

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 27, 2014**

Item 3, Report No. 23, of the Committee of the Whole (Public Hearing), which was adopted without amendment by the Council of the City of Vaughan on May 27, 2014.

**3**

**ZONING BY-LAW AMENDMENT FILE Z.13.041  
DRAFT PLAN OF SUBDIVISION FILE 19T-13V008  
MONARCH CASTLEPOINT KIPLING SOUTH DEVELOPMENT LIMITED  
WARD 1 - VICINITY OF KIPLING AVENUE AND TESTON ROAD**

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

- 1) That the recommendation contained in the following report of the Commissioner of Planning, Interim Director of Planning/Director of Development Planning, and Manager of Development Planning, dated May 14, 2014, be approved;**
- 2) That the following deputations be received:**
  - 1. Mr. Don Given, Malone Given Parsons Ltd., Renfrew Drive, Markham, on behalf of the applicant; and**
  - 2. Mr. Claudio Brutto, President, Brutto Consulting, Edgeley Boulevard, Vaughan; and**
- 3) That the following Communications be received:**
  - C1 Ken Schwenger, President, Kleinburg and Area Ratepayers' Association Board of Directors, dated May 7, 2014;**
  - C2 Costas Afentakis, Kirby Road, Vaughan, dated May 12, 2014; and**
  - C3 Rosemarie L. Humphries, President, Humphries Planning Group Inc., Chrislea Road, Vaughan, dated May 13, 2014.**

**Recommendation**

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

- 1. THAT the Public Hearing report for Files Z.13.041 and 19T-13V008 (Monarch Castlepoint Kipling South Development Limited) BE RECEIVED; and, that any issues identified be addressed by the 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: April 17, 2014**
- b) Circulation Area: Expanded notification area beyond 150 m, as shown on Attachment #1 and to the Kleinburg & Area Ratepayers Association. A copy of the Notice of Public Hearing was also posted on the City's website at [www.vaughan.ca](http://www.vaughan.ca) and a Notice sign was placed on the property.**
- c) Comments Received as of April 29, 2014: None**

# CITY OF VAUGHAN

## EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 27, 2014

Item 3, CW(PH) Report No. 23 – Page 2

### Purpose

To receive comments from the public and Committee of the Whole on the following applications respecting the subject lands shown on Attachments #1 and #2, to facilitate the development of a residential plan of subdivision, as shown on Attachment #3:

1. Zoning By-law Amendment File Z.13.041 to amend Zoning By-law 1-88, specifically to rezone the subject lands from A Agricultural Zone and OS1 Open Space Conservation Zone to A Agricultural Zone, RD1 Residential Detached Zone One, RD2 Residential Detached Zone Two, RD3 Residential Detached Zone Three, RD4 Residential Detached Zone Four, RM2 Multiple Residential Zone, C3 Local Commercial Zone, RT1 Residential Townhouse Zone, OS1 Open Space Conservation Zone, and OS2 Open Space Park Zone in the manner shown on Attachment #4, together with the following site-specific zoning exceptions:

	<b>Zoning By-law 1-88 Standard</b>	<b>By-law 1-88, RD1, RD2, RD3 and RD4 Residential Detached Zone Requirements</b>	<b>Proposed Exceptions to RD1, RD2, RD3 and RD4 Residential Detached Zone Requirements</b>
a.	Minimum Interior Side Yard Setback Abutting a Walkway, Greenway, Buffer Block or Stormwater Management Pond	3.5 m	1.2 m
b.	Permitted Yard Encroachments and Restrictions	The following are not permitted Yard Encroachments: <ul style="list-style-type: none"> <li>• Fireplaces; pilasters</li> <li>• Hydro</li> <li>• Gas Meter screens and wingwalls</li> <li>• Covered and unenclosed porches and as balconies with or without foundations</li> </ul>	Permit Fireplaces, Pilasters, Hydro and Gas-meter screens and wingwalls, covered and unenclosed porches and/or balconies with or without foundations as yard encroachments
c.	Minimum Width of No Encroachment Zone	1.5 m	1.2 m

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 27, 2014**

Item 3, CW(PH) Report No. 23 – Page 3

	<b>Zoning By-law 1-88 Standard</b>	<b>By-law 1-88, RT1 Residential Townhouse Zone Requirements (Block 351)</b>	<b>Proposed Exceptions to RT1 Residential Townhouse Zone (Block 351)</b>
a.	Permitted Uses	Detached Garage Accessed by a Lane	Permit an Attached Garage Accessed by a Lane – Means a garage that is accessed by a lane, which is attached to the rear wall of a dwelling unit by means of a covered passage that is open and unenclosed connecting to a dwelling unit.
b.	Maximum Building Height	11 m	14 m or 3 storeys
c.	Maximum Number of Townhouse Units Constructed In A Row	6 units	8 units (Block 351)
d.	Minimum Front Yard Setback	4.5 m	3 m
e.	Minimum Lot Depth for a Townhouse Lot Accessed By A Lane	30 m	27 m
f.	Minimum Rear Yard Setback to a Townhouse Dwelling on a Lot Accessed By A Lane	15 m	12.5 m
g.	Maximum Garage Width on a Lot with a Frontage Less Than 11 m	3 m	Shall not apply
h.	Minimum Exterior Side Yard Setback For A Detached Garage Accessed By A Lane	4.5 m	3 m

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 27, 2014**

Item 3, CW(PH) Report No. 23 – Page 4

i.	Minimum Interior Side Yard Setback For A Detached Garage Accessed By A Lane	1.2 m	0 m on one side and 1 m on the other side
	<b>Zoning By-law 1-88 Standard</b>	<b>By-law 1-88, RD1, RD2, RD3 and RD4 Residential Detached Zone Requirements</b>	<b>Proposed Exceptions to RD1, RD2, RD3 and RD4 Residential Detached Zone Requirements</b>
j.	Minimum Distance From The Main Rear Wall Of A Dwelling Unit To A Detached Garage	7.5 m	5 m
k.	Home Occupation Use and Parking Requirement	<p>A Home Occupation use is limited to the Office of a Regulated Health Professional only</p> <p>Residential Parking requirement plus the requirement for the home occupation use</p>	<p>i. The following additional home occupation uses:</p> <ul style="list-style-type: none"> <li>- Business or Professional Office</li> <li>- Personal Service Shop</li> <li>- Retail Store</li> </ul> <p>ii. The parking space requirement for the home occupation use shall not apply</p>
	<b>Zoning By-law 1-88 Standard</b>	<b>By-law 1-88, RM2 Multiple Residential Zone Requirements (Block 298)</b>	<b>Proposed Exceptions to RM2 Multiple Residential Zone (Block 298)</b>
a.	Maximum Building Height	11 m	14 m or 3 storeys
b.	Minimum Front Yard Setback	4.5 m	3 m

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 27, 2014**

Item 3, CW(PH) Report No. 23 – Page 5

c.	Home Occupation Use and Parking Requirement	<p>i. A Home Occupation use is only permitted in a single detached, semi-detached, or street townhouse dwelling</p> <p>ii. A Home Occupation use is limited to the Office of a Regulated Health Professional</p> <p>iii. Residential parking requirement plus the requirement for the home occupation use.</p>	<p>i. Permit a home occupation in a block townhouse dwelling.</p> <p>ii. Permit the following additional uses as a home occupation:</p> <ul style="list-style-type: none"> <li>- Business or Professional Office</li> <li>- Personal Service Shop</li> <li>- Retail Store</li> </ul> <p>iii. The parking space requirement for the home occupation use shall not apply.</p>
	<b>Zoning By-law 1-88 Standard</b>	<b>By-law 1-88, OS1 Open Space Conservation Zone</b>	<b>Proposed Exceptions to OS1 Open Space Conservation Zone</b>
a.	Minimum Setback to All Lot Lines for a Public Use (Pumping Station - Block 319)	15 m	0 m
	<b>Zoning By-law 1-88 Standard</b>	<b>By-law 1-88, C3 Local Commercial Zone (Block 320)</b>	<b>Proposed Exceptions to C3 Local Commercial Zone (Block 320)</b>
a.	Parking Requirement For Commercial Uses	6 parking spaces per 100 m <sup>2</sup> of Gross Floor Area (GFA)	3 parking spaces per 100 m <sup>2</sup> of GFA
b.	Minimum Landscaping Strip Width Abutting Street "A"	6 m	3 m

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 27, 2014**

Item 3, CW(PH) Report No. 23 – Page 6

c.	Outdoor Patio	<p>i. An outdoor patio is only permitted accessory to an “Eating Establishment”, “Convenience Eating Establishment”, or “Convenience Eating Establishment with Drive-Through”</p> <p>ii. The parking required for an outdoor patio shall be equal to that required for the main eating establishment use</p>	<p>i. Permit an outdoor patio as an accessory use to any permitted use in the C3 Commercial Zone</p> <p>ii. The parking required for an outdoor patio shall not apply</p> <p>iii. The enclosure requirements for an outdoor patio shall not apply</p>
	<b>Zoning By-law 1-88 Standard</b>	<b>By-law 1-88, C3 Local Commercial Zone (Block 320)</b>	<b>Proposed Exceptions to C3 Local Commercial Zone (Block 320)</b>
		<p>iii. An outdoor patio shall be completely enclosed by a physical barrier with access only from the interior of the eating establishment with the exception of at least one exit to be used only in cases of emergency and which is not from the interior of the main building</p>	
d.	Minimum Front Yard Setback (Street “A”)	11 m	3 m
e.	Minimum Rear Yard Setback (East)	9 m	3 m
f.	Minimum Exterior Side Yard Setback	11 m	3 m

## CITY OF VAUGHAN

### EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 27, 2014

#### Item 3, CW(PH) Report No. 23 – Page 7

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

2. Draft Plan of Subdivision File 19T-13V008 to facilitate the development of a residential plan of subdivision with the following site statistics:

<u>Lot/Block Number</u>	<u>Land Use</u>	<u>Units</u>	<u>Area(ha)</u>
1-297	Single Detached Dwellings	297	15.33
298	Townhouse Dwellings	15	0.48
299	Neighbourhood Park		2.63
300	Park		0.21
301-314	Landscape Area		0.83
315-318	Stormwater Management Ponds		5.55
319	Pumping Station Block		0.09
320	Local Commercial Block		0.21
321-347	Open Space, Various		65.19
348-364	Part Blocks for Single Detached Dwellings	11	0.56
365-366	Road Widening		0.19
367-423	Reserves		0.02
Roads	Roads and Laneways		8.99
TOTAL		323	100.28 ha

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

Location	<ul style="list-style-type: none"> <li>10970 and 10980 Kipling Avenue, at the northwest corner of Teston Road and Kipling 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 "KN Low-Rise Residential I", "KN Low-Rise Residential II", "KN Low-Rise Residential III", "KN Low-Rise Mixed-Use II", "Natural Areas", "Agricultural", and "Utility Corridor" by the North Kleinburg-Nashville Secondary Plan (NKNSP), which forms part of Volume 2 of the Vaughan Official Plan 2010 (VOP 2010) and was approved by the Ontario Municipal Board (OMB) on November 4, 2012. Further, the OMB substantially approved Volume 1 of VOP 2010 on February 3, 2014.</li> <li>The NKNSP establishes 3 new neighbourhoods (Village of Nashville, Huntington Road Community, and Kipling Avenue Community) within the Secondary Plan area. The subject lands are located in the Kipling Avenue Community Neighbourhood. The Neighbourhood Development objectives of the NKNSP are to create an urban environment that provides for safe, functional and attractive residential/mixed-use neighbourhoods, while accommodating for the projected development potential of approximately 1,650 new dwelling units through the entire developable land area of the NKNSP. Further, each new neighbourhood must be cohesive and complete, with a mix of housing types, land-uses and activities. Finally, the NKNSP projects a density target of 30 residents and jobs per hectare for the Kipling Avenue Community.</li> </ul>

# CITY OF VAUGHAN

## EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 27, 2014

Item 3, CW(PH) Report No. 23 – Page 8

	<ul style="list-style-type: none"> <li>The proposed draft plan of subdivision forms part of the Block 55 Plan (Attachment #5), which facilitates the development of a cohesive and complete community, with a mix of land-uses, housing types and activities, and an overall density of 34.8 persons and jobs per hectare. The proposed draft plan of subdivision conforms to the NKNSP and the draft Block Plan that is to be considered by the Committee of the Whole on May 13, 2014.</li> </ul>
Zoning	<ul style="list-style-type: none"> <li>The subject lands are zoned A Agricultural Zone and OS1 Open Space Conservation Zone by Zoning By-law 1-88, as shown on Attachment #2. In order to implement the proposed draft plan of subdivision and zoning shown on Attachments #3 and #4 respectively, an amendment to Zoning By-law 1-88 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 applications, the Planning Department has identified the following matters to be reviewed in greater detail:

	MATTERS TO BE REVIEWED	COMMENTS
a.	Conformity with Provincial policies, Regional and City Official Plans	<ul style="list-style-type: none"> <li>The applications will be reviewed in consideration of the applicable Provincial policies, the York Region Official Plan, Vaughan Official Plan 2010 (VOP 2010), and the North Kleinburg Nashville Secondary Plan.</li> <li>A portion of the subject lands is located within the “Natural Heritage System within the Protected Countryside” of the Greenbelt Plan, as shown on Attachment #3. The owner is proposing the installation of infrastructure within the Greenbelt Plan Area, specifically “Street A” and a proposed Sanitary Pumping Station (Block 319 on Attachment #3). Review will be given to ensure conformity with the policies of the Greenbelt Plan.</li> <li>The Block 55 Plan, as shown on Attachment #5, has been prepared and will be considered by the Committee of the Whole on May 13, 2014. The draft plan of subdivision must conform to the final approved Block 55 Plan (including the locations of land use designations, public rights-of-way and private laneways, open space and landscape blocks, etc.).</li> <li>Through the finalization of the Block 55 Plan, changes may be incorporated into the plan that are not captured in the proposed draft plan of subdivision shown on Attachment #3. Any changes to the Block 55 Plan, as approved by Vaughan Council, will be reflected and incorporated into the design of the plan of subdivision.</li> </ul>



# CITY OF VAUGHAN

## EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 27, 2014

Item 3, CW(PH) Report No. 23 – Page 9

b.	Appropriateness of Proposed Rezoning	<ul style="list-style-type: none"> <li>▪ The appropriateness of the proposed zoning as shown on Attachment #4, and the site-specific zoning exceptions on the subject lands will be reviewed in consideration of the policies of VOP 2010, the North Kleinburg Nashville Secondary Plan and the surrounding land use context.</li> <li>▪ Any changes to the final Block 55 Plan must be reflected in the implementing zoning by-law, should the applications be approved.</li> <li>▪ The owner has proposed reminent landscape blocks adjacent to the existing Hydro Corridor and Open Space lands (Blocks 301 to 314). The ownership and maintenance of these blocks must be determined prior to final approval of the subdivision plan.</li> </ul>
c.	Urban Design and Architectural Design Guidelines	<ul style="list-style-type: none"> <li>▪ The future development proposed in this plan of subdivision must conform to the applicable Block 55 (Kipling Avenue Community) Urban Design Guidelines and Architectural Design Guidelines.</li> <li>▪ Prior to final approval of the subdivision, the owner must prepare Architectural Design Guidelines and a streetscape and landscape master plan in accordance with the Block 55 Urban Design Guidelines.</li> </ul>
d.	Future Site Development Applications	<ul style="list-style-type: none"> <li>▪ The draft plan of subdivision proposes the creation of a commercial block (Block 320) and block townhouses (Block 298) as shown on Attachment #3. A Site Development Application(s) will be required to ensure appropriate building and site design, access, internal traffic circulation, parking, landscaping, servicing and grading.</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 the applications are approved.</li> </ul>
e.	Additional Studies	<ul style="list-style-type: none"> <li>▪ The York Region Transportation and Community Planning Department and the Vaughan Development/ Transportation Engineering Department must review and approve the following studies/plans submitted in support of the applications: <ul style="list-style-type: none"> <li>- Environmental Noise and Vibration Feasibility Study;</li> <li>- Master Environmental Servicing Plan; and,</li> <li>- Traffic Impact Study, Transportation Management and Sidewalk Master Plan.</li> </ul> </li> </ul>

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 27, 2014**

Item 3, CW(PH) Report No. 23 – Page 10

f.	Servicing	<ul style="list-style-type: none"><li>Water and sanitary servicing allocation for the subject lands must be identified and allocated by Vaughan Council. If servicing allocation is unavailable, the lands will be zoned with a Holding Symbol (“H”), which will be removed once servicing capacity is identified and allocated to the lands by Vaughan Council.</li></ul>
g.	Recreation and Culture	<ul style="list-style-type: none"><li>Through VOP 2010, Volume 1, Section 6.2.4, the owner was required to prepare a Cultural Heritage Impact Assessment (CHIA). This Assessment identified three heritage resources already recognized by the City, on the subject lands:<ul style="list-style-type: none"><li>the McCutcheon House;</li><li>the John S. Henry Cultural Heritage Landscape (CHL); and,</li><li>Saw Mill Road.</li></ul></li></ul> <p>The CHIA determined that the best heritage resource management options were to commemorate all three sites and to conserve Saw Mill Road and various landscape features and building remnants of the John S. Henry CHL, including the gate, fence, lane, parts of the veranda and parts of the house and barn foundations, in two Open Space Heritage blocks (Blocks 327 and 328). Further, the CHIA recommended that the Open Space Heritage Blocks and cultural heritage resources be publicly accessible.</p> <ul style="list-style-type: none"><li>On February 25, 2014, Heritage Vaughan recommended approval of the recommendations contained in the Owner’s CHIA, and these will form part of the conditions to be implemented in final Plan of Subdivision File 19T-13V008, if approved.</li></ul>
h.	Toronto and Region Conservation Authority (TRCA)	<ul style="list-style-type: none"><li>Portions of the subject lands are located within the Toronto and Region Conservation Authority’s (TRCA) Regulated Area, as established by Ontario Regulation 166/06. The owner must obtain all necessary permits from the TRCA, and the TRCA must review and approve the Preliminary Geotechnical Investigation report and the Master Environmental Servicing Plan submitted in support of the applications.</li></ul>
i.	Hydro One Networks Inc.	<ul style="list-style-type: none"><li>An existing Hydro Corridor bisects the proposed plan of subdivision. The applications have been circulated to Hydro One Networks Inc. (HONI) for review and comments.</li></ul>

**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.

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 27, 2014**

Item 3, CW(PH) Report No. 23 – Page 11

**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. Proposed Draft Plan of Subdivision File 19T-13V008
4. Proposed Zoning (File Z.13.041)
5. Draft Block 55 Plan – Updated as of March 3, 2014

**Report prepared by:**

Daniel Woolfson, Planner, ext. 8213  
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.)