housing types. The proposed development is consistent with the policies of the Regional Official Plan.

In-effect City OPA #240 (Woodbridge Community Plan), as amended by OPA #695 (Kipling Avenue Corridor Plan)

The subject lands are designated "High Density Residential Neighbourhood", "Mid Density Mixed Use" and "Parkettes" by in-effect OPA #240 (Woodbridge Community Plan) as amended by OPA #695 (Kipling Avenue Corridor Plan), as shown on Attachment #6. The "Mid Density Mixed Use" designation permits street townhouse dwelling units with a maximum lot coverage of 50%, a maximum Floor Space Index (FSI) of 1.0, a minimum/maximum building height of 2 and 3 storeys, respectively, and a minimum building setback of 3.5 m. The "High Density Residential Neighbourhood" designation also permits townhouse units and provides for maximum/minimum building height of 6 storeys and 2 storeys, respectively, a minimum lot coverage of 80%, a maximum density of 2.5 FSI and a minimum building setback of 3.0 m. The "Parkettes" designation permits parks, playground and open space uses.

The Owner is proposing to amend in-effect OPA #240 (Woodbridge Community Plan) as amended by OPA #695 (Kipling Avenue Corridor Plan) to redesignate the subject lands from "High Density Residential Neighbourhood", "Mid Density Mixed Use" and "Parkettes" to "Mid Density Mixed Use" to permit freehold townhouse, semi-detached, and detached dwelling units, as shown on Attachment #4. The amendment would also have the effect of removing the "Parkettes" and "High Density Residential Neighbourhood" designations and a north/south road as identified in OPA #695 (Attachment #6) from the property.

a) Townhouse Dwellings

The "High Density Residential Neighbourhood" and "Mid Density Mixed Use" designation on the subject lands, would permit apartments (maximum 6 storeys), detached, semi-detached, street townhouse, and live-work units (maximum of 3 storeys). The applicant is proposing to re-designate the entirety of the subject lands to "Mid Density Mixed Use", thereby restricting the built form to townhouse, detached and semi-detached units on the site with a maximum building height of 3 storeys. The Development Planning Department supports the redesignation of the subject lands as the proposed townhouse, semi-detached and detached dwellings represent a built form that is compatible with the existing area, and the proposed development introduces a mix of housing types into the area and preserves an existing heritage dwelling and two heritage contributing structures, which maintains the character of the area.

b) Parkette

The Owner is proposing to delete the "Parkete" designation from the subject lands, and to retain a heritage dwelling (8228 Kipling) and two heritage contributing dwellings (8236 and 8248 Kipling) to preserve the heritage character of the area. Two of these dwellings (8228 and 8236 Kipling Avenue) are located on the "Parkette" designation. 8228 Kipling Avenue is registered under the Ontario Heritage Act, as it reflects Edwardian Classicism architecture. Kipling Avenue has the highest concentration of heritage resouces within the corridor, and therefore, the preservation of

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 14, 2013

Item 21, CW Report No. 19 – Page 6

existing heritage structures is important to retain the built heritage of the area. The Vaughan Cultural Services Division commends the applicant for the incorporation and preservation of these homes, including 8228 Kipling Avenue into the proposed development, as shown on Attachment #7.

The Vaughan Parks Development Department has reviewed the applications and have no objections to the proposal, including the removal of the parkette. The proposed private amenity space/tot lot will provide outdoor common space for the future residents of this development. Cash-in-lieu of parkland will be required in accordance with the City's current cash-in-lieu policy.

c) Deletion of the North/South Road

OPA #695 identifies a north/south road entirely on the subject lands as shown on Attachment #6. The road is intended to provide access to the subject lands from an internal future public road (under private ownership) in order to encourage comprehensive development with adjacent lands to the west.

The Owner is proposing to delete this road as part of the proposed development. The north/south road would be located entirely on the subject lands as identified in OPA #695, and bisect the property into two unequal parts and utilize developable land area. The Development Planning Department can support the deletion of the road since the lands to the west (Canuck Properties) will maintain frontage on the current private driveway extending west from Kipling Avenue, south of the subject lands. The road was also intended to provide the subject lands with alternate access thereby limiting the number of driveways on Kipling Avenue. However, given that three dwellings are being preserved with existing driveways onto Kipling Avenue, the proposed road would not serve this intended purpose. The Vaughan Development/Transportation Engineering Department has also advised that they have no objection to the deletion of this road.

The New City Of Vaughan Official Plan 2010 (VOP 2010)

The subject lands are designated 'Low Rise Mixed Use', "Mid-Rise Residential" and "Parkettes" by the new City of Vaughan Official Plan 2010 (VOP 2010), which was adopted by Vaughan Council on September 7, 2010 (as modified September 27, 2011, March 23, 2012, and April 17, 2012) as further modified and endorsed by the Region of York Council on June 28, 2012, and is pending approval from the Ontario Municipal Board. The policies of OPA #695 were incorporated into Volume 2 of VOP 2010 (Section 11.5) as an area specific amendment, and therefore, would require the same amendments as the in-effect Official Plan to implement the proposed development. The proposal does not conform to VOP 2010. Should Council approve the site-specific Official Plan Amendment application, a modification to Volume 2 of VOP 2010 will be necessary to include the site-specific amendments to recognize the development approvals granted.

Zoning

The subject lands are zoned R3 Residential Zone by Zoning By-law 1-88 as shown on Attachment #3, which does not permit the proposed mid-rise residential development. A Zoning By-law Amendment is required to rezone the subject lands to R3 Residential Zone (detached dwellings), and R4(H) Residential Zone (semi-detached dwellings) and RM2(H) Multiple Residential Zone (townhouse dwellings) each with the addition of the Holding Symbol "(H)" in the manner shown on Attachment #4, together with the following site-specific zoning exceptions:

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 14, 2013

Item 21, CW Report No. 19 – Page 7

Table 1

	By-law Standard	By-law 1-88, RM2 Multiple Residential Zone Requirements	Proposed Exceptions to RM2 Multiple Residential Zone (Block 2 on Attachment #5)
a.	Permitted Uses	<ul style="list-style-type: none"> ▪ Block Townhouse Dwelling ▪ Apartment Dwellings ▪ Multiple Family Dwellings 	Permit 56, 3-storey freehold Townhouse Dwelling Units and one detached dwelling unit on a Private (Common Element) Condominium Road
b.	Minimum Front Yard	i) 4.5 m, provided the minimum setback to a garage facing a lot line is 6.4 m ii) 4.5 m (detached unit)	i) 4.0 m, provided the minimum setback to a garage facing a lot line is 6.0 m ii) 2 m to the detached unit and 1 m to the sight triangle
c.	Minimum Rear Yard Setback	4.5 m	1.45 m (Block 1)
d.	Minimum Interior Side Yard Setback (Blocks 2,3,7,8 east lot line) and(Block 9 west lot line abutting amenity space)	1.5 m	1.25 m
e.	Minimum Lot Area Per Unit	230 m ² /unit	110 m ² /unit
f.	Minimum Visitor Parking Requirement	86 visitor spaces @ 0.25 visitor spaces/unit = 15 spaces	14 visitor parking spaces
g.	Minimum Parking Space Size	2.7 m x 6.0m	2.7 m x 5.8 m
h.	Minimum Landscape Strip Width Around the Periphery of an Outdoor Parking Area	3.0 m	1.2 m

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 14, 2013

Item 21, CW Report No. 19 – Page 8

	By-law Standard	By-law 1-88, RM2 Multiple Residential Zone Requirements	Proposed Exceptions to RM2 Multiple Residential Zone (Block 2 on Attachment #5)
i.	Definition of a Lot	Means a parcel of land fronting on a street separate from any abutting land to the extent that a Consent contemplated by Section 49 of the Planning Act, RSO 1983 would not be required for its conveyance. For the purpose of this paragraph, land defined in an application for building permit shall be deemed to be a parcel of land and a reserve shall not form part of the street.	For the purpose of zoning compliance, the subject lands shall be deemed to be one lot, regardless of the number buildings constructed on the lot by plan of condominium, part lot control, consent, and any easements or restrictions.
j.	Accessory Uses Buildings and Structures	Accessory buildings for the individual lots shall be located in the rear yard	For the purpose of the freehold townhouse units, the rear yard shall be based on the individual freehold lot
	By-law Standard	By-law 1-88, R3 Residential Zone Requirements	Proposed Exceptions to the R3 Residential Zone Lot 1 and Block 3 – Existing Detached Dwellings as shown on Attachment #5
a.	Minimum Front Yard Setback	11 m	0 m to steps/porch and 2.0 m to dwelling (existing dwellings 8238, 8228 and 8248 Kipling Avenue)
b.	Minimum Exterior Side Yard To the Dwelling	4.5 m	8248 Kipling Avenue 1.0 m 8238 Kipling Avenue 2.0 m 8228 Kipling Avenue - 2.0 m

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 14, 2013

Item 21, CW Report No. 19 – Page 9

	By-law Standard	By-law 1-88, R3 Residential Zone Requirements	Proposed Exceptions to the R3 Residential Zone (Lot 1 and Block 3 – Existing Detached Dwellings as shown on Attachment #5)
c.	Minimum Rear Yard Setback (Dwelling)	7.5 m	4.5 m (8228 Kipling Avenue) 5.0m (8248 Kipling Avenue) 0 m to deck (8248 Kipling Avenue) 1 m to deck/patio (8238 Kipling Avenue)
d.	Minimum Rear Yard (Garage)	7.5 m	8228 and 8238 Kipling Avenue = 0.5 m
e.	Minimum Distance Between A Detached Garage in the Rear Yard and the Nearest Wall of the Dwelling	6.0 m	4.5 m (8238 Kipling Avenue) 1.0 m (8228 Kipling Avenue)
f.	Minimum Parking Required	3 spaces for lots greater than 11 m and 2 spaces for lots 11 m or less	2.0 spaces for a residential lot with a frontage greater than 11 m (8228, 8238 and 8248 Kipling Avenue)
g.	Minimum Interior Side Yard to Garage	1.2 m	0.0m for garages (8238 and 8228 Kipling Avenue)
h.	Minimum Lot Area per unit	360 m ² /unit	325 m ² /unit
	By-law Standard	By-law 1-88, R4 Residential Zone Requirements	Proposed Exceptions to the R4 Residential Zone (Block 3 – Semi-Detached unit as shown on Attachment #5)
a.	Minimum Lot Area Per Unit	270 m ² /unit	250 m ² /semi-detached unit
b.	Minimum Rear Yard	7.5 m	5.0 m (dwelling) and 0.35 m (garage)

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 14, 2013

Item 21, CW Report No. 19 – Page 10

c.	Minimum Distance Between a Detached Garage in the Rear Yard and the Nearest Wall of the Dwelling	6.0 m	1.1 m
d.	Minimum Parking Requirement	3 spaces for lots greater than 11 m and 2 spaces for lots 11 m or less	2.0 spaces for a residential lot with a frontage greater than 11 m
e.	Minimum Interior Side Yard (Garage)	1.2 m	0.0 m
f.	Minimum Front Yard Setback	4.5 m	1.5 m to porch and 3m to dwelling

The proposed zoning exceptions would facilitate a development that is compatible with the existing and planned residential built form in the area. The reduction to the minimum setback from a garage from 6.4 m to 6.0 m, the reduced landscape strip around the outdoor parking area from 3 m to 1.2 m, the reduction of 1 visitor parking space from 15 spaces to 14 spaces and the minimum lot area per unit from 230 m² to 110 m² for the townhouse development are considered minor in nature, and consistent with other approvals in the area, and will not adversely impact the development of adjacent properties. The reduction in the minimum lot area per unit for both the detached and semi detached units applies to interior lots and for the existing heritage structures. The reduced lot area is similar to other condominium townhouse developments in the area and other parts of the City. The remainder of the zoning exceptions including setbacks and parking reductions relate to the R3 and R4 zoned lands and the preservation of the existing and contributing heritage dwellings. Exceptions respecting the definition of a lot and location of the accessory structures will facilitate future development of the site as a common element condominium.

The Development Planning Department can support the proposed rezoning of the property and the required site-specific exceptions to By-law 1-88, in order to implement the proposed development.

Subdivision Design

The proposed development is intended to function as a common element condominium block, and through the Draft Plan of Subdivision, the Owner is proposing to create 4 residential blocks and 1 residential lot under a Registered Plan of Subdivision (Attachment #5). The registered plan will facilitate a future Part Lot Control application for the creation of a development block comprised of 56 freehold townhouse units and 1 detached dwelling, and amenity and visitor parking areas served by a private common element condominium road. A Lot and 3 Blocks will also be created to facilitate the semi-detached unit, the heritage dwelling, and the two heritage contributing dwellings. The Development Planning Department has no objection on the design of the Draft Plan of Subdivision as shown on Attachment #5, subject to the conditions of draft approval shown on Attachment #1.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 14, 2013

Item 21, CW Report No. 19 – Page 11

Proposed Site Plan

The proposed site plan shown on Attachment #4 includes 2 access points from Kipling Avenue into the site to serve the townhouse units and one detached dwelling located at the southeast corner of the property, which is required to obtain driveway access from the private internal road rather than from Kipling Avenue for traffic safety reasons. One heritage dwelling, two heritage contributing dwellings, and a semi-detached unit, each with private driveway access from Kipling Avenue, are also proposed.

The subject lands are bounded by an existing Industrial use to the west and south (Woodbridge Foam), and by low rise residential detached dwellings to the north and east. The site plan includes 9 residential townhouse blocks served by a private internal road with access to Kipling Avenue. A total of 56 townhouse units are proposed utilizing a traditional design with rear yard amenity areas. The visitor parking area is organized within the interior of the site abutting the industrial lands to the west and not visible from Kipling Avenue.

At the Public Hearing, certain residents indicated that the developer should save two significant trees and a garage located behind 8248 Kipling Avenue. Townhouse Block 2 has been sited in a manner that would require the removal of two significant trees and the garage. The residents at the Public Hearing indicated that these trees were over 100 years old and in good condition and should therefore be saved. The applicant provided an Arborist report prepared by a certified Arborist to assess the condition of the two trees (Silver Maple and English Walnut trees) to determine whether the preservation of these trees is warranted. The report concluded that both the Silver Maple tree and an English Walnut tree were in poor condition and that preservation is not warranted. City Staff has reviewed the report and concur with this recommendation.

The Development Planning Department is satisfied with the proposed site plan design, but will continue to work with the applicant to perfect the plan through the Site Plan Approval process.

a) Building Elevations

The Owner is proposing typical 3-storey townhouse designs for the 9 residential blocks, each with a different architectural treatment as shown on Attachment #8. The townhouse units are proposed to be constructed using brick as the main building façade with a corresponding colour scheme for each model. The building elevations have been reviewed by the Cultural Services Division and the Development Planning Department and are generally acceptable. However, a detailed review of the proposed townhouse building elevations will be undertaken through the Site Plan Approval process.

b) Urban Design Comments

The applicant will be required to provide outdoor furniture, such as seating, bicycle rings and a waste and recycling bin for the proposed amenity area. The applicant should also preserve as much existing vegetation as possible, specifically larger caliper trees. No trees on neighbouring properties should be removed. The applicant is also advised to enhance the architectural quality of the side and rear elevations to the level of the front façade in terms of materials and articulation.

Vaughan Development/Transportation Engineering Department

The Vaughan Development/Transportation Engineering Department has provided the following comments:

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 14, 2013

Item 21, CW Report No. 19 – Page 12

i) Servicing Capacity Allocation

In accordance with the City's Servicing Capacity Distribution Protocol, which was adopted by Vaughan Council on June 26, 2012, servicing allocation capacity for the proposed development has not been reserved nor assigned potential future capacity at this time. Therefore, servicing allocation capacity is currently not available to support the proposed development. The City intends to undertake an annual review of the status of the available and unused servicing capacity affecting the Distribution Protocol. The availability of servicing allocation capacity for this application may be revisited at this time based on the status of the subject development applications.

ii) Storm Water Management

The Functional Servicing Report (FSR) submitted by the applicant dated August 2012, as prepared by C.F. Crozier and Associates Inc., indicates that the proposed development will be connected to an existing 375 mm diameter storm sewer on Kipling Avenue via a new storm sewer. A 1200 mm diameter concrete storm sewer is proposed to service the development via a connection at the south leg of the proposed driveway/access to the existing storm sewer. The storm sewer will provide storage and will release flows based on pre-development flows via an orifice tube. Stormwater quality will be treated on-site with an oil-grit separator located prior to the control manhole. The internal storm drainage system for the site will consist of private underground storm water sewers. All site drainage shall be self-contained and all drainage controlled.

iii) Sanitary Servicing

According to the FSR, the proposed development will connect to the existing 200 mm diameter sanitary sewer on Kipling Avenue via a new sanitary manhole. A 200 mm diameter PVC sanitary sewer is proposed to service the development via a connection at the south leg of the proposed driveway/access to the existing sanitary sewer. In order to provide gravity flow from the development, approximately 21 metres of new pipe is proposed to replace an existing sanitary sewer at a lower elevation, within the Kipling Avenue right-of-way, from the new manhole running south to an existing manhole on the north side of the future Rainbow Creek Drive. The internal sanitary drainage system for the site will consist of private underground sanitary sewers.

The sanitary servicing scheme will be analyzed in detail as per the City's city-wide servicing master plan updates, and the FSR revised accordingly.

iv) Road Network

Access to the units will be from a proposed common element condominium driveway with two full movement accesses to Kipling Avenue.

Kipling Avenue could be classified as a Minor Collector Road and as per City Standards, a 5 m x 5 m daylight triangle is required at the intersection of a Local Road with a Minor Collector Road. In accordance with OPA #695, a future right-of-way of 26 m for Kipling Avenue is required with wider boulevards on both sides supporting a 5 m x 5 m daylight triangle.

v) Water Servicing

The proposed development is part of Pressure District 4. The existing watermain system consists of a piped municipal system with a 150 mm diameter watermain on the east side of Kipling Avenue. The FSR proposes a 150 mm diameter PVC watermain to service the development and connect to the municipal system at the south leg of the proposed driveway/access. The developer shall provide a secondary connection in order to loop the system at the north leg. The Public Works Department will be conducting a verification of the watermain on Kipling Avenue.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 14, 2013

Item 21, CW Report No. 19 – Page 13

vi) Environmental

A Phase 1 Environmental Evaluation (March 1, 2013), and a “Geotechnical Investigation”, (February 25, 2013), as prepared by Bruce A. Brown Associates Limited, for the proposed residential redevelopment were reviewed and found to be acceptable by the Development/Transportation Engineering Department. No further environmental requirements are noted at this time.

vii) Environmental Noise Impact

The Owner has provided a preliminary Environmental Noise Assessment and a Railway Vibration Analysis both dated September 27, 2012, prepared by Valcoustics Canada Ltd. that identify noise sources that will impact the development as railway noise from the CP railway and roadway noise from Kipling Avenue. The reports provide recommendations that include typical measures to develop the proposed units and mitigate the noise sources such as acoustic barriers, air conditioning, warning clauses and upgraded building components and foundations.

The applicant is required to submit final noise and railway vibration reports for review and approval by the City as part of the detailed engineering submission when grading design is typically established. The City requires all dwelling units that abut or face a railway and/or arterial roads such as Kipling Avenue shall be constructed with mandatory central air-conditioning. All required acoustic barriers abutting public lands shall be constructed with all berming and/or fencing material, including foundations, completely on private lands and totally clear of any 0.3m road reserve.

viii) Lot Grading (Topography)

The proposed grading of the site and lot grading shall satisfy the City's current lot grading criteria.

ix) Street Lighting

The street-lighting design shall meet the City criteria.

x) Municipal Servicing Agreement

An agreement is required for the provision of the municipal services.

Vaughan Parks Development Department

The Vaughan Parks Development Department has reviewed the conceptual site plan and Draft Plan of Subdivision shown as Attachments #4 and #5, respectively, and is supportive of the proposed residential development.

Vaughan Real Estate Division

The Vaughan Legal Services Department, Real Estate Division, has indicated that the Owner shall pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% or 1 ha per 300 units of the value of the subject lands, prior to the issuance of a Building Permit, in accordance with the Planning Act and the City's Cash-in-Lieu Policy. The Owner shall submit an appraisal of the subject lands, in accordance with Section 42 of the Planning Act, prepared by an accredited appraiser for approval by the Vaughan Legal Services Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment. A recommendation to this effect is provided in the report.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 14, 2013

Item 21, CW Report No. 19 – Page 14

Vaughan Cultural Services Division/Heritage Vaughan Committee

The Vaughan Cultural Services Division has no objection to the applications, subject to the inclusion of the standard archaeological resources conditions requiring notification should archaeological resources and/or human remains be found on the property during grading or construction activities, and the Owner ceasing all grading or construction activities.

The applicant has submitted a Cultural Heritage Impact Assessment report prepared by Landplan Collaborative Ltd. which includes a review of the condition of the garages on Kipling Avenue, including the garage behind 8248 Kipling Avenue. The condition of the garages was reviewed by staff and included in a report to Heritage Vaughan at their meeting of March 20, 2013, at which time Heritage Vaughan approved the elevation drawings for the development and had no objection to the demolition of the garage structures, subject to a number of conditions including requiring the submission of final detailed architectural drawings for Cultural Services Division review and approval of the new semi-detached and detached dwelling units, that the applicant work with staff to finalize the design of the proposed garages and gable ends, and that material samples be submitted for Cultural Services Division approval. Many of the conditions outlined in Heritage Vaughan's recommendations can be addressed at the Site Plan approval stage.

Toronto and Region Conservation Authority (TRCA)

The Toronto and Region Conservation Authority (TRCA) has reviewed the applications and have indicated that the subject property is located within the Humber River watershed but does not appear to contain any natural features regulated under Ontario Regulation 166/06 (Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation). A Permit is not required from the TRCA for the proposed works. TRCA Staff have no objections to the applications subject to their Conditions of Subdivision Approval in Attachment #1.

Enbridge Gas Distribution

Enbridge Gas Distribution has reviewed the proposal and has no objections to the applications. Enbridge advises that at this time, there is not a commitment by Enbridge Gas Distribution to service this site, or to service this site by a given date or that there will be costs for servicing this site. The Owner is to contact the Enbridge Customer Connection Department at their earliest convenience to discuss the installation and clearance requirements for service and metering facilities. This requirement is included in the conditions of approval in Attachment #1.

Canada Post

Canada Post has no objections to the proposal subject to the Owner installing mail facilities and equipment to the satisfaction of Canada Post, which are subject to the Conditions of Approval in Attachment #1.

School Boards

The York Region District (Public) School Board, the York Region Catholic District School Board and the Conseil Scolaire de District Catholique Centre-Sud have advised that they have no objection to the proposal.

Canadian Pacific Railway Company (CP Railway)

CP Rail has reviewed the applications and have no objections subject to the Conditions of Subdivision Approval included in Attachment #1.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 14, 2013

Item 21, CW Report No. 19 – Page 15

Relationship to Vaughan Vision 2020

This report is consistent with the following priorities set forth in Vaughan Vision 2020/Strategic Plan:

Preserve Our Heritage and Support Diversity, Arts and Culture

The Owner is proposing to maintain one heritage dwelling (8228 Kipling Avenue) and two heritage contributing structures (8236 and 8248 Kipling Avenue) in the Kipling Heritage Conservation District.

Enhance and Ensure Community Safety/Health and Wellness

The proposed development is designed using Crime Prevention Through Environmental Design (CPTED) method. CPTED is based on the proper design and effective use of the built environment, leading to a reduction in the incidence of crime as well as an improvement in quality of life.

Plan and Manage Growth & Economic Vitality

The proposed development supports the City's current Official Plan and the Growth Management Strategy as set out in Vaughan Official Plan 2010.

Regional Implications

In a letter dated November 23, 2012, the Region of York Transportation and Community Planning Department indicated that the Official Plan Amendment application is exempt from approval by Regional Planning Committee and Council. This allows the Amendment to come into effect following its adoption by the City of Vaughan and the expiration of the required appeal period, if approved by Vaughan.

The Region of York has no objection to the approval of the Draft Plan of Subdivision application, subject to their conditions of approval included in Attachment #1.

Conclusion

The Vaughan Development Planning Department has reviewed the Official Plan and Zoning By-law Amendment and Draft Plan of Subdivision applications in accordance with the applicable Provincial policies, Regional and City Official Plan policies, Zoning By-law 1-88, comments from City Departments and external public agencies, and the area context. The applications will facilitate a residential development comprised of 56 freehold townhouse units and 1 detached dwelling unit on a private common element condominium road, a semi-detached unit and the maintenance of one heritage dwelling and two heritage contributing dwellings on the subject lands that is compatible with the surrounding existing and planned land uses.

On this basis, the Development Planning Department can support the approval of the Official Plan and Zoning By-law Amendment and Draft Plan of Subdivision applications, subject to the conditions of approval set out in the recommendation of this report.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 14, 2013

Item 21, CW Report No. 19 – Page 16

Attachments

1. Conditions of Draft Approval
2. Context Location Map
3. Location Map
4. Proposed Site Plan and Zoning
5. Draft Plan of Subdivision File 19T-12V010
6. Schedule 3.0 (Land Use) to OPA #695
7. Kipling Streetscape
8. Proposed Typical Elevations

Report prepared by:

Eugene Fera, Planner, ext. 8064
Carmela Marrelli, Senior Planner, ext. 8791
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.)