

**EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 17, 2013**

**CITY OF VAUGHAN**

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9. Mr. Raymond Grech, Tasha Court, Woodbridge;
10. Ms. Josie Fedele, Vice President, West Woodbridge Homeowners Association, Albany Drive, Woodbridge;
11. Mr. Nick Pinto, President, West Woodbridge Homeowners Association, Mapes Avenue, Woodbridge;
12. Ms. Julia Pal, Veneto Drive, Woodbridge, and Communication C20 dated August 28, 2013; and
13. Mr. Ron Moro, Tasha Court, Woodbridge, and Communication C33, dated September 3, 2013; and

**3) That the following Communications be received:**

- C1. Charles and Laura Belfiore, Veneto Drive, Vaughan, dated August 24, 2013;
- C2. Robert and Rina Sikora, Veneto Drive, Woodbridge, dated August 26, 2013;
- C3. Sanjay Agnihotri and Family, Veneto Drive, dated August 27, 2013;
- C5. Mr. Enrico D'Amico, Veneto Drive, dated August 27, 2013;
- C9. Mr. Robert Livi, Veneto Drive, Woodbridge, dated August 28, 2013;
- C10. Ms. Wendy Martin, Veneto Drive, Woodbridge, dated August 28, 2013;
- C11. Mr. Enrico Trombetta, Tasha Court, Woodbridge, dated August 28, 2013;
- C12. Mr. Pasquale Venditti, Nadia Avenue, dated August 28, 2013;
- C13. Frank and Patricia Mattei, Tasha Court, dated August 28, 2013;
- C15. Mr. Vincent Canale, Graceview Court, dated August 28, 2013;
- C16. Mr. John Kolozsvari, Kipling Avenue, dated August 28, 2013;
- C17. Ms. Amanda Rabbito, Veneto Drive, dated August 29, 2013;
- C18. Mr. Gianmarco R., Kipling Avenue, dated August 29, 2013;
- C19. Mr. Paolo Torchetti, Abell Avenue, Woodbridge, dated August 30, 2013;
- C22. Jane E. Campbell and John D. Brillinger, Dalmato Court, Woodbridge, dated August 30, 2013;
- C24. Ms. Ann Grech, Tasha Court, Woodbridge, dated August 30, 2013;
- C26. Diego and Stephanie Zuccarelli, Kipling Avenue, dated September 2, 2013;
- C27. Sergio Zeppieri, Susy Santos and baby Matthew Zeppieri, Angelina Avenue, Woodbridge, dated September 3, 2013; and
- C28. Ms. Norma Basciano, Coles Avenue, Woodbridge, dated September 3, 2013.

**Recommendation**

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

1. THAT the Public Hearing report for Files OP.13.003 and Z.13.005 (Portside Developments (Kipling) Inc.) BE RECEIVED; and, that any issues identified be addressed by the Development 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: August 9, 2013
- b) Circulation Area: Extended polling area as shown on Attachment #2, and to the West Woodbridge Homeowners' Association, and individuals requesting to be notified.

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- c) Comments received as of August 20, 2013:
  - i) Correspondence received earlier on June 12, 2013, from neighbouring homeowners respecting concerns with the proposed density, traffic generation, and adverse impact to emergency response time in the event of an emergency/disaster.

**Purpose**

The Owner has submitted the following applications on the subject lands shown on Attachments #1 and #2, to facilitate the development of an 8-storey apartment building containing 162 residential units, a Floor Space Index (FSI) of 2.25, and 208 underground parking spaces as shown on Attachments #3 to #5:

1. Official Plan Amendment File OP.13.003 to amend OPA #240 (Woodbridge Community Plan) to incorporate the subject lands, which have been deleted from the Provincial Parkway Belt West Plan, into Neighbourhood 1 of OPA #240 and redesignating the property to “High Density Residential” (developable land) and “Open Space” (valleyland).
2. Zoning By-law Amendment File Z.13.005 to amend Zoning By-law 1-88, specifically to rezone the subject lands from PB1 Parkway Belt Open Space Zone to RA2 Apartment Residential Zone (developable land) and OS1 Open Space Conservation Zone (valleyland) together with the following site-specific zoning exceptions:

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|    | <b>By-law Standard</b>   | <b>By-law 1-88, RA2 Apartment Residential Zone Requirements</b>   | <b>Proposed Exceptions to RA2 Apartment Residential Zone (Developable Land)</b>   |
|----|--|---|---|
| a. | Minimum Parking Requirements   | 162 units @ 1.5 spaces / unit<br>= 243 spaces<br>+<br>162 units @ 0.25 visitor<br>spaces/unit = 41 spaces<br><br>Total Parking Required<br>= 284 spaces | 162 units @ 1.08 spaces / unit<br>= 175 spaces<br>+<br>162 units @ 0.2 visitor<br>spaces/unit = 33 spaces<br><br>Total Parking Provided<br>= 208 spaces |
| b. | Minimum Landscape Strip Width Along a Street Line (Kipling Avenue)                             | 6.0 m   | Ranges between 1 m and 3.5 m  |
| c. | Minimum Building Setback Front Yard  | 7.5 m   | 3.5 m   |
| d. | Minimum Building Setback to Portions of Building Below Grade Along Kipling Avenue (Front Yard) | 1.8 m   | 0.0 m   |
| e. | Minimum Lot Area   | 12,960 m <sup>2</sup>   | 6,100 m <sup>2</sup>  |
| f. | Loading Space Requirements   | No loading space shall be permitted between a building and a street   | Permit a loading space in the Front Yard between the building and Kipling Avenue  |

Additional zoning exceptions may be identified through the detailed review of the applications, and will be considered in a technical report to a future Committee of the Whole meeting.

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#### Analysis and Options

|                           |   |
|---------------------------|---|
| Location                  | <ul style="list-style-type: none"><li>West side of Kipling Avenue, south of Regional Road 7, known municipally as 7476 Kipling Avenue, City of Vaughan, as shown on Attachments #1 and #2.</li><li>The 1.38 ha property has 128.6 m frontage on Kipling Avenue, and slopes downwards (west) towards Rainbow Creek. The parcel is currently developed with one residential dwelling that is proposed to be demolished.</li></ul>   |
| Official Plan Designation | <ul style="list-style-type: none"><li>The subject lands are located outside of Neighbourhood 1, as identified on Schedule 1 of in-effect OPA #240 (Woodbridge Community Plan). These lands were previously located within the Parkway Belt West Plan, and have been released. Section 3.2 General Policies (h) of OPA #240 states (in part):<p>“Any lands south of Highway No. 7 may be incorporated into Neighbourhood 1 without an amendment to this plan, should they be released from the Parkway Belt West Plan. The lands fronting onto Kipling Avenue may be used for residential purposes only, compatible with adjacent residential uses, and shall be subject to a comprehensive plan.”</p></li><li>The proposed high density development consisting of an 8-storey apartment building with 162 residential units and an FSI of 2.25 does not conform to OPA #240 as it is not compatible with the existing “Low Density Residential” neighbourhood comprised of 1 and 2-storey single detached units.</li><li>The subject lands are designated “Low-Rise Residential” (developable lands) and “Natural Area” (valleylands) by the new City of Vaughan Official Plan 2010 (VOP 2010), which was adopted by Vaughan Council on September 7, 2010 (as modified by Council on 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 was approved in part by the Ontario Municipal Board on July 23, 2013. The “Low Rise Residential” designation permits detached, semi-detached and townhouses with a maximum building height of three storeys.</li><li>The proposed development does not conform to in-effect OPA #240, nor does it conform to VOP 2010, as the proposed 8-storey height and apartment building use and density are not permitted by either Official Plan. An amendment to the in-effect Official Plan has been submitted to redesignate the property to “High Density Residential” (developable land) and “Open Space” (valleylands). It is noted that the corresponding designation in VOP 2010 would be “Mid-Rise Residential” (6-12 storeys) and “Natural Areas”.</li></ul> |

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|                       |  |
|-----------------------|--|
| Zoning                | <ul style="list-style-type: none"><li>▪ The subject lands are zoned PB1 Parkway Belt Open Space Zone by Zoning By-law 1-88. To facilitate this proposal, an amendment to Zoning By-law 1-88 is required to rezone the subject lands to RA2 Apartment Residential Zone (developable land) and OS1 Open Space Conservation Zone (valleyland), and to permit the site-specific zoning exceptions to Zoning By-law 1-88 that are identified to implement the residential apartment proposal.</li></ul> |
| Surrounding Land Uses | <ul style="list-style-type: none"><li>▪ Shown on Attachment #2.</li></ul>  |

**Preliminary Review**

Following a preliminary review of the applications, the Development Planning Department has identified the following matters to be reviewed in greater detail:

|    | <b>MATTERS TO BE REVIEWED</b>   | <b>COMMENT(S)</b>   |
|----|---|---|
| a. | Conformity with Provincial Policies, and Regional and City Official Plans | <ul style="list-style-type: none"><li>▪ The applications will be reviewed in consideration of the applicable Provincial policies, and Regional and City Official Plan policies.</li></ul>   |
| b. | Appropriateness of Proposed Rezoning and Site-Specific Exceptions         | <ul style="list-style-type: none"><li>▪ The appropriateness of the proposed rezoning, together with the site-specific zoning exceptions will be reviewed in the context of the conceptual site plan and building elevations and the surrounding existing and planned land uses, with particular consideration given to land use and built form compatibility.</li></ul>   |
| c. | Traffic, Road Widening, Parking Adequacy and Emergency Response           | <ul style="list-style-type: none"><li>▪ Access improvements and any required road widening along Kipling Avenue must be identified by the City of Vaughan.</li><li>▪ The Transportation Impact and Parking Study submitted in support of the applications must be approved by the Vaughan Development/Transportation Engineering Department.</li><li>▪ The applications and supporting material have been circulated to internal City Departments and external public agencies including the Vaughan Development/Transportation Engineering Department, Vaughan Fire Department, and the Region of York Transportation Department to review traffic impact and emergency response considerations.</li></ul> |

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| d. | Toronto and Region Conservation Authority (TRCA) | <ul style="list-style-type: none"> <li>▪ The subject property contains a relatively steep and high/deep slope which forms the valley of the Rainbow Creek valley corridor at the west end of the property. Rainbow Creek is a tributary of the Main Humber River and has been identified as a Red Side Dace Habitat. The site also contains mature forested and vegetated areas that extend up both sides of the valley and onto the adjacent tableland areas, and are of ecological value. The development limits (top of bank), slope stability, woodland protection, species and habitat protection, and any required buffer(s) and structural building setbacks must be established to the satisfaction of the Toronto and Region Conservation Authority (TRCA) and the City of Vaughan.</li> <li>▪ The TRCA has indicated that they have significant concerns regarding the development concept as proposed, and the applicant will be required to address their concerns and requirements in the above bullet-point, to the satisfaction of the TRCA and the City.</li> </ul>  |
| e. | Future Site Plan Application                     | <ul style="list-style-type: none"> <li>• A future Site Development Application is required to facilitate the proposed development, should the Official Plan and Zoning By-law Amendment applications be approved. The development will be reviewed to ensure, but not limited to: appropriate building and site design, building materials, transition between the proposed development and surrounding land uses, access, area traffic impact, internal traffic circulation, parking, landscaping, servicing and grading, stormwater management, pedestrian connectivity, appropriate amenity area, barrier free accessibility, and opportunities to provide a pedestrian trail along the valleylands.</li> <li>▪ Opportunities for sustainable design, including CEPTD (Crime Prevention Through Environmental Design), LEEDS (Leadership in Energy and Environmental Design), permeable pavers, bio-swales, drought tolerant landscaping, bicycle racks to promote alternative modes of transportation, energy efficient lighting, reduction in pavement and roof-top treatment to address the “heat island” effect, green roofs, etc., will be reviewed and implemented through the site plan approval process, if the subject applications are approved.</li> </ul> |
| f. | Water and Servicing Allocation                   | <ul style="list-style-type: none"> <li>▪ The availability of water and sanitary servicing capacity for the proposed development must be identified and formally allocated by Vaughan Council, if the applications are approved. Should servicing capacity not be available, the use of a Holding Symbol “(H)” will be considered for the subject lands.</li> </ul>   |

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|----|-------------------------|--|
| g. | Additional Studies      | <ul style="list-style-type: none"><li>▪ A Phase 1 Environmental Site Assessment Report is required to be submitted for review and approval by the Vaughan Development / Transportation Engineering Department.</li><li>▪ Review will be given to determine if any additional studies are required to support the proposed development.</li></ul>   |
| h. | Ontario Municipal Board | <ul style="list-style-type: none"><li>▪ On March 5, 2013, the Owner appealed Volume 1 and Volume 2 of VOP 2010 on the basis that no decision was made on the Official Plan within 180 days as outlined in the Planning Act. The Owner is specifically appealing the policies that apply to the subject lands (7476 Kipling Avenue) as they do not permit "Mid Rise Residential" uses that is the form of development proposed on the subject lands.</li><li>▪ On July 29, 2013, the applicant appealed Zoning By-law Amendment Application Z.13.005 on the basis that the City failed to make a decision on the application within 120 days as outlined in the Planning Act.</li><li>▪ Site-specific Official Plan Amendment Application OP.13.003 was deemed to be a complete application by the Development Planning Department on March 27, 2013 and the applicant can appeal this application to the OMB after 180 days in accordance with the Planning Act, which is anytime after September 27, 2013.</li><li>▪ No Ontario Municipal Board Hearing has been scheduled to date.</li></ul> |

#### **Relationship to Vaughan Vision 2020/Strategic Plan**

The applicability of these applications to the Vaughan Vision will be determined when the technical report is considered.

#### **Regional Implications**

The applications have been circulated to the Region of York Community Planning Department for review and approval. Any comments will be included in the technical report to the Committee of the Whole.

#### **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 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



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3. Context Plan
4. Site Plan
5. Elevation Plan

**Report prepared by:**

Eugene Fera, Planner, ext. 8064

Carmela Marrelli, Senior Planner, ext. 8791

Mauro Peverini, Manager of Development Planning, ext. 8407

(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.)