

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 13, 2016

Item 22, Report No. 43, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on December 13, 2016.

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**REVISION TO PREVIOUS APPROVAL
NEW CONSTRUCTION AT 72 NAPIER STREET
KLEINBURG-NASHVILLE HERITAGE CONSERVATION DISTRICT
WARD 1 - VICINITY OF ISLINGTON AVENUE AND STEGMAN'S MILL ROAD**

The Committee of the Whole recommends approval of the Heritage Vaughan Committee recommendation contained in the following report of the City Clerk, dated December 6, 2016:

Recommendation

The City Clerk, on behalf of the Heritage Vaughan Committee, forwards the following recommendation from its meeting of November 16, 2016 (Item 3, Report No. 8) for Council's consideration:

- 1) That the recommendation contained in the following report of the Director of Development Planning, dated November 16, 2016, be approved.

Report of the Director of Development Planning, dated November 16, 2016

Recommendation

The Director of Development Planning recommends:

1. THAT Heritage Vaughan Committee recommend to Council approval of the proposed revisions to the new construction of a single detached house, garage, and cabana under Section 42 of the *Ontario Heritage Act*, subject to the following conditions:
 - a) any significant changes to the proposal by the Owner may require reconsideration by Heritage Vaughan Committee, which shall be determined at the discretion of the Director of Development Planning;
 - b) that Heritage Vaughan Committee recommendations to Council do not constitute specific support for any Development Application under the *Ontario Planning Act* or permits or requirements currently under review or to be submitted in the future by the applicant as it relates to the subject application;
 - c) the applicant submit Building Permit stage architectural drawings and building material specifications to the satisfaction of the Vaughan Development Planning Department, Urban Design and Cultural Heritage Division.

Contribution to Sustainability

This report is consistent with the goals and objectives within *Green Directions Vaughan*, the City's Community Sustainability and Environmental Master Plan, specifically:

Goal 4: To create a vibrant community where citizens, business 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"

Economic Impact

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

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Communications Plan

All materials related to the Heritage Vaughan Committee are posted on the City's website.

Purpose

The purpose of this report is for Heritage Vaughan Committee to consider the proposed revisions to a proposal for new construction of a single detached house, garage, and cabana in the Kleinburg-Nashville Heritage Conservation District.

Background - Analysis and Options

Location, Heritage Status, and Policies

The subject property, municipally known as 72 Napier Street as shown on Attachment #1, is located on the west side of Napier Street, a street that runs parallel to Islington Avenue. The property is located in the Kleinburg-Nashville Heritage Conservation District (HCD) and therefore Designated Part V under the Ontario Heritage Act.

All new construction, renovations, and demolition must be consistent with the Kleinburg-Nashville Heritage Conservation District Plan and require the approval of the Heritage Vaughan Committee and a Heritage Permit in addition to any other City approvals.

The Kleinburg-Nashville HCD is divided into distinct areas and the subject property falls within the "Residential Villages" area. As such, those policies within the Plan apply.

In April 2008, the Owner applied for and received permission to demolish the previously existing structure on the property and received a Heritage Permit to build a new dwelling on the lot (HP 2008.011.00). Demolition commenced soon after and the lot has been vacant since 2009.

Previous Heritage Vaughan Approval – October 21, 2015

The property was previously before the Heritage Vaughan Committee on October 21, 2015 to approve a proposal for the construction of a Georgian style single detached house and detached single car garage. The proposed new revisions require this proposal to return to the Heritage Vaughan Committee for an additional review.

Proposed New Construction

The applicant wishes to replace the approved single car garage to a wider double garage which includes an elevator to provide parking underground and a link to the basement of the main residence. There are no stylistic changes to the garage itself, apart from size. The applicant also wishes to construct a rear yard cabana.

Revised Arborist Report Submitted

As the scope of work for this proposal changed from the previous Heritage Vaughan Committee approval granted in October 2015, a revised arborist report was requested by staff. A revised arborist report and tree preservation plan was submitted to staff dated November 4, 2016 (Attachment #7). In total, five trees are proposed for removal and eleven new trees are proposed to be planted in compensation.

The previous proposal (approved by Heritage Vaughan October 2015) proposed the removal of one tree in the front yard to accommodate the driveway while preserving the other three trees. Two of these front yard trees are located on the neighbouring property. The current proposal

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does not impact the trees on the front yard and the same three trees are proposed for retention while one front yard tree is proposed for removal.

Currently in the rear yard there are six trees and a row of smaller trees. The arborist report recommends four Manitoba Maple trees be removed to accommodate the garage and cabana. Of these four trees, the arborist report noted one to be in very poor condition, two to be in fair condition, and one to be in good condition. The applicant is proposing to plant eleven replacement trees as compensation for the five trees to be removed as per the City of Vaughan Replanting Policy.

Heritage Permit Application Complete

The Heritage Permit application was submitted under Section 42 (2.1) of the Ontario Heritage Act and was reviewed by staff. After staff received all required information and necessary reports, it was deemed complete on **November 9, 2016** and notice of receipt was issued to the applicant as per Section 42 (3) of the Act. According to Section 42 (4) of the Act, Council has 90 days from the day the notice of receipt was issued, which is **February 7, 2017**, to render a decision.

Variances Proposed

The following variances to Zoning By-law 1-88 are proposed:

By-law

1. Maximum lot coverage: 30%
2. Minimum rear yard setback: 7.5m
3. Minimum side yard setback: 1.5m
4. Maximum height of garage: 4.5m
5. Maximum height to roof of accessory building: 3.0m

Proposed Variances

1. Maximum lot coverage 35.28%
2. Minimum rear yard setback: 1.5m (to the cabana and garage)
3. Minimum side yard setback: 1.2m (to the garage)
4. Maximum height of garage: 5.121m
5. Maximum height to roof of accessory building: 3.09m

As noted above, the revisions to this current proposal are located in the rear of the property and the Napier Street streetscape and views from Napier Street will not be affected as a result of these revisions. As such, Cultural Heritage staff has no objections to the proposed variances.

Please note that these latest variances are to be confirmed by the Building Standards Department. Significant changes to the proposed variances noted above will require this application to return to the Heritage Vaughan Committee.

Analysis

Kleinburg-Nashville HCD Plan

Section 5: District Goals and Objectives

Section 5.2.1 Townscape within Section 5, Goals and Objectives

Section 5 of the Kleinburg-Nashville HCD Plan lists Goals and Objectives for the District divided into several subsections. The subsection for Townscape encourages the preservation of existing street patterns and streetscapes and visually mitigating service functions, such as parking.

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For this proposal, the parking structure is located in the rear of property, detached from the main residence, and set well back from Napier Street. This current proposal maintains the previously approved side yard setbacks of the main residence and general location of the detached garage.

Section 9.5.3 – New Construction – Residential Villages

This section states that new construction should maintain existing front yard conditions while maintaining some variety. Mature trees should be preserved and the overall character of the village should be maintained.

Regarding the expanded garage and proposed cabana, the revisions are in the same architectural style as the previously approved garage. The proposed new construction will add to the overall coverage of the property, however, this will not negatively impact the streetscape or view from the street as the garage expansion and cabana will be concealed behind the main residence (Attachment #8). As such, Napier Street, as a Cultural Heritage Landscape, is not negatively impacted from this proposal and Napier Street will be enhanced and improved with the addition of a Georgian style single detached house.

While this revision will remove 4 trees from the rear yard that were previously slated to remain, this revision does not impact any front yard mature trees that were previously slated for preservation. Nonetheless, the applicant should consider relocating the garage to accommodate the preservation of more trees. The applicant is planting 11 trees as compensation for the proposed removals.

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

This report relates to the Term of Council Service Excellence Strategy Map (2014-2018) by supporting the following initiative:

- Support and promote arts, culture, heritage and sports in the community

Regional Implications

N/A

Conclusion

The Urban Design and Cultural Heritage Division has reviewed the proposed application and is satisfied the revised proposal at 72 Napier Street conforms to the policies and guidelines within the Kleinburg-Nashville Heritage Conservation District Plan. Accordingly, the Urban Design and Cultural Heritage Division of the Development Planning Department can support the approval of the proposed new development under the Ontario Heritage Act.

Attachments

1. Location Map
2. Site Plan
3. Elevations
4. Garage Plans and Elevations
5. Cabana Plans and Elevations
6. Streetscape Rendering
7. Tree Inventory and Preservation Plan
8. Previous and Current Site Plan

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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.)