

**EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 28, 2016**

**ZONING BY-LAW AMENDMENT FILE Z.16.008**  
**2472406 ONTARIO LIMITED**  
**WARD 2 - VICINITY OF KIPLING AVENUE AND WOODBRIDGE AVENUE**

- 1) That the recommendation contained in the following report of the Deputy City Manager, Planning & Growth Management, Director of Development and Senior Manager of Development Planning, dated June 21, 2016, be approved; and
- 2) That the deputation of Mr. Howard Baek, HNB Architects, Magnetic Drive, on behalf of the applicant, be received.

1. THAT the Public Hearing report for File Z.16.008 (2472406 Ontario Limited) BE RECEIVED; and, that any issues identified be addressed by the Vaughan Development Planning Department in a comprehensive report to the Committee of the Whole.

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#### **Purpose**

To receive comments from the public and the Committee of the Whole on Zoning By-law Amendment File Z.16.008 to amend the C3 Local Commercial Zone, specifically Exception 9(128) of Zoning By-law 1-88 for the subject lands shown on Attachments #1 and #2, to permit additional commercial (on ground floor) and residential (on second floor) uses in the existing two-storey commercial building, together with the following site-specific zoning exceptions and those identified in Table 1 of this report:

- i) One Residential Dwelling Unit on the second floor, with a maximum Gross Floor Area (GFA) of 68 m<sup>2</sup>.
- ii) The following commercial uses on the ground floor to a maximum GFA of 186 m<sup>2</sup>:
  - Bank and/or Financial Institution
  - Business or Professional Office
  - Regulated Health Professional Office or Clinic
  - Convenience Retail Store
  - Eating Establishment(s) with or without Take-out
  - Personal Service Shop
  - Pharmacy
  - Photography Studio
  - Retail Store
  - Technical School

Table 1

	By-law 1-88 Standards	C3 Zone, Site Specific Exception 9(128) Requirements	Proposed Exceptions to C3 Zone, Site Specific Exception 9(128) Requirements
a.	Permitted Building Envelope	As shown on Schedule E-132 (Attachment #6)	Permit the existing roof structure and the existing porch/steps off the commercial entrance to be located outside of the permitted building envelope
b.	Minimum Interior Side Yard Setback	3.25 m	2.47 m (southwest corner of the building)
c.	Parking Requirements	7 parking spaces for the ground floor area only for a flower shop use	Maintain 7 parking spaces for all proposed uses
d.	Minimum Parking Space Length	6.0 m	5.8 m

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e.	Minimum Parking Area Aisle Width	6.0 m	5.8 m
f.	Minimum Landscaped Strip Width	As shown on Schedule E-132 (Attachment #6)	Landscaping on the north and south sides of building are not consistent with Schedule E-132

**Background - Analysis and Options**

Location	<ul style="list-style-type: none"><li>Southwest corner of Kipling Avenue and Woodbridge 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 "Mid-Rise Mixed-Use" by Vaughan Official Plan 2010, specifically Volume 2, Section 11.5 - Kipling Avenue Corridor Secondary Plan.</li><li>The application proposal to permit a mixed use commercial and residential development within an existing 2-storey building conforms to the Official Plan.</li></ul>
Zoning	<ul style="list-style-type: none"><li>The subject lands are zoned C3 Local Commercial Zone, subject to Exception 9(128) by By-law 1-88.</li><li>Exception 9(128) permits only the following uses on the subject lands:<ul style="list-style-type: none"><li>Flower Shop located only on the ground floor having a maximum gross floor area of 186 m<sup>2</sup>.</li><li>The maximum gross floor area of the second floor shall be 68 m<sup>2</sup> and shall be used only for the purposes of storage for the main use.</li><li>The basement/cellar shall be used only for the purposes of heating, ventilation or air conditioning equipment and storage accessory to the main use.</li></ul></li><li>The proposed list of uses identified earlier in this report are not permitted, and therefore, a Zoning By-law Amendment 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:

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	MATTERS TO BE REVIEWED	COMMENT(S)
a.	Appropriateness of Proposed Uses	<ul style="list-style-type: none"><li>▪ The appropriateness of permitting the proposed residential and commercial uses on the subject lands will be reviewed in consideration of compatibility with other uses on the site, the surrounding land use context, and the number of parking spaces provided on site.</li></ul>
b.	Traffic Impact Study	<ul style="list-style-type: none"><li>▪ The Traffic Impact study submitted in support of the application must be reviewed and approved by the Vaughan Development Engineering and Infrastructure Planning (DEIP) Department.</li></ul>
c.	Supporting Reports	<ul style="list-style-type: none"><li>▪ The Owner has submitted the following studies and reports in support of the application, which must be approved to the satisfaction of the City:<ul style="list-style-type: none"><li>• Functional Servicing Brief</li><li>• Noise Feasibility Study</li></ul></li></ul>
d.	Parking Study	<ul style="list-style-type: none"><li>▪ The submission of a Parking Study and/or additional justification will be required for review by the Vaughan DEIP Department in consideration of the existing 7 parking spaces on the subject lands to accommodate the proposed uses.</li><li>▪ Some of the proposed uses may not be suitable due to the limited number of parking spaces available on site, and may be eliminated upon review.</li></ul>
e.	Servicing Allocation	<ul style="list-style-type: none"><li>▪ The DEIP Department has confirmed that servicing capacity is available for the additional one (1) residential unit and formal resolution for allocation capacity will be recommended for the subject site when the technical report proceeds to the Committee of the Whole, if the application proposal is supported.</li></ul>

#### **Relationship to Term of Council Service Excellence Strategy Map (2014-2018)**

The applicability of this application to the Term of Council Service Excellence Strategy Map (2014-2018) will be determined when the technical report is considered.

#### **Regional Implications**

Both Kipling Avenue and Woodbridge Avenue are City roads, and therefore, there are no Regional implications associated with the Zoning By-law amendment application.

#### **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.

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**Attachments**

1. Context Location Map
2. Location Map
3. Site Plan
4. Internal Floor Plan for Proposed Second Floor Residential Use
5. Internal Floor Plan for Existing Ground Floor Commercial Use
6. Site-Specific Zoning Schedule E-132

**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.)