

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 27, 2014

Item 4, 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.

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**ZONING BY-LAW AMENDMENT FILE Z.13.042
DRAFT PLAN OF SUBDIVISION FILE 19T-13V009
MONARCH CASTLEPOINT KIPLING NORTH DEVELOPMENT LIMITED
WARD 1 - VICINITY OF KIPLING AVENUE AND KIRBY 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;**
 - 2. Mr. Claudio Brutto, President, Brutto Consulting, Edgeley Boulevard, Vaughan;**
 - 3. Mr. Carmen Conforti, and on behalf of Mrs. B. Conforti, Mrs. Maria Pucciano and Mr. Elio Pucciano, Theresa Circle, Kleinburg;**
 - 4. Mr. Gaetano Franco, Monarch Castlepoint North Development Ltd., Bathurst Street, Maple, on behalf of the applicant; and**
 - 5. Ms. Beatrice Conforti, Theresa Circle, Kleinburg; 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.13.042 and 19T-13V009 (Monarch Castlepoint Kipling North 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**

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- 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 and a Notice sign was placed on the property.
- c) Comments Received as of April 29, 2014: None

Purpose

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

1. Zoning By-law Amendment File Z.13.042 to amend Zoning By-law 1-88, specifically to rezone the subject lands from A Agricultural Zone and OS1 Open Space Conservation Zone to RD1 Residential Detached Zone One, RD2 Residential Detached Zone Two, RD3 Residential Detached Zone Three, RD4 Residential Detached Zone Four, 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:

	Zoning By-law 1-88 Standard	By-law 1-88, RD1, RD2, RD3 and RD4 Residential Detached Zone Requirements	Proposed Exceptions to the RD1, RD2, RD3 and RD4 Residential Detached Zone Requirements
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">• Fireplaces• Pilasters• Hydro and Gas meter screened wingwalls• Covered and unenclosed porches and balconies with or without foundations	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

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	Zoning By-law 1-88 Standard	By-law 1-88, RT1 Residential Townhouse Zone Requirements (Blocks 382-386, 443)	Proposed Exceptions to RT1 Residential Townhouse Zone (Blocks 382-386, 443)
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.	Frontage On A Public Street	All buildings must be erected on a lot with frontage on a public street	Permit Blocks 383 to 386 to maintain frontage on a park (Block 387) and be accessed by a public lane (Lane A)
c.	Maximum Building Height	11 m	14 m or 3 storeys
d.	Maximum Number of Townhouse Units Constructed In A Row	6 units	7 units (Block 383) 8 units (Block 382)
e.	Minimum Front Yard Setback (To Park Block)	4.5 m	3 m
f.	Minimum Lot Depth For a Townhouse Lot Accessed By A Lane	30 m	27 m
g.	Minimum Rear Yard Setback To a Townhouse Dwelling on a Lot Accessed By A Lane	15 m	12.5 m

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h.	Maximum Garage Width on a Lot with a Frontage Less Than 11 m	3 m	Shall not apply
	Zoning By-law 1-88 Standard	By-law 1-88, RT1 Residential Townhouse Zone Requirements (Blocks 382-386, 443)	Proposed Exceptions to RT1 Residential Townhouse Zone (Blocks 382-386, 443)
i.	Minimum Exterior Side Yard Setback For A Detached Garage Accessed By A Lane	4.5 m	3 m
j.	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
k.	Minimum Distance From The Main Rear Wall Of A Dwelling Unit To A Detached Garage	7.5 m	5 m
l.	Home Occupation Use & Parking Requirement	<p>i. Permits the Office of a Regulated Health Professional only</p> <p>ii. Residential parking requirement plus the parking requirement for the home occupation use</p>	<p>i. Permit the following additional home occupation uses:</p> <ul style="list-style-type: none"> - Business or Professional Office - Personal Service Shop - Retail Store <p>ii. The parking space requirement for the home occupation use shall not apply.</p>

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

2. Draft Plan of Subdivision File 19T-13V009 to facilitate the development of a residential plan of subdivision with the following site statistics:

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<u>Lot/Block Number</u>	<u>Land Use</u>	<u>Units</u>	<u>Area(ha)</u>
1-381	Single Detached Dwellings	381	20.68
382-386	Townhouse Dwellings (including 16 live/work units)	33	0.72
387-388	Park		1.51
389-400	Landscape Area		1.54
401	Stormwater Management		0.61
402-422	Open Space (Open Space/Walkways/Buffers)		17.60
423-428	TransCanada Pipeline		0.92
429-447	Part Blocks (Residential)	11	0.64
448	Road Widening		0.05
449-512	Reserves		0.02
Roads	Roads and Laneways		9.83
TOTAL		425	54.12ha

Background - Analysis and Options

Location	<ul style="list-style-type: none"> 11178 Kipling Avenue, on the west side of Kipling Avenue, south of Kirby Road, shown as "Subject Lands" on Attachments #1 and #2.
Official Plan Designation	<ul style="list-style-type: none"> 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. 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.

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	<ul style="list-style-type: none"> The proposed draft plan of subdivision forms part of the draft 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.
Zoning	<ul style="list-style-type: none"> 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 as shown on Attachments #3 and #4 respectively, an amendment to Zoning By-law 1-88 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 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"> The applications will be reviewed in consideration of the applicable Provincial policies, York Region Official Plan, Vaughan Official Plan 2010 (VOP 2010), and the North Kleinburg Nashville Secondary Plan. 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. Review will be given to ensure conformity with the Greenbelt Plan policies. 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 proposed 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.). Through the finalization of the Block 55 Plan, changes may be incorporated into the plan that are not captured in the draft plan of subdivision, as 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.

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b.	Appropriateness of Proposed Rezoning	<ul style="list-style-type: none">▪ 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, North Kleinburg Nashville Secondary Plan and the surrounding land use context.▪ Any changes to the final Block 55 Plan must be reflected in the implementing zoning by-law, should the applications be approved.▪ The owner has proposed remnant landscape blocks (Blocks 390-393) adjacent to the existing Hydro Corridor. The ownership and maintenance of these blocks must be determined prior to final approval of the subdivision plan.
c.	Urban Design and Architectural Design Guidelines	<ul style="list-style-type: none">▪ 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.▪ 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.
d.	Future Site Development Application(s)	<ul style="list-style-type: none">▪ The draft plan of subdivision proposes the creation of 33 townhouse dwelling units, including 16 live/work units (Blocks 382-386 and 443), as shown on Attachment #3. A Site Development Application(s) will be required for the townhouse dwelling units. The future Site Development Application(s) will be reviewed to ensure appropriate building and site design, access, internal traffic circulation, parking, landscaping, servicing and grading.
e.	Additional Studies	<ul style="list-style-type: none">▪ 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">- Environmental Noise and Vibration Feasibility Study;- Master Environmental Servicing Plan; and,- Traffic Impact Study, Transportation Management and Sidewalk Master Plan, and Travel Demand Management Plan.
f.	Servicing	<ul style="list-style-type: none">▪ 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.

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g.	Toronto and Region Conservation Authority (TRCA)	▪ 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 and the Master Environmental Servicing Plan submitted in support of the applications.
h.	Hydro One Networks Inc.	▪ An existing Hydro Corridor bisects the proposed plan of subdivision in a north-south direction (Blocks 403 and 404). The applications have been circulated to Hydro One Networks Inc. (HONI) for review and comments.
i.	TransCanada Pipeline (TCPL)	▪ An existing TCPL bisects the proposed plan of subdivision in an east-west direction (Blocks 423 to 428 inclusive), as shown on Attachment #3. The applications have been circulated to TCPL, c/o Lehman & Associates, for review and comments.

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. Proposed Draft Plan of Subdivision File 19T-13V009
4. Proposed Zoning (File Z.13.042)
5. Draft Block 55 Plan – Updated as of March 3, 2014

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.)