

**COUNCIL**      **NOVEMBER 19, 2013**

**OFFICIAL PLAN AMENDMENT FILE OP.12.008**

**ZONING BY-LAW AMENDMENT FILE Z.12.022**

**SITE DEVELOPMENT FILE DA.12.022**

**HERITAGE HILL DEVELOPMENTS (II) CORPORATION**

**WARD 1 - VICINITY OF ISLINGTON AVENUE AND NASHVILLE ROAD**

(Referred)

Council, at its meeting of October 29, 2013, adopted the following recommendation (Item 19, CW Report No. 42):

***That consideration of this matter be deferred to the Council meeting of November 19, 2013;***

***That Planning and Legal Departments provide a report on the following:***

- 1. Concerns raised regarding setting a precedent with respect to this application;***
- 2. How the application will be dealt with in a site-specific by-law; and***
- 3. Whether the site-specific by-law could be open to challenge; and***

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

***C6. Mr. Frank Greco, dated October 24, 2013;***

***C7. Commissioner of Planning, dated October 24, 2013;***

***C16. Mr. Ken Schwenger, KARA, P.O. Box 202, Kleinburg, dated October 28, 2013; and***

***C17. KARA Communications Committee, dated October 28, 2013.***

**Committee of the Whole recommendation of October 15, 2013:**

The Committee of the Whole recommends:

- 1) That consideration of this matter be deferred to the Council meeting of October 29, 2013, for an opportunity for staff, the applicant, and the Kleinburg and Area Ratepayers' Association to meet and discuss outstanding issues and that if required such discussions take place at an evening meeting;
- 2) That staff provide a communication to the Council meeting of October 29, 2013, on the chronological details of community consultation with respect to this application;
- 3) That the following deputations be received;
  1. Mr. Robert Klein, Kleinburg and Area Ratepayers' Association, Daleview Court, Kleinburg; and
  2. Mr. Frank Greco, Islington Avenue, Kleinburg; and
- 4) That the following Communications be received:
  - C10 Mr. Ken Schwenger, Kleinburg and Area Ratepayers' Association, Kleinburg, dated October 9, 2013; and
  - C12 Ms. Louise Zembal, Kleinburg BIA, Kleinburg, dated October 11, 2013.

**Recommendation of the Commissioner of Planning and Director of Development Planning, dated October 15, 2013:**

## **Recommendation**

The Commissioner of Planning and Director of Development Planning recommend:

1. THAT Official Plan Amendment File OP.12.008 (Heritage Hill Developments (II) Corporation) BE APPROVED, to amend OPA #601 (Kleinburg-Nashville Community Plan), as amended by OPA #633 (Kleinburg Commercial Core Plan), specifically to amend the policies respecting the "Mainstreet Commercial" designation on the subject lands shown on Attachment #3, as follows:
  - a) permit a small scale mixed-use development to include a commercial component and a residential component, where the residential component is not contained within the same building as the commercial component and is also located at-grade;
  - b) permit a maximum Floor Space Index (FSI) for the overall development on the site of 1.014;
  - c) permit a maximum building height of 12.7 m to the highest point of the roof surface for Building "C"; and,
  - d) permit parking to occur between the main building (Building "C") and the public street (Islington Avenue).
2. THAT should the implementing Official Plan Amendment for File OP.12.008 (Heritage Hill Developments (II) Corporation) be approved by Vaughan Council (approval authority), that the new City of Vaughan Official Plan 2010 (VOP 2010), which was adopted by Vaughan Council on September 7, 2010 (as modified 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 has been approved, in part, by the Ontario Municipal Board on July 23, 2013, be further modified respecting the policies for the "Mainstreet Commercial" designation as follows:
  - a) permit a small scale mixed-use development to include a commercial component and a residential component, where the residential component is not contained within the same building as the commercial component and is also located at-grade;
  - b) permit a maximum building height of 12.7 m to the flat roof for Building "C"; and,
  - c) permit parking to occur between the main building (Building "C") and the street.
3. THAT Zoning By-law Amendment File Z.12.045 (Heritage Hill Developments (II) Corporation) BE APPROVED, specifically to amend Zoning By-law 1-88, to rezone the subject lands shown on Attachment #2 from R1 Residential Zone to C11 Mainstreet Commercial Zone with site-specific exceptions identified in Table 1 of this report.
4. THAT Site Development File DA.12.045 (Heritage Hill Developments (II) Corporation) BE APPROVED, to permit the conversion of 2 existing heritage dwellings to commercial buildings and to permit a new 3-storey residential apartment building with 28 apartment dwelling units, as shown on Attachments #4 to #8 inclusive, subject to the following conditions:
  - a) that prior to the execution of the Site Plan Letter of Undertaking or Agreement:

- i) the final site plan, signage details indicating the location of the off-site parking for commercial and residential visitors, 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, including the traffic impact and parking study, 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; and,
  - iv) the Owner shall provide the City with an executed agreement, which shall be registered on title for the combined 10462 Islington Avenue (Canadiana Square) and 10472 Islington Avenue (Canadiana House) site with respect to providing 23 parking spaces for the use of the subject lands to accommodate commercial and residential visitors, and an easement for access onto 10462 Islington Avenue (Canadiana Square) and 10472 Islington Avenue (Canadiana House);
- b) that the Site Plan Letter of Undertaking or Agreement include the following conditions:
  - i) 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 prior to the initiation of any development on the subject lands:
    - 1. A designated substance survey (DSS) is undertaken on the existing buildings on-site given their age; and,
    - 2. Any abandoned wells on-site be properly decommissioned in accordance with Ontario Regulation 903 (as amended);
  - iii) that the Owner shall have entered into an agreement with the Owner(s) of the combined 10462 Islington Avenue (Canadiana Square) and 10472 Islington Avenue (Canadiana House) site for the provision of 23 at-grade parking spaces for the use of the subject lands to accommodate off-site parking for commercial and residential visitors, and an easement for access onto 10462 Islington Avenue (Canadiana Square) and 10472 Islington Avenue (Canadiana House);
  - iv) 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 for the residential portion, whichever is greater, and 2% for the commercial portion 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;

- v) 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;
  - vi) 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,
  - vii) 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.
5. THAT Council pass 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 Servicing Capacity Distribution Protocol dated October 15, 2013, and to be approved by Vaughan Council on October 29, 2013.

"IT IS HEREBY RESOLVED THAT Site Development File DA.12.045 (Heritage Hill Developments (II) Corporation) be allocated sewage capacity from the Kleinburg Servicing Scheme and water supply capacity from the York Water Supply System for a total of 28 residential 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
- Objective 4.2: Ensure that the City of Vaughan attracts businesses and investment that will result in well-paying jobs for Vaughan citizens, a sustainable tax base and continuing prosperity into the 21st century



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:

- a) Sustainable Site:
  - i) using local building and plant material to reduce energy consumption (i.e. minimize transportation distance);
  - ii) providing locker rooms in the underground parking areas to accommodate bikes and at-grade short term bicycle parking spaces;
  - iii) using organic mulch to retain water and suppress weeds; and,
  - iv) planting drought tolerant vegetation;
- b) Stormwater Management:
  - i) detaining stormwater on site to reduce the amount sent to the storm sewer;
  - ii) using planted swales/outfalls to enhance water quality;
  - iii) reducing pollution by treating stormwater on site (i.e., stormceptor stormwater treatment system whereby oils, grease and sediment are separated from the stormwater); and,
  - iv) using open grid paving (i.e. unit pavers) to promote some infiltration;
- c) Water Efficiency:
  - i) installing low-flow water toilets, faucets and showerheads in all residential bathrooms;
- d) Materials and Resources:
  - i) retaining and restoring 2 heritage buildings;
- e) Energy and Atmosphere:
  - i) providing high level of thermal insulation; and,
  - ii) providing energy efficient lighting.

### **Economic Impact**

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

### **Communications Plan**

On October 12, 2012, 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. Two written comments were received through the notification with the following comments:

- i) October 30, 2012 correspondence from S. Davis and the Davis Family, Islington Avenue, respecting the height and size of Building "C" not being in keeping with the character of Kleinburg; and, the proposal contributing to traffic congestion and parking shortages in the Mainstreet Area; and,
- ii) December 17, 2012 correspondence from the Kleinburg and Area Ratepayers' Association respecting the overall scope and size being too large and the density too high for the proposed development which is not appropriate for the commercial core of a historic, heritage village; the concerns regarding traffic, safety and the impact to the residential properties to the east; the proposed modifications to the Official Plan policies to allow for a mixed-use development that does not provide at-grade commercial; the

proposed building height being too high and that exceeds the maximum building height of 9.5 m not being enforced; and parking shortages.

The concerns noted above will be discussed in the report.

The recommendation of the Committee of the Whole to receive the Public Hearing report of November 6, 2012, and to forward a comprehensive technical report to a future Committee of the Whole meeting, was ratified by Vaughan Council on November 20, 2012.

### **Purpose**

The Owner has submitted the following applications on the subject lands shown on Attachments #1 and #2:

1. Official Plan Amendment File OP.12.008 to amend OPA #601 (Kleinburg-Nashville Community Plan), as amended by OPA #633 (Kleinburg Commercial Core Plan), specifically to amend the policies respecting the "Mainstreet Commercial" designation as follows for the subject lands shown on Attachment #3:

	<b>Official Plan Policies for the Mainstreet Commercial Designation</b>	<b>Proposed Amendments to OPA #601 as amended by OPA #633</b>
a.	Permitted uses include small scale mixed-use buildings with at-grade commercial uses and an upper floor residential component.	Permit in Building "C", residential use only, where the commercial uses are located in separate buildings.
b.	Permit a maximum Floor Space Index (FSI) ranging between 0.2 and 1.0.	Permit a maximum Floor Space Index (FSI) of 1.014.
c.	Maximum Building Height of 9.5m measured above finished grade.	Permit a maximum height for Building "C" of 12.7m (3-storeys) measured to the top of a flat roof.
d.	No parking within the Mainstreet Commercial designation shall be permitted between the main building (Building "C") and a public street.	Permit parking to be located between the main building (Building "C") and a public street (Islington Avenue).

2. Zoning By-law Amendment File Z.12.022 to amend Zoning By-law 1-88, specifically, to rezone the subject lands from R1 Residential Zone to C11 Mainstreet Commercial Zone, and to amend the permitted uses and the development standards of Zoning By-law 1-88 as identified in Table 1 of this report; and,
3. Site Development File DA.12.056 to permit the conversion of 2 existing heritage dwellings to commercial buildings and to permit a new 3-storey residential apartment building with 28 apartment dwelling units, as shown on Attachments #4 to #8 inclusive. The proposed development statistics are as follows:

<b>Lot Area</b>	3,084.07 m <sup>2</sup> / 0.308 ha
<b>Lot Frontage</b>	40.1 m

<b>Lot Depth</b>	62.6 m
<b>Floor Space Index (F.S.I.)</b>	1.014
<b>Residential Density</b>	90.8 units per hectare
<b>Lot Coverage</b>	47.6% (1468.8 m <sup>2</sup> )
<b>Total Building Gross Floor Area (GFA)</b>	3,130 m <sup>2</sup>
	Commercial GFA = 366 m <sup>2</sup>
	Residential GFA = 2,764 m <sup>2</sup>
<b>Landscaped Area / Percentage</b>	1,098.3 m <sup>2</sup> / 35.6%
<b>Paved Area / Percentage</b>	652.52 m <sup>2</sup> / 21.2%

	<b>Building A</b>	<b>Building B</b>	<b>Building C</b>
<b>Use &amp; Total Gross Floor Area</b>	Commercial (Existing Heritage Building)  144.8 m <sup>2</sup> (98.8 m <sup>2</sup> Eating Establishment and 46 m <sup>2</sup> Outdoor Patio)	Commercial (Existing Heritage Building)  221.2 m <sup>2</sup> (Eating Establishment or Retail Use)	Residential (Proposed New Building)  2,764 m <sup>2</sup>
<b>Height</b>	1 storey (4.77 m)	1.5 storeys (4.26 m)	3 storeys (12.7 m to the top of roof)
<b>Parking Required (Zoning By-law 1-88)</b>	23.1 (Eating Establishment - 16 spaces/100 m <sup>2</sup> of GFA)	35.3 (Eating Establishment - 16 spaces/100 m <sup>2</sup> of GFA)  The parking requirement for the highest use demand is used as there are multiple uses proposed.	49 (42 - 1.5 Residential Apartment spaces/unit, plus 7 - 0.25 Visitor spaces/unit)
<b>Parking Required (108 Spaces)</b>	59		49
<b>Parking Provided</b>	10		26

Units/Amenity Area	1 Bedroom with a Den	2 Bedroom
Unit Total By Bedroom	20	8
Total Units	28	
Amenity Area by Bedroom (Determined)	400 m <sup>2</sup> (20m <sup>2</sup> /Unit)	440 m <sup>2</sup> (55m <sup>2</sup> /Unit)
Amenity Area (Required)	840 m <sup>2</sup>	
Amenity Area by Use	Common Use Interior Amenity Area = 79.15 m <sup>2</sup>	
	Common Use Exterior Amenity Area = 652.51 m <sup>2</sup>	
	Semi-Private Exterior Amenity Area = 624.20 m <sup>2</sup>	
Amenity Area (Total Provided)	Private Exterior Amenity Area - Balconies/Terraces = 245.82 m <sup>2</sup>	
	977.48 m <sup>2</sup>	

## **Background - Analysis and Options**

### **Location**

The subject lands shown on Attachments #1 and #2 are located on the east side of Islington Avenue, south of Nashville Road. The subject lands have a total lot area of 0.308 ha and frontage of 40.1 m. The surrounding land uses are shown on Attachment #2.

### **Supporting Documentation**

The following reports were submitted in support of the applications on the subject lands:

- *Heritage Square - Planning Justification Report*, dated June 20, 2012 by Metropolitan Consulting Inc.;
- *Heritage Impact Assessment - Heritage Square*, dated June 12, 2012 by Stephen Bernatt, Architect;
- *Research Report into the History of the Buildings, the People and the Events Associated with 10423 and 10429 Islington Avenue, Kleinburg*, dated May 25, 2012 by Bruce Corley CAHP;
- *Phase 1 Environmental Site Assessment - Heritage Square*, dated April 23, 2012 by Forward Engineering and Associates Inc.;
- *Geotechnical Investigation - Proposed Heritage Square*, dated March 15, 2012 by Forward Engineering and Associates Inc.;
- *Traffic Impact and Parking Study*, dated May 17, 2012 and revised September 2013 by Mark Engineering;
- *Parking Study*, dated June 18, 2013 by Mark Engineering;
- *Functional Servicing and Stormwater Management Report - Proposed Mixed Use Development (Heritage Hill)*, dated March 20, 2012 and revised March 13, 2013 and May 22, 2013 by Condeland Engineering Ltd.;
- *Environmental Noise Report*, dated June 22, 2012 by Jade Acoustics Inc.; and
- *Tree Inventory and Plan of Preservation for 10423 and 10429 Islington Avenue*, dated March 9, 2012 by Charles Tree Service.

### **Official Plan - Land Use Designation/Uses/Density**

#### **i) Region of York Official Plan**

The subject lands shown on Attachment #2 are designated "Urban Area" by the Region of York Official Plan (Regional Official Plan Amendment (ROPA) 52), which permits a wide range of

residential, commercial, industrial and institutional uses. The proposal conforms to the Regional Official Plan.

ii) Official Plan Amendments #600 and #633

The subject lands are designated “Mainstreet Commercial” by OPA #601 (Kleinburg-Nashville Secondary Plan), as amended by OPA #633 (Kleinburg Commercial Core Plan). The Official Plan permits the following uses within the Mainstreet Commercial designation:

- retail store;
- personal service shop;
- business and professional office; and,
- small-scale mixed-use developments with at-grade commercial uses and an upper floor residential component.

The Official Plan provides specific development and design criteria to maintain a traditional mainstreet commercial character, to provide for a pedestrian-friendly form of development, and to be compatible with the existing building form and residential areas and uses within the Kleinburg-Nashville Heritage Conservation District. These development and design criteria include limiting buildings up to a maximum height of 9.5 m, and providing for a Floor Space Index ranging between 0.2 and 1.0. Further, the Mainstreet Commercial policies do not permit parking between the main building and a public street, and requires cash-in-lieu of parking where there is a parking deficiency.

The Owner has submitted a proposal on the subject lands, shown on Attachments #4 to #8, for restoring two existing heritage detached dwelling units previously used for residential purposes which are to be converted for commercial use, and is proposing to develop a new 3-storey low-rise building for residential use only for 28 apartment units with a maximum building height of 12.7m, and a total combined on-site Floor Space Index of 1.014. The proposal does not entirely comply with the Official Plan, and requires amendments to the policies of the “Mainstreet Commercial” designation.

The “Mainstreet Commercial” designation requires that for mixed-use commercial and residential development that there be at-grade commercial uses and the upper floor(s) be of a residential use. This proposal provides for commercial uses in the existing heritage buildings (Buildings “A” and “B”) facing Islington Avenue and residential use exclusively in the proposed building (Building “C”) at the rear of the subject lands shown on Attachment #4. Given that the subject lands propose both commercial, which provides direct access to the public sidewalk along Islington Avenue, and residential on the subject lands, the proposal maintains the intent of the Official Plan by providing for a mixed-use development.

The Official Plan permits a maximum building height of 9.5 m above the finished grade. The building height is calculated based on the average finished grade at the front of the building. The building height for Building “C” is 12.7 m, which includes the underground parking entrance, shown on Attachment #7. The increased height is due to the topography of the subject lands which slopes to the south and east in order to accommodate the underground parking area and provide a building design in keeping with the heritage policies for the Kleinburg-Nashville Heritage Conservation District. The development on the subject lands also proposes a Floor Space Index of 1.014, which is a negligible increase above the maximum Floor Space Index of 1.0 in the Official Plan.

The “Mainstreet Commercial” designation does not permit any parking between the main building (Building “C”) and a public street (Islington Avenue). The subject lands are providing 6 parking spaces between the main building and a public street. The parking spaces, which includes a barrier-free space, are to service both commercial buildings along Islington Avenue on the subject lands shown on Attachment #4. The Owner is proposing to provide landscaping to screen the

parking spaces. Also, the parking spaces and driveway areas are to be paved in decorative pavers to complement the pedestrian walkway to provide a more visible pleasing environment. There is also additional parking to the east of Building “B”, which is not visible from the street. A total of 10 at-grade parking spaces are being proposed, and as there is a deficiency of parking spaces, the elimination of the 6 parking spaces is not feasible. The provision of landscaping and decorative pavers, as well as, the location of the heritage buildings, to mitigate the visibility of the parking spaces from the street, is acceptable.

The “Mainstreet Commercial” policies stipulate cash-in-lieu of parking is required where the proposal does not provide the required amount of parking and the supporting Parking Study determines that the proposed parking cannot accommodate the expected demand. The funds from the cash-in-lieu of parking would be dedicated to managing existing parking resources and /or the establishment of new parking facilities. However, the applicant has demonstrated through their parking study that the proposed parking supply can accommodate the expected demand, and therefore, cash-in-lieu of parking is not applicable to the subject development as confirmed by the Vaughan Development/Transportation Engineering Department and Vaughan Development Planning Department.

Zoning By-law 1-88 requires 60 parking spaces for the commercial uses proposed on the subject lands shown Attachment #4 as indicated in the following breakdown by use:

<b>Parking Required (Zoning By-law 1-88)</b>	59 Eating Establishment Use: 16 spaces/100 m <sup>2</sup> of GFA (366 m <sup>2</sup> )
<b>Parking Provided</b>	10

The Owner proposes 10 at-grade parking spaces for the commercial and/or residential visitor use. There would be 26 underground parking spaces for the residential use. Eight of the underground parking spaces include a tandem parking space which would bring the Owner's parking calculation to 34 parking spaces underground. The Owner's total parking proposed would be 44 parking spaces. However, the City does not recognize tandem parking, which therefore cannot be included in the parking calculation, resulting in the parking space deficiency being 72 parking spaces (108-36 spaces) based on the parking requirements in Zoning By-law 1-88, as detailed earlier in the report in item 3 of the purpose section.

The Owner's *Parking Study* dated September 2013 determined that the subject lands require a total of 59 parking spaces to support both the commercial, residential and residential visitor parking. The *Parking Study* relied on the parking requirements contained in the City's draft parking study report, *Review of Parking Standards Contained Within the City of Vaughan's Comprehensive Zoning By-law*, dated March 2010 by the IBI Group, which indicated that a total of 59 parking spaces are required for the commercial (being eating establishments for the two commercial buildings), residential and residential visitor parking spaces for the subject lands.

The subject lands are proposing 36 on-site parking spaces, where 26 parking spaces are provided underground for the residential users and 10 parking spaces are provided at-grade for the commercial (eating establishment) use and residential visitor users. The shortage of 23 parking spaces (59-36) can be addressed by providing parking off-site at the combined site of Canadiana Square (10462 Islington Avenue) and Canadiana House (10472 Islington Avenue), which is owned by the same Owner as the subject lands.

The *Parking Study* undertook a review of the parking required on the Canadiana Square and Canadiana House site in order to demonstrate that this site can accommodate the parking from

the subject lands shown on Attachment #2. The mixed-use residential and commercial Canadiana Square and Canadiana House site requires 86 parking spaces in accordance with the parking requirements in Zoning By-law 1-88 for the C11 Mainstreet Commercial Zone. Specifically, 59.6 parking spaces (at 6 spaces/100 m<sup>2</sup> of GFA) for the commercial use (994 m<sup>2</sup> of GFA), 22.5 parking spaces (at 1.5 spaces per unit) for the residential use (15 apartment units) and 3.8 parking spaces (at 0.25 spaces per unit) for the residential visitor use. The *Parking Study's* analysis finds that this site, based on the application of the parking requirements in the City's draft parking study report, *Review of Parking Standards Contained Within the City of Vaughan's Comprehensive Zoning By-law*, requires 58 parking spaces to support the existing mixed-use residential and commercial development. The parking spaces required for the commercial component would be 40.3 spaces, the residential component would be 14.6 spaces and the residential visitor component would be 3 spaces. At the highest peak of parking usage on the site, 42 spaces were used. Through the *Parking Study* analysis, there was a difference of 28 parking from the required parking in accordance with Zoning By-law 1-88 to what would be required to support the demand on the site. Based on the *Parking Study's* findings, 23 parking spaces can be provided on the Canadiana Square and Canadiana House site for the subject lands.

The Owner's *Parking Study* concludes the following (in part):

- “ - The parking demand for the site cannot be met on the site, even if the tandem parking spaces are included in the supply.
- There is a parking space surplus at the Canadiana Square that could serve the excess demand for the site.
- An agreement for Canadiana Square to provide sufficient spaces to serve the proposed development should be reachable.

Therefore, the overall conclusion is that sufficient parking can be provided to serve the proposed development.”

The Vaughan Development/Transportation Engineering Department has reviewed the *Parking Study* and advised that, “the proposed parking supply (26 underground plus 10 surface parking plus 23 off-site parking) is found adequate based on supporting analysis provided in the Consultant's report (*Traffic Impact and Parking Study*, dated May 17, 2012 and revised September 2013 by Mark Engineering). The recommended parking supply is also comparable to the City's draft parking study report, *Review of Parking Standards Contained Within the City of Vaughan's Comprehensive Zoning By-law*, dated March 2010 by the IBI Group.”

The *Parking Study* recommends that the parking shortage could be addressed by providing parking off-site across the street for the subject lands at Canadiana Square and Canadiana House, which is owned by the same Owner of the subject lands. The Development Planning Department can support the provision of off-site parking for the proposal. Accordingly, the Owner of the subject lands and the Owner(s) of the lands at Canadiana Square and Canadiana House, shall be required to register an agreement on title for the subject lands and the Canadiana Square and Canadiana House lands whereby 23 parking spaces and access to the parking spaces on the Canadiana Square and Canadiana House lands are provided for the subject lands. The site plan letter of undertaking or agreement will require that the 23 off-site parking spaces and access to the spaces has been registered, prior to the execution of the site plan letter of undertaking or agreement. Conditions to this effect are included in the recommendation of this report.

The subject lands are designated “Low-Rise Mixed-Use Mainstreet Commercial” by the 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 approved, in part, by the Ontario Municipal Board on July 23, 2013. 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 “Low-Rise Mixed-Use Mainstreet Commercial” designation permits buildings up to a maximum height of 9.5 m, with a floor space index ranging between 0.2 and 1.0 and includes the following uses:

- retail store;
- personal service shop;
- business and professional office; and,
- small-scale mixed-use developments with at-grade commercial uses and an upper floor residential component.

VOP 2010 has policies that do not permit parking between the main building and a public street, as well as, policies respecting cash-in-lieu of parking. The proposal does not entirely conform to VOP 2010. The Low-Rise Mixed-Use Mainstreet Commercial policies of VOP 2010 would need to be amended to implement the proposal on the subject lands.

iv) Amendments to In-effect and New Official Plans

The Development Planning Department can support the approval of Official Plan Amendment Application OP.12.008, to apply appropriate land use policies to both the in-effect and new Official Plans to implement the proposed mixed-use commercial and residential development, as discussed above and identified in the recommendation of this report.

Kleinburg-Nashville Heritage Conservation District

The subject lands includes two heritage residential buildings that are to be retained, restored and converted for commercial use. Building “A” (10423 Islington Avenue) was built circa 1920 in the Edwardian Style and Building “B” (10429 Islington Avenue) was built circa 1870 in the Victorian Gothic Revival (or Ontario Gothic Vernacular) style. Both buildings have had additions to the rear of the buildings which will be demolished, along with the detached garage and deck for Building “A”.

Building “A” and Building “B” are designated under Part V of the *Ontario Heritage Act*, as part of the Kleinburg-Nashville Heritage Conservation District Guidelines, with Building “B” 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. 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. A further discussion is provided later in the Vaughan Cultural Services section of this report.

Zoning



The subject lands are zoned R1 Residential Detached Zone by Zoning By-law 1-88. The Owner submitted Zoning By-law Amendment File Z.12.022 to amend Zoning By-law 1-88, specifically, to rezone the subject lands from R1 Residential Zone (single detached dwellings) to C11 Mainstreet Commercial Zone, as shown on Attachment #2, and amend the permitted uses and development standards of Zoning By-law 1-88. The following site-specific zoning exceptions are required to implement the proposal as shown on Attachments #3 to #8:

Table 1:

	<b>By-law Standard</b>	<b>Zoning By-law 1-88, C11 Mainstreet Commercial Zone Requirements</b>	<b>Proposed Exceptions to Zoning By-law 1-88, C1 Mainstreet Commercial Zone</b>
a.	Definitions	<p>i) "Mixed Use Development Mainstreet" means a building or part of a building that contains permitted commercial uses and residential uses in combination, excluding a hotel, motel or tourist home, provided that all main residential uses are located in a storey above the first storey, except for entrances and lobbies which are located on the first floor and accessory uses, such as but not limited to storage, mechanical and laundry facilities, which may be permitted to be located in a basement or cellar.</p> <p>ii) "Lot" means 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, R.S.O. 1983 would not be required for its conveyance. For the purpose of this paragraph, land defined in an application for a building permit shall be deemed to be a parcel of land and a reserve shall not form part of the lot.</p>	<p>i) "Mixed Use Development Mainstreet" means a building or part of a building that contains permitted commercial uses and residential uses in combination, and where the permitted commercial uses and permitted residential uses are in separate buildings on the same lot, excluding a hotel, motel or tourist home, and provided that residential uses can be located on the ground floor and in a storey above the first storey, including entrances and lobbies which are located on the first floor and accessory uses, such as but not limited to storage, mechanical and laundry facilities, which may be permitted to be located in a basement or cellar.</p> <p>ii) "Lot" means to deem the two existing lots to be one lot for the purposes of zoning regardless of the number of buildings or structures erected and regardless of any conveyances, easements, or condominiums, and whether the buildings or structures have or do not have a common basement or are or are not connected below or above finished</p>

	By-law Standard	Zoning By-law 1-88, C11 Mainstreet Commercial Zone Requirements	Proposed Exceptions to Zoning By-law 1-88, C1 Mainstreet Commercial Zone
			grade.
b.	Permitted Uses	Small scale mixed-use with at-grade commercial uses facing the street, and an upper floor residential component.	<p>i) Small scale mixed-use development where the commercial use component (Buildings “A” and “B”) that faces a public street, and the residential use component (Building “C”), are in separate buildings.</p> <p>ii) An outdoor patio may be established in association with any permitted commercial use and shall be subject to Subsection 6.8.4 in Zoning By-law 1-88.</p> <p>iii) Permit only an Apartment Dwelling, up to a maximum of 28 units in Building “C”.</p>
c.	Minimum Parking Requirements	<p>i) Eating Establishment: 16 spaces/100 m<sup>2</sup> GFA @ 366 m<sup>2</sup> (59 spaces)</p> <p>+</p> <p>ii) Residential Apartment Units: 1.5 spaces/unit @ 28 units (42 spaces)</p> <p>+</p> <p>iii) Residential Visitor: 0.25 spaces/unit @ 28 units (7 spaces)</p> <p>Total Required Parking Spaces = 108 spaces</p>	<p>i) *Eating Establishment Use: 8 spaces/100 m<sup>2</sup> @ 366 m<sup>2</sup> (29.28 spaces)</p> <p>+</p> <p>ii) Residential Use (plus 6 Tandem Parking - which are not recognized as part of the parking calculation): 0.8 spaces/1 bedroom unit @ 20 units (16 spaces) and 1 spaces/2 bedroom unit @ 8 units (8 spaces) = (24)</p> <p>+</p> <p>iii) *Residential Visitor: 0.2 spaces/unit @ 28 units (5.6 spaces)</p> <p>Total Proposed Parking = 59 spaces (rounded)</p> <p>*36 spaces will be provided on site, and 23 parking spaces will be provided off-site for the commercial and residential visitor users at the combined site of Canadiana Square</p>

	By-law Standard	Zoning By-law 1-88, C11 Mainstreet Commercial Zone Requirements	Proposed Exceptions to Zoning By-law 1-88, C1 Mainstreet Commercial Zone
			(10462 Islington Avenue) and Canadiana House (10472 Islington Avenue).
d.	Minimum Parking Space and Barrier Free Parking Space Size (Length x Width)	i) 6 m x 2.7 m Parking Space ii) 6 m x 3.9 m Barrier Free Parking Space	i) 5.8 m x 2.7 m for 10 underground parking spaces (Tandem parking spaces located in the underground parking area are not recognized as parking spaces and therefore the parking space adjacent to the tandem parking space would be 6 m or greater in length.)  ii) 5.8 m x 3.9 m for 1 underground barrier free parking space
e.	Parking Space Location	A parking area shall not be located closer to a street line than the main building (Building "C") on the lot.	i) Permit a parking area to be located between a street line and the main building (Building "C") on the lot.  ii) Permit 23 parking spaces off-site for the commercial and residential visitors at the combined site of Canadiana Square (10462 Islington Avenue) and Canadiana House (10472 Islington Avenue).
f.	Parking and Access Requirements (Parking Area for Multiple Dwelling)	A strip of land not less than three (3) metres in width around the periphery of an outdoor parking area and within the lot on which the said parking area is situated shall be used for no other purpose than landscaping, but this shall not prevent the provision of access driveways across the said strip.	A strip of land not less than 1.2 metres in width around the periphery of an outdoor parking area to the north.  (A 3 m wide landscape strip will be provided where the parking area directly abuts Islington Avenue)

	<b>By-law Standard</b>	<b>Zoning By-law 1-88, C11 Mainstreet Commercial Zone Requirements</b>	<b>Proposed Exceptions to Zoning By-law 1-88, C1 Mainstreet Commercial Zone</b>
g.	Loading Space Requirements	Loading Space Size:  iv) 9 m length v) 3.5 m width vi) 4.2 vertical clearance	Loading Space Size:  vii) 33 m <sup>2</sup> area viii) 2.44 m vertical clearance
h.	Minimum Landscape Strip Width Abutting a Street (Islington Avenue)	6 m	1.2 m (in front of Buildings "A" and "B"; 3 m in front of parking)
i.	Minimum Landscape Strip Width Abutting a Residential Zone	2.4 m	1.5 m (north lot line – Building "B") 0 m (north lot line – Building "C" for the extent of the exterior stairs) 0.5 m (south lot line - for the extent of Building "A")
j.	Minimum Front Yard (Islington Avenue)	1 m	1.2 m (Buildings "A" and "B")
k.	Maximum Front Yard (Islington Avenue)	6 m	35 m (Building "C")
l.	Minimum Rear Yard (East)	15 m	4 m (Building "C")
m.	Minimum Interior Side Yard	1.8 m	1.5 m (north lot line - Building "B")  0 m (north lot line - Building "C" for the extent of the exterior stairs)  0.5 m (south lot line - Building "A")
n.	Maximum Lot Coverage	30%	47.6%

	<b>By-law Standard</b>	<b>Zoning By-law 1-88, C11 Mainstreet Commercial Zone Requirements</b>	<b>Proposed Exceptions to Zoning By-law 1-88, C1 Mainstreet Commercial Zone</b>
o.	Maximum Building Height (Top of Roof Surface)	9.5 m	12.7 m (3-storeys) (Building "C")
p.	Maximum Gross Floor Area	1,850.44 m <sup>2</sup> (0.6 times the Lot Area)	3,130 m <sup>2</sup> (1.014 times the Lot Area)
q.	Minimum Interior Side Yard Setback from a Residential Zone	2.4 m	1.5 m (north lot line - Building "B")  0 m (north lot line - Building "C" for the extent of the exterior stairs)  0.5 m (south lot line - Building "A")
r.	Accessory Uses, Buildings and Structures - Minimum Interior Side Yard (Raised Patio)	1.8 m	0.5 m (south lot line - Building "A")

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

i) Definitions/Permitted Uses

Zoning By-law 1-88 defines "Mixed Use Development Mainstreet Commercial" to be a building that contains both commercial and residential uses where the commercial use is at-grade and the residential use is on the upper floor(s) above the commercial use. This proposal provides for commercial uses in the existing heritage buildings (Buildings "A" and "B") facing Islington Avenue and the residential use is exclusively in the proposed building (Building "C") at the rear of the subject lands shown on Attachment #4. Given that the subject lands propose both commercial, which provides direct access to the public sidewalk along Islington Avenue, and residential on the subject lands, the proposal maintains the intent of providing for a mixed-use development which still maintains commercial uses to support the mainstreet commercial area. The Owner, due to the amalgamation of the two properties has requested that the two lots be deemed one lot for the purposes of the proposal.

The C11 Mainstreet Commercial Zone, which implements the "Mainstreet Commercial" policies of the Official Plan, requires at-grade commercial uses and upper floor residential uses in a small-

scale mixed-use development. In order to implement the proposal, the residential building for up to a maximum of 28 apartment dwelling units, where there is no commercial use at-grade in the same building, is to be added as a permitted use. The Owner proposes an eating establishment use for Building "A", which includes a 46 m<sup>2</sup> outdoor patio. The renovation plans to the heritage building (Building "A") will include providing a patio door to access the raised wood patio, which will require approval and a permit from Heritage Vaughan. Should the eating establishment uses change in the future to another permitted use, the Owner wants to be able to use the outdoor patio regardless of the future use. The use of the outdoor patio can contribute to providing private outdoor amenity area and function as a gathering place. The Owner is proposing 28 apartment dwellings for the residential building. Due to the limitation of parking being provided for the residents, the number of permitted apartment units will be limited to not exceed 28 apartment dwellings

ii) Parking Spaces/Requirements

The subject lands do not provide the parking required to support the commercial (eating establishments) use, residential apartment use and residential visitor use in accordance with Zoning By-law 1-88, which requires a total of 108 parking spaces as follows:

Eating Establishment: 16 spaces/100 m<sup>2</sup> GFA @ 366 m<sup>2</sup> (59 spaces)  
+  
Residential Apartment: Units: 1.5 spaces/unit @ 28 units (42 spaces)  
+  
Residential Visitor: 0.25 spaces/unit @ 28 units (7 spaces)

The Owner proposes 10 at-grade parking spaces for the commercial and/or residential visitor use. There will be 26 underground parking spaces for the residential use. Eight of the underground parking spaces include a tandem parking space which would bring the Owner's parking calculation to 34 parking spaces underground. The Owner's total parking proposed would be 44 parking spaces. However, the City does not recognize tandem parking, which therefore cannot be included in the parking calculation, resulting in the parking space deficiency being 72 parking spaces (108-36 spaces) based on the parking requirements in Zoning By-law 1-88.

The Owner's *Parking Study*, dated September 2013, determined that the subject lands require a total of 59 parking spaces to support all of the commercial (eating establishments), residential and residential visitor uses, in accordance with the following reduced standards, which are in keeping with the City's draft parking study report, *Review of Parking Standards Contained Within the City of Vaughan's Comprehensive Zoning By-law*:

Eating Establishment: 8 spaces/100 m<sup>2</sup> GFA @ 366 m<sup>2</sup> (29.28 spaces)  
+  
Residential Apartment: 0.8 spaces per 1 bedroom unit @ 20 units and 1 space per 2 bedroom unit @ 8 units (24 spaces)  
+  
Residential Visitor: 0.2 spaces/unit @ 28 units (5.6 spaces)

As the subject lands can only support 36 on-site parking spaces, the shortage of 23 parking spaces can be addressed by providing parking off-site at the combined site of Canadiana Square (10462 Islington Avenue) and Canadiana House (10472 Islington Avenue), which is owned by the same Owner as the subject lands: The Owner's *Parking Study*, dated September 2013, concluded the following (in part):

" - The parking demand for the site cannot be met on the site, even if the tandem parking spaces are included in the supply.

- There is a parking space surplus at the Canadiana Square that could serve the excess demand for the site.
- An agreement for Canadiana Square to provide sufficient spaces to serve the proposed development should be reachable.

Therefore, the overall conclusion is that sufficient parking can be provided to serve the proposed development.”

The Owner’s *Parking Study*’s findings concluded that in accordance with the the City’s draft parking study report, *Review of Parking Standards Contained Within the City of Vaughan’s Comprehensive Zoning By-law*, the Canadiana Square and Canadiana House site requires 58 parking spaces to support the existing mixed-use residential and commercial development, as discussed earlier in this report. The site has 86 parking spaces, and therefore, as 58 parking spaces are required, there are 28 parking spaces available to support the subject lands. Based on the *Parking Study*’s findings, 23 parking spaces can be provided off-site on the Canadiana Square and Canadiana House site for the subject lands.

The Vaughan Development/Transportation Engineering Department has reviewed the *Parking Study* and advised that the parking analysis is acceptable. The Vaughan Development Planning and Legal Services Departments would be required to ensure that the Owner registers an agreement(s) on title for the combined site of Canadiana Square (10462 Islington Avenue) and Canadiana House (10472 Islington Avenue) to provide 23 parking spaces and access to the parking spaces for the subject lands. Furthermore, the site plan would need to provide appropriate signage for the subject lands to indicate the location of off-site parking for the commercial and residential visitors. Conditions respecting these requirements are included in the recommendation of this report.

The Owner is requesting an exception to the length of the parking space from a minimum of 6 m to 5.8 m for the 9 parking and 1 barrier free parking spaces. This is a minor reduction from the zoning standard due to the Owner providing 1.5 m long lockers in the underground garage at the end of the parking space to accommodate the residents’ requirements, as well as, to provide a storage area for bicycles.

### iii) Parking Location/Area/Access Requirements

The C11 Mainstreet Commercial Zone prohibits a parking area between the main building (Building “C”) and the street (Islington Avenue) in order to maintain a visually pleasing environment. The proposal provides for 6 parking spaces, one of which includes a barrier-free parking space, on the south side of and parallel to Building “B”, which are between Building “C” and Islington Avenue. The location of the parking area, which serves the commercial uses in the two heritage buildings are located along and face Islington Avenue, and will be screened from the street with a mix of deciduous trees and deciduous and coniferous shrub plantings, as well as, the decorative concrete unit pavers on the driveway and parking area to minimize the parking areas visual impact. The retention of the existing heritage buildings and the proposed building and site configuration limits the location of parking resulting in some parking being visible from the street. Accordingly, the zoning requirement of a parking area not being closer to the street than the main building (Building “C”) can be supported. Further, a 3 m wide strip of landscaping will abut the parking area, where it abuts Islington Avenue and at the east end of the parking area. However, there is a pedestrian walkway connection that is 1.5 m wide on the north side of the parking spaces, and a 1.2 m wide walkway behind Building “B”, in front of the other easterly parking area, which does not allow for a full 3 m wide landscape strip to be provided. The location of the existing heritage buildings, as well as, maintaining the driveways required 6 m width, and the parking spaces required 6 m length, prohibits providing a 3 m landscaping strip around the periphery of the two parking areas. In front of the existing heritage buildings (Buildings “A” and “B”), a 1.2 m wide landscape strip will be provided.

The zoning would need to be amended to permit 23 parking spaces off-site for the commercial and residential visitors at the combined site of Canadiana Square (10462 Islington Avenue) and Canadiana House (10472 Islington Avenue), instead of on-site on the subject lands. An agreement(s) will need to be registered on title for the combined site of Canadiana Square (10462 Islington Avenue) and Canadiana House (10472 Islington Avenue) to provide 23 parking spaces and access to the parking spaces for the subject lands.

iv) Loading Space Requirements

A loading space is not required for commercial uses where the gross floor area is 500 m<sup>2</sup> or less. The gross floor area proposed for the subject lands totals 366 m<sup>2</sup>. The modification to the loading space requirements is to accommodate a pick-up area for the waste management vehicles servicing the commercial and residential uses and creates an area of 33 m<sup>2</sup> which is larger than the 31 m<sup>2</sup> (9 m length x 3.5 m width) but in a different area configuration. The vertical clearance modification for the door for the residential buildings refuse/recycling room is for bins and not for vehicles.

v) Landscaping Strip Widths/Front Yard

The Owner undertook a survey of the property, as part of the detailed site plan work, and is providing the dimensions for incorporation into a Zoning By-law to recognize the landscaping strip widths abutting Islington Avenue and the surrounding Residential Zone, as well as, the front yards for the existing heritage buildings (Buildings "A" and "B"). The Zoning By-law will reflect the yard and landscaping requirement for the existing buildings as identified in Table 1.

vi) Maximum Front/Minimum Rear Yards

The location of the existing heritage buildings (Buildings "A" and "B") and the provision of a driveway to the subject lands necessitates Building "C" being located further from the street than the maximum distance of 6 m and providing a 4 m rear yard.

vii) Interior Side Yard/Setback to a Residential Zone/Accessory Uses, Buildings & Structures

The reduction to the interior side lot lines is due to the location of the existing heritage buildings (Buildings "A" and "B"). The Zoning By-law will reflect the yard and landscaping requirement for the existing buildings as identified in Table 1. No side yard is being provided to the north lot line of Building "C" for the extent of the exterior stairs which creates a pedestrian connection to the rear yard. The reduction applies only for the portion of the building and is deemed to be minor.

viii) Lot Coverage/Gross Floor Area

The zoning permits a maximum lot coverage of 30%. The Owner proposes a maximum lot coverage of 47.6% to facilitate the development shown on Attachment #4. The lot coverage of the proposed building on the subject lands is 35.75%, slightly higher than the zoning requirement. The inclusion of the gross floor area and outdoor patio area for the existing heritage buildings (Buildings "A" and "B") of 11.8%, which results in the lot increase to 47.6%. As the existing heritage buildings are being maintained, the actual increase is 5.75% for the new development (Building "C"). In addition, marginal increase to the Floor Space Index of 0.14 is minor. The increase to the lot coverage and Floor Space Index is in keeping with the intent of the Official Plan.



ix) Building Height

The zoning permits a maximum building height of 9.5 m above the finished grade. The building height is calculated based on the average finished grade at the front of the building. The building height is 12.7 m for the Building "C" proposal, which includes the underground parking entrance, shown on Attachment #7. Specifically, the 3 storey building facing Islington Avenue, if the zoning definition was not applied with respect to the averaging of the grade would be 10.43 m to the top of the flat roof. The increased height is due to the topography of the subject lands which slopes to the south and east in order to accommodate the underground parking area and provide a building in the design style for a 19<sup>th</sup> Century Inn for the residential use in keeping with the heritage policies for the Kleinburg-Nashville Heritage Conservation District.

x) Summary of Zoning Exceptions

In summary, these modifications to the Official Plan and exceptions to the Zoning By-law maintain the intent of providing for a commercial mainstreet environment in keeping with the Kleinburg-Nashville Heritage Conservation District. A number of the modifications to the parking area, loading, yard and lot coverage requirements is as a result of retaining and restoring the existing heritage buildings (Buildings "A" and "B") for commercial use, which is encouraged for the mainstreet commercial area. 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.

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 #8 inclusive, subject to providing signage indicating the location and/or sharing of parking for the commercial and/or residential visitor users. The final site plan, landscape plan and building elevations must be approved to the satisfaction of the Development Planning Department.

Vaughan Development/Transportation Engineering Department

The Vaughan Development/Transportation Engineering Department has no objections to the proposal and requires that the final site grading, servicing, stormwater management and lighting plans, and supporting reports including the Functional Servicing Report, Traffic Impact and Parking Study, and Environmental Noise Assessment, be addressed to their satisfaction.

The Development/Transportation Engineering Department has reviewed the following:

- Site Screening Questionnaire and Certificate;
- Phase 1 Environmental Site Assessment - Heritage Square, dated April 23, 2012 by Forward Engineering and Associates Inc.; and,
- Geotechnical Investigation - Proposed Heritage Square, dated March 15, 2012 by Forward Engineering and Associates Inc.

Based on the Engineering Department's review of the documents, the City is satisfied with the assessed environmental condition of the subject lands and no further environmental items are required by the City at this time. The City, however, recommends that prior to the initiation of any development on-site, which is included in the recommendation of this report:

- i) A designated substance survey (DSS) is undertaken on the existing buildings on-site given their age; and,

- ii) Any abandoned wells on-site be properly decommissioned in accordance with Ontario Regulation 903 (as amended).

The Owner's *Parking Study* dated September 2013 supports the subject development with a reduced parking supply of 59 spaces (26 underground plus 10 at-grade parking plus 23 off-site parking) over the Zoning By-law 1-88 requirement of 108 spaces. The submitted study report concludes that the on-site available parking spaces of 36 spaces (26 underground plus 10 at-grade parking) would not be sufficient for the proposed development (28 residential units plus Eating Establishment having total GFA of 366 m<sup>2</sup>).

In order to estimate the parking demand of the subject development, the study utilized survey data of the following similar type of facilities (these developments are located in close proximity to the subject lands):

- Canadiana Square at 10462 Islington Avenue & Canadiana House at 10472 Islington Avenue; and,
- 10499 Islington Avenue and 2 & 4 Kellam Street.

According to the parking utilization survey/data at the above mentioned developments, 23 additional spaces would be required to serve the proposed development. The estimated number of parking spaces (36 on-site plus 8 tandem parking plus 23 off-site parking spaces) is also considered appropriate based on the preliminary findings of the City of Vaughan Draft Parking Standards completed by IBI Group.

The study recommends that *"there is a parking space surplus at the Canadiana Square (owned and managed by the subject lands' Owner) that could serve the excess parking demand of the proposed development"*. Furthermore as per the letter by the Owner dated September 16, 2013, *"The off-site parking arrangement can be managed for both sites by the same property owner, using similar restrictions for all Heritage Square tenants. Commercial leases would restrict all commercial tenants and their staff to park at the rear of Canadiana Square and residential tenants to park underground at Heritage Square (subject lands). This would allow all 10 surface parking spaces on the subject lands to be used by customers only. Signage located at several locations in the parking lot would also be used to restrict surface parking to "Customers only"*.

The proposed parking supply (26 underground plus 10 surface parking plus 23 of-site parking) is found adequate based on supporting analysis provided in the Consultant's report. The recommended parking supply is also comparable to the IBI Draft Parking Standard. However formalizing the proposed off-site parking arrangement requires further input by the Development Planning and Legal Services Departments.

#### Vaughan Public Works Department - Solid Waste Management

The proposed refuse and recycling methods for this development 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 Building "C" waste storage room exterior roll-up door height being revised to a minimum of 2.44 m to allow space so that the bins can be maneuvered in and out without interfering with the Trisorter 3 cubic yard bins.

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 Vaughan Cultural Services Division has reviewed the proposal and advises that the subject lands contain Building "A" (10423 Islington Avenue), which was built circa 1920, in the Edwardian Style and Building "B" (10429 Islington Avenue), which was built circa 1870, in the Victorian

Gothic Revival (or Ontario Gothic Vernacular) style. Both buildings have had additions to the rear of the buildings, which will be demolished, along with the detached garage and deck for Building "A". Buildings "A" and Building "B" are designated under Part V of the *Ontario Heritage Act*, as part of the Kleinburg-Nashville Heritage Conservation District Guidelines, with Building "B" 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. Buildings "A" and "B" are being restored and preserved for commercial use. Building "C" proposes a design approach approved in the Guidelines for a 19<sup>th</sup> Century Inn for residential use. As such, all renovations, alterations and new development on the subject lands will require a Heritage Permit with Heritage Vaughan Committee approval, in addition to any other City approval such as Building Permits or Planning Application approvals.

On May 22, 2013, Heritage Vaughan recommended approval of the proposal, which was endorsed by Vaughan Committee of the Whole at its meeting on June 11, 2013 and was adopted by Vaughan Council on June 25, 2013, subject to the following conditions:

- "1) That Heritage Vaughan approve the subject proposal at 10423 and 10429 Islington Avenue which includes the demolition of rear additions to the buildings on the property and the detached garage and deck at 10423 Islington Avenue; and,
- 2) That the new residential development at the rear of the site, Building "C" be subject to the following conditions:
  - i) That proposed building materials be reviewed and approved by Cultural Services staff.
  - ii) That the proposed ground sign be no higher than 1.8 metres and no wider than 1.1 metres.
  - iii) Second floor window above the entrance on Building "C" be removed or changed.
  - iv) Windows on Building "C" be changed to 6/6 double hung windows.
  - v) All eaves returns be executed properly on Building "C".
  - vi) Doors on Building "C" be changed to style A, B, C, or D on p.85 of Guidelines.
  - vii) Windows on Building "B" be changed to 2/2 double hung.
  - viii) Window sills be added to windows on Building "B".
  - ix) Front door on Building "B" be replaced with A, B, C, or D, Section 9.2.3, p.85.
- 3) That the applicant be advised that if there are any new changes 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 that subject to several design changes, the proposed development contains an architectural style precedent found in the Guidelines and generally conforms to the Nashville-Kleinburg Heritage Conservation District Guidelines.

Further, 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 be confirmed by the Building Standards and Development Planning Departments;
- ii) review and approval by the Cultural Services Division/Heritage Vaughan Committee and issuance of a Heritage Permit;

- iii) all material samples and specifications must be submitted to Cultural Services for review; and,
- iv) 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 mixed commercial and 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 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, which will 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 for the residential portion, whichever is greater, and 2% for the commercial portion, 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.

#### York Region (Public) District School Board

The York Region (Public) District School Board has no objections to the proposal, as the *Functional Servicing and Stormwater Management Report - Proposed Mixed Use Development* (Heritage Hill), dated March 20, 2012 and revised March 13, 2013 and May 22, 2013 in support of the proposal has been reviewed, and the Board is satisfied that the proposed revised stormwater drainage for the development, which will connect to the existing storm sewer, will eliminate overland flow drainage onto Kleinburg Public School. The Board requests that due to the proximity of the proposed development to the Kleinburg Public School, that the City implement appropriate safety measures during the construction for school related pedestrian traffic.

#### 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. The Owner is to arrange for the installation of the gas plant prior to the commencement of the asphalt paving and landscaping. In the event that easements are required to service the development, the Owner will provide easements at no cost to Enbridge Gas Distribution. This is included in the conditions of approval in the recommendation of this report.

#### 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.

The proposed development includes a three stream waste disposal system, which will contribute to increasing the waste diversion targets as part of the Greening Vaughan strategy.

The proposed landscape plan includes drought tolerant plant material to promote water efficiency.

ii) Plan and Manage Growth & Economic Vitality

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

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

The Owner is proposing to retain and use/upgrade 10423 and 10429 Islington Avenue in the proposed development. The Vaughan Cultural Services Division and Heritage Vaughan Committee have reviewed the proposal and supports 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 subject lands shown on Attachment #2 are designated "Urban Area" by the Region of York Official Plan (Regional Official Plan Amendment (ROPA) 52), which permits a wide range of residential, commercial, industrial and institutional uses. The ROPA 52 area has been identified as "Strategic Employment Lands" by the Regional Official Plan.

The proposal was reviewed by the Region's Transportation and Community Planning Department, and based on the review, the proposed Official Plan Amendment appears to be a

routine matter of local significance. Furthermore, in accordance with Regional Official Plan Policy 7.2.7, the proposed Official Plan Amendment does not adversely affect Regional planning policies or interests.

Pursuant to Regional Council authorization, the Official Plan Amendment is exempted from approval by Regional Planning Committee and Council. Further, the Region has no objections to the approval of the proposal and has no conditions of approval for the proposal. Should Vaughan Council approve the subject Official Plan Amendment Application OP.12.008, the final approval of the implementing Official Plan Amendment will rest with the City of Vaughan.

### **Conclusion**

Official Plan Amendment File OP.12.008 to amend the Mainstreet Commercial policies of the Official Plan; Zoning By-law Amendment File Z.12.022 to rezone the subject lands from R1 Residential Zone to C11 Mainstreet Commercial Zone with site-specific exceptions; and, Site Development File DA.12.056 to facilitate a mixed-use development where the commercial uses, which will be in existing heritage buildings that will be restored, and a new 12.7 m (3-storey) high residential building for 28 apartment dwelling units, have been reviewed in accordance with the policies of the Official Plan, the Kleinburg-Nashville Heritage Conservation District Plan, the requirements of Zoning By-law 1-88, comments from City Departments and external public agencies, and the area context.

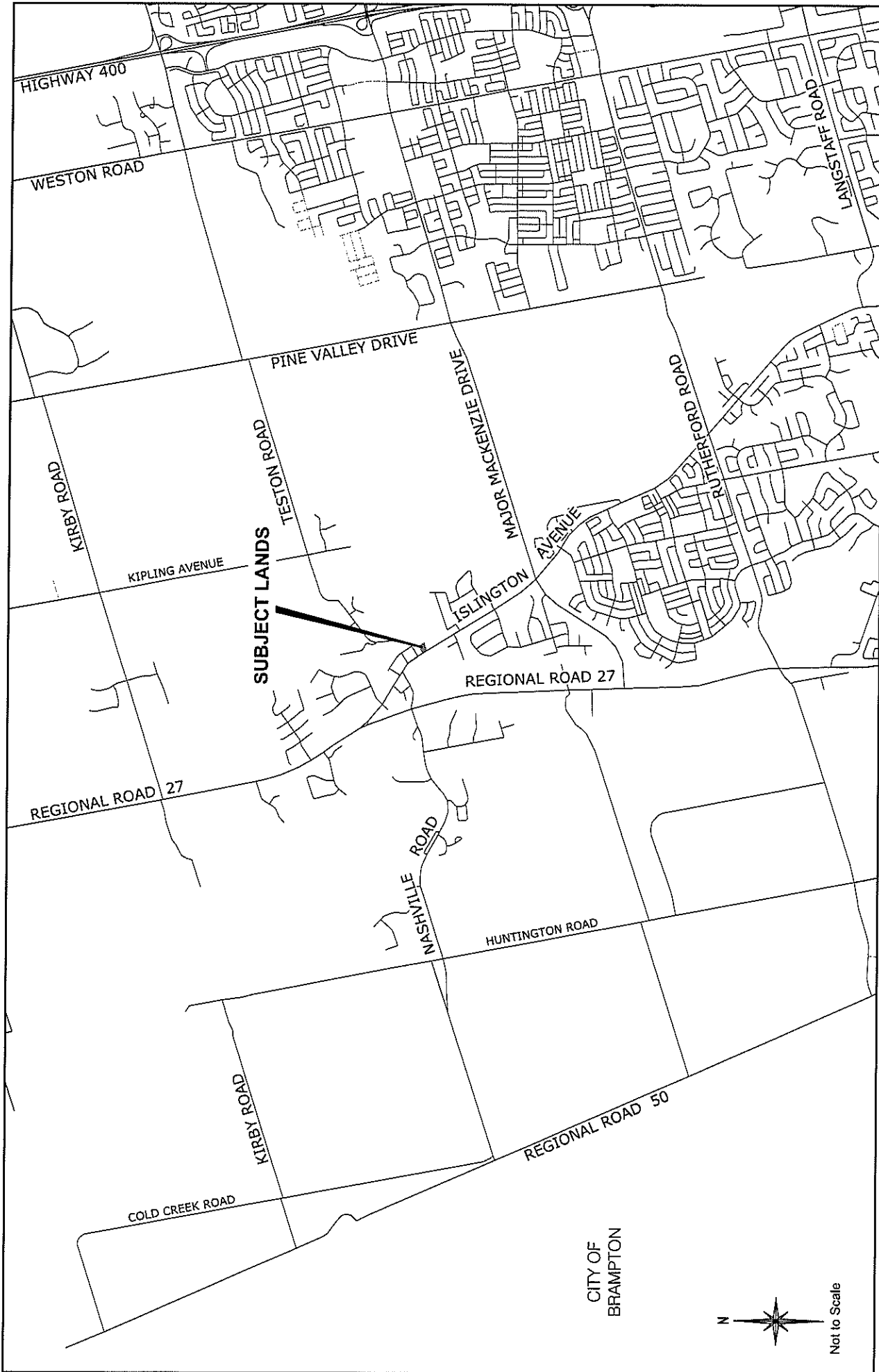
The Vaughan Development Planning Department is satisfied that the proposed mixed commercial and residential development as shown on Attachments #4 to #8 inclusive is appropriate and compatible with the existing and permitted uses in the surrounding area. Accordingly, the Development Planning Department can support the approval of the Official Plan Amendment, Zoning By-law Amendment and Site Development Applications, subject to the recommendations in this report.

### **Attachments**

1. Context Location Map
2. Location Map / Zoning
3. Schedule A-1 to Official Plan Amendment (OPA) #601
4. Site Plan
5. Proposed Elevations - Building "A" (Existing)
6. Proposed Elevations - Building "B" (Existing)
7. Proposed Elevations - Building "C"
8. Landscape Plan
9. Communication C6. Mr. Frank Greco, dated October 24, 2013
10. Communication C7. Commissioner of Planning, dated October 24, 2013
11. Communication C16. Mr. Ken Schwenger, KARA, P.O. Box 202, Kleinburg, dated October 28, 2013
12. Communication C17. KARA Communications Committee, dated October 28, 2013

### **Report prepared by:**

Judy Jeffers, Planner, ext. 8645  
Carmela Marrelli, Senior Planner, ext. 8791  
Mauro Peverini, Manager of Development Planning, ext. 8407



## Context Location Map

Location: Part of Lot 24,  
Concession 8

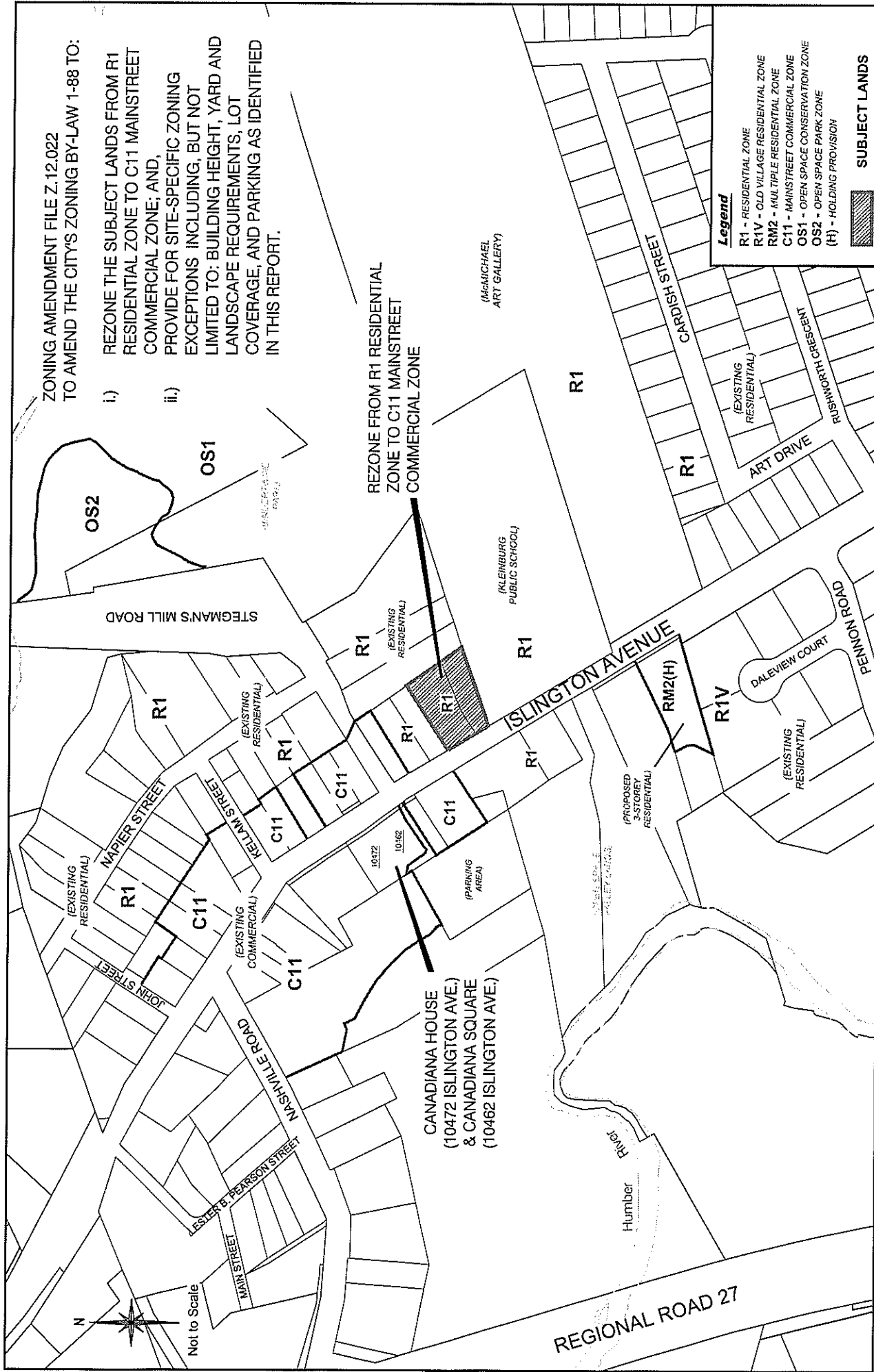
Applicant:  
Heritage Hill Developments (11) Corporation

M:\DFT\1 ATTACHMENTS\OP\op-12.008-etal.dwg



## Attachment

Files: OP-12.008 & Z-12.022  
Related File: DA-12.056  
Date: August 27, 2013



## Location Map / Zoning

Location: Part of Lot 24,  
 Concession 8

Applicant:  
 Heritage Hill Developments (11) Corporation

K:\DATA\1 ATTACHMENTS\OP\zoning\12.006.ecd.dwg



## Attachment

Files: OP.12.008 & Z.12.022  
 Related File: DA.12.056  
 Date: August 27, 2013

2



- i) PERMIT A MAXIMUM BUILDING HEIGHT OF 12.7m (3 STOREYS) - MEASURED TO THE TOP OF A FLAT ROOF;
- ii) PERMIT RESIDENTIAL AND COMMERCIAL USES ON THE SAME FLOOR IN BUILDING "C"; AND
- iii) PERMIT PARKING TO BE LOCATED CLOSER TO THE STREET LINE THAN THE MAIN BUILDING (BUILDING "C").

## LAND USE

- Kleinburg Core Area
- Mainstreet Commercial
- Village Residential

*Attachment*

Files: OP.12.008 & Z.12.022  
Related File: DA.12.056  
Date: August 27, 2013



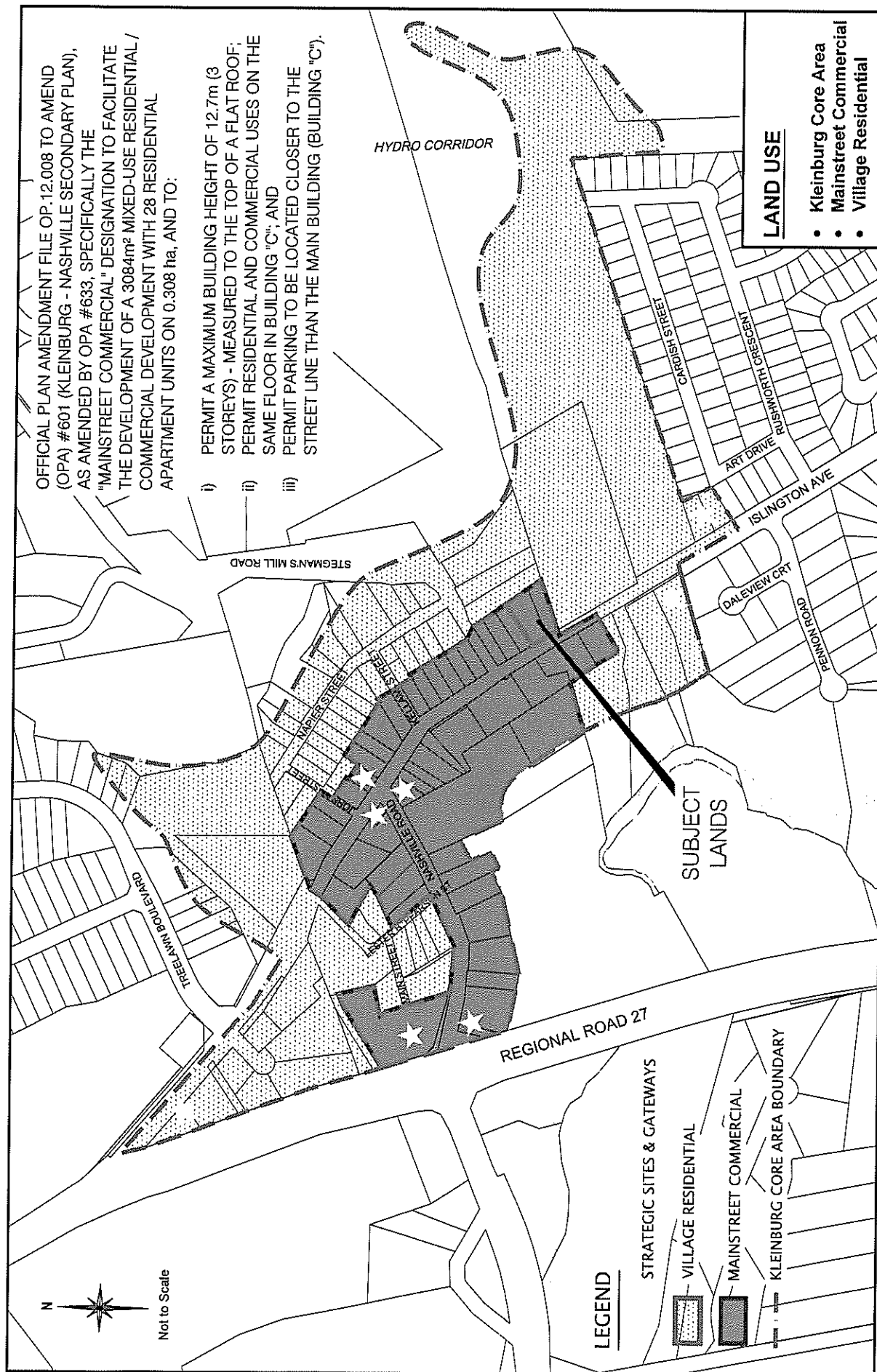
**VAUGHAN**  
Development Planning Department

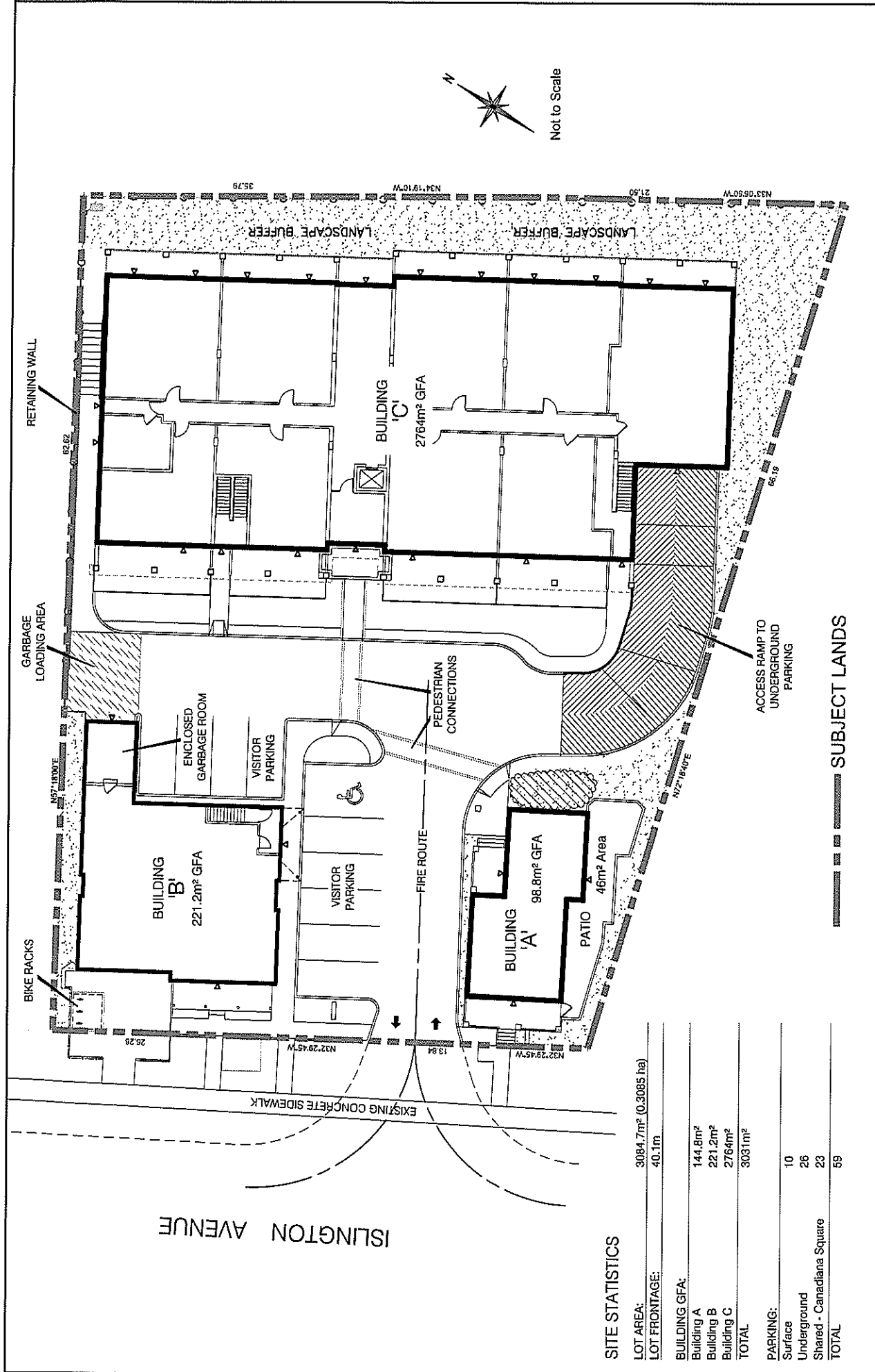
Development Planning Department

*Schedule A-1 to Official Plan  
Amendment OPA #601*

Applicant: Heritage Hill  
Developments (II) Corporation

C:\DFT\1 ATTACHMENTS\OP\op.12.008\el.dwg





### SITE STATISTICS

LOT AREA:	3084.7m² (0.3085 ha)
LOT FRONTAGE:	40.1m
BUILDING GFA:	
Building A	144.8m²
Building B	221.2m²
Building C	276.4m²
TOTAL	3031m²
PARKING:	
Surface	10
Underground	26
Shared - Canadiana Square	23
TOTAL	59

### Site Plan

Location: Part of Lot 24,  
Concession 8

Applicant:  
Heritage Hill Developments (II) Corporation

NA\DTA\1 ATTACHMENTS\OP\ep.12.008a.dwg



### Attachment

Files: OP.12.008 & Z.12.022  
Related File: DA.12.056

Date: August 27, 2013

# 4

# Elevations - Building 'A' (Existing)

Applicant: Heritage Hill  
Developments (11) Corporation  
Location: Part of Lot 24,  
Concession 8

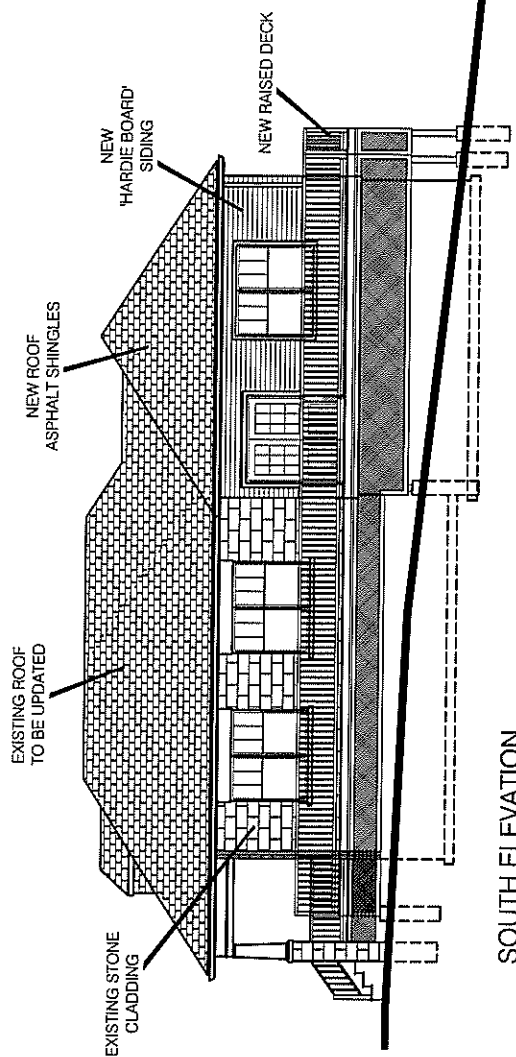


## Attachment

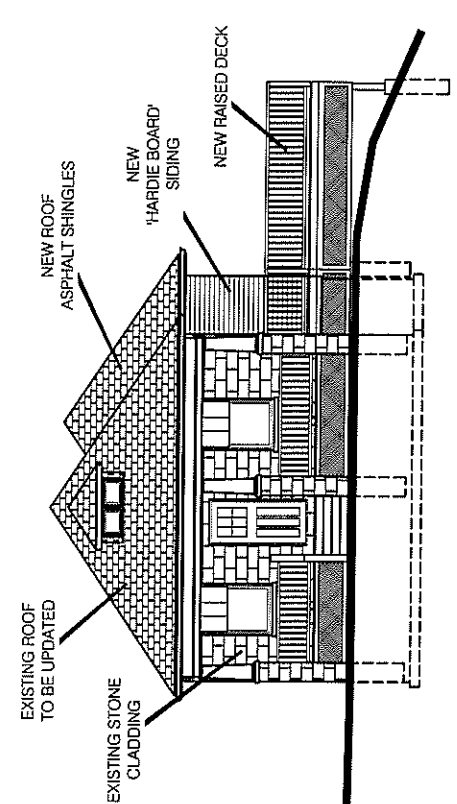
5

Files: OP.12.008 & Z.12.022  
Related File: DA.12.056  
Date: August 27, 2013

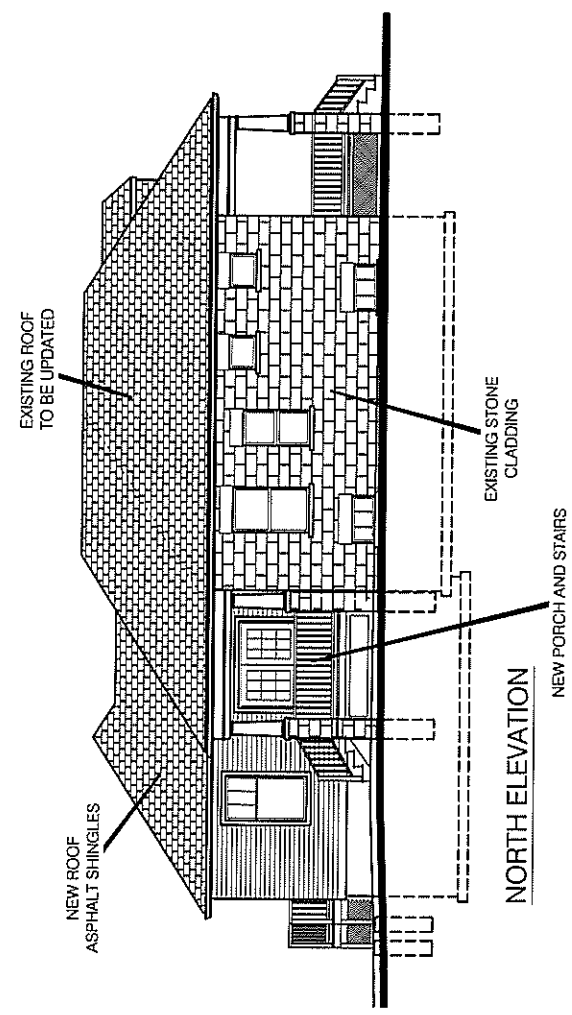
N:\PFT\1 ATTACHMENTS\OP\Op.12.008\cdl.dwg



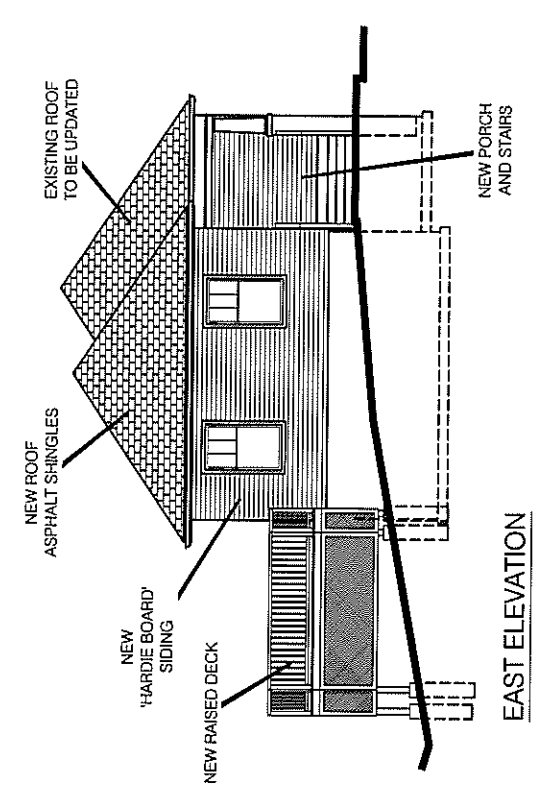
**SOUTH ELEVATION**



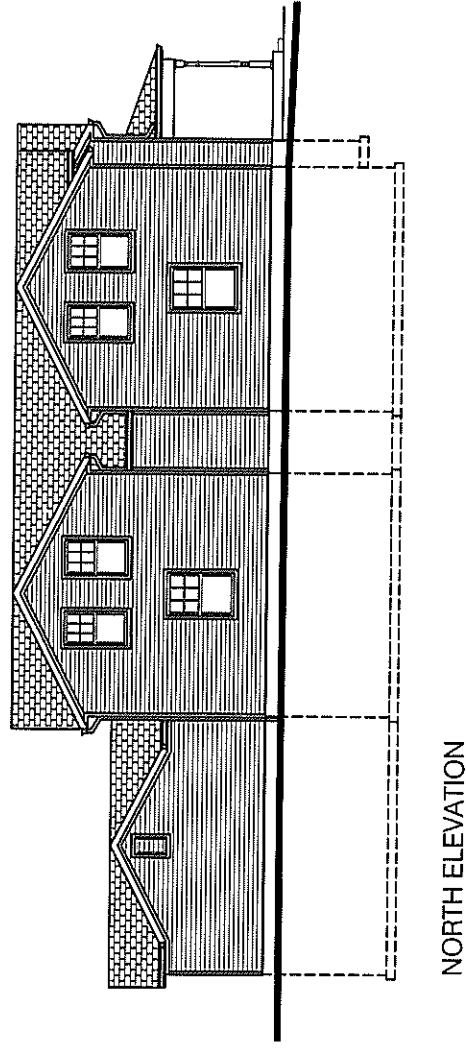
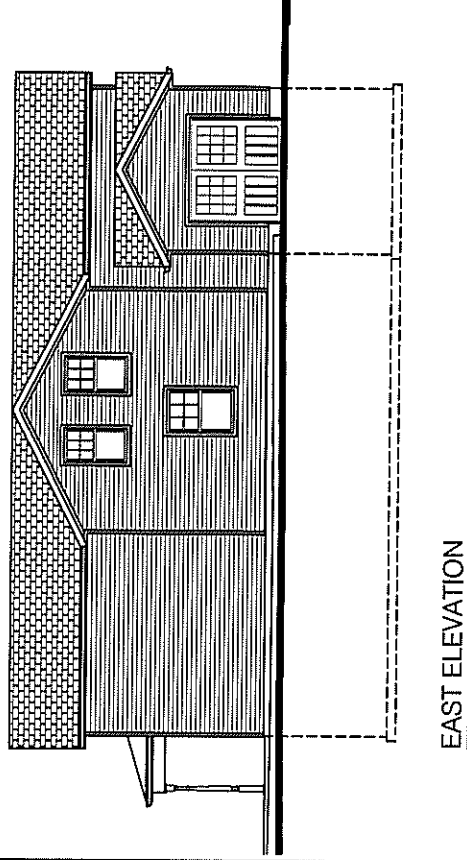
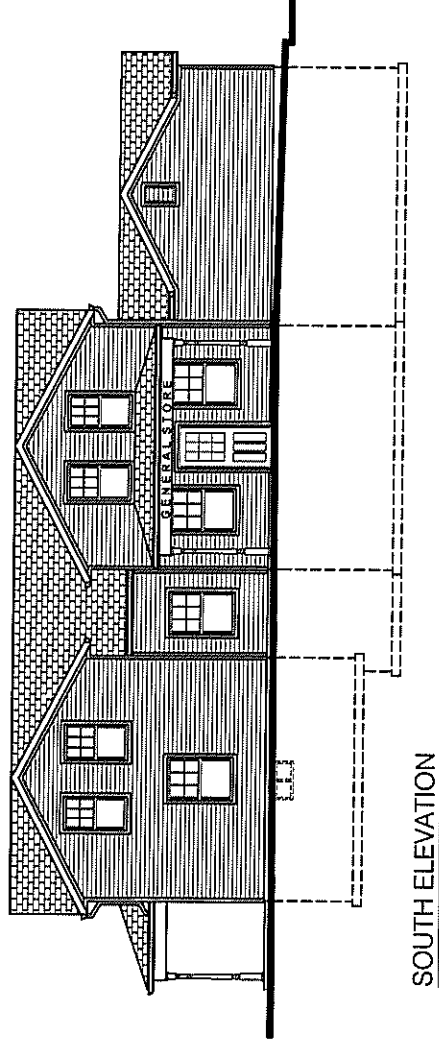
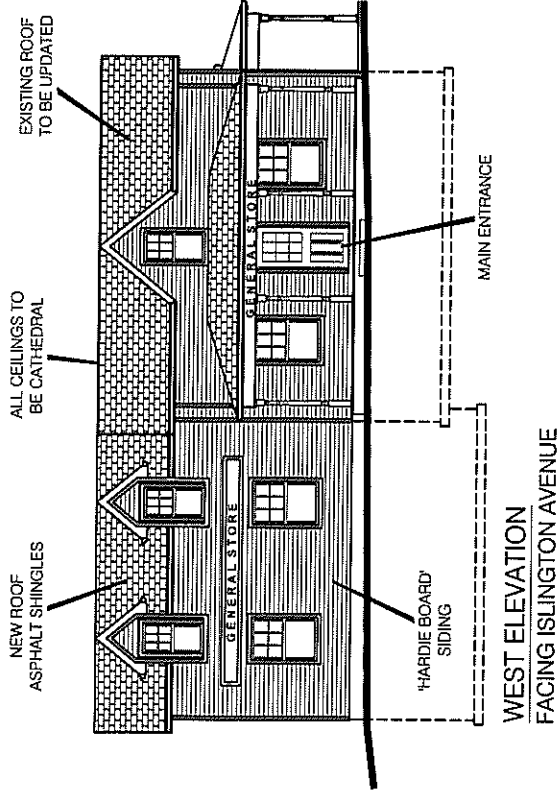
**WEST ELEVATION  
FACING ISLINGTON AVENUE**



**NORTH ELEVATION**



**EAST ELEVATION**



## Elevations - Building 'B' (Existing)

Applicant: Heritage Hill  
Developments (II) Corporation

Location: Part of Lot 24,  
Concession 8

N:\DFT\1 ATTACHMENTS\OP\Op.12.002\el.dwg

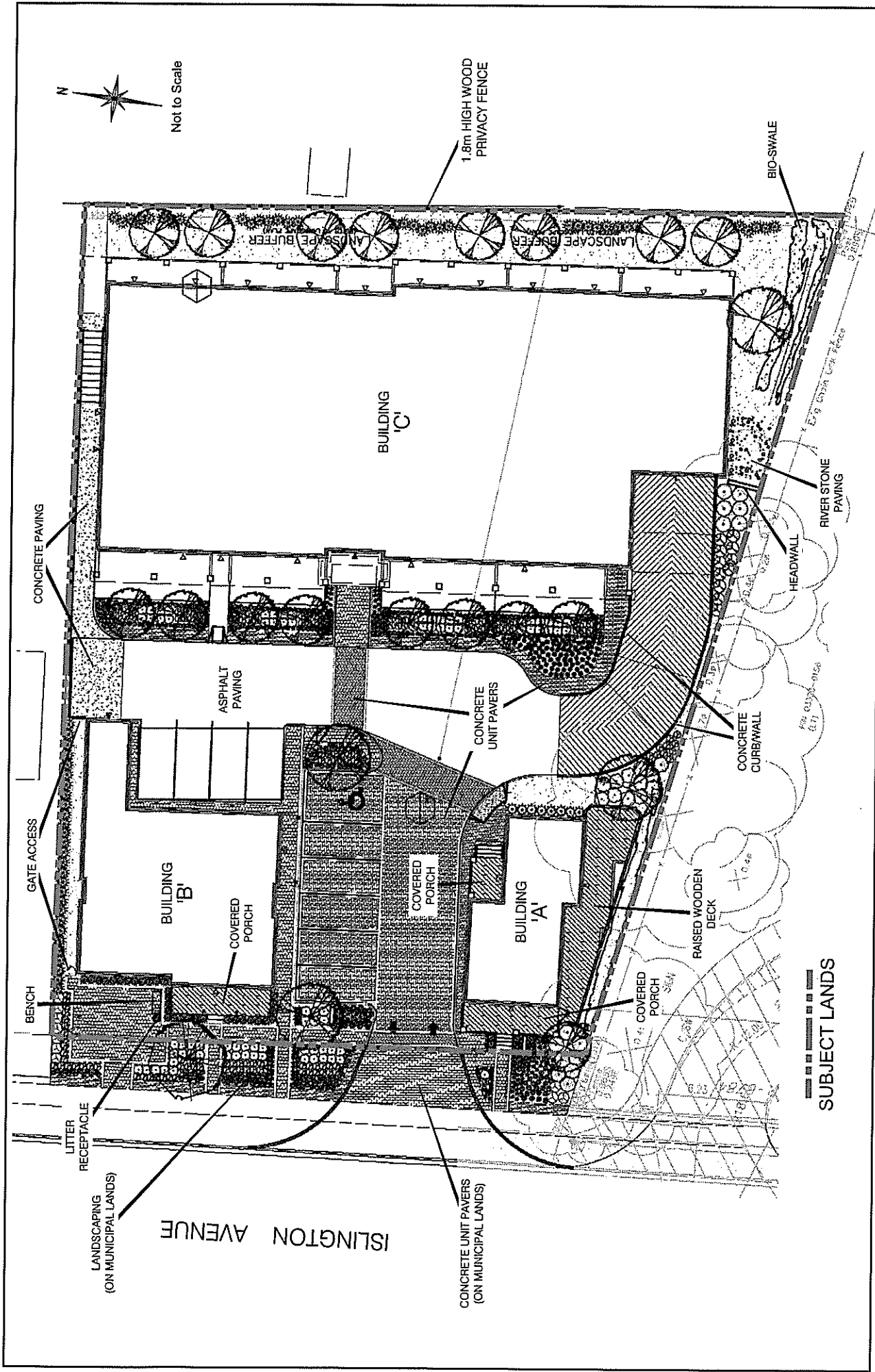


# Attachment

Files: OP.12.008 & Z.12.022  
Related File: DA.12.056  
Date: August 27, 2013

# 6





# Landscape Plan

Location: Part of Lot 24,  
Concession 8

Applicant:  
Heritage Hill Developments (II) Corporation

H:\DFT\1 ATTACHMENTS\OP\vp\12.008\lnd.dwg



# Attachment

Files: OP.12.008 & Z.12.022  
Related File: DA.12.056  
Date: August 27, 2013

8

ATTACHMENT # 9

**From:** Jeffers, Judy  
**Sent:** Thursday, October 24, 2013 2:40 PM  
**To:** Magnifico, Rose; Bellisario, Adelina; Britto, John  
**Subject:** Correspondence from Frank Greco for the October 29, 2013 Council Age of the Whole Agenda  
**Attachments:** HERITAGE SQUARE\_VIEW FROM ISLINGTON.pdf

C	<u>6</u>
Item #	<u>19</u>
Report No.	<u>42 (CW)</u>
<u>Council - OCTOBER 29/13</u>	

Please include the below e-mail and its attachment as a Communication from Frank Greco on the October 29, 2013 Council Agenda respecting Item 19 on the October 15, 2013 Committee of the Whole Agenda (Official Plan Amendment File OP.12.008, Zoning By-law Amendment File Z.12.022 and Site Development File DA.12.022 (Heritage Hill Developments (II) Corporation), Ward 1 – Vicinity of Islington Avenue and Nashville Road.


Thank-you.

JUDY JEFFERS, MCIP RPP  
PLANNER, DEVELOPMENT PLANNING DEPARTMENT  
City of Vaughan  
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1  
T.: 905.832.8585 | E.: Judy.Jeffers@vaughan.ca

---

**From:** frank.greco@sympatico.ca [mailto:frank.greco@sympatico.ca] **On Behalf Of** frank@heritagehill.ca  
**Sent:** Thursday, October 24, 2013 1:48 PM  
**To:** Bevilacqua, Maurizio; Rosati, Gino; Di Biase, Michael; Schulte, Deb; Marilyn Iafrate  
**Cc:** Kam, Shirley; Rotondo, Dolores; Uyeyama, Grant; Jeffers, Judy; Marrelli, Carmela; MacKenzie, John  
**Subject:** Mtg w KARA

Dear Mr. Mayor, Local & Regional Councillors,

 Met with KARA and city staff on Monday and again with several KARA Board members on Wednesday night. Each meeting lasting 2 1/2 hours. Below is a summary of discussions around KARA concerns. The only significant concern remains around the "at-grade" residential units in the larger building at the rear. This component was recommended in the larger rear building that does not have direct access/relationship to pedestrian traffic along the street/ sidewalk. This change to OP 633 was recommended by the Design Review Panel (adding more landscaping and reducing surface parking) & Urban Design staff at the City. It has resulted in a better plan and provides for 4 "at-grade" one-storey rental units for seniors living in Kleinburg. Staff recommends approval of the plan. The latest rendering of the project is attached.


The parking concerns, building massing and rear yard setback concerns expressed by KARA have been essentially alleviated by the 2 meetings and 3D Lumen RT model of the project shown to KARA members. We have committed and ensured KARA members to holding timely and regular meetings with them for any and all future applications by our family in Kleinburg. I hope that KARA takes us up on that commitment for better communication also.

I ask for your support at Tuesday's Council meeting.

Sincerely,  
Frank Greco

---

**From:** frank.greco@sympatico.ca [mailto:frank.greco@sympatico.ca]  
**Sent:** Thursday, October 24, 2013 12:25 PM  
**To:** Uyeyama, Grant; Jeffers, Judy; Marrelli, Carmela  
**Cc:** frank.greco@sympatico.ca; Phil Greco; falviani@gmail.com  
**Subject:** Mtg w KARA

 Hi Grant, Judy & Carmela;

RE: Meeting with KARA Board re: 10423 & 01429 Islington Ave., Kleinburg

We met with several members of the KARA Board last night at Kline House. Meeting went for 2.5 hours. Members of KARA present were: Ken Schwengger, Ken Niuewhof, Bob Klein, Claudio Travierso and David Brand.

We had the opportunity to present the plans and discuss staff's recommendation. We discussed at length the 4 main issues of KARA's concerns/ objections:

**1. Parking deficiency-** we discussed the reasons for the deficiencies as a "worst case scenario" being restaurant uses in both Buildings A and B. We clarified the meaning of off-site or shared parking and how it would be implemented via an Easement on Canadiana Square property and how parking can better be managed via the tenant leases and terms (ie all Heritage Square store owners and staff to park at Canadiana Square).

I believe that this concerns was alleviated to a large extent. We did all agree that a Comprehensive Parking Strategy is required for the Village of Kleinburg to address "shared parking" and better use of potential parking sites (ie the Church parking lot, parking on the boulevard towards Treelawn Blvd., village "Parking Signs" at these locations etc.).

**2. Rear Yard Setback-** we presented the Landscape Plans showing the rear yard "Landscape Buffer", size of trees, privacy fencing, cedars along fence. Much of this concern has been addressed thru the landscape plan. The 3D model using LumenRT software, was used to illustrate what the landscaping would appear from the rear yard of the property directly behind the site. I believe that this concern has been alleviated somewhat.

**3. Building Massing and Scale-** this concern was discussed and illustrated thru other larger buildings in the village core recently built or approved. The distance and perspective from Islington Ave to the larger Building C was discussed and illustrated thru the 3D model in LumenRT software. Although still a concern, viewing the 3D model helped alleviate some of the concern.

**4. Residential At-Grade in Building C-** This is perhaps KARA's biggest concern. The concern is primarily around whether approving it at this site could set a precedent for other sites. I expressed the following reasons for the change in the proposal to permit residential at grade in the rear building:

i. After meeting with the DRP and Urban Design staff, it was felt that the site would benefit by reducing the parking and increasing the landscaped area especially in front of Building C;

ii. Removing the 12 parking spaces in front of Building C required a reduction in commercial space (office space) at grade in Building C. Office space at grade without the parking would not be viable or sustainable. That space was converted to residential use and hence KARA's concern;

iii. Building C is about 150 ft from the roadway, it does not share a direct relationship to pedestrian traffic like that in Buildings A & B very close to the sidewalk. Requiring at-grade commercial in a building that does not have a good relationship to the street is not the same as that in Buildings A & B. Hence, the impact of at grade residential use does not take away from the intent of OPA 633 with respect to at-grade commercial;

iv. Residential at grade with single storey "flats" is the most sought after and desirable living space by seniors currently living in Kleinburg. The older demographic prefers to live in these types of suites, instead of 2 storey loft type suites with stairs.

v. The property is over 200 ft deep. This depth allows the larger Building C and maintain the two heritage buildings at the front. Most other properties in the core are not this deep. Maintaining heritage buildings and proposing similar multi-residential buildings at the rear for other properties in the core would be extremely difficult and virtually impossible with respect to parking, unless other off site parking was available. This is not the case today.



The KARA members argued that leaving the office component on the Ground floor and associated parking in front of Building C is preferred. They will ask their members if they agree to this. The applicant agreed to discuss this option with city staff & the partners to see if there is any willingness to revisit the site plan. At this late stage in the process, it is unlikely to reach an agreement on making this significant change once again. This change would result in delaying the approval process after nearly 17 months of consultations with city Planning, Urban Design, Cultural Services, Engineering and Building Standards staff, Heritage Vaughan & the Design Review Panel.

It was agreed by everyone that the applicant/ Greco & KARA should communicate on a timely and regular manner for future applications in the Village of Kleinburg. We briefly discussed two more upcoming site developments.

The Council item is due back on Oct 29th, next Tuesday for a final vote.

Regards,

Frank Greco

Cell: 416-346-7379

Email: [frank.greco@sympatico.ca](mailto:frank.greco@sympatico.ca)

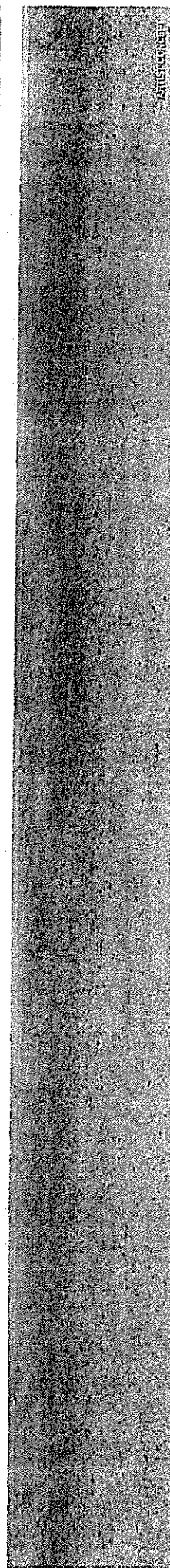
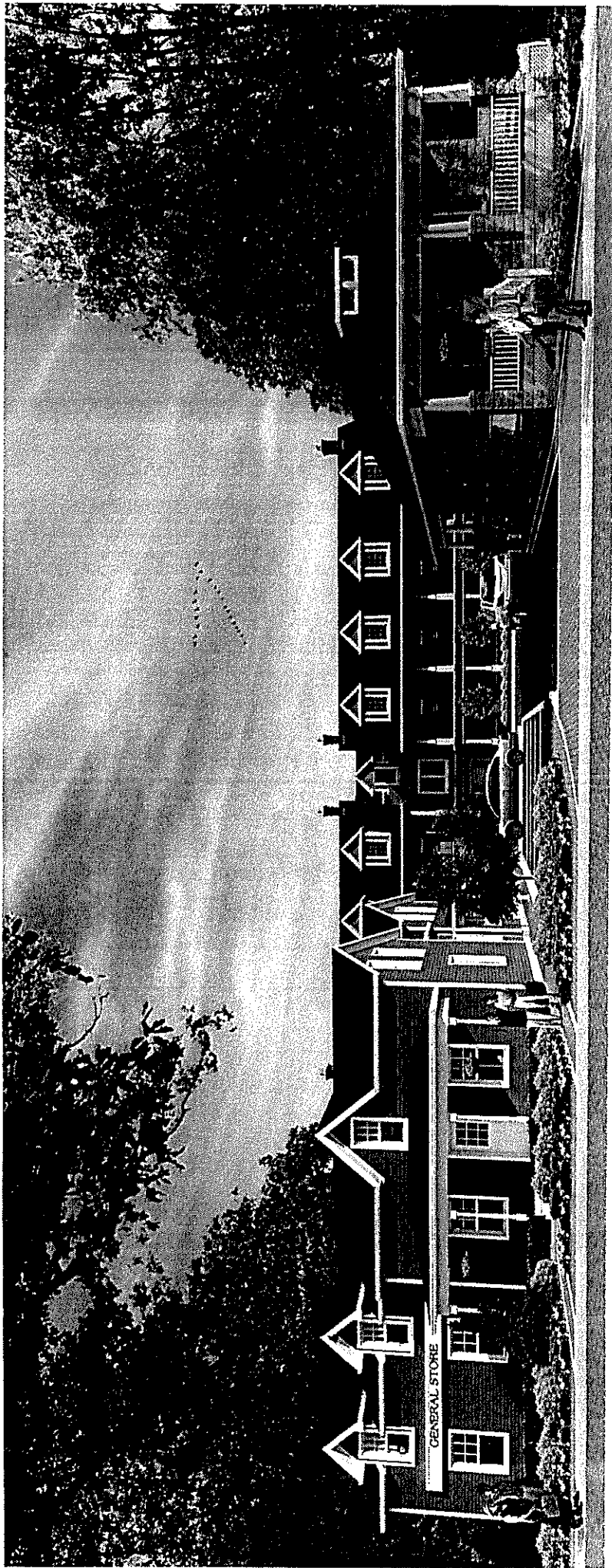
Twitter: frankgreco1

Proud Member of the Kleinburg BIA (Business Improvement Association)

[www.kleinburgvillage.com](http://www.kleinburgvillage.com)

This e-mail, including any attachment(s), may be confidential and is intended solely for the attention and information of the named addressee(s).

If you are not the intended recipient or have received this message in error, please notify me immediately by return e-mail and permanently delete the original transmission from your computer, including any attachment(s). Any unauthorized distribution, disclosure or copying of this message and attachment(s) by anyone other than the recipient is strictly prohibited.



ARTIST CONCEPT



## memorandum

DATE: OCTOBER 24, 2013  
TO: HONOURABLE MAYOR & MEMBERS OF COUNCIL  
FROM: JOHN MACKENZIE, COMMISSIONER OF PLANNING  
RE: COMMUNICATION - COUNCIL MEETING - OCTOBER 29, 2013  
ITEM #19, COMMITTEE OF THE WHOLE - OCTOBER 15, 2013

C	<u>7</u>
Item #	<u>19</u>
Report No.	<u>42 (cw)</u>
<u>Council - October 29/13</u>	

OFFICIAL PLAN AMENDMENT FILE OP.12.008  
ZONING BY-LAW AMENDMENT FILE Z.12.022  
SITE DEVELOPMENT FILE DA.12.022  
HERITAGE HILL DEVELOPMENTS (II) CORPORATION  
WARD 1 - VICINITY OF ISLINGTON AVENUE AND NASHVILLE ROAD

---

Background

On October 15, 2013, the Committee of the Whole considered the above-noted Official Plan Amendment, Zoning By-law Amendment and Site Development applications and resolved:

"That consideration of this matter be deferred to the Council meeting of October 29, 2013, for an opportunity for staff, the applicant and the Kleinburg and Area Ratepayers' Association to meet and discuss outstanding issues and that if required such discussions take place at an evening meeting.

That staff provide a communication to the Council meeting of October 29, 2013, on the chronological details of community consultation with respect to this application."

Kleinburg and Area Ratepayers' Association Concerns

On October 21, 2013, the applicant, Kleinburg and Area Ratepayers' Association (KARA), and Vaughan Development Planning and Vaughan Development/Transportation Engineering staff met for over 2 hours to discuss the issues raised in KARA's Communication C10, which was received at the October 15, 2013, Committee of the Whole meeting. KARA advised of their concerns respecting the proposed number of amendments to the Official Plan and Zoning By-law, which included, but were not limited to:

- i) the building height exceeds 9.5 m in height, as required by the Official Plan and Zoning By-law 1-88;
- ii) the amendment to the definition of mixed-use development mainstreet to permit commercial and residential uses on the same lot rather than within the same building, whereas commercial would be located on the ground floor and residential would be on the upper floors; and,
- iii) the proposed 4 m rear yard setback to Building "C", whereas 15 m is required by the by-law.

The applicant presented a 3-dimensional computer model to visualize how the proposed development would look on the subject lands. Staff advised that a number of the proposed amendments to the Official Plan and Zoning By-law are result from the interest of Staff and applicant in maintaining and restoring the existing heritage buildings within the Kleinburg-Nashville Heritage Conservation District. The meeting concluded with the KARA representatives advising that they needed to meet with the rest of the KARA executive to discuss the proposal. The applicant and KARA also agreed to meet and discuss the proposal further at a future meeting, which was held in the evening of October 23, 2013 at the Kline House.

## Communication Chronology

The applicant and KARA advised of their communications respecting the proposal:

- i) April 2012 – KARA met with the applicant. The applicant advised that he also provided a KARA Director with information respecting the proposal. This was prior to the June 22, 2012 submission of the proposal to the City.
- ii) October 30, 2012 – Letter (Communication C2 for Public Hearing of November 6, 2012) from S. Davis and family with comments on the proposed development.
- iii) December 17, 2012 – KARA submitted a letter to the City and copied to the applicant with comments on the development proposal, which was after the Public Hearing held on November 6, 2012.
- iv) April 2013 - the applicant advised that he provided revised plans to a KARA Director. The revised plans were as a result of staff and Design Review Panel comments.
- v) October 9, 2013 – KARA submitted a letter to the City and copied to the applicant with comments on the Committee of the Whole report dated October 15, 2013, as it relates to the development proposal.
- vi) October 11, 2013 – The Village of Kleinburg Business Improvement Association submitted Communication C12 dated October 11, 2013 for the October 15, 2013 Committee of the Whole advising that the Kleinburg BIA met on October 2, 2013 and passed the following motion supporting the proposal as follows:

"The Kleinburg Business Improvement Association supports the proposed Heritage Square Development at 10423 and 10429 Islington Avenue in Kleinburg."

- vii) October 15, 2013 – Both KARA and the applicant make a deputation at the Committee of the Whole meeting.
- viii) October 21, 2013 - the applicant, KARA and City Planning and Engineering staff met to discuss KARA's concerns. The applicant and KARA agreed to a subsequent meeting to discuss the proposal.
- ix) October 23, 2013 - the applicant and KARA met to discuss the proposal.

## Conclusion

The Development Planning Department is satisfied that the proposal is appropriate and compatible with the existing and permitted uses in the surrounding area. Accordingly, should Council concur, the staff recommendation in the Committee of the Whole report can be adopted.

Respectfully submitted,

JOHN MACKENZIE  
Commissioner of Planning



JJ/cm

Copy to: Barbara Cribbett, Interim City Manager  
Jeffrey A. Abrams, City Clerk  
Grant Uyeyama, Director of Development Planning

*Kleinburg and Area Ratepayers' Association*

P.O. Box 202, Kleinburg, Ontario, L0J 1C0

Email: [kara@kara-inc.ca](mailto:kara@kara-inc.ca) Website: [www.kara-inc.ca](http://www.kara-inc.ca)

October 28, 2013

To: Clerk's Department  
City of Vaughan  
2141 Major Mackenzie Drive  
Vaughan, ON L6A 1T1

C	<u>16</u>
Item #	<u>19</u>
Report No.	<u>42 (aw)</u>
Council	<u>October 29/13</u>

Attn: Mayor; Members of Council; Judy Jeffers; John Mackenzie; Grant Uveyama

cc: Angela Palermo, John Mifsud - Heritage Vaughan  
Frank Greco, Heritage Hills Developments

**Re: Council Meeting – October 29, 2013 - Official Plan Amendment File OP.12.008  
and Zoning By-Law Amendment File Z.12.022 – Re 10429 and 10423 Islington Ave.,  
Kleinburg**

Dear Mayor, Members of Council, and planning staff,

On October 21, several KARA directors met with City staff and the developer of the subject lands, Mr. Greco to review the many OP and by-law exceptions being sought for this application and KARA's concerns with such. Subsequently, Mr. Greco and a few more of the KARA board met on October 23<sup>rd</sup>. We greatly appreciate staff and the developer taking the time to meet with us.

Whilst some of the concerns previously raised by KARA, namely height and parking, have been somewhat alleviated through these meetings, we are still severely disappointed that staff recommend approval of this development which is in direct contravention of OPA633 and its intent.

KARA worked closely with the City on the OMB hearing regarding the development at 10360 Islington, involving the same developer, and the subsequent OP amendments (633) which were put in place to preclude further development of this scale in the historic village. The intent as defined in OP633 is to (excerpts) "guide appropriate new development in the community", "retain the mainstreet commercial traditional character", and "it's compatibility with the existing building form and residential areas and uses within the village". Even more explicitly, the OP sought to "Ensure that residential development within the Kleinburg Core Area takes place in accordance with the provisions of the Kleinburg-Nashville Heritage Conservation District Plan...and remains at a village scale and complements the historic, rural village character and architectural heritage of the community."

When OP633 was written, multi-unit residential was intentionally and explicitly removed from the permitted uses. Included in the OP were the following clauses:

- "consolidation and severance of lands shall be discouraged"
- "Scale of development will complement the character and scale of the existing buildings"

# *Kleinburg and Area Ratepayers' Association*

P.O. Box 202, Kleinburg, Ontario, L0J 1C0

Email: [kara@kara-inc.ca](mailto:kara@kara-inc.ca) Website: [www.kara-inc.ca](http://www.kara-inc.ca)

- "residential infilling within the village shall be permitted...provided the proposed lot or development is compatible in size, shape, and configuration with adjacent lots and the size and form of development located thereon "
- "New development will be compatible with adjacent and neighbouring development by ensuring that the siting and massing of new buildings does not result in negative impacts on adjacent properties, particularly with regard to overlook, shadows, wind and other environmental and compatibility factors."

We do not believe the proposed development meets these criteria of OP633 and struggle to comprehend how the City has come to believe it does. The scale of building and proximity to a residential property at the rear is completely inappropriate and sets a dangerous precedent for the rest of the main street commercial properties which back onto residential lots. We believe approval of this development will also lead to valid planning arguments to allow large scale development of the properties to the rear, the argument being that they would now be in keeping with the scale of the subject proposed development. That in turn sets precedent for full large scale development on Napier Street. We remain in our belief that a smaller scale development, further from the rear property line, is warranted for these lands.

KARA does appreciate and support the intentions of the developer to maintain the two heritage buildings at the front of the property, and to attempt screening at the rear of the building with large caliper trees. At our meeting of October 23<sup>rd</sup>, the developer also offered to better respect the current definition of 'mixed-use' by re-introducing ground-floor commercial in the form of 4 professional offices, and we agree with this change. Our Association strongly maintains that mixed-use development must be maintained and encouraged in the commercial village core, and stand-alone apartment buildings must not be allowed.

KARA is extremely concerned that a lack of "organizational memory" has occurred within the City planning department, and that all of the efforts hard-fought at the OMB to encourage village scale development and amend OPA 633 to specifically exclude multi-unit dwellings has been for naught. KARA hopes that City Council will seriously assess the impact of this proposal upon future development in the Kleinburg-Nashville Heritage Conservation District.

Sincerely,



Ken Schwenger

President – Kleinburg & Area Ratepayers' Association, on behalf of the KARA Board

---

**From:** Kara-Inc <kara@kara-inc.ca>  
**Sent:** Monday, October 28, 2013 9:53 PM  
**To:** Clerks@vaughan.ca  
**Cc:** Schulte, Deb; Bevilacqua, Maurizio; Rosati, Gino; Di Biase, Michael; Marilyn Iafrate; Carella, Tony; DeFrancesca, Rosanna; Racco, Sandra; Shefman, Alan; Shefman, Alan; Rotondo, Dolores; Simmonds, Tim; Jeffers, Judy; kara@kara-inc.ca  
**Subject:** Council - Oct 29,2013 Report #42 - File OP.12.008 and Zoning By-Law Amendment File Z.12.022  
**Attachments:** KARA Position Re Heritage Hill II - Council - Oct 29 2013.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Please find attached KARA Board submission to Council for the October 29, 2013 meeting - Report #42 (item 19) of the Committee of the Whole

Official Plan Amendment File OP.12.008 and Zoning By-Law Amendment File Z.12.022 – (10429 and 10423 Islington Ave., Kleinburg) HERITAGE HILL DEVELOPMENTS (II) CORPORATION

Regards,  
KARA Communications Committee

**From:** Kara-Inc <kara@kara-inc.ca>  
**Sent:** Monday, October 28, 2013 10:25 PM  
**To:** Clerks@vaughan.ca  
**Cc:** Kara-Inc; Schulte, Deb; Bevilacqua, Maurizio; Rosati, Gino; Di Biase, Michael; Marilyn Iafrate; Carella, Tony; DeFrancesca, Rosanna; Racco, Sandra; Shefman, Alan; Rotondo, Dolores; Simmonds, Tim; Jeffers, Judy; kara@kara-inc.ca  
**Subject:** Re: Council - Oct 29,2013 Report #42 - File OP.12.008 and Zoning By-Law Amendment File Z.12.022  
**Attachments:** YesterdayToday and Tomorrowab.ppt

Dear Mayor, Members of Council, and Staff.

Further to our submission on the subject application, we would greatly appreciate if you could take 5 minutes to review the attached presentation outlining some of the work KARA has done to shape Kleinburg over the past 37 years. This was presented at our 2010 AGM. (best viewed in full presentation mode).

Regards,  
KARA Communications Committee

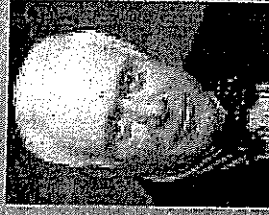
C	<u>17</u>
Item #	<u>19</u>
Report No.	<u>42 (cw)</u>
<u>Council - October 29/13</u>	



# "Yesterday, Today and Tomorrow"



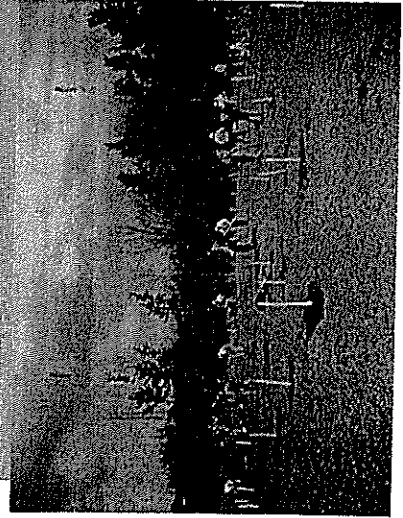
Kleinburg-Nashville  
The Making of a Community



This presentation is dedicated to the  
137 KARA Directors and the many  
members and volunteers who have invested  
thousands and thousands of hours  
over the past 34 years to make  
our community what it is today.

We thank you for your outstanding commitment and vision.

- KARA's 2010 Board of Directors



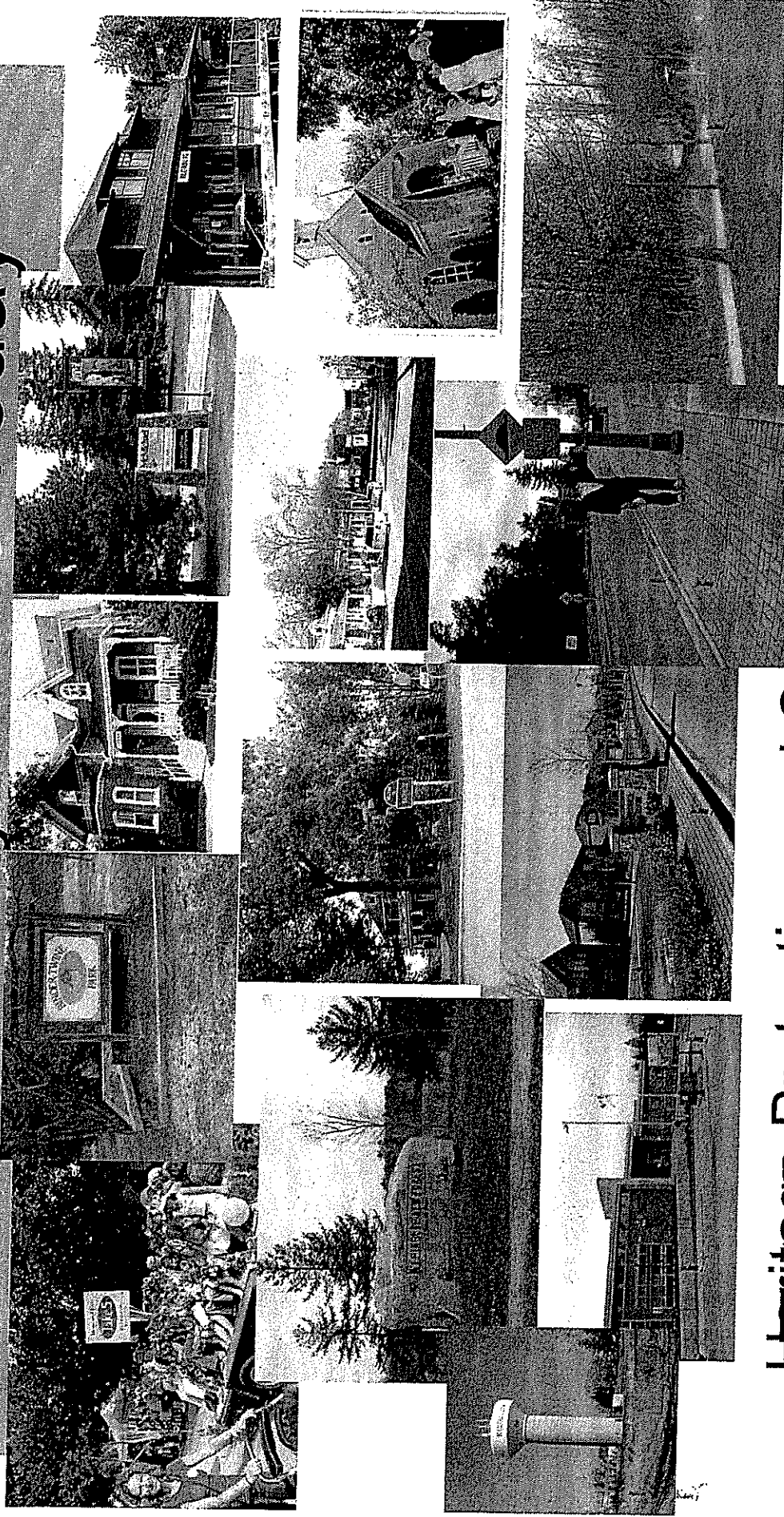
# Yesterday's Vision is Today's Reality

"What we are today comes from our thoughts of yesterday, and our present thoughts build our life of tomorrow. Our life is the creation of our mind" - Buddha (563-483BC)

The vision of "Kleinburg New Forest"  
was a beautiful community idea of Kleinburg  
and Nashville are no accident!

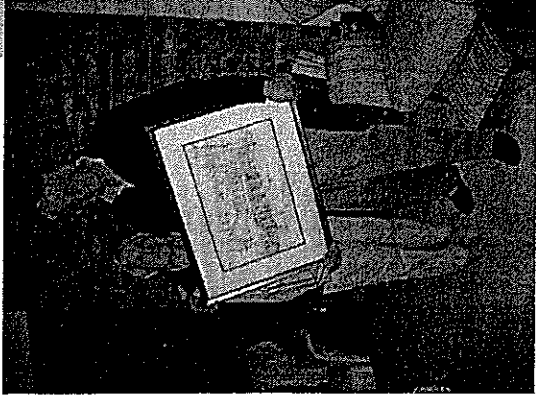


# Our Quality of Life Today



Heritage Preservation and Development  
Community Improvement and Growth

# Reflections on Yesterday- KARA's early beginnings



David and  
Susan Corley  
holding the gift  
given to him by  
KARA for his  
service as our  
first President  
after  
Incorporation

- In early 1970's area residents formed a ratepayers' association to preserve the unique heritage of Kleinburg and Nashville and their quality of life
- Their vision for our community was:
  - Rural residential development, slow growth-doubling population over 20 years.
  - Preservation of the historical village cores
  - Commercial activities confined to the core

# The City's Massive Plan for Kleinburg

- In 1972 the City with the support of a prominent developer approved a plan for Kleinburg that called for:
  - 240% increase in population
  - higher density development, strip mall commercial
  - a fairgrounds at Major MacKenzie and Islington
- First plan was turned down for lack of water servicing.
- A modified plan was ultimately approved that removed the development north of town.





# Residents Fight Back

<p><b>Bolton</b> <b>Concord</b> <b>King City</b> <b>Kleinburg</b></p>	<p><b>THE VANCOUARD</b></p>	<p><b>Maple</b> <b>Nashville</b> <b>Nobleton</b> <b>Thornhill</b></p>
<p>VOL. 2 NO. 41</p>	<p>3,300 COPIES</p>	<p>10 CENTS</p>

Wednesday, June 13, 1978

24 PAGES

## Cabinet upholds OMB's Kleinburg decision

Page 11

in Kleinburg. Spokesman for the group of continuing to agree with the residents. The residents of meeting on the matter. He the resolutions. In regard to course, would not want the has applied to the Ontario the first one concerning con- pub- because they fear it. Municipal Board for a hearing

- A 1975-KARA held a large public meeting and
- A 1975-KARA resident survey showed
- residents were overwhemingly against the city is
- KARA to hold a decision is appropriate and
- fundraised over \$25,000.

# Residents Establish the Vision

In 1982 a Joint KARA-City Committee with Planner Mathew Lawson proposed "The Kleinburg Plan" which called for:

- "Kleinburg enclosure" by "tree belts" to delineate the community boundaries
- Protection of the "old town" as a community centre focus
- Modest residential development North and South of town
- Tree lined streets and berming
- Parkland areas (Binder Twine) and seniors home close to town centre
- Walkways linking old town, McMichael, schools, residential areas, valley lands
- Sewer expansion



28 Years Later...in 2010



“Yesterday’s Vision is today’s Beautiful Reality!”

# "Enclosing" the Community in Green

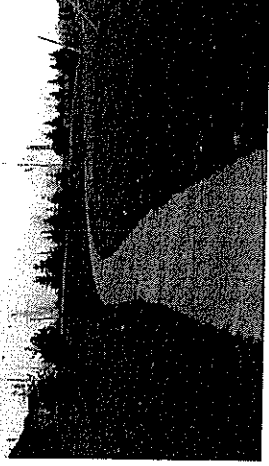


- 1984 KARA asks for a greenbelt buffer zone along southern boundary
- 2002 KARA fights for parkland on south side of Major MacKenzie
- KARA negotiates tree lined buffers on all roadways 1984-Present

Kleinburg New Forest was created from a 43 acre farm negotiated by KARA and City with developers in 1984. 18,000 bushes and trees were planted from 1991-1998 by 1830 community volunteers

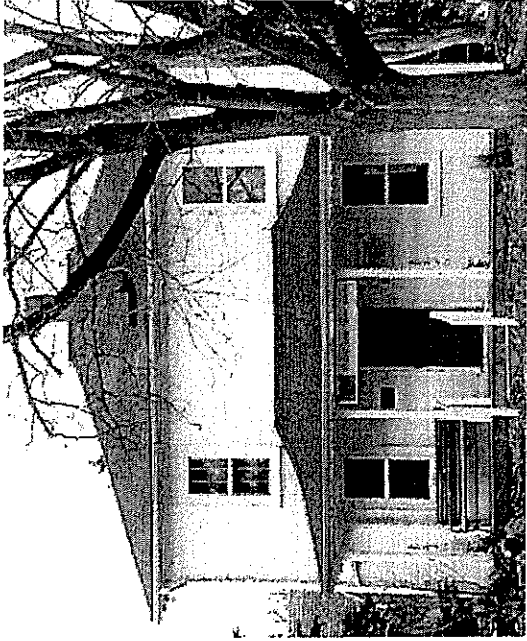


33 acre Kleinburg New Forest North was negotiated by KARA and City in 1984 and transferred to TRCA in 2004. It is now almost ready for community planting.



# KARA-

## It took 32 Years to Protect Kleinburg-Nashville Heritage!



- KARA requested in 1977 that Kleinburg's historic core be a heritage conservation district.
- Ongoing Lobbying from 1977-1990
- In 2005, Kleinburg-Nashville is designated as a Heritage Conservation District. KARA ensured Nashville village was included in the plan
- In the latest Official Plan(2009), KARA tried to ensure that City by-laws would uphold Heritage Conservation District guidelines

[illegible]

- [illegible]

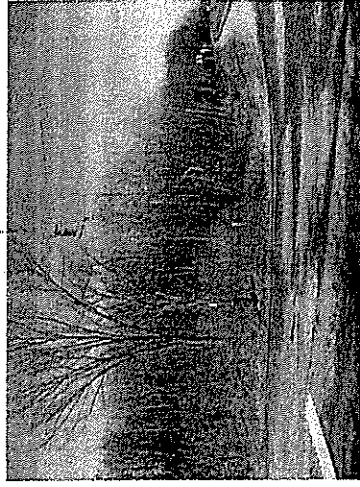


# Protection of Rural and Valley Lands



•KARA gives input into Boyd Park plans

•1998-2005 KARA Joins "Friends of Boyd Park" in Opposition to Pine Valley Link and inclusion of Boyd Park into Greenbelt



•KARA supports development of Trails in Humber Watershed with TRCA and HVHTA

•KARA joins TRCA in OMB Hearing to reduce impact of Copper Creek Golf Course on Humber River

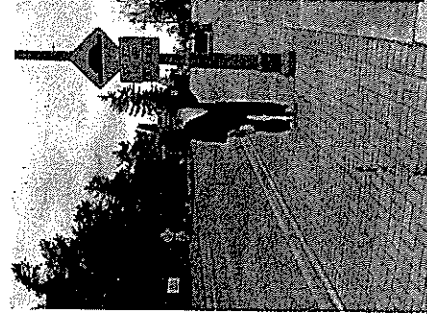
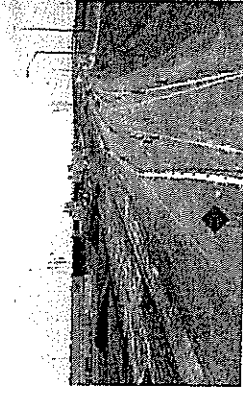
• 1998 KARA helps save the large Nashville Woodlot from being clear cut

• From 1984-Present KARA has opposed non-agricultural uses of rural lands eg. dumps, construction yards

# Transportation Planning and Traffic Safety

## Through-Traffic Minimization

- ✓ Prevented widening of Islington & Kipling, Opposed straightening of Teston at Pine Valley
- ✓ 1977-Present- Pushed Region to extend Major MacKenzie to Hwy 27 and Hwy 50
- ✓ KARA lobbied to prevent the extension of Stevenson Rd to south 2008
- ✓ 2008 Advocated for most westerly route of 427 to minimize impact on Nashville



## Traffic Safety

- ✓ 1975-1988 Nashville/27 intersection safety
- ✓ 1997-2004 KARA led Traffic Calming on Islington Avenue
- ✓ 2006 Nashville Traffic Committee with residents
- ✓ 2010 Working on Hwy 27 Speed Reduction



## Pedestrian Safety and Enjoyment

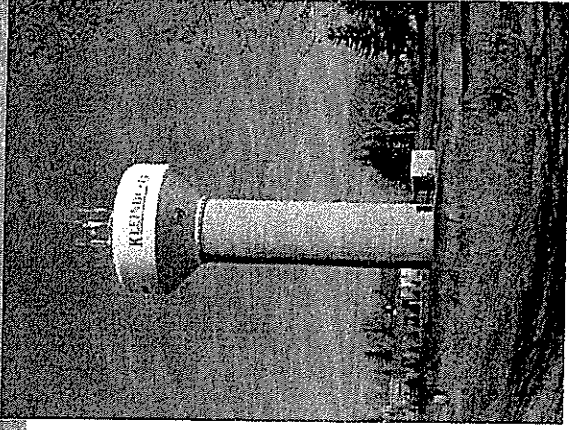
- ✓ 1985-1988 Sidewalks into Nashville
- ✓ 2002 Treelawn sidewalk into town
- ✓ 2010 Working on Hwy 27 pedestrian links

# Streetscape Planning

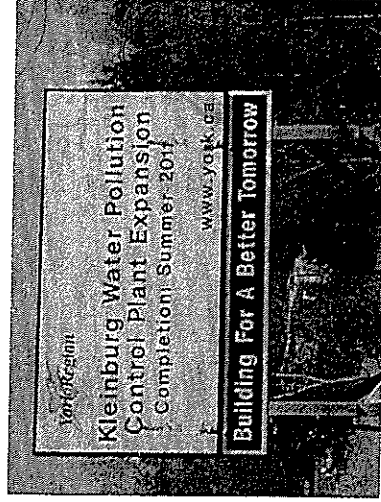


Since “The Kleinburg Plan” in 1982 KARA has called for a Streetscape Plan for our villages. In 2007 the City embarked on a Kleinburg Streetscape Study with community and business involvement. A 2010 report is expected.

# High Quality Resident Services

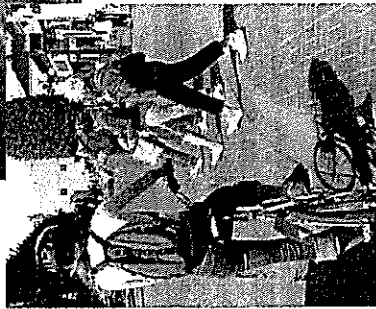
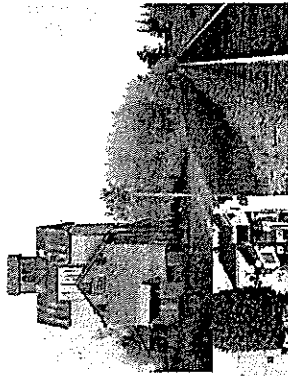
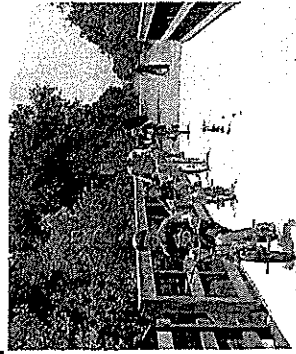
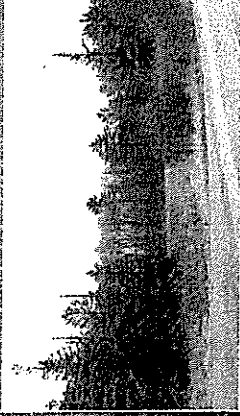


- KARA has always recognized the relationship between expansion of water and sewage services and the proliferation of development.
- In 2003, KARA with residents and businesses negotiated with the City to reduce huge surcharges for sewage hook ups from 1990-94
- Protection of the Humber Watershed has been paramount
- Kleinburg water pollution control plant upgrade will be complete in 2011
- Community will be switched to lake water in next few years



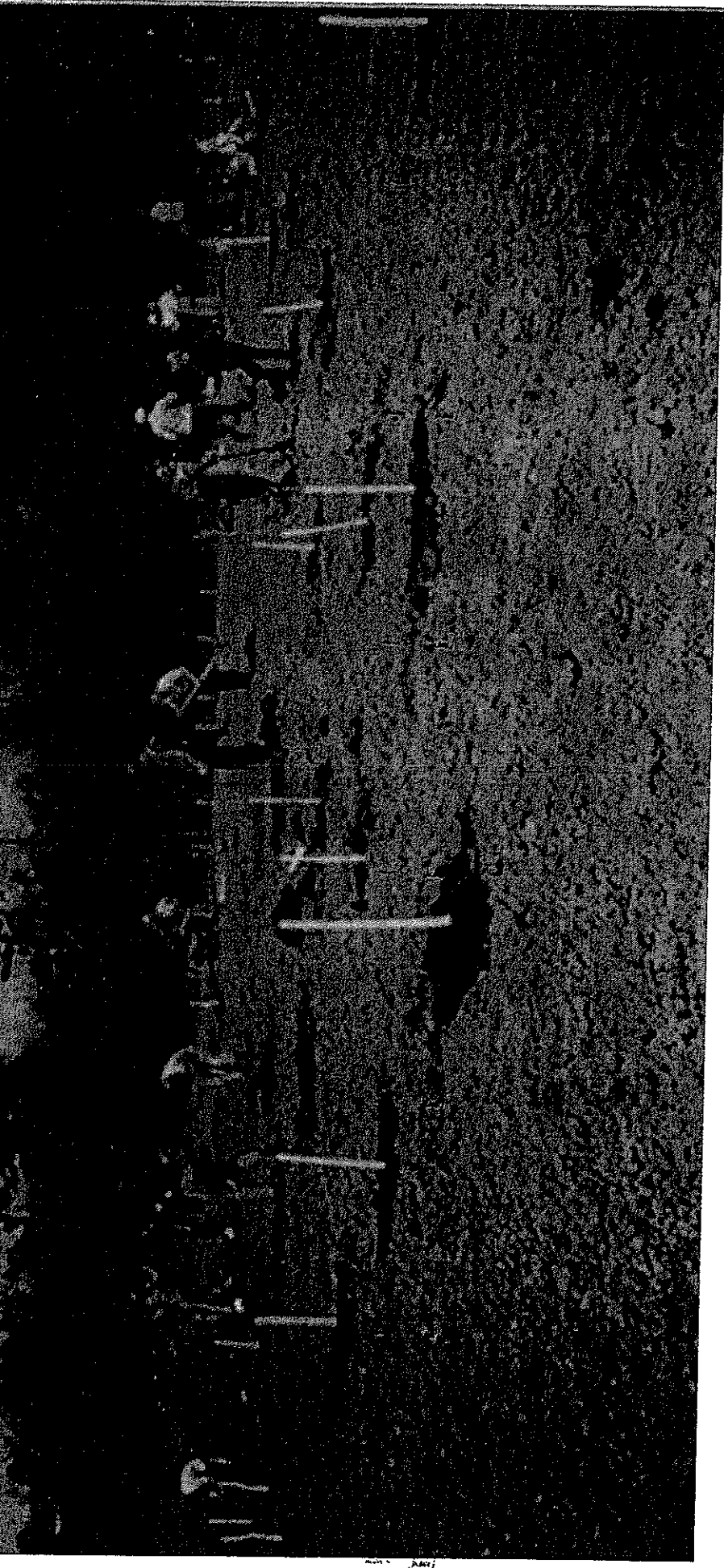


# What is Today's Vision for Tomorrow?

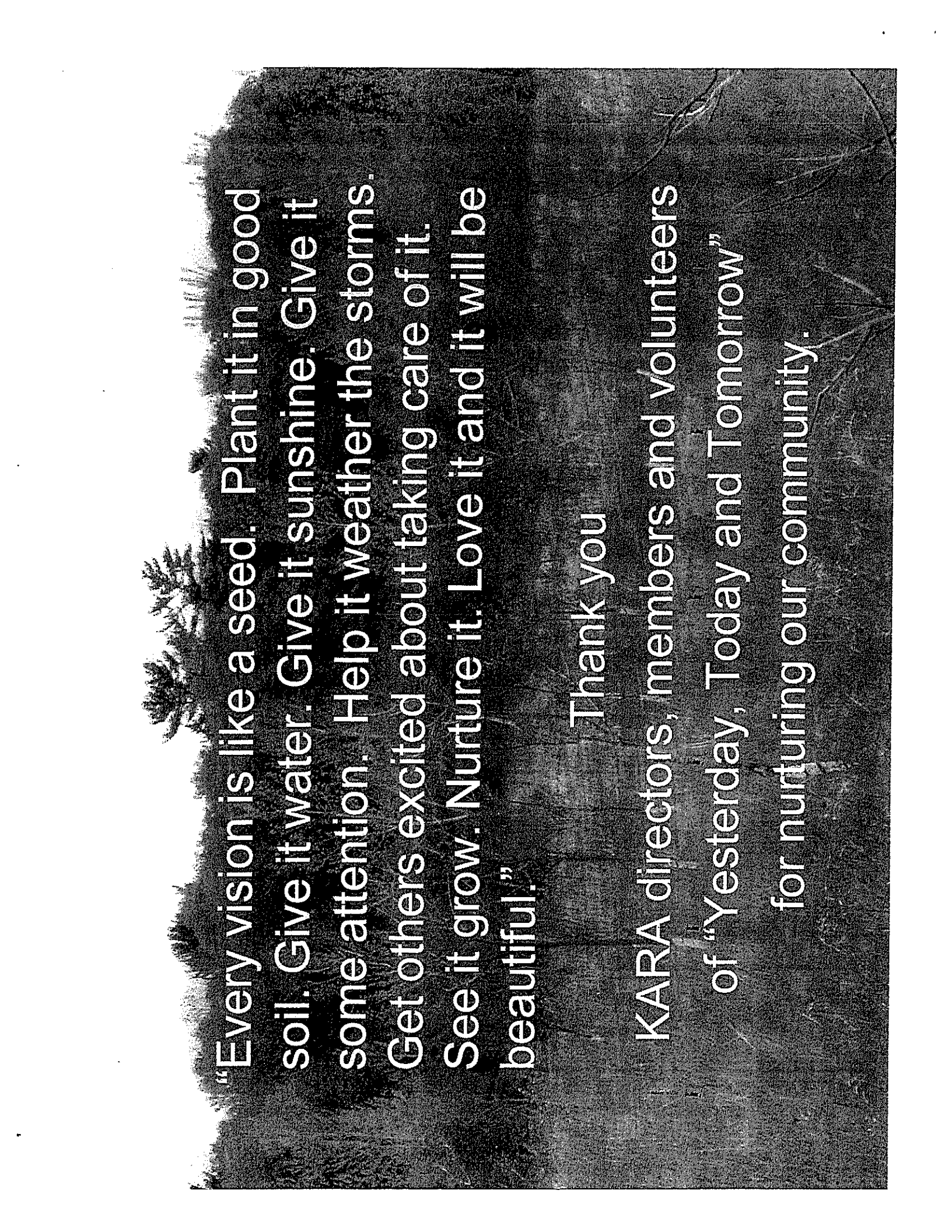


Future of the City of New Castle  
Kleinfelder Forest North Planting Community

“The future of Kleinburg-Nashville lies in the hands of its residents. If we are to preserve this unique community it is up to each and every one of us to be involved.” – Bob Klein







“Every vision is like a seed. Plant it in good soil. Give it water. Give it sunshine. Give it some attention. Help it weather the storms. Get others excited about taking care of it. See it grow. Nurture it. Love it and it will be beautiful.”

Thank you

KARA directors, members and volunteers  
of “Yesterday, Today and Tomorrow”  
for nurturing our community.

# Acknowledgements

- The 2010 KARA Communications Committee would like to thank **Kristen Nieuwhof** for her York Region Award-winning song “A Seed” which provided the soundtrack for this Power Point presentation.
- We would also like to gratefully acknowledge the Power Point expertise of **Mark Bortolus** in helping to create this production.