

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF FEBRUARY 16, 2016**

Item 1, Report No. 8, of the Committee of the Whole (Public Hearing), which was adopted, as amended, by the Council of the City of Vaughan on February 16, 2016, as follows:

***By receiving the following Communications:***

- C1. John & Paulette Cutler, Westridge Drive, Vaughan, dated February 2, 2016;***
- C2. Ms. Ann-Marie Hawryshkewich, Rushworth Crescent, Kleinburg, dated February 2, 2016;***
- C3. Ms. Joan DiMichino, Treelawn Boulevard, Kleinburg, dated February 3, 2016; and***
- C4. Ms. Liberata Aquino, Napier Street, Vaughan, dated January 12, 2016.***

**1 OFFICIAL PLAN AMENDMENT FILE OP.15.006  
ZONING BY-LAW AMENDMENT FILE Z.15.025  
KLEINBURG VILLAGE DEVELOPMENT CORP.  
WARD 1 - VICINITY OF STEGMAN'S MILL ROAD AND ISLINGTON AVENUE**

**The Committee of the Whole (Public Hearing) recommends:**

- 1) That the recommendation contained in the following report of the Deputy City Manager, Planning & Growth Management, Director of Development Planning, and Senior Manager of Development Planning, dated February 2, 2016 be approved;**
- 2) That a community meeting be organized by the local Ward Councillor with the applicant, representatives of the Kleinburg and Area Ratepayers' Association, residents, appropriate City staff and Regional Councillors to address issues raised;**
- 3) That the following deputations and Communications be received:**
  - 1. Mr. Ryan Mino-Leahan, KLM Planning Partners Inc., Jardin Drive, Vaughan, on behalf of the applicant;**
  - 2. Mr. Alfredo Cadati, Rafael & Bigauskas Architects, Sheppard Avenue West, Toronto, on behalf of the applicant;**
  - 3. Ms. Nitika Jagtiani, Keele Street, Vaughan, on behalf of M & J Zuccaro, Stegman's Mill Road, and Communication C10, dated January 20, 2016;**
  - 4. Ms. Suzi Recine, Hazelridge Court, Kleinburg;**
  - 5. Mr. Sam Gagliardi, Cardish Street, Kleinburg;**
  - 6. Mr. Richard Lorello, Treelawn Boulevard, Kleinburg;**
  - 7. Mr. Roger Dickinson, Donhill Crescent, Kleinburg;**
  - 8. Ms. Mary Anne Arthur, representing the Kleinburg & Area Ratepayers' Association, Kleinburg, and Communication C51, dated January 31, 2016;**
  - 9. Mr. Robert Klein, Daleview Court, Kleinburg;**
  - 10. Ms. Phu-My Gep, Old Humber Crescent, Kleinburg;**
  - 11. Mr. Frank Fallico, Kellam Street, Kleinburg;**
  - 12. Mr. Frank Greco, representing Heritage Hill Developments (II) Corporation, Kleinburg; and**
  - 13. Mr. Iain Craig, Stegman's Mill Road, Kleinburg; and**
- 4) That the following Communications be received:**
  - C40 Ms. Amy Reeves, Napier Street, Kleinburg, dated January 29, 2016;**
  - C41 Mr. Jeff Reeves, Napier Street, Kleinburg, dated January 29, 2016;**
  - C44 Mr. Ken Schwenger, President, Kleinburg & Area Ratepayers' Association, Kleinburg, dated January 29, 2016;**
  - C45 Ms. Lisa Ferri, Napier Street, Kleinburg, dated January 31, 2016;**
  - C48 Mr. Stan Kalkiewicz, Wishing Well Court, Kleinburg, dated January 31, 2016;**

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- C50 Mr. Dave Blakemore, dated January 31, 2016;**
- C55 Ms. Jillian Stambolich, Cardish Street, Kleinburg, dated February 1, 2016;**
- C56 Ms. Jennifer Gabaudan, dated February 1, 2016;**
- C58 Ms. Natalia Smolskaia, Fairlane Crescent, Woodbridge, dated February 1, 2016;**
- C59 Mr. Joe Caponio, John Street, Vaughan, dated February 1, 2016;**
- C60 Bob and Helen Wilson, Art Drive, Kleinburg, dated February 1, 2016;**
- C61 Mr. Swaroop Chari, dated February 1, 2016;**
- C62 Ms. Gina Hartly, dated February 2, 2016;**
- C63 Mr. Zaeem Masood, Via Borghese, Woodbridge, dated February 2, 2016;**
- C65 Ms. Grazina Matukas, Camlaren Crescent, Kleinburg, dated February 2, 2016;**
- C66 Mr. Nel vanGeest, Woodbridge, dated February 2, 2016;**
- C67 Ms. Carla Falcone, Napier Street, Kleinburg, dated February 1, 2016;**
- C69 Mariola and Dan Andrusky, Kellam Street, Kleinburg, dated January 12, 2016;**
- C70 Roy and Muriel Chittick, Treelawn Boulevard, Kleinburg, dated February 1, 2016;**
- C71 Ms. Anta Nicholls, Woodbridge, dated February 1, 2016;**
- C72 Ms. Marsha Lomis, Nashville Road, Kleinburg, dated February 1, 2016;**
- C73 Ms. Radana Mickovsky, Colton Crescent South, Woodbridge, dated February 2, 2016;**
- C74 Ms. Tertia Ferdinandusz, Beechnut Road, Vaughan, dated February 2, 2016;**
- C75 Mr. Dane Mugford, dated February 2, 2016;**
- C76 Mr. Mauro Di Lauro, Hazelridge Court, Kleinburg, dated February 2, 2016; and**
- C77 Ms. Helen Peacock, John Kline Lane, Kleinburg, dated February 2, 2016.**

**Recommendation**

The Deputy City Manager, Planning & Growth Management, Director of Development Planning, and Senior Manager of Development Planning recommend:

1. THAT the Public Hearing report for Files OP.15.006 and Z.15.025 (Kleinburg Village Development Corp.) BE RECEIVED; and, that any issues identified be addressed by the Vaughan Development Planning Department in a comprehensive report to the Committee of the Whole.

**Contribution to Sustainability**

The contribution to sustainability such as site and building design initiatives 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 Public Hearing was circulated: January 8, 2016. The Notice of Public Hearing was also posted on the City's web-site at [www.vaughan.ca](http://www.vaughan.ca) and a Notice Sign was installed on the property in accordance with the City's Notice Sign Procedures and Protocol.
- b) Circulation Area: 150 m, and to the Kleinburg and Area Ratepayers Association
- c) Comments Received:

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Any written comments received will be forwarded to the Office of the City Clerk to be distributed to the Committee of the Whole as a Communication. All written comments that are received will be reviewed by the Vaughan Development Planning Department as input in the application review process and will be addressed in a technical report to be considered at a future Committee of the Whole meeting.

#### **Purpose**

To receive comments from the public and the Committee of the Whole on the following applications for the subject lands shown on Attachments #1 and #2, to facilitate a standard condominium development consisting of 30, three-storey single detached dwellings that are connected to, and accessed by, condominium common elements owned and operated by a condominium corporation, consisting of exterior building facades, an underground parking area entering from Stegman's Mill Road, five visitor parking spaces, an above-grade pedestrian promenade and internal driveway for emergency vehicles, a secondary driveway access to facilitate garbage and loading, and common landscaped amenity areas, as shown on Attachments #3 to #6:

1. Official Plan Amendment File OP.15.006 to amend the policies in Volume 2 of VOP 2010 (The Kleinburg Core), specifically Section 12.4 respecting the design and compatibility criteria for new development within the "Village Residential" designation, including lot configuration and size, built form, scale and physical character of the surrounding developments, together with the following exceptions:

	VOP 2010 Official Plan Policy	Proposed Amendment
a.	Section 12.4.40.22 states, in part:  <i>"Redevelopment of existing sites in the Kleinburg Core shall generally not exceed a maximum height of 9.5 m above finished grade."</i>	Notwithstanding Section 12.4.40.22, the maximum building height for the subject lands shall be 11 m (3-storeys) above finished grade.
b.	The "Village Residential" designation (Section 12.4.6.2) permits detached residential dwellings, defined in Section 9.2.3.1 (in part) as:  <i>"A low-rise residential building up to three storeys in height, situated on a single lot and not attached to any other residential building."</i>	Notwithstanding Sections 9.2.3.1 and 12.4.6.2, a detached residential dwelling shall be defined as a building containing only one (1) dwelling unit that is separated from any other dwelling unit above finished grade, but may be connected to another dwelling unit or parking structure below finished grade.

2. Zoning By-law Amendment File Z.15.025 to rezone the subject lands from R1 Residential Zone (single detached dwellings on lots with a minimum frontage of 18 m and lot area of 540 m<sup>2</sup>) to R5 Residential Zone (30 single detached dwellings connected to, and accessed by, an underground parking area that will form part of the common elements to be owned and maintained by a future condominium corporation) and OS1 Open Space Conservation Zone (valleyland and buffers), as shown on Attachment #3, together with the following site-specific zoning exceptions to the R5 Zone standards of Zoning By-law 1-88:

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	<b>Zoning By-law 1-88 Standard</b>	<b>R5 Residential Zone Requirements</b>	<b>Proposed Exceptions to the R5 Residential Zone Requirements</b>
a.	Definition of “Lot”	A parcel of land fronting on a street separate from any abutting land to the extent that a consent contemplated by Section 49 of the Planning Act would not be required for its conveyance.	The subject lands shall be deemed one lot, regardless of the number of buildings constructed on the lot, the creation of any new lot by plan of condominium, part-lot control, consent, and any easements or restrictions that are given.
b.	Definition of “Single Family Detached Dwelling”	A separate building containing only one (1) dwelling unit.	A building containing only one (1) dwelling unit that is separated from any other dwelling unit above finished grade, but may be connected to another dwelling unit or parking structure below finished grade.
c.	Permitted Uses	i) Single Family Detached Dwelling  ii) Semi-detached Dwelling	Permit a maximum of 30 Single Family Detached Dwellings on one lot
d.	Minimum Number of Parking Spaces	3.0 parking spaces per dwelling unit for lots greater than 11 m frontage, and 2.0 parking spaces per dwelling unit for lots less than and equal to 11 m frontage.	Residential Dwelling Unit – 2.0 parking spaces / unit  Residential Visitor Parking - 0.25 spaces / unit (Note: this standard is consistent with condominium projects including apartments and townhouses)
e.	Minimum Building Setbacks:  i. Front Yard Setback ii. Rear Yard Setback	i. 4.5 m ii. 7.5 m	i. 3 m (Stegman's Mill Road) ii. 3 m

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f.	Minimum Distance Separation Between Dwellings	Zoning By-law 1-88 does not include a minimum distance separation between dwellings.	<p>i. The minimum distance between the side elevations of any two dwelling units shall be 3.0 m</p> <p>ii. The minimum distance between the front elevations of any two dwelling units shall be 11.5 m</p>
g.	Minimum Joint Ingress/Egress Driveway Width	7.5 m	6 m (Minimum for fire route)
h.	Minimum Landscaped Strip Width (Stegman's Mill Road)	6 m	1 m, and shall not prevent the provision of access driveways, intake shafts and access stairs across the said strip.
i.	Permitted Yard Encroachments	<p>i. Exterior stairways shall be permitted in the rear yard only except that an exterior stairway not exceeding one-half storey in height shall be permitted in any yard.</p> <p>ii. Exterior stairways, porches, balconies and a bay window may extend into a required interior side yard to a maximum of 1.8 m.</p>	<p>i. All exterior stairs, porches (enclosed or unenclosed), balconies and retaining walls may be permitted to exceed one-half storey in height in any yard.</p> <p>ii. Exterior stairways, porches, balconies and retaining walls may extend into a required front or rear yard to a maximum of 1.8 m.</p>
j.	Minimum Setback to Portions of Buildings Below Grade (Underground Parking Garage)	1.8 m	0 m

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k.	Minimum Setback to Access Stairs for Underground Parking Area	Subject to the setback requirements of the R5 Zone:  i. Front - 4.5 m ii. Rear - 7.5 m iii. Interior Side - 1.2 m	Access stairs for an underground parking area shall have a 0 m setback to any lot line.
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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.

**Background - Analysis and Options**

Location	<ul style="list-style-type: none"><li>▪ 357, 365 and 375 Stegman's Mill Road, located east of Islington Avenue, on the south side of Stegman's Mill Road, shown as "Subject Lands" on Attachments #1 and #2. The subject site consists of Lots 22, 23 and 24 on Registered Plan of Subdivision 11.</li><li>▪ 57, 365 and 375</li></ul>
Official Plan Designation	<ul style="list-style-type: none"><li>▪ The subject lands are designated "Village Residential" by Section 12.4 in Volume 2 of VOP 2010 (Kleinburg Core). The designation permits detached dwelling units with a maximum permitted building height of 9.5 m, and there is no maximum density requirement.</li><li>▪ The subject lands are located within the Kleinburg-Nashville Heritage Conservation District Plan, and are subject to Section 12.2.1.1a ("Heritage Conservation Districts") in Volume 2 of VOP 2010.</li><li>▪ Section 12.4 in Volume 2 of VOP 2010 (Kleinburg Core) identifies compatibility criterion that directs new development to respect and reinforce the physical character of the Kleinburg Core. In addition, residential infilling in the Kleinburg Core shall be compatible with, and complementary to, the local lot pattern, size and configuration of adjacent developments.</li><li>▪ As the proposed development is located in the Kleinburg Core and in proximity to an existing single detached subdivision comprising larger lots, the proposal does not address the compatibility criteria for new development, which is designed to respect and reinforce the existing physical character and uses of the surrounding area as they relate to lot configuration and size, built form and physical character. Therefore, the proposal does not conform to the Official Plan and an amendment to VOP 2010 is required.</li></ul>

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	<ul style="list-style-type: none"><li>▪ As the proposed development is located in the Kleinburg Core and in proximity to an existing single detached subdivision comprising larger lots, the proposal does not address the compatibility criteria for new development, which is designed to respect and reinforce the existing physical character and uses of the surrounding area as they relate to lot configuration and size, built form and physical character. Therefore, the proposal does not conform to the Official Plan and an amendment to VOP 2010 is required.</li><li>▪ The Owner has submitted an Official Plan Amendment Application to permit the proposed development in response to the compatibility criteria, height and permitted use requirements in the Official Plan.</li><li>▪ Section 37 contributions are not required for the proposal as the subject lands are located outside of an intensification area where single detached dwellings are a permitted use and there is no maximum density requirement for this low-rise building form.</li></ul>
Zoning	<ul style="list-style-type: none"><li>▪ The subject lands are zoned R1 Residential Zone, which permits single detached dwellings on lots with a minimum frontage of 18 m and lot area of 540 m<sup>2</sup>.</li><li>▪ The Owner is proposing to rezone the subject lands from R1 Residential Zone to R5 Residential Zone to permit 30 detached dwellings connected to, and accessed by, an underground parking area that will form part of the common elements to be owned and maintained by a future condominium corporation, together with the site-specific zoning exceptions to the R5 Zone identified in the Purpose section of this report.</li><li>▪ The Owner has submitted a Zoning By-law Amendment Application to implement the proposed zoning to facilitate the proposed standard condominium development.</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 Vaughan Development Planning Department has identified the following matters to be reviewed in greater detail:

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	MATTERS TO BE REVIEWED	COMMENT(S)
a.	Conformity with Provincial policies, 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 the Regional and City Official Plan policies, particularly the policies in Section 12.4, Volume 2, of VOP 2010 respecting the design and compatibility criteria for new development in the “Kleinburg Core”, and with respect to the proposed height increase from 9.5 m to 11 m in light of adjacent development heights, grades, and Heritage Conservation District policies.</li> </ul>
b.	Appropriateness of the Proposed Rezoning and Site-Specific Zoning Exceptions	<ul style="list-style-type: none"> <li>The appropriateness of the proposed rezoning to facilitate the development of the subject lands as shown on Attachments #3 to #6, will be reviewed in consideration of the existing and planned surrounding land uses, with particular consideration given to land use, lot size and configuration, transition, built form compatibility, building setbacks, height and traffic impact.</li> </ul>
c.	Kleinburg-Nashville Heritage Conservation District Plan	<ul style="list-style-type: none"> <li>The existing buildings located at 357, 365 and 375 Stegman's Mill Road are designated under Part V of the <u>Ontario Heritage Act</u>, and are listed in the Vaughan Heritage Inventory given its location within the Kleinburg-Nashville Heritage Conservation District Plan (HCDP). The proposal must be reviewed by the Vaughan Development Planning Department – Urban Design and Cultural Heritage Division and the Heritage Vaughan Committee.</li> <li>The Owner has submitted a Heritage Conservation District Conformity Report that assesses conformity to the HCDP, which must be approved by the Vaughan Development Planning Department.</li> </ul>
d.	Studies and Reports	<ul style="list-style-type: none"> <li>The Owner has submitted the following studies and reports in support of the applications, which must be approved to the satisfaction of the City or respective public approval authority: <ul style="list-style-type: none"> <li>Planning Justification Report</li> <li>Functional Servicing and Stormwater Management Report</li> <li>Geotechnical and Soils Report</li> <li>Stage 1 and Stage 2 Archaeological Assessment</li> <li>Arborist Report</li> <li>Environmental Noise Feasibility Study</li> <li>Urban Design and Sustainability Brief</li> </ul> </li> </ul>

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e.	Vaughan Design Review Panel (DRP)	<ul style="list-style-type: none"> <li>▪ The proposal must be considered by the DRP and the Owner must satisfactorily address the DRP's comments.</li> </ul>
f.	Conceptual Site Plan / Future Site Development Application	<ul style="list-style-type: none"> <li>▪ A future Site Development Application is required to facilitate the proposed development shown on Attachments #3 to #6, should the subject applications be approved. The following matters, but not limited to, will be considered through the review of the Site Development Application and will also be considered through the review of the Conceptual Site Plan provided with the subject applications as shown on Attachment #3: <ul style="list-style-type: none"> <li>▪ pedestrian and barrier free accessibility;</li> <li>▪ proper vehicular (including service vehicles such as fire and garbage trucks) turning movements on the proposed private road and underground parking area;</li> <li>▪ appropriate site design and building materials, orientation of units and upgraded elevations for units facing Stegman's Mill Road and visible flankage elevations, landscaping, amenity area, snow storage, environmental sustainability, stormwater management, and servicing and grading;</li> <li>▪ accessibility and location of the proposed underground parking area and residential visitor parking spaces; and,</li> <li>▪ the relationship of the proposed built form, building setbacks and design with the immediate neighbourhood and site.</li> </ul> </li> </ul>
g.	Future Draft Plan of Condominium Application	<ul style="list-style-type: none"> <li>▪ A future Standard Draft Plan of Condominium Application will be required to create a Condominium Corporation to address the tenure of the common elements (ie. exterior building façades, private driveway access and above-grade pedestrian promenades, underground parking garage, visitor parking, and landscaped areas), if approved.</li> </ul>
h.	Sustainable Development	<ul style="list-style-type: none"> <li>▪ Opportunities for sustainable design, including CPTED (Crime Prevention Through Environmental Design), LEEDS (Leadership in Energy and Environmental Design), permeable pavers, bio-swales, drought tolerant landscaping, energy efficient lighting, reduction in pavement etc., will be reviewed and implemented through the site plan approval process, if approved.</li> </ul>

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i.	Cash-in-Lieu of Parkland	<ul style="list-style-type: none"><li>▪ The Owner will be required to pay to the City of Vaughan, cash-in-lieu of the dedication of parkland, prior to the issuance of a Building Permit, in accordance with the <i>Planning Act</i> and the City of Vaughan's Cash-in-lieu Policy, should the applications be approved. The final value of the cash-in-lieu of parkland dedication will be determined by the Office of the City Solicitor, Real Estate Department.</li></ul>
j.	Allocation and Servicing	<ul style="list-style-type: none"><li>▪ The availability of water and sanitary servicing capacity for the proposed development must be identified and allocated by Vaughan Council, if the proposed development is approved. If servicing is unavailable, the lands will be zoned with a Holding Symbol "(H)", which will be removed once servicing capacity is identified and allocated to the lands by Vaughan Council.</li></ul>
k.	Phase 1 ESA	<ul style="list-style-type: none"><li>▪ The Vaughan Development Engineering and Infrastructure Planning Department must review and approve the Phase 1 ESA (Environmental Site Assessment) in support of the applications.</li></ul>
l.	Toronto and Region Conservation Authority (TRCA)	<ul style="list-style-type: none"><li>▪ The subject lands are located within the the Toronto and Region Conservation Authority (TRCA) Regulated Area under Ontario Regulation 166/06. The applications, including the proposed development limits, must be reviewed by the TRCA, and the Owner will be required to satisfy all conditions of the TRCA.</li></ul>

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

The applicability of these applications to the Term of Council Service Excellence Strategy Map (2014-2018) will be determined when the technical report is considered.

#### **Regional Implications**

The applications have been circulated to the York Region Transportation and Community Planning Department for review and comment. Any issues 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 Vaughan 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. Conceptual Site Plan & Proposed Zoning
4. Underground Parking Plan
5. Landscape Master Plan
6. Typical Elevations (Interior Streetscape)

**Report prepared by:** \_\_\_\_\_

Mark Antoine, Planner, ext. 8212  
Carmela Marrelli, Senior Planner, ext. 8791

(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.)