

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 24, 2014

Item 19, Report No. 30, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 24, 2014.

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**SITE DEVELOPMENT FILE DA.13.107
WEST WOODBRIDGE VILLAGE TOWNS LTD.
WARD 2 - VICINITY OF KIPLING AVENUE AND MEETING HOUSE ROAD**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, the Interim Director of Planning/Director of Development Planning and Manager of Development Planning, dated June 17, 2014, be approved; and**
- 2) That the coloured elevation drawings submitted by the applicant be received.**

Recommendation

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

1. THAT Site Development File DA.13.107 (West Woodbridge Village Towns Ltd.) BE APPROVED, for the subject lands shown on Attachments #1 and #2 to facilitate the development of 56, 3-storey townhouse units and 1 detached dwelling unit served by a private common element condominium road and 14 visitor parking spaces as shown on Attachments #3 to #7, subject to the following conditions:
 - a) that prior to the execution of the Site Plan Agreement:
 - i. the Vaughan Planning Department shall approve the final site plan, building elevations, and landscape plan;
 - ii. the Vaughan Development/Transportation Engineering Department shall approve the final site servicing and grading plan, stormwater management report, and the required revisions to the proposed fence along the south lot line;
 - iii. the Vaughan Public Works Department shall approve the final waste management plan and waste collection design standards;
 - iv. the owner shall satisfy all requirements of the York Region Transportation and Community Planning Department, Canadian Pacific Railway, and the Toronto and Region Conservation Authority (TRCA); and,
 - v. the related Draft Plan of Subdivision (File 19T-12V010) shall be registered.
 - b) that the Site Plan Agreement include the following provisions:
 - i. the owner shall pay to the City of 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

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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;

- ii. a warning clause shall be included in all Agreements of Purchase and Sale or Lease, and in the Condominium Agreement and Condominium Declaration advising all future owners/tenants/lessees that the development will not be served by municipal garbage pick-up/recycling or snow plowing, and that such services will be privately administered by the Condominium Corporation;
 - iii. the Owner shall grant an easement in favour of the City of Vaughan for access over the private amenity space/tot lot located at the southwest corner of the subject lands (Attachment #3) should the lands to the immediate west be used for a public park. The Site Plan Agreement shall include all requirements and conditions respecting the amenity area lands identified in this report.
2. THAT an Administrative Correction to Zoning By-law 1-88, BE APPROVED, specifically to amend site-specific Exception 9(1388) by deleting Schedule “E-1515” and substituting a new Schedule “E-1515” that accurately reflects the required road widening and daylight triangle along Kipling Avenue, and any additional zoning exceptions inadvertently omitted in the original implementing zoning by-law.
3. THAT the following street name for the proposed private road shown on Attachment #3, BE APPROVED:

STREET

PROPOSED NAME

Private Drive

Citypark Circle

Contribution to Sustainability

The application implements the following Goals and Objectives of Green Directions Vaughan:

Goal 2: To ensure sustainable development and redevelopment

- Objective 2.2: To develop Vaughan as a City with maximum green space and an urban form that supports our expected population growth
- Objective 2.3: To create a City with sustainable built form

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 goals and objectives 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:

- high efficiency fixtures, fittings and appliances (e.g. dual flush toilets, low flow shower heads and faucets)

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- HVAC equipment that uses no CFC refrigerants
- to the extent possible, use of building materials and products that are extracted and manufactured within the region
- low E double glazed windows

Economic Impact

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

Communications Plan

N/A

Purpose

To seek approval from the Committee of the Whole for Site Development File DA.13.107 to facilitate the development of 56 townhouse units and one detached dwelling unit, served by a private common element condominium road and 14 visitor parking spaces, as shown on Attachments #3 to #7 inclusive.

Background

On May 14, 2013, Vaughan Council approved Official Plan Amendment File OP.12.017, Zoning By-law Amendment File Z.12.038 and Draft Plan of Subdivision File 19T-12V010 (Kipco Lands Development Ltd.) on the overall lands identified on Attachment #3, to facilitate the development of 56 townhouse units, 1 detached unit, 2 semi-detached units, the preservation of 1 heritage dwelling and 2 contributing heritage buildings.

The subject Site Development application deals with the 56 townhouse units and 1 detached dwelling unit only. The existing heritage buildings and the semi-detached units are not subject to site plan approval.

Analysis and Options

Location

The subject lands shown on Attachments #1 and #2 are located on the west side of Kipling Avenue, south of Gordon Drive, and east of the Canadian Pacific Railway line, and forms part of a larger block containing 3 heritage dwellings and 2 proposed semi-detached units that do not form part of this application. The surrounding land uses are shown on Attachment #2.

Official Plan

The subject lands are designated "Mid-Density Mixed-Use" by in-effect OPA #695 (Kipling Avenue Corridor Plan), as amended by site-specific OPA #734, which permits the proposed development shown on Attachment #3. A modification to Volume 2 of the Vaughan Official Plan 2010 (VOP 2010) is required to recognize and incorporate the approved site-specific policies of OPA #734 into VOP 2010.

Zoning

The subject lands are zoned RM2 Multiple Residential Zone by Zoning By-law 1-88, subject to Zoning By-law 82-2013 (site-specific Exception 9(1388)), which permits the proposed 56 townhouse units and one detached dwelling unit on the common element condominium road.

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Exception 9(1388) includes the owner's lands not subject to this Site Development application, as shown on Attachment #3, and includes the 1 semi-detached unit, and the 3 existing heritage buildings. By-law 82-2013 included an incorrect E-Schedule and therefore, the following additional variances were not captured:

- i. lot area and setback requirements for the lots abutting Kipling Avenue
- ii. omission of the staircases and exterior side yard setbacks for Block 5

As a result of a required future road widening and daylight triangle, a 3 m wide strip along the Kipling Avenue frontage must be conveyed by the owner to the City. This requirement has resulted in smaller lots along Kipling Avenue and a reduced setback to the site triangle at the southeast driveway. In addition, the variance required for the encroachment of steps and setbacks identified on the approved site plan were omitted, including the dimensions for the exterior side yard for Block 5. By-law 82-2013 inadvertently included a site plan that did not capture these variances, therefore, to correct these discrepancies, an Administrative Correction By-law that includes a revised E-Schedule will be forwarded to the June 23, 2014, Vaughan Council meeting for enactment, should Vaughan Council approve this application. The Vaughan Planning Department can recommend approval of the administrative correction to Zoning By-law 1-88, since it would accurately reflect the conceptual site plan that was the basis of the approval of the Official Plan and Zoning By-law amendment applications. The zoning on the property must be corrected prior to the execution of the Site Plan Agreement.

Site Plan Review

The subject lands form part of a larger 1.216 ha parcel of land that also contains one existing heritage dwelling (8228 Kipling Avenue), two heritage contributing structures (8236 and 8248 Kipling Avenue) and the land for the future development of 1 semi-detached unit, as shown on Attachment #3. This site development application pertains only to the proposed 9 townhouse residential blocks distributed over the site with 56 townhouse units and one detached dwelling located at the southeast corner of the property, served by a 6 m wide "U" shaped private common element condominium road. A 1.5 m wide continuous sidewalk from Kipling Avenue is provided along one side of the street and serves as the main pedestrian access to the site. A private amenity space approximately 426 m² in size is located at the southwest corner of the site to be utilized as a 'tot lot'. The community mail box for this site is proposed to be located on the north portion of the amenity block, however, the exact location must be approved by Canada Post, prior to the issuance of a Building Permit, to ensure it is functionally accessible for the development. There are 13 visitor parking spaces located along the western lot line and one space located closer to Kipling Avenue flanking the existing heritage dwelling at 8248 Kipling Avenue. The Planning Department is satisfied with the proposed site plan.

Building Elevations

The proposed building elevations are shown on Attachments #5 to #7 inclusive. On March 20, 2013, Heritage Vaughan Committee approved the building elevations, however, the latest submission includes a re-design of the single detached unit (Unit 59) that was approved by Heritage Vaughan on May 21, 2014. The Planning Department is satisfied with the building elevations shown on Attachments #5 to #7.

Landscaping

The owner has provided a landscape plan (Attachment #4) which proposes a landscape treatment consisting of sod, a mix of deciduous and coniferous trees, shrubs, perennial, ornamental grasses and ground cover distributed throughout the site, including the small amenity

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area. The owner has also submitted a preservation plan as part of the landscape requirements, as the preservation of a number of mature trees along the western lot line is proposed. The Planning Department is satisfied with the proposed landscape plan and will work with the owner to finalize the details.

Proposed Fencing along South Lot Line abutting adjacent Private Road

The owner is proposing a 1.8 m high wood privacy fence along the southern lot line including the amenity area. This lot line abuts a private driveway used as a principal truck route for the Woodbridge Foam industrial use on the lands west of the CPR rail line. The proposed fencing is not appropriate and shall be replaced with a 2.5 m high acoustic fence to the satisfaction of the Vaughan Development/Transportation Engineering Department. A condition to this effect is included in the recommendation.

Future Park Development

As part of the approval of the Official Plan Amendment File OP.12.017 for the subject lands, a land use designation for a parkette on the subject lands was removed to allow for the preservation of the heritage dwellings fronting on Kipling Avenue. In order to facilitate the parkland objectives for the Kipling Avenue Corridor study it was suggested that the lands to the immediate west of the subject lands (Canuck Properties), as shown on Attachment #4, be redesignated from "High Density Residential Neighbourhood" to "Parkette" as it is generally located in the same area in the neighbourhood as the parkette designation deleted from the subject lands. The Vaughan Parks Development Department advise that these lands will require further review by the City of Vaughan for suitability for use as a park block, which will require the owner of these lands to provide a facility fit conceptual design prepared by a Landscape Architect. The facility fit conceptual design should be prepared to take into consideration basic park design and park planning practices, which shall include, but is not limited to:

- i. identify existing vegetation;
- ii. include setbacks to residential properties, streets and railway line;
- iii. assess slopes, storm water run-off, drainage patterns and servicing requirements;
- iv. includes park program requirements based on City's Active Together Master Plan and as determined by the City; etc.
- v. comply with the principles of CPTED (Crime Prevention Through Environmental Design) safety, active visual surveillance, etc.
- vi. allow for a minimum road frontage in accordance with VOP 2010, Section 7.3.2.4, Item d., as follows:

All parks shall be located and oriented to be highly visible with prominent street frontage (50% of the park perimeter) to enhance passive surveillance"; and
- vii. free of encumbrances that would include utilities, service easement, natural heritage features, buffers, railway rights-of-way, etc. These encumbered lands are not eligible for parkland dedication.

Should the Canuck Properties lands develop as a public park, the amenity area tot lot on the subject lands may be required to be removed and or incorporated as part of the park area in order to create a larger park with street frontage on the future east/west public road planned along the south limit of the subject lands. The owner will be required to grant the necessary easements in favour of the City of Vaughan, to provide access for the public and maintenance purposes over these lands.

It is recommended that the easement be granted prior to the execution of the Site Plan Agreement and the appropriate clauses be included in the Condominium Agreement and Declaration to advise future residents of this requirement. A condition to this effect is included in the recommendation of this report.

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The lands identified as the amenity area shown on Attachment #4 are subject to the following conditions;

- i. the lands shall not be used to calculate parkland dedication credits;
- ii. the owner shall grant an easement in favour of the City of Vaughan for access and maintenance purposes to the lands identified as the amenity area;
- iii. that the amenity area shall be developed with a play apparatus and a seating area to be reviewed and finalized prior to the execution of the site plan agreement;
- iv. that any fencing along the west limit of the property shall be designed in order to facilitate the potential integration of the future development of the lands to the west, which will be reviewed in detail through the Site Development process;
- v. the Condominium Corporation shall grant the City permission to remove fencing along the west limit and a portion of the fencing along the south limit as required to facilitate the integration of the future development of lands to the west; and
- vi. the Condominium Corporation shall agree to any changes and or modifications to the amenity area which will be required to facilitate the future integration of lands to the west.

Vaughan Development/Transportation Engineering Department

The Vaughan Development/Transportation Engineering Department has reviewed the engineering submission in support of the application and have no objection to the proposed development subject to approval of the final site servicing and grading plan and stormwater management report. Servicing allocation for the subject lands was approved through the related Draft Plan of Subdivision File 19T-12V018.

Environmental Site Assessment (ESA)

The Vaughan Development/Transportation Engineering Department is satisfied with the ESA documents submitted for the subject lands and has no further comment.

Waste and Recycling, Snow Removal

The owner is required to address all requirements of the Vaughan Public Works Department, Waste Management Division. A condition to this effect is included in the recommendation of this report.

Garbage pick-up/recycling and snow removal will be privately administered by the Condominium Corporation.

Vaughan Development Finance and Analytics Department

The Vaughan Finance and Analytics Department has reviewed the Site Development application and advises that Development Charges and applicable Special Service Area Development Charges shall be paid to the City of Vaughan in accordance with the City of Vaughan, York Region, York Region District School Board and York Catholic School Board Development Charge By-laws. Development charges are payable on the date a Building Permit is issued at the rate in-effect at that time.

Vaughan Legal Department, Real Estate Division

The owner shall pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% or 1 hectare 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

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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 Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment. A condition to this effect is included in the recommendation of this report.

Street Name Approval

The owner has submitted “Citypark Circle” as the proposed street name for the private drive shown on Attachment #2.

The York Region Transportation and Community Planning Department has no objection to the proposed street name. The Vaughan Fire and Rescue Department and Vaughan Planning Department have also reviewed the proposed street name, which is considered to be satisfactory.

The proposed street name is consistent with the City’s Street Naming Policy and Procedures that was approved by Vaughan Council on December 10, 2013, and the name is not the result of a charity fundraising auction/event.

A recommendation is included in this report to approve the proposed street name.

Canadian Pacific Railway (CPR)

The Site Development application was circulated to Canadian Pacific Railway (CPR) for comment. The owner is required to fulfill all conditions and requirements of CPR. A condition to this effect is included in the recommendation of this report.

Toronto and Region Conservation Authority

The Toronto and Region Conservation Authority (TRCA) has reviewed the Site Development application and has no objection, however, has advised that prior to final approval, the owner is required to submit a site servicing plan and a revised Servicing and Stormwater Management Report with supporting documentation and calculations to the satisfaction of the TRCA. A condition to this effect is included in the recommendation of this report.

Relationship to Vaughan Vision 2020/Strategic Plan

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

i) Preserve Our Heritage and Support, Diversity, Arts & Culture

The owner is retaining one heritage dwelling (8228 Kipling Avenue) and two heritage contributing buildings (8236 and 8248 Kipling Avenue) in the Kipling Heritage Conservation District. The owner will be incorporating some of the heritage aspects of these buildings into the design of the townhouse development.

ii) Manage Growth & Economic Well-Being

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

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Regional Implications

The Site Development application was circulated to the York Region Transportation and Community Planning Department for comment. The owner will be required to fulfill all conditions and requirements of York Region. A condition to this effect is included in the recommendation of this report.

Conclusion

The Vaughan Planning Department has reviewed Site Development File DA.13.107 in accordance with site-specific OPA #734, Zoning By-law 1-88, comments from City Departments, external public agencies, and the area context. The Vaughan Planning Department is satisfied that the proposed development of 56 townhouse units and 1 single detached unit on a common element condominium road as shown on Attachments #3 to #7 inclusive, is compatible with the existing and planned uses in the surrounding area, and conforms to the Official Plan. The Planning Department also supports the proposed Administrative Correction to By-law 1-88 for the reasons outlined in this report.

Accordingly, the Vaughan Planning Department can support approval of the Site Development Application, subject to the recommendations in this report.

Attachments

1. Context Location Map
2. Location Map
3. Site Plan
4. Landscape Plan
5. Typical Front Elevation (Block 1)
6. Typical Front Elevation (Block 5)
7. Typical Front Elevation (Block 8)

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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.)