

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 25, 2013

Item 38, Report No. 32, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 25, 2013.

38

**ZONING BY-LAW AMENDMENT FILE Z.12.045
SITE DEVELOPMENT FILE DA.12.112
BEAVERBROOK HOMES (KLEINBURG) INC.
WARD 1 - VICINITY OF ISLINGTON AVENUE AND NASHVILLE ROAD**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning and the Director of Development Planning, dated June 18, 2013:

Recommendation

The Commissioner of Planning and the Director of Development Planning recommend:

1. THAT Zoning By-law Amendment File Z.12.045 (Beaverbrook Homes (Kleinburg) Inc.) BE APPROVED, specifically to:
 - a) amend Zoning By-law 1-88, as amended by Exception (1330), to permit the site-specific zoning exceptions identified in Table 1 of this report; and,
 - b) remove the Holding Symbol "(H)" from the subject lands zoned RM2(H) Multiple Residential Zone, as shown on Attachment #2, thereby effectively zoning these lands RM2 Multiple Residential Zone.
2. THAT Site Development File DA.12.112 (Beaverbrook Homes (Kleinburg) Inc.) BE APPROVED, to permit a 2 to 3-storey residential apartment building with 34 apartment dwelling units, as shown on Attachments #3 to #10 inclusive, subject to the following conditions:
 - a) that prior to the execution of the Site Plan Letter of Undertaking:
 - i) the final site plan including revising the width of the barrier-free handicapped parking space from 3.65 m to 3.9 m, building elevations and landscaping plans shall be approved to the satisfaction of the Vaughan Development Planning Department and the Vaughan Cultural Services Division;
 - ii) the final site grading, servicing, stormwater management, noise, transportation and lighting plans and reports shall be approved to the satisfaction of the Vaughan Development/Transportation Engineering Department;
 - iii) the Owner shall satisfy the waste management requirements of the Vaughan Public Works Department - Solid Waste Management;
 - v) the Owner shall satisfy all requirements of the Toronto and Region Conservation Authority (TRCA); and,
 - vi) the ownership and maintenance of the bio-swale and outfall within the 7.5 m wide landscape buffer shall be assumed by the Owner/future condominium corporation; the City and TRCA shall not assume ownership and shall not be responsible for any maintenance of the bio-

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swale and/or outfall; the Owner shall prepare a reference plan to delineate the limits of the bio-swale to the satisfaction of the City and TRCA;

- b) that the Site Plan Letter of Undertaking include the following conditions:
- ii) that prior to the issuance of a Building Permit, the Owner shall pay the City, Region and Board of Education Development Charges in accordance with the City of Vaughan Development Charge By-law in effect at the time of payment;
 - ii) that the Owner shall pay cash-in-lieu of the dedication of parkland equivalent to 1 ha per 300 units or 5% of the value of the subject lands or units, whichever is greater, prior to the issuance of a Building Permit, in accordance with the Planning Act and the City's approved "Cash-in-Lieu of Parkland Policy". The Owner shall submit an appraisal report 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;
 - iii) that the Owner shall agree to notify both the Ministry of Tourism and Culture and the City of Vaughan Recreation and Culture Department (Cultural Services Division) immediately in the event that:
 - 1. archaeological resources are found on the property during grading or construction activities, to which the Owner must cease all grading or construction activities; and,
 - 2. human remains are encountered during grading or construction activities, to which the proponent must cease all grading or construction activities. The Owner shall contact York Region Police, the Regional Coroner and the Registrar of the Cemeteries Regulation Unit of the Ministry of Consumer and Business Services;
 - iv) that the Owner shall display a Community Plan on the interior wall of the sales office, comprised of the information approved by the City of Vaughan, prior to offering any units for sale, to be monitored periodically by the City, and that no Building Permit shall be issued until such information is approved by the City of Vaughan Development Planning Department. The Community Plan shall include the following information:
 - plan for the broader area, showing the surrounding land uses, arterials, proposed road extensions, etc.;
 - location of street utilities, entrance features, sidewalks, transit stops;
 - the location of parks, open space, trails, bicycle paths, community facilities;
 - the location of institutional uses, including schools, places of worship, community facilities;
 - the location and type of commercial sites;
 - colour-coded identification of singles, semis, townhouses and apartment units;
 - the following notes in BOLD CAPITAL TYPE on the map:

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“For further information, on the proposed and existing land uses, please call or visit the City of Vaughan, Development Planning Department, at 2141 Major Mackenzie Drive, L6A1T1, 905-832-8585.

“This map is based on information available as of (date of map), and may be revised or updated without notification to purchasers.”

[In such circumstances the Owner is responsible for updating the map and forward it to the City for verification.];

- v) that the Owner shall contact Enbridge Gas Distribution to discuss installation and clearance requirements for service and metering facilities with the Enbridge Customer Connections Department, arrange for the installation of the gas plant prior to the commencement of the asphalt paving or landscaping, and provide, if required, easements at no cost to Enbridge Gas Distribution; and,
 - vi) that the Owner shall agree to consult with Canada Post to determine the locations of a suitable mailbox/mailroom location to Canada Post's specifications.
3. THAT Vaughan Council adopt the following resolution with respect to the allocation of water and sewage servicing capacity:

“NOW THEREFORE BE AND IT IS HEREBY RESOLVED THAT Site Development File DA.12.112 (Beaverbrook Homes (Kleinburg) Inc.) be allocated sewage capacity from the Kleinburg Servicing Scheme and water supply capacity from the York Water Supply System for a total of 34 apartment dwelling units.”

Contribution to Sustainability

The applications implement the following Goals and Objectives of Green Directions Vaughan:

Goal 2: To ensure sustainable development and redevelopment.

- Objective 2.3: To create a City with sustainable built form.

Goal 3: To ensure that getting around in Vaughan is easy and has a low environmental impact.

- Objective 3.1: To develop and sustain a network of sidewalks, paths and trails that supports all modes of non-vehicular transportation.

Goal 4: To create a vibrant community where citizens, businesses and visitors thrive.

- Objective 4.1: To foster a City with strong social cohesion, an 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:

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- a) Creating a Sustainable Site:
 - i) reducing pollution from construction activities by controlling soil erosion, waterway sedimentation and airborne dust generation;
 - ii) controlling truck-borne construction debris at the perimeter of the site; and,
 - iii) providing locker rooms in the underground parking areas that could accommodate bikes and at-grade short term bicycle parking spaces;
- b) Water Efficiency:
 - i) install low-volume water toilets and showerheads in all residential bathrooms;
- c) Materials and Resources:
 - i) retaining and reusing the existing Martin Smith House;
 - ii) facilitating the reduction of waste generated by building residents by providing an on-site dedicated area for the collection and storage of materials for recycling and a multi-sort disposal system (tri-sorter) in each building for the disposal of material for recycling and garbage; and,
 - iii) extracting, processing and manufacturing approximately 30% of the building materials and products (by total weight of the materials);
- d) Energy and Atmosphere:
 - i) providing high efficiency compact furnace system;
 - ii) providing on-demand domestic hot water units for each suite in-lieu of tanks; and,
 - iii) providing energy efficient lighting with motion-sensor lighting in service areas and less-frequented public areas not governed by egress lighting requirements of the *Ontario Building Code*;
- e) Indoor Environmental Quality:
 - i) conducting a flush-out (vacuum) to mitigate indoor air quality problems resulting from construction activity prior to occupancy; and,
 - ii) using low volatile organic compounds (voc's), adhesives and sealants, paints, coatings and flooring to reduce the quantity of indoor contaminants that are odourous, irritating or harmful to the well-being of residents and visitors.

Economic Impact

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

Communications Plan

On February 1, 2013, a Notice of Public Hearing was circulated to all property owners within 150 m of the subject lands, and to the Kleinburg and Area Ratepayers' Association. As of June 7, 2013, no written comments have been received through the notification. The recommendation of the Committee of the Whole to receive the Public Hearing report of February 26, 2013, and to forward a comprehensive technical report to a future Committee of the Whole meeting, was adopted by Vaughan Council on March 19, 2013.

Purpose

The Owner has submitted the following applications on the subject lands shown on Attachments #1 and #2, to facilitate the development of a 34 unit residential apartment building:

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1. Zoning By-law Amendment File Z.12.045 to:
 - a) amend Zoning By-law 1-88, as amended by Exception (1330), to permit the site-specific zoning exceptions identified in Table 1 of this report; and,
 - b) remove the Holding Symbol “(H)” from the subject lands zoned RM2(H) Multiple Residential Zone, as shown on Attachment #2, thereby effectively zoning these lands RM2 Multiple Residential Zone.

2. Site Development File DA.12.112 to permit a 2 to 3-storey residential apartment building with 34 units as shown on Attachments #3 to #10 inclusive. The proposed development statistics are as follows:

Lot Area	RM2(H) Lands - 5,748.65 m ² / 0.574 ha OS1 Lands - 5,008.16 m ² / 0.50 ha Total = 10,756.81 m ² / 1.074 ha
Lot Frontage	85 m
Lot Depth	190 m
Floor Space Index (F.S.I.)	0.81 F.S.I.
Lot Coverage	Existing Martin Smith House - 140.80 m ² Inn, Manor & Mill Buildings Plus Links - 1664.91 m ² Total Coverage = 1805.71 m ² / 31.41%
Buildings Gross Floor Area (GFA)	Existing Martin Smith House - 276.3 m ² Inn, Manor & Mill Buildings - 4,378.26 m ² Total GFA = 4,654.56 m ²
Building Height	See Attachments #7 to #10 inclusive
Landscaped Area/Percentage	3,526 m ² / 61.33%
Paved Area/Percentage	489 m ² / 8.51%

Units/Amenity Area	1 Bedroom	2 Bedroom	2 Bedroom + Den	3 Bedroom
Unit Total By Bedroom	4	22	6	2
Total Units	34			
Amenity Area by Bedroom (Determined)	80 m ² (20m ² /Unit)	1,210 m ² (55m ² /Unit)	330 m ² (55m ² /Unit)	180 (90m ² /Unit)
Amenity Area (Required)	1,800 m ²			
Amenity Area by Use	Common Use Interior Amenity Area = 361.10 m ²			
	Common Use Exterior Amenity Area = 1,314.30 m ²			
	Semi-Private Exterior Amenity Area = 624.20 m ²			
Amenity Area (Total Provided)	Private Exterior Amenity Area - Balconies/Terraces = 305.50 m ² = 2,605.10 m ²			

Parking	Required (By-law 1-88, as amended)	Provided
Apartment Dwelling (1.15 Spaces/Unit)	40	68
Visitor (0.25 Spaces/Unit)	9	9

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Background - Analysis and Options

Location

The subject lands shown on Attachments #1 and #2 are located on the west side of Islington Avenue, south of Nashville Road. The subject lands have a total lot area of 1.074 ha of which, 0.574 ha of the lot area is developable for the residential uses and 0.50 ha of the lot area is for the open space/valleylands. The surrounding land uses are shown on Attachment #2.

Ontario Municipal Board

On October 5, 2009, the Ontario Municipal Board (OMB) issued an Order, approving site-specific OPA #703, and site-specific By-law 266-2009, upon a settlement between the City and the then Owners (10360 Islington Avenue Inc. and Josie and Fabio Alviani). In general, the decision permits a low-rise residential building with a maximum GFA of 4,416 m², a building height of 2 to 3-storeys (specific locations), and incorporates the existing Martin Smith Heritage Building into the overall development of the property. The Order permits a low-rise building with a maximum of 52 apartment dwelling units, or a maximum of 80 apartment residence suites (a suite in an apartment building where sanitary conveniences are provided and which does not permit cooking facilities or the installation of cooking equipment). Site-specific development standards were established in the implementing Official Plan and Zoning By-law to maintain the heritage character of any future development.

Official Plan - Land Use Designation/Uses/Density

i) Official Plan Amendments #600, #633 and #703

The subject lands are designated “Village Residential” (tableland) and “Valley and Stream Corridor” (valleylands) by in-effect OPA #601 (Kleinburg-Nashville Community Plan), as amended by OPA #633 and site-specific OPA #703, which permits a maximum of 52 apartment dwelling units and a maximum gross floor area of 4,416 m² on the developable portion of the subject lands. The Official Plan provides policies that require the east building elevations facing Islington Avenue and the west building elevations facing the valleylands to not exceed a maximum building height of 2-storeys and 3-storeys, respectively. The Official Plan permits the existing heritage Martin Smith House (260.13 m²) to be used as an amenity area/space with the proposed development.

ii) City of Vaughan Official Plan 2010

OPA #703 has been incorporated into the new City of Vaughan Official Plan 2010 (VOP 2010) as an Area Specific Policy under Section 12.4 of Volume 2. Volume 1 VOP 2010 was adopted by Vaughan Council on September 7, 2010 (as modified September 27, 2011, March 20, 2012, and April 17, 2012) as further modified and endorsed by Region of York Council on June 28, 2012, and is pending approval from the Ontario Municipal Board. Volume 2 of VOP 2010 was adopted by Vaughan Council on September 27, 2010 (as further modified on March 20, 2012) and is also pending approval by the OMB. Both Volume 1 and Volume 2 constitute VOP 2010 for the subject lands as policies in Volume 1 may be applicable to lands within Volume 2. The subject lands are designated “Low-Rise Residential/Village Residential Area A”. VOP 2010 permits a built form with 1 residential building, a maximum gross floor area of 4,416 m², a maximum building height of 2-storeys on all east building elevations facing Islington Avenue, and a maximum building height of 3-storeys adjacent to the valleylands.

The proposed land uses, building heights and gross floor area conform to the Official Plans.

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Kleinburg-Nashville Heritage Conservation District

The Martin Smith House (10384 Islington Avenue), which was built in the style of an Ontario farmhouse with full-width verandah and central gable in 1852, is designated under Part V of the *Ontario Heritage Act*, as part of the Kleinburg-Nashville Heritage Conservation District, and is included in the Listing of Buildings of Architectural and Historical Value, the City of Vaughan’s Register of Property of Cultural Heritage Value as per Part IV, Subsection 27 of the *Ontario Heritage Act*. Designated buildings are protected by By-law and shall be preserved.

Zoning

The subject lands are zoned RM2(H) Multiple Residential Zone with the addition of the Holding Symbol “(H)” (tableland) and OS1 Open Space Conservation Zone (valleylands) by Zoning By-law 1-88, subject to Exception 9(1330). Due to modifications to the building footprint shown in the implementing Zoning By-law 266-2009 (Attachment #11), the redesign of the building, the addition of two sunroom linkages and a slight increase to the building height for the Mill Building (Building “C”), the following additional site-specific zoning exceptions are required to implement the proposal as shown on Attachments #3 and #11:

Table 1:

	By-law Standard	By-law 1-88, RM2 Multiple Residential Zone, subject to site-specific Exception 9(1330) Requirements	Proposed Exceptions to the RM2 Zone, Exception 9(1330)
a)	Minimum Front Yard (Islington Avenue)	17.5 m for the Martin Smith House	17.3 m
b)	Minimum Interior Side Yard	13.6 m to the south lot line for Inn Building (Building “A”)	13.1 m
c)	Minimum Distance Between Buildings	i) 7 m between the Martin Smith House and the Mill Building (Building “C”) ii) 8.1 m between the Manor Building (Building “B”) and the Mill Building (Building “C”)	i) The portion of the building containing the sunroom shall be exempt from the minimum distance requirement between the Martin Smith House and the Mill Building (Building “C”). ii) The portion of the building containing the sunroom shall be exempt from the minimum distance requirement between the Manor Building (Building “B”) and the Mill Building (Building “C”).

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d)	Maximum Building Height	<p>Mill Building (Building “C”):</p> <p><u>East Elevation</u></p> <p>i) 6.5 m - to top of flat roof ii) 7.9 m - to mid-point of gable roof</p>	<p>Mill Building (Building “C”):</p> <p><u>East Elevation</u></p> <p>i) 6.8 m - to top of flat roof ii) 8.15 m - to mid-point of gable roof</p>
e)	Building Footprint	<p>Location of buildings, structures, walkways and parking, etc. shall comply with Schedule 1 to By-law 266-2009, as shown on Attachment #9</p>	<p>Permit the location of buildings, parking, enclosed pedestrian connections, sunrooms, etc., as shown on Attachment #3</p>

The Development Planning Department has reviewed the proposed site-specific exceptions to Zoning By-law 1-88 and provides the following comments:

i) Front Yard (Martin Smith House)

The Owner undertook a survey of the property, as part of the detailed site plan work, which determined that the minimum front yard for the existing Martin Smith House is 17.3 m and not 17.5 m. The Zoning By-law will be revised to reflect the correct yard requirement for the existing building.

ii) Interior Side Yard

The reduction to the south side yard of the Inn Building (Building “A”) from 13.6 m to 13.1 m applies only for the portion of the building located west of the proposed parking spaces, and is deemed to be minor. Landscaping is provided in this yard, as well as the main driveway for the subject lands.

iii) Distance between Buildings

In the implementing Zoning By-law, a minimum distance of 7 m is required between the existing Martin Smith House and the proposed Mill Building (Building “C”) and 8.1 m is required between the proposed Manor Building (Building “B”) and the Mill Building (Building “C”) in order to provide a more natural and historical setting for the Martin Smith House with landscaped/open space areas surrounding the building with the retention of the grassy knoll (hill) in the front and side yards. Through the detailed site plan and landscaping work undertaken for the proposal, two enclosed glass “sunroom” linkages are proposed, as shown on Attachment #3, while maintaining the natural setting for the Martin Smith House. The first sunroom is a one-storey high, 2.1 m wide linkage located on the ground floor of the Manor Building (Building “B”) that connects to the ground floor of the Mill Building (Building “C”), shown on Attachment #7. The second sunroom is a one-storey high, 2.27 m wide linkage that forms a connection from the second storey of the Mill Building (Building “C”) to the ground floor at the rear of the Martin Smith House (Attachment #10). The linkages allow for the internal movement of the residents to access the amenity areas, as the fitness room is located in the Mill Building (Building “C”), and the party and game rooms are located in the Martin Smith House.

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iv) Building Height

The increase to the building height in the east elevation facing Islington Avenue for the Mill Building (Building “C”) from 6.5 m to the top of the flat roof to 6.8 m and from 7.9 m to the mid-point of the gable roof to 8.15 m represent minor increases to the building height as a result of the detailed urban design/architectural work undertaken to have a building in the design style of a vernacular/Georgian Mill within the Kleinburg Heritage Conservation District.

v) Building Footprint

A concept plan was provided in support of the implementing site-specific OPA #703 and site-specific By-law 266-2009, which were approved upon a settlement between the City and the previous Owners. The concept plan was used to determine the location of the buildings and uses, as the previous Owner had not submitted a formal Site Development application at the time of the drafting of the implementing Official Plan and Zoning By-law, and therefore, did not have the detailed site plan, grading and urban design/architectural details for the proposed development. The current Owner of the subject lands has submitted a formal Site Development application, which has resulted in minor adjustments to the building footprint.

For the most part, the building footprint proposed for the subject lands (Attachment #3) in the site plan is consistent with the building footprint in the implementing Zoning By-law (Attachment #11). The differences are primarily along the periphery of the Inn, Manor and Mill Buildings to reflect modifications to the architectural design treatment of the buildings. Modifications were also made to the southerly driveway leading to the underground and surface parking areas, and the landscape area to meet the Vaughan Public Works Department - Solid Waste Management requirements in order to accommodate the truck turning movements for garbage/refuse trucks.

In summary, these modifications to the site-specific exceptions are required due to the detailed design work being finalized after the Ontario Municipal Board approval of the settlement between the then Owners and the City respecting the implementing Official Plan and Zoning By-law. This has resulted in the correction of the front yard requirement for the existing Martin Smith House, the addition of linkages to buildings to provide for internal movement to facilities for the residents, and modifications to the building height, yards, and building footprint respecting the driveway, parking area and landscaping due to undertaking the detailed site plan, architectural and landscaping design work for the proposal. These modifications are considered minor in nature and maintain the intent of the original development proposal, and implementing Official Plan and Zoning By-law. For the reasons discussed above, the Development Planning Department can support the proposed zoning exceptions, subject to the conditions of approval included in the recommendation of this report.

Holding Symbol “(H)”

The subject lands are zoned with the Holding Symbol “(H)”. The conditions for the removal of the Holding Symbol “(H)” are as follows:

- i) that the Region of York confirms that adequate water supply and sewage treatment are available;
- ii) that the Council of the City of Vaughan has assigned or reserved adequate water supply and sewage service capacity to the subject development; and,
- iii) that a Site Development application is approved by Vaughan Council.

The Development/Transportation Engineering Department has provided an allocation resolution included in the recommendation of this report to address the availability and assignment of water

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supply and sewage service capacity. Should Vaughan Council approve the Site Development application, the conditions will be satisfied and the Holding Symbol “(H)” can be removed from the subject lands. A recommendation to remove the Holding Symbol is included in the recommendation of this report.

Site Plan Review

The Vaughan Development Planning Department is satisfied with the proposed site plan, landscaping and building elevations, as shown on Attachments #3 to #10 inclusive. The site plan requires modification to revise the width of the barrier free parking space from 3.65 m to 3.9 m to comply with Zoning By-law 1-88. There is sufficient floor area in the underground parking garage to accommodate this change. The final site plan, landscape plan and building elevations must be approved to the satisfaction of the Development Planning Department.

Prior to the issuance of a Building Permit, the Owner is required to submit a Community Plan for approval by the Development Planning Department that shows the surrounding land uses and utilities locations, which must be displayed in the sales office for view by prospective purchasers. A condition to this effect is included in the recommendation to this report.

Vaughan Development/Transportation Engineering Department

The Development/Transportation Engineering Department advises the following:

i) Environmental

The Owner submitted the Site Screening Questionnaire and *Update Report Phase I Environmental Site Assessment (ESA), Proposed Residential Development, 10360 and 10380 Islington Avenue, Kleinburg, Ontario*, dated August 17, 2010, by Forward Engineering and Associates for review. Given that the Phase I ESA update was completed in 2010 and a considerable amount of time had passed since the completion of this report, an updated letter will be required to confirm that the environmental conditions documented in the report have not changed. The Phase I ESA concluded (in part):

“The collected data has revealed that there are no conditions to indicate the presence of significant environmental liability at the property.

There should be no requirement to perform a Phase 2 ESA prior to the proposed development of the site.”

The Owner submitted the letter/report, *Update Report Phase I Environmental Site Assessment (ESA), Proposed Residential Development, 10360 and 10380 Islington Avenue, Kleinburg, Ontario*, dated June 3, 2013, and the *Letter of Reliance*, dated June 4, 2013, both by Forward Engineering and Associates for review. Based on the Vaughan Development/Transportation Engineering Department review, staff is satisfied with the submitted documents and no further environmental requirements are noted at this time in order for the development applications to proceed to Committee of the Whole.

ii) Transportation/Road Network

A letter dated May 13, 2013, prepared by Mark Engineering to update the Traffic Impact Assessment Report, dated May 2008, by Mark Engineering, was submitted and reviewed. The proposed residential development will consist of 34 apartment dwelling units with 77 parking spaces. The Traffic Impact Assessment Report was based on a site plan (Site Development File DA.10.046), which at one time proposed 75 units, and was approved by Vaughan Council on

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September 7, 2010. Based on the submitted trip generation calculation, and also, since the current proposed development will have less transportation impacts than the original proposal, the Development/Transportation Engineering Department has no issue with the conclusions of the Traffic Impact Study (in part, “7.1.1 - There is sufficient capacity in the road system to support both the development’s maximum traffic and the traffic expected to be generated by the proposed redevelopment of the Kleinburg Public School; and 7.1.2 - All the intersections and access will provide good levels of service.”), and therefore, can support the proposal. Access to the dwelling units will be from Islington Avenue.

iii) Stormwater Management

The Owner has submitted a Stormwater Management Report, dated November 22, 2012, prepared by Condeland Engineering Limited. As per the report, quality control measures for the stormwater on the subject lands must be implemented for the storm outfall to the Upper Humber River valleylands. Based on the Toronto and Region Conservation Authority (TRCA) policies for storm quality control, the Owner proposed the installation of an oil/grit separator and bio-swale just upstream of the outlet to the Humber River Valley. There is an acceptable outlet for the storm water runoff from the subject lands and the Owner is required to demonstrate that the allowable site release rate will not be exceeded, to the satisfaction of the Vaughan Development/Transportation Engineering Department and the TRCA. An oil/grit separator should be installed in the private property and should be maintained by the Owner.

The City shall not assume ownership or maintenance of the bio-swale or the outfall located in the 7.5 m wide landscape/open space buffer, which are service infrastructure on TRCA lands for the exclusive use of the private residential development. The ownership of the bio-swale and the outfall are to be assumed by the Owner and/or the ultimate owner (condominium corporation) of the subject lands. The Owner/future Condominium Corporation shall be responsible for the ownership and future maintenance of the bio-swale. A condition respecting this is included in the recommendation of this report.

iv) Sanitary Servicing

According to the Functional Servicing Report, prepared by Condeland Engineering Limited, the sanitary sewer will be discharged to the existing 300 mm diameter sanitary sewer located on Islington Avenue. A new 200 mm diameter connection is proposed from the existing sewer to a sanitary service manhole located just inside the subject lands property line at the proposed driveway entrance. The internal 200 mm diameter sewer will connect to the proposed building sanitary system from the service manhole.

The proposed sanitary sewer from the subject lands will be discharged through Pennon Road and Westridge Drive to the existing York Region sewage treatment plant servicing the Kleinburg area located at 10299 Regional Road 27.

As per the Functional Servicing Report, the last leg section of the sewer (i.e., from MHi (man-hole) to MHii) is indicated as a surcharge condition. This surcharged section is down in the valley and substantially below the basements of the existing homes in the area.

v) Water Servicing

According to the Functional Servicing Report, prepared by Condeland Engineering Limited, the proposed connection is from an existing 350 mm diameter watermain along the west side of Islington Avenue fronting the site.

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vi) Storm Sewer Servicing

According to the Functional Servicing Report, prepared by Condeland Engineering Limited, the services for the subject lands have been installed for 300 mm diameter storm pipes to convey the control discharge flow to the existing valley via the proposed bio-swale.

vii) Servicing Capacity Allocation

The City-wide Servicing Capacity Allocation Strategy Annual Update was presented to the Committee of the Whole on June 5, 2012, and was ratified by Council on June 26, 2012. Site Development File DA.10.046, the previous site plan file for the subject lands, which is now closed, was included in the "Reservation Schedule" for forty-five (45) residential units. The latest proposal under Zoning By-law Amendment File Z.12.045 and Site Development File DA.12.112 is for thirty-four (34) residential units. Therefore, the following servicing capacity allocation recommendation applies:

"In accordance with the City's Servicing Capacity Distribution Protocol as adopted by Council on June 26, 2012, formal allocation of servicing capacity will be required by Council in conjunction with Site Plan Approval. The recommended wording for allocation to File DA.12.112 is as follows:

That Council adopt the following resolution with respect to the allocation of sewage capacity from the Kleinburg Servicing Scheme and water supply capacity from the York Water Supply System in accordance with the approved Servicing Capacity Distribution Protocol dated June 26, 2012:

"IT IS HEREBY RESOLVED THAT Site Development File DA.12.112 be allocated sewage capacity from the Kleinburg Servicing Scheme and water supply capacity from the York Water Supply System for a total of 34 residential apartment units."

viii) Lot Grading (Topography)

Grading Plans showing the existing and proposed grades are to be submitted and approved to the satisfaction of the Vaughan Development/Transportation Engineering Department. The proposed grading of the site and lot grading shall meet the current City's lot grading criteria.

ix) Other

The following additional comments are provided:

- a Development Servicing Agreement shall not be required as there are no external works for this development;
- a maneuvering plan is required;
- the proposed retaining wall shall be within the property line;
- the Owner shall obtain all necessary approvals from the TRCA and the Region of York, if applicable;
- the required buffer block shall be provided as required by the TRCA; and,

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- the Development/Transportation Engineering Department has no objections to the proposal and requires that the final site grading, servicing, stormwater management, transportation, noise, and lighting plans, and supporting report be addressed to their satisfaction.

Vaughan Public Works Department - Solid Waste Management

The proposed refuse and recycling methods for this development within the internal building meet the requirements of the City's Waste Collection Design Standards to the satisfaction of the Public Works Department, subject to the modifications required for the access route for the truck collection vehicles respecting a proper 3-point turn hammerhead and appropriate asphalt/concrete for the collection route and loading pad for the garbage/recycling bins being in accordance with City Standards.

Garbage and recycling pick-up and snow removal on the site will be privately administered and the responsibility of the building operator/future residents.

Vaughan Recreation and Culture Department - Cultural Services Division

The Cultural Services Division has reviewed the proposal and advises that the subject lands, comprised of 10360 and 10384 Islington Avenue, are designated under Part V of the Ontario Heritage Act as they are located within the Kleinburg-Nashville Heritage Conservation District. The northerly portion, being 10384 Islington Avenue, is also designated under Part IV of the Ontario Heritage Act and contains the Martin Smith house. The City of Vaughan has a heritage easement on this property. The southerly portion, 10360 Islington Avenue, contains no structures on the property.

All new construction proposed to Part IV designated properties require the review and approval of a Heritage Permit. All new construction, additions, demolitions and changes to the exterior of buildings within the subject properties will require approval of a Heritage Permit application, with Heritage Vaughan Committee review and approval, in addition to other City permits such as Building Permits or Planning Application approvals. Proposed changes to properties designated within a Heritage Conservation District must be in keeping with the heritage character of the building, the historical streetscape and must be in conformance with the Heritage Conservation District Plan and Design Guidelines.

The Owner has consulted with the Cultural Services Division in the design of three buildings within the subject property, basing the design on typical historic Ontario settlement architectural precedents. These include the Georgian/Neo-classical Inn (Inn Building), the vernacular/Georgian Mill (Mill Building), and the Italianate style inspired Manor (Manor Building). The proposal is in accordance with the Nashville-Kleinburg Guidelines in this respect.

In general, the design approach for the site plan and elevations is well researched by the consultant and sensitively adapted to a contemporary condominium development. The overall design approach achieves a complex of buildings, inspired on the traditional farm, mill or hotel complex layouts of the 19th century, that included a home and other complementary buildings with various types of outdoor spaces separating them, including gardens and yards for different purposes. The architectural historic precedents clearly have a link to the heritage styles identified in the Heritage Conservation District Guidelines in form, general material choices and architectural composition in its elevations and site plan.

On April 17, 2013, Heritage Vaughan recommended approval of the proposal subject to the following conditions:

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- i) that the Owner submits material samples for review and approval by Cultural Services staff when these are available;
- ii) that the Owner work with Cultural Services in the finalization of the design of the two glass links and that architectural design detailed drawings of the same be submitted to Cultural Services for review and approval;
- iii) that the Owner obtain approval from all other City departments;
- iv) that the Owner be advised that Heritage Vaughan Committee approvals do not constitute specific support for any variances, permits or requirements by other City reviewing bodies, that may be sought in the future by the Owner/applicant in relation to the proposal reviewed under this item; and,
- v) that the Owner is advised that if design changes occur to the current drawings as a result of addressing issues from review by other departments, a new submittal for review for the Heritage Vaughan Committee may be required and any previous approval granted may be deemed invalid based on the new information provided.

The Cultural Services Division advises of the following conditions for site plan approval for the subject lands:

- i) compliance with the applicable Zoning By-law and OMB decision must be confirmed by the Building Standards and Development Planning Departments;
- ii) a Letter of Credit for the Martin Smith House at 10384 Islington Avenue calculated at \$100 per square foot;
- iii) review and approval by the Cultural Services Division/Heritage Vaughan Committee and issuance of a Heritage Permit;
- iv) all material samples and specifications must be submitted to Cultural Services for review; and,
- v) the Owner is to be aware that the subject parcel of land lies in an area identified as being of high archaeological potential in the City's database of archaeological resources.
As such, the Owner is advised that the following standard clauses apply:
 - 1. in the event that archaeological resources are found on the property during grading or construction activities, the Owner must cease all grading or construction activities; and,
 - 2. in the event that human remains are encountered during grading or construction activities, the Owner must cease all grading or construction activities. The Owner shall contact York Region Police, the Regional Coroner and the Registrar of the Cemeteries Regulation Unit of the Ministry of Consumer and Business Services.

The Cultural Services Division has no objection to the approval of the residential development, and supports the proposal, subject to the conditions included in the recommendation of this report.

Vaughan Development Finance and Investments Department

The Vaughan Development Finance and Investments Department has advised that prior to the

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issuance of a Building Permit, the Owner shall pay the City, Region and Board of Education Development Charges in accordance with the City of Vaughan Development Charge By-law in effect at the time of payment. This is to be included as a condition in the Site Plan Letter of Undertaking.

Vaughan Real Estate Division

The Vaughan Real Estate Division has advised that the Owner shall be required to pay cash-in-lieu of the dedication of parkland equivalent to 1 ha per 300 units or 5% of the value of the subject lands or units, whichever is greater, prior to the issuance of a Building Permit, in accordance with the Planning Act and the City's approved "Cash-in-Lieu of Parkland Policy". The Owner shall submit an appraisal report 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 condition of approval to this effect is included in the recommendation of this report.

Toronto and Region Conservation Authority

The Toronto and Region Conservation Authority (TRCA) have no objection to the proposal subject to the following conditions being satisfied prior to issuance of the Letter of Undertaking:

- i) that the Owner successfully obtain a permit under Ontario Regulation 166/06 (*Development, Interference with Wetlands and Alterations to Shorelines and Watercourses*) for site grading/development and a storm outfall on the subject lands;
- ii) that the open space valleylands and 7.5 m wide landscape buffer be dedicated into public ownership to either the TRCA or the City of Vaughan, free of all charges and encumbrance;
- iii) that the Owner submit a revised grading, sedimentation and erosion control plan, which addresses the comments as outlined in the TRCA letter dated May 7, 2013 (Appendix II);
- iv) that the Owner submit a revised set of landscaping plans, which satisfactorily addresses the comments as outlined in the TRCA letter dated May 7, 2013 (Appendix II);
- v) that the Owner provide a complete technical resubmission package addressing outstanding technical comments as noted in TRCA's letter of May 2013; and,
- vi) that the Owner erect an approximately 1.5 m high chain link fence at the eastern most limit of the 7.5 m wide buffer at the new property line.

York Region (Public) District School Board

The York Region (Public) District School Board has no objections to the proposal, as the driveway access is located at the southeast corner of the subject lands across from the entrance to the McMichael Art Gallery, and requests that the Board be advised of any changes to the site plan that could shift the access from its' current location and impact the Kleinburg Public School.

Enbridge Gas Distribution

Enbridge Gas Distribution 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 no costs for servicing this site. The Owner is to contact the Enbridge Customer Connections Department at their earliest convenience to discuss the installation and clearance requirements for service and metering facilities. This is included in the conditions of approval in the recommendation of this report.

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Canada Post

Canada Post has no objections to the proposal subject to the Owner installing and maintaining a centralized mailbox facility to the satisfaction of Canada Post, which is included as a condition 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) Lead and Promote Environmental Sustainability

The Owner will be incorporating the sustainable site and building features identified in this report.

ii) Manage Growth & Economic Well Being

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

Servicing for the proposed development has been identified in accordance with the annual servicing/allocation report approved by Vaughan Council.

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

The Owner is proposing to retain and use/upgrade the Martin Smith House in the proposed development. The Vaughan Cultural Services Division and Heritage Vaughan Committee have reviewed the proposal and support the proposed development subject to the comments in this report.

iv) Enhance and Ensure Community Safety/Health and Wellness

The proposed development includes amenity space and bicycle storage facilities to enhance the City's existing inventory of public amenity space.

Regional Implications

The Region of York has no objection to the approval of the proposal and has no conditions of approval to provide.

Conclusion

Zoning By-law Amendment File Z.12.045 to remove the Holding Symbol "(H)" from the subject lands and permit site-specific zoning exceptions to the RM2(H) Multiple Residential Zone and Site Development File DA.12.112 to facilitate a residential development consisting of a 2 to 3-storey apartment building with 34 apartment dwelling units have been reviewed in accordance with the policies of the Official Plan, the requirements of Zoning By-law 1-88, comments from City Departments and external public agencies, and the area context. The Vaughan Development Planning Department is satisfied that the proposed residential development as shown on Attachments #3 to #10 inclusive is appropriate and compatible with the existing and permitted uses in the surrounding area, and conforms to the Official Plan. Accordingly, the Development Planning Department can support the approval of the Zoning By-law Amendment and Site Development Applications, subject to the recommendations in this report.

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Attachments

1. Context Location Map
2. Location Map
3. Site Plan
4. Landscape Plan
5. Parking Plan - Level 1
6. Parking Plan - Level 2
7. East (Inn Building/Martin Smith House) & South Elevations/Proposed Zoning By-law Schedule
8. West Elevations/Proposed Zoning By-law Schedule
9. North Elevations/Proposed Zoning By-law Schedule
10. East (Mill Building Elevation) & South Elevations/Proposed Zoning By-law Schedule
11. Schedule "1" to By-law 266-2009

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.)