

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 11, 2012

Item 6, Report No. 50, of the Committee of the Whole (Public Hearing), which was adopted, as amended, by the Council of the City of Vaughan December 11, 2012, as follows:

By receiving Communication C1 from J. R. Bousfield, Bousfields Inc., Church Street, Toronto, dated November 27, 2012.

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**OFFICIAL PLAN AMENDMENT FILE OP.12.017
ZONING BY-LAW AMENDMENT FILE Z.12.038
DRAFT PLAN OF SUBDIVISION FILE 19T-12V010
KIPCO LANDS DEVELOPMENTS LTD.
WARD 2 – VICINITY OF KIPLING AVENUE AND MEETING HOUSE ROAD**

The Committee of the Whole (Public Hearing) recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated November 27, 2012, be approved; and**
- 2) That the following deputations be received:**
 - 1. Mr. Jim Levac, Weston Consulting Group Inc., Millway Avenue, Vaughan, on behalf of the applicant;**
 - 2. Mr. Nicola Mossa, Kipling Avenue, Woodbridge; and**
 - 3. Ms. Sabrina Niceforo, Kipling Avenue, Woodbridge; and**
- 3) That the following Communications be received:**

C9. Ms. Kelly Barton, Powseland Crescent, Vaughan, dated November 26, 2012; and
C15. Mr. Nick Pinto, President, The West Woodbridge Homeowners Association Inc., Mapes Avenue, dated November 27, 2012.

Recommendation

The Commissioner of Planning recommends:

THAT the Public Hearing report for Files OP.12.017, Z.12.038 and 19T-12V10 (Kipco Lands Developments Ltd.) 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 Meeting was circulated: November 2, 2012**
- b) Circulation Area: 150 m and to those individuals that requested notification and to the West Woodbridge Homeowners Association**
- c) Comments received as of November 13, 2012: None**

Purpose

The Owner has submitted the following applications to facilitate a proposed residential development on the subject lands shown on Attachments #1 and #2, comprised of 56 freehold residential townhouse units served by a common element condominium road and 6 freehold units (including four (4) detached and two (2) semi-detached units) fronting onto Kipling Avenue, as shown on Attachments #4 to #7:

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- 1) Official Plan Amendment File OP.12.017, specifically to amend in-effect OPA #240 (Woodbridge Community Plan) as amended by OPA #695 (Kipling Avenue Corridor Study) to redesignate the subject lands from “Mid Density Mixed Use” and “Parkettes” to “Mid Density Mixed Use” over the entirety of the subject lands, thereby removing the “Parkettes” designation from the property.

- 2) Zoning By-law Amendment File Z.12.038 to amend Zoning By-law 1-88, specifically to rezone the subject lands from R3 Residential Zone to R3 Residential Zone (single-detached), R4 Residential Zone (semi-detached) and RM2 Multiple Residential Zone (townhouse) in the manner shown on Attachment #4, together with the following site-specific zoning exceptions:

	By-law Standard	By-law 1-88, RM2 Multiple Residential Zone Requirements	Proposed Exceptions to RM2 Multiple Residential Zone (Block 1 on Attachment #5)
a.	Permitted Uses	<ul style="list-style-type: none"> ▪ Block Townhouse Dwelling ▪ Apartment Dwellings ▪ Multiple Family Dwellings 	Permit 56, 3-storey freehold Townhouse Units on a Private (Common Element) condominium road
b.	Minimum Front Yard	4.5 m, provided the minimum setback to a garage facing a lot line is 6.4 m	4.5 m, provided the minimum setback to a garage facing a lot line is 6.0 m
c.	Minimum Lot Frontage (Kipling Avenue)	30 m	22 m
d.	Minimum Lot Area Per Unit	230 m ² /unit	110 m ² /unit
e.	Minimum Parking Requirement	1.75 spaces/unit	2.0 spaces for a residential lot with a frontage greater than 11 m
	By-law Standard	By-law 1-88, R3 Residential Zone Requirements	Proposed Exceptions to the R3 Residential Zone (Lots 1–4 on Attachment #5)
f.	Minimum Lot Frontage	12 m	11 m (Lots 1, 2, 3 and 4, as shown on Attachment #5)
g.	Minimum Lot Area Per Unit	360 m ² /unit	325 m ² (Lots 1, 2, 3 and 4, as shown on Attachment #5)

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	By-law Standard	By-law 1-88, R3 Residential Zone Requirements	Proposed Exceptions to the R3 Residential Zone (Lots 1-4 on Attachment #5)
h.	Minimum Exterior Side Yard To the Dwelling Minimum Interior/Exterior Side Yard to Garage	4.5m	<div>Dwelling</div> <div>Garage</div> <p> Lot 1 - 3 m (south) 0 m (south - exterior) Lot 2 - 3 m (south) 0 m (north - interior) Lot 3 - 1.25 m (north) 0 m (south - interior) Lot 4 - 1.4 m (south) N/A </p>
i.	Minimum Rear Yard setback (Dwelling)	7.5 m	5.5 m (Lots 1, 2, 3 and 4, as shown on Attachment #5)
j.	Minimum Rear Yard (Garage)	7.5 m	Lots 1, 2, 3 – 0.5 m
k.	Minimum Distance Between A Detached Garage in the Rear Yard and the Nearest Wall of the Dwelling	6.0 m	0.5 m
l.	Minimum Parking Required	3 spaces for lots greater than 11 m and 2 spaces for lots 11 m or less	2.0 spaces for a residential lot with a frontage greater than 11 m (Lots 1, 2, 3 and 4, as shown on Attachment #5)
m.	Minimum Interior Side Yard to Garage	1.2 m	0.0m for garages (Lots 2 and 3)
	By-law Standard	By-law 1-88, R4 Residential Zone Requirements	Proposed Exceptions to the R4 Residential Zone (Block 2 on Attachment #5)
n.	Minimum Lot Area Per Unit	270 m ² /unit	250 m ² /semi-detached Unit

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	By-law Standard	By-law 1-88, R4 Residential Zone Requirements	Proposed Exceptions to the R4 Residential Zone (Block 2 on Attachment #5)
o.	Minimum Rear Yard Dwelling/Garage	7.5 m	6.5 m (dwelling) and 0.4 m (garage)
p.	Minimum Distance Between a Detached Garage in the Rear Yard and the Nearest Wall of the Dwelling	6.0 m	0.5 m
q.	Minimum Parking Requirement	3 spaces for lots greater than 11 m and 2 spaces for lots 11 m or less	2.0 spaces for a residential lot with a frontage greater than 11 m
r.	Minimum Interior Side Yard (Garage)	1.2 m	0.0 m

Other zoning exceptions may be identified through the detailed review of the applications.

- 3) Draft Plan of Subdivision 19T-12V010 to create 2 residential Blocks (Townhouse and Semi-detached Dwelling Blocks) and 4 residential lots (single-detached dwelling lots) as shown on Attachment #5, to facilitate the future development of the subject lands for 56 freehold townhouse units served by a private (common element condominium) driveway and 6 freehold residential units fronting onto Kipling Avenue as shown on Attachment #4 as follows:

Block 1 – Freehold Townhouse Block -	56 units	0.9910 ha
Block 2 – Freehold Semi-Detached -	2 units	0.0528 ha
Lot 1 – Freehold Single Detached -	1 unit	0.0361 ha
<u>Lots 2, 3, 4 – Existing Heritage Dwellings -</u>	<u>3 units</u>	<u>0.1307 ha</u>
Total	- 62 units	1.2106 ha

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Analysis and Options

Location	<ul style="list-style-type: none">▪ West side of Kipling Avenue, south of Gordon Drive, and east of the Canadian Pacific Railway line, known municipally as 8222, 8228, 8234, 8238, 8246 and 8248 Kipling Avenue, as shown on Attachments #1 and #2.▪ The property represents an assembly of 6 residential lots with a combined lot area of 1.2 ha and 99 m of frontage on Kipling Avenue. The subject lands are currently developed with 6 residential dwellings and several detached garages and storage buildings. Three of the residential dwellings (8228, 8236 and 8248 Kipling Avenue located on Lots 2, 3, and 4 respectively, as shown on Attachments #5 and #6) have been identified as having heritage significance and are proposed to be retained; the remaining dwellings and structures on the subject lands are proposed to be demolished.
Official Plan Designation	<ul style="list-style-type: none">▪ The subject lands are designated “Mid Density Mixed Use” and “Parkettes” by in-effect OPA #240 (Woodbridge Community Plan) as amended by OPA #695 (Kipling Avenue Corridor Study), as shown on Attachment #3.▪ The “Mid Density Mixed Use” designation permits detached, semi-detached and street townhouse and live/work units, with a maximum density of 1.0 FSI, and a maximum lot coverage of 50%.▪ Schedule 2.4 – Proposed Parks, Parkettes and Public Squares of OPA #695 identifies a 2.3 ha Parkette on the subject lands. The general location of the parkette is shown on Attachment #3.▪ The “Parkettes” designation does not permit the proposed residential development, and therefore, an Official Plan Amendment is required.▪ The subject lands are designated “Low-Rise Mixed-Use” and “Parks/Parkettes” by City of Vaughan Official Plan 2010 (VOP 2010), Volume 2, which was adopted by Vaughan Council on September 7, 2010 (as modified September 27, 2011, March 20, 2012, and April 17, 2012) and is pending approval from the Ontario Municipal Board. The “Low-Rise Mixed-Use” designation permits the proposed residential development. The portion of the subject lands designated “Parkettes” does not permit the proposed development.▪ The proposal does not conform to the Official Plans.

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Zoning	<ul style="list-style-type: none"> The subject lands are zoned R3 Residential Zone by Zoning By-law 1-88, as shown on Attachment #2. The proposal to rezone the subject lands from R3 Residential Zone to RM2 Multiple Residential Zone, R4 Residential Zone and R3 Residential Zone in the manner shown on Attachment #4, and to permit the site-specific zoning exceptions that are required to implement the proposed plan does not comply with Zoning By-law 1-88. An amendment to Zoning By-law 1-88 is required.
Surrounding Land Uses	<ul style="list-style-type: none"> Shown on Attachment #2.

Preliminary Review

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

	MATTERS TO BE REVIEWED	COMMENT(S)
a.	Regional and City Official Plans	<ul style="list-style-type: none"> The applications will be reviewed in consideration of the applicable Regional and City Official Plan policies.
b.	OPA #695 (Kipling Avenue Corridor Study)	<ul style="list-style-type: none"> The applications will be reviewed in consideration of the policies of OPA #695, including but not limited to, the following: <ul style="list-style-type: none"> Heritage Conservation - a significant part of Kipling Avenue lies within the Woodbridge Heritage Conservation District (WHCD) and the appropriateness of retaining heritage properties is core to conserving the heritage character of the area; In particular, retaining and conserving 8228, 8236 and 8248 Kipling Avenue, which are buildings with characteristics and features that contribute to the Heritage District. New development, specifically the design and architecture shall contribute to the Woodbridge heritage character; Schedule 2.4 Proposed Parks, Parkettes and Public Squares identifies a Parkette on the subject lands as being 0.23 ha in size. The proposed development does not include a Parkette. OPA #695 requires that Parkettes should be designed, programmed and furnished to meet the day to day open space needs of the community, and that along Kipling Avenue should be visible and publically accessible with clear views in and throughout. The appropriateness of deleting this parkette must be reviewed and approved by the Vaughan Parks Development Department; and, The concept plan included in OPA #695 illustrates a comprehensive development with the abutting employment property to the west. The lands to the west abut the CP Rail line which will require a minimum 30 m setback to any building or structure. This will result in a remnant development parcel that will be located between the subject lands and the CP Rail line setback. Opportunities for the comprehensive development of this parcel must be explored and demonstrated by the applicant, to the satisfaction of the City.

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c.	Appropriateness of Proposed Uses and Zoning Exceptions	<ul style="list-style-type: none"> The appropriateness of the proposed uses and site-specific zoning exceptions will be reviewed in the context of the surrounding existing and planned land uses, with particular consideration given to land use and built form compatibility.
d.	Traffic, Road Widening	<ul style="list-style-type: none"> Access improvements and any required road widening along Kipling Avenue must be identified by the Vaughan Development/Transportation Engineering Department.
e.	Draft Plan of Subdivision	<ul style="list-style-type: none"> The applicant is proposing freehold townhouse units served by a private common element condominium road and parking spaces. The Draft Plan of Subdivision Application submitted facilitates the creation of 2 Blocks and 4 lots under a registered plan of subdivision as shown on Attachment #5, which must be reviewed.
f.	Conceptual Site Plan/Future Site Plan Application	<p>A future Site Development Application is required to facilitate the proposed townhouse blocks on the conceptual site plan shown on Attachment #4, should the applications be approved. The following matters, but not limited to, will be considered through the review of the Site Development Application:</p> <ul style="list-style-type: none"> pedestrian accessibility, including barrier free access, to and from the site including internal sidewalks and along the existing private driveways; site access from Kipling Avenue will be reviewed in consideration of the policies of the Official Plan; proper vehicular (including service vehicles such as fire and garbage trucks) turning movements on the proposed road; built form and site design; accessibility and location of the proposed parking spaces; proper vehicle turning movements into the proposed driveways; the relationship of the proposed built form with the immediate neighbourhood in OPA #695; snow storage areas; sustainable site and development features; and, appropriate setback and design to and from the railway and the existing industrial use. Opportunities for sustainable design, including CEPTD (Crime Prevention Through Environmental Design), LEEDS (Leadership in Energy and Environmental Design), permeable pavers, bio-swailes, drought tolerant landscaping, bicycle racks to promote alternative modes of transportation, energy efficient lighting, reduction in pavement to address the "heat island" effect, etc, will be reviewed and implemented through the site plan approval process, if approved.

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g.	Additional Studies	<ul style="list-style-type: none">▪ The Owner has submitted the following documents in support of the applications: a Traffic Impact Study; a Phase One Environmental Report; a Rail Vibration Study; Urban Design Brief; a Noise Study; Cultural Heritage Impact Study; Planning Justification Report; Functional Servicing and Storm Water Management Reports; Soils Report; and, an Archaeological Assessment. These studies/reports must be reviewed and approved by the appropriate City Departments and Public Agencies.▪ Review will be given to determine if additional studies are required to support the proposed development.▪ The Environmental Site Assessment report(s) must be approved by the Vaughan Development/Transportation Engineering Department prior to consideration of a technical report by the Committee of the Whole.
h.	Canadian Pacific Railway	<ul style="list-style-type: none">▪ The subject lands are located in close proximity to a Canadian Pacific rail line. The appropriate building setback(s) particularly for proposed townhouse Block 8 as shown on Attachment #4, and noise attenuation measures for the entire site must be implemented as part of the development, if the applications are approved.▪ Canadian Pacific Railway approval is required.
i.	Servicing Allocation	<ul style="list-style-type: none">▪ 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, use of the Holding Symbol "(H)" will be considered for the property.

Relationship to Vaughan Vision 2020/Strategic Plan

The applicability of the 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 for review and comment. Any issues identified will be addressed when the technical report is considered.

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.

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Attachments

1. Context Location Map
2. Location Map
3. Schedule 3.0 - Land Use – OPA 695
4. Site Plan/Proposed Zoning
5. Draft Plan of Subdivision File 19T-12V010
6. Kipling Streetscape
7. Elevations (Block 1 – Typical)

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.)