

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 13, 2016**

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

**22**

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

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

**Recommendation**

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

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

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

**Recommendation**

The Director of Development Planning recommends:

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

**Contribution to Sustainability**

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

Goal 4: To create a vibrant community where citizens, business and visitors thrive

*Objective 4.1: "To foster a city with strong social cohesion, an engaging arts scene, and a clear sense of its culture and heritage"*

**Economic Impact**

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

## **CITY OF VAUGHAN**

### **EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 13, 2016**

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#### **Communications Plan**

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

#### **Purpose**

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

#### **Background - Analysis and Options**

##### **Location, Heritage Status, and Policies**

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

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

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

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

##### **Previous Heritage Vaughan Approval – October 21, 2015**

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

##### **Proposed New Construction**

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

##### **Revised Arborist Report Submitted**

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

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

## CITY OF VAUGHAN

### **EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 13, 2016**

#### Item 22, CW Report No. 43 – Page 3

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

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

#### **Heritage Permit Application Complete**

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

#### **Variances Proposed**

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

##### By-law

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

##### Proposed Variances

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

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

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

#### **Analysis**

Kleinburg-Nashville HCD Plan

Section 5: District Goals and Objectives

Section 5.2.1 Townscape within Section 5, Goals and Objectives

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

## **CITY OF VAUGHAN**

### **EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 13, 2016**

#### **Item 22, CW Report No. 43 – Page 4**

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

#### **Section 9.5.3 – New Construction – Residential Villages**

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

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

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

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

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

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

#### **Regional Implications**

N/A

#### **Conclusion**

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

#### **Attachments**

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



**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 13, 2016**

Item 22, CW Report No. 43 – Page 5

**Report prepared by:**

Daniel Rende, Cultural Heritage Coordinator, ext. 8112

Moir Wilson, Senior Urban Designer, ext. 8353

Rob Bayley, Manager of Urban Design and Cultural Heritage, ext. 8254

(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)

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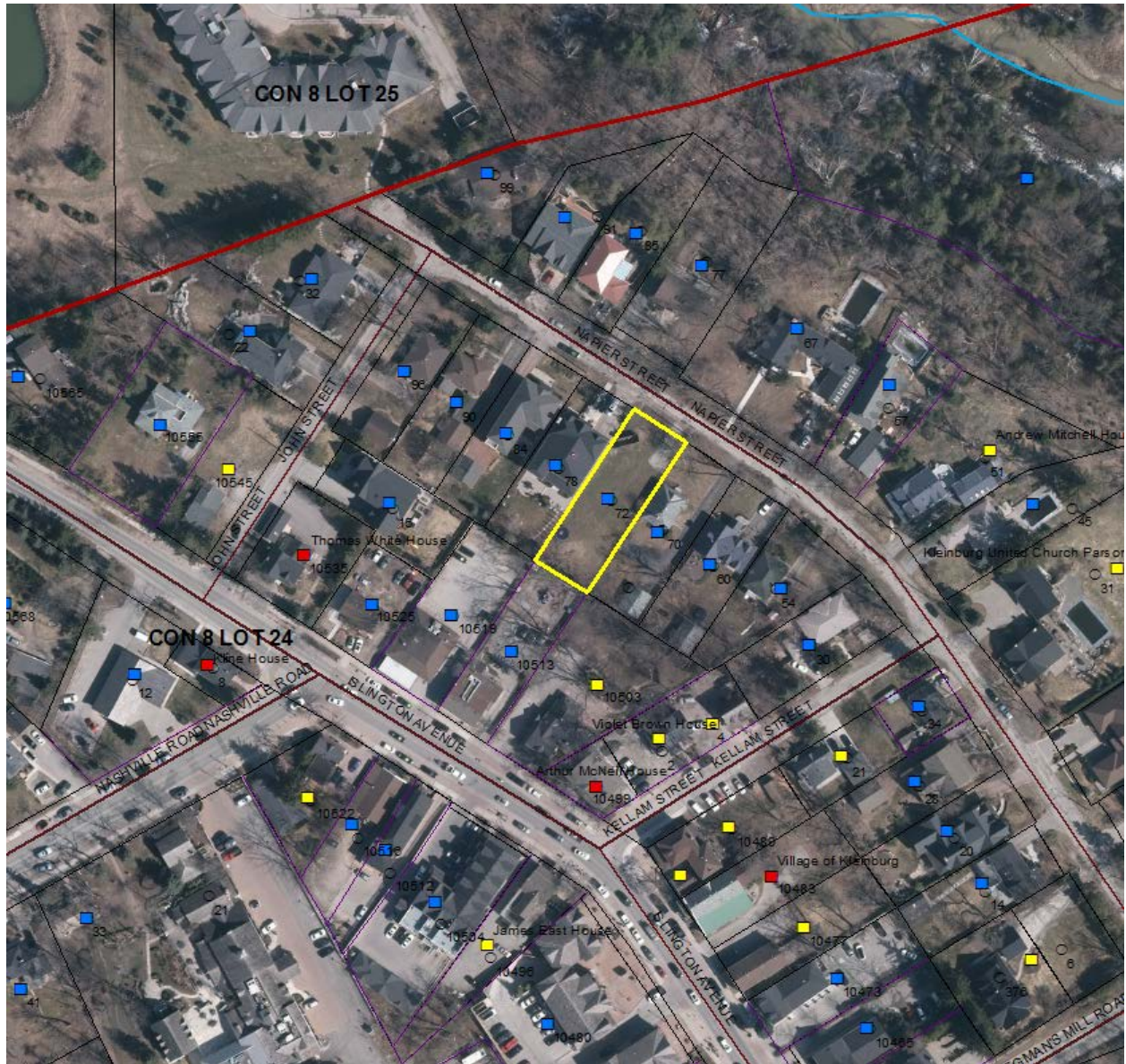
**Report prepared by:**

Daniel Rende, Cultural Heritage Coordinator, ext. 8112

Moirá Wilson, Senior Urban Designer, ext. 8353

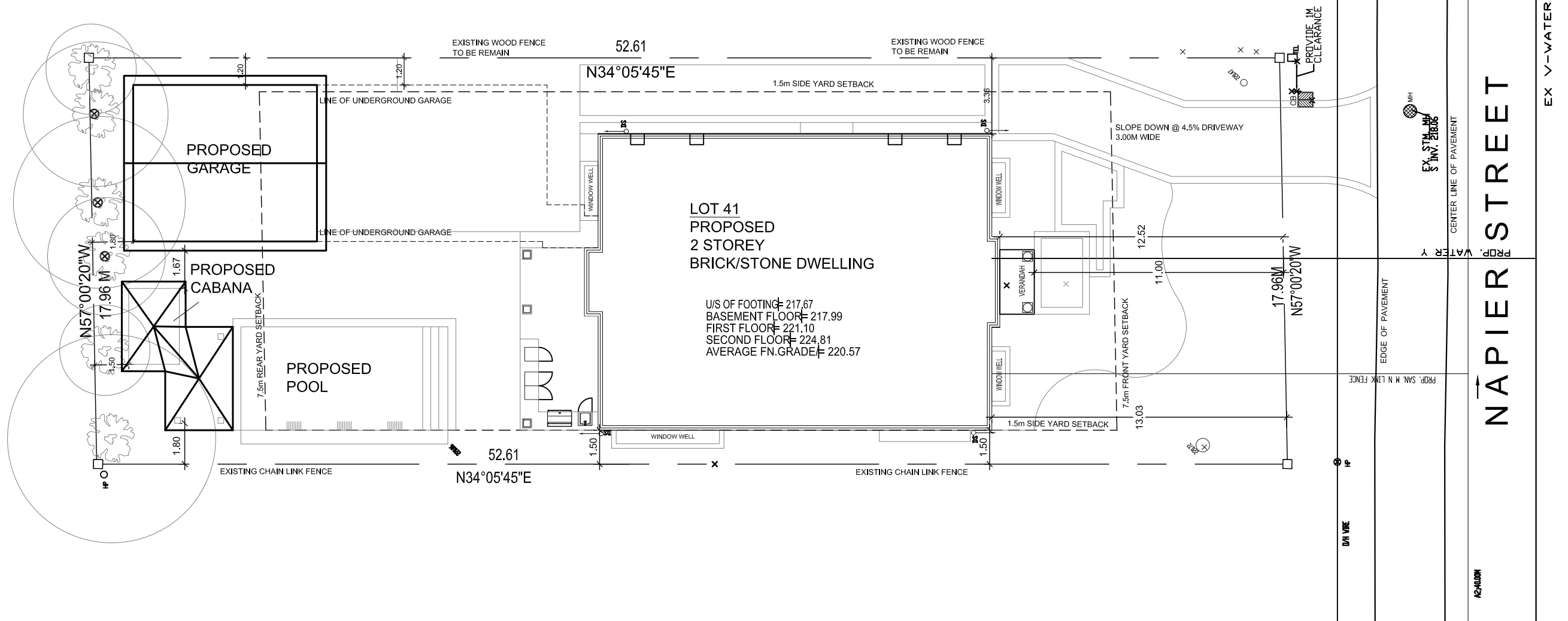
Rob Bayley, Manager of Urban Design and Cultural Heritage, ext. 8254

Location Map



72 Napier Street – subject property in yellow

# Attachment 2 - Site Plan





Attachment 3 - Elevations

NOTES

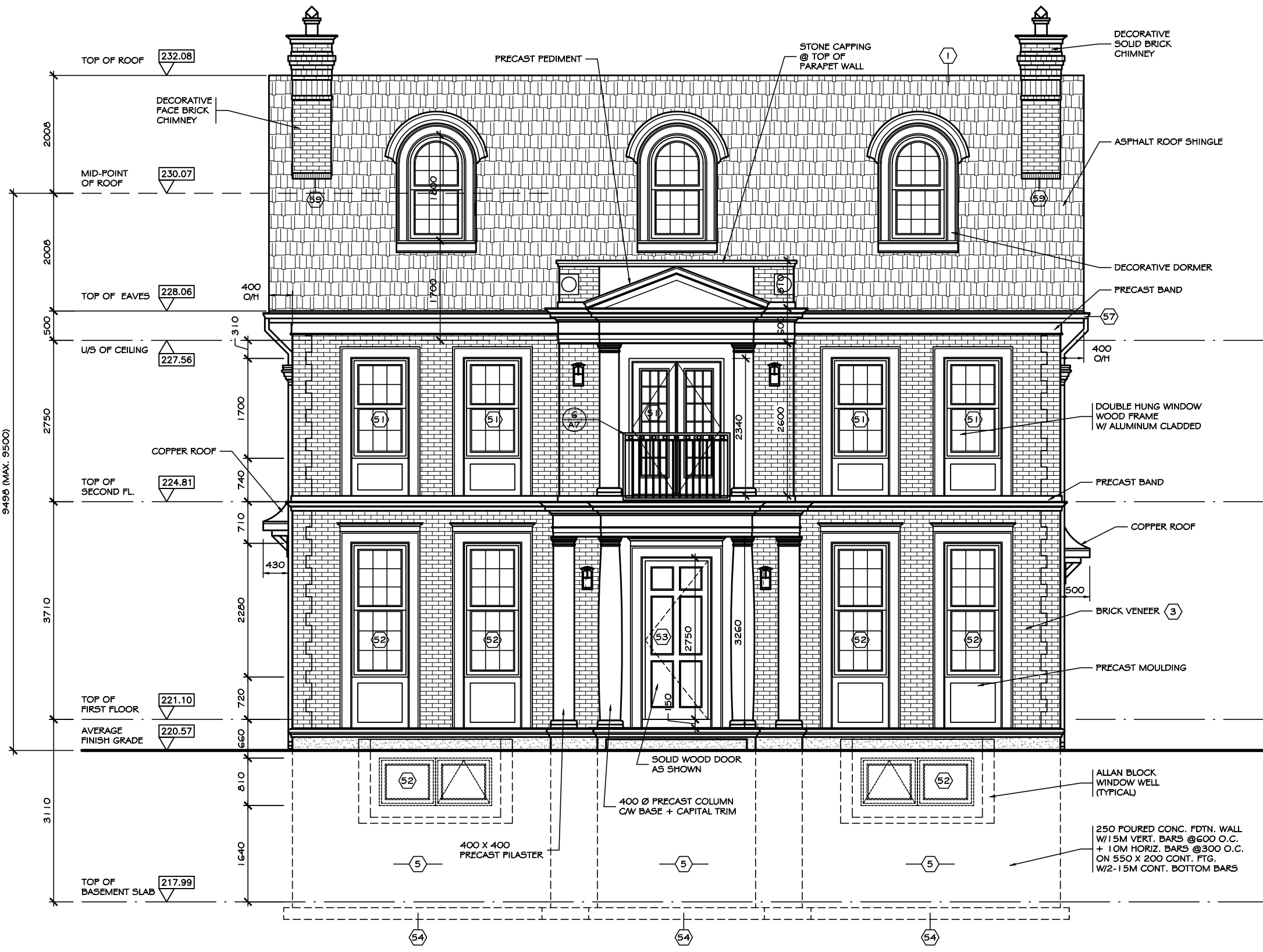
All drawings and specifications are an instrument of service and remain the exclusive property of Ambient Designs Ltd., and are protected under the Copyright Act. They may not be reproduced, distributed, altered or submitted for approvals without written permission of the Designer.

Do not scale drawings, dimensions to take precedent over scale.

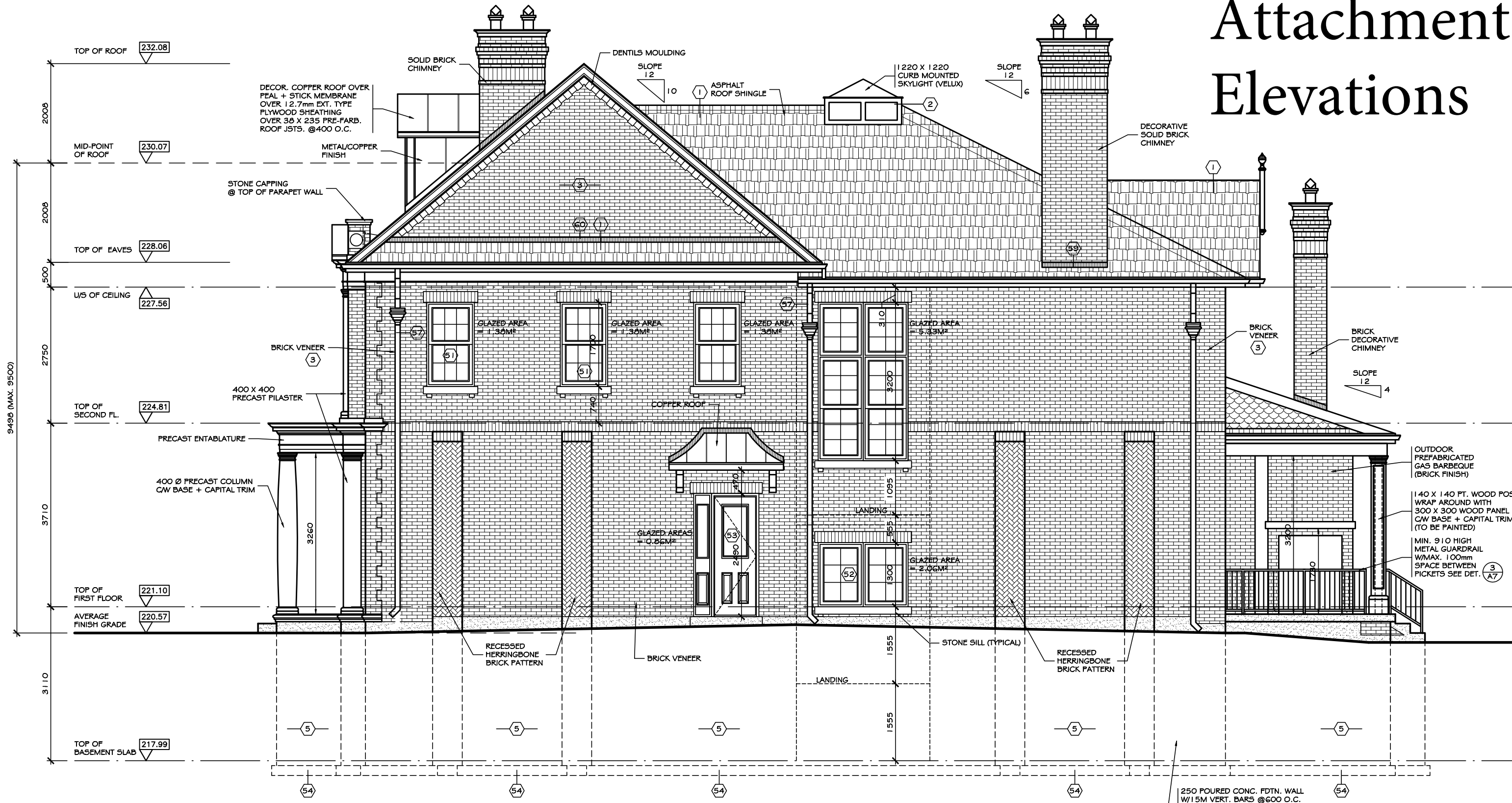
Contractor to check and verify all levels and dimensions on drawings and on site and report any discrepancies to Ambient Designs Ltd. and obtain clarification prior to commencing with the work.

The contractor accepts all responsibility for working with drawings, not marked "Issued for Construction" and for any changes to the drawings without the express approval of Ambient Designs Ltd.

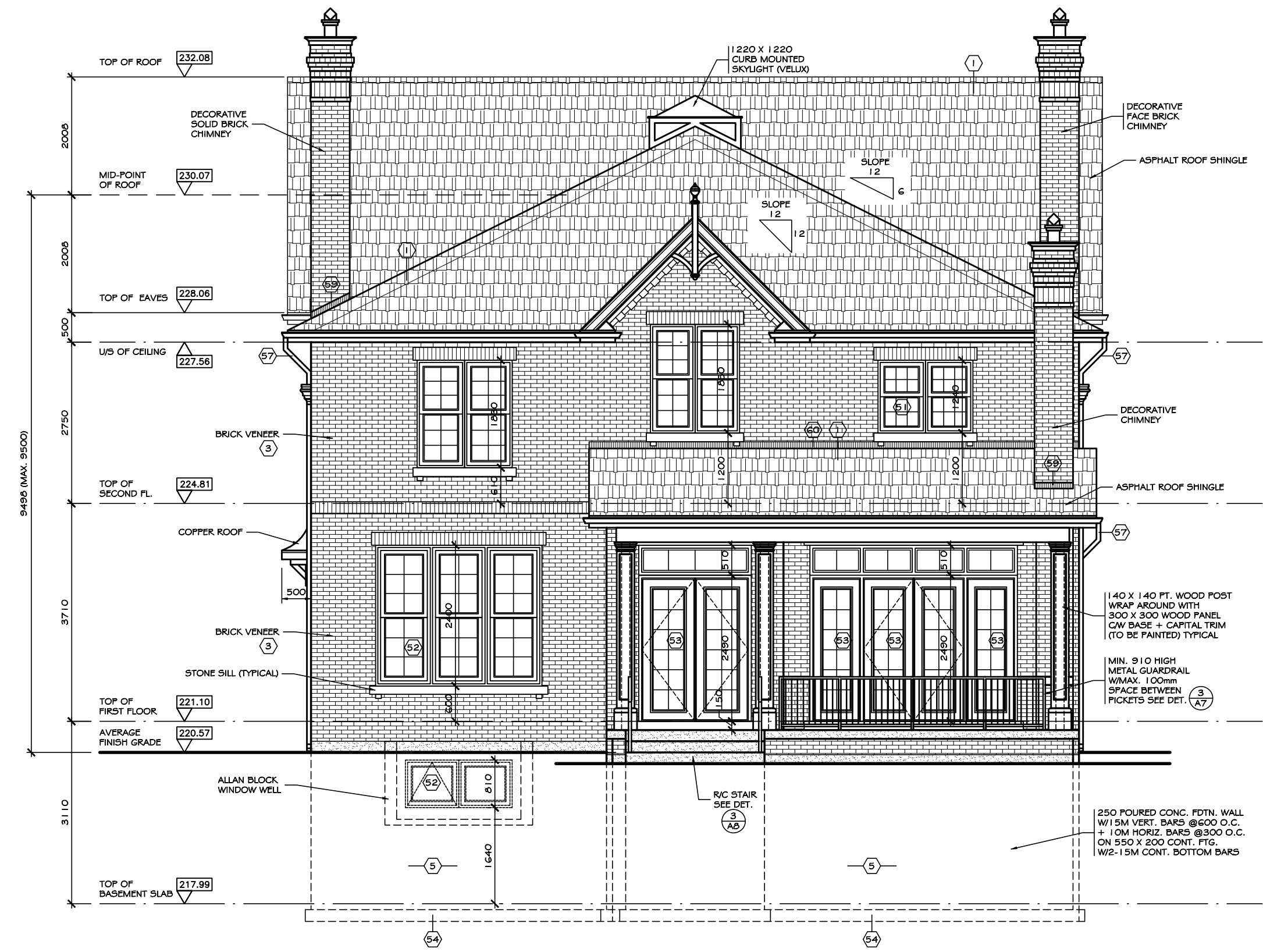
All work to conform to all governing codes and By-laws.



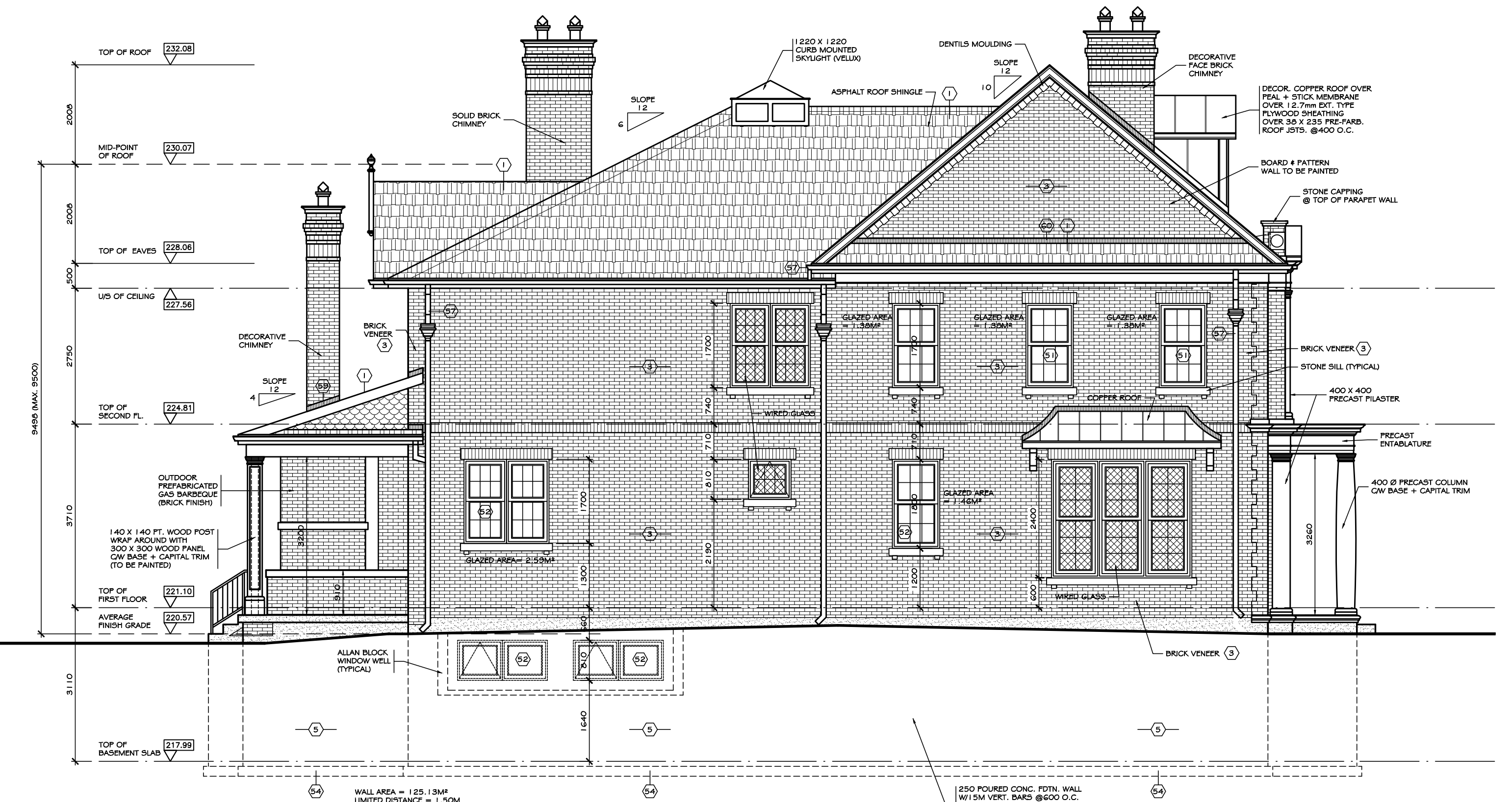
1 FRONT ELEVATION (NORTH)  
A4 SCALE 1:75 M



2 RIGHT ELEVATION (WEST)  
A4 SCALE 1:75 M



3 REAR ELEVATION (SOUTH)  
A4 SCALE 1:75 M



4 LEFT ELEVATION (EAST)  
A4 SCALE 1:75 M

EXTERIOR BUILDING MATERIALS

WALLS = BRICK VENEER  
VARSITY SMOOTH BY HANSON BRICK

WINDOWS & DOORS = WOOD FRAME WITH ALUMINUM CLAD

FASCIA, SOFFIT & RWL = ALUMINUM

ROOF = ASPHALT SHINGLE  
CAMBRIDGE-CHARCOAL GREY BY IKO

QUALIFICATION INFORMATION

Required unless design is exempt under 2.17.5.1 of the building code

VICTOR J.T. HOPKINS 23327  
BCNJ

Signature MAY 10 '16  
Date

REGISTRATION INFORMATION

Required unless design is exempt under 2.17.4.1 of the building code

AMBIENT DESIGNS LTD. 28659  
Firm Name BCNJ

6	ISSUED FOR PERMIT	MAY 10 '16	D.N.
5	RE-ISSUED FOR SITE PLAN APPROVAL	JAN. 21 '16	D.N.
4	RE-ISSUED FOR SITE PLAN APPROVAL	DEC. 14 '15	D.N.
3	RE-ISSUED FOR SITE PLAN APPROVAL	SEPT. 24 '15	D.N.
2	RE-ISSUED FOR PER. DEVELOPMENT	SEPT. 18 '15	D.N.
1	ISSUED FOR SITE PLAN APPROVAL	MAY 28 '15	D.N.
NO.	ISSUE/REVISIONS	DATE	BY

BCIN: 29659

AMBIENT DESIGNS LTD.  
DESIGN & BUILDING CONSULTANTS

1115 COLLEGE STREET TORONTO, ONTARIO M6H 1B5  
TEL. No (416)537-8531 FAX. No (416)537-8131  
email: ambient@ambientdesigns.ca

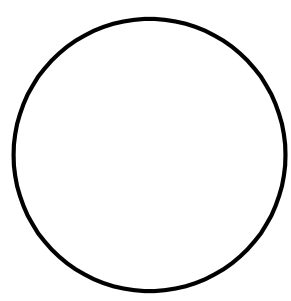
PROJECT NAME

PROPOSED  
RESIDENCE AT  
72 NAPIER STREET

CITY OF VAUGHAN  
(FILE: DA.15.031)

SHEET TITLE

ELEVATIONS



SCALE  
1:75 M

DATE  
SEPT. 2014

DRAWN BY:  
D.N.

CHECKED BY:  
V.H.

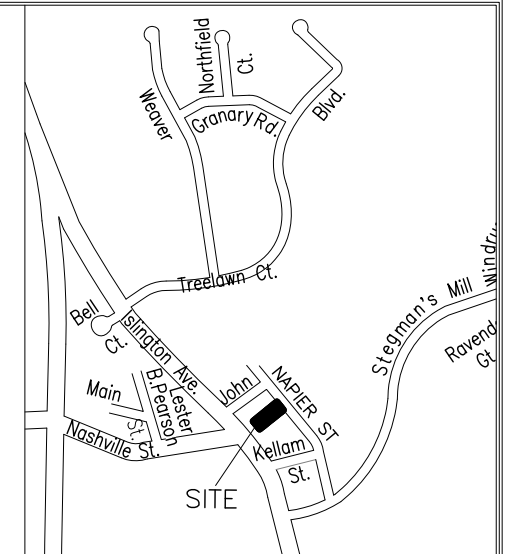
PROJECT NO.  
A14158

SHEET NO.  
A4

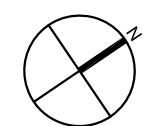


NO.	DESCRIPTION	CLEAR SPAN
SL1	3 1/2" X 3 1/2" X 1/4" L	UP TO 4'-0"
SL2	3 1/2" X 3 1/2" X 5/16" L	4'-0" - 6'-0"
SL3	4" X 3 1/2" X 1/4" L	6'-0" - 8'-0"
SL4	5" X 3 1/2" X 3/8" L	8'-0" - 9'-0"
SL5	6" X 4" X 3/8" L	9'-0" - 10'-0"
SL6	6" X 4" X 1/2" L	10'-0" - 12'-0"

## Attachment 4 - Garage



## KEY PLAN



No.	DESCRIPTION	
	REVISIONS	

ISSUED FOR CONSTRUCTION	
ISSUED FOR BID	
ISSUED FOR BUILDING PERMIT	
ISSUED FOR SITE PLAN APPROVAL	DATE
SUBMITTALS	

CONTRACTORS MUST CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS ON THE PROJECT AND MUST REPORT ANY DISCREPANCIES TO THE DESIGNER BEFORE PROCEEDING WITH CONSTRUCTION.

THIS DRAWING MUST NOT BE USED FOR CONSTRUCTION PURPOSES UNTIL SEALED AND SIGNED BY THE DESIGNER.

DO NOT SCALE DRAWINGS.



3560 RUTHERFORD RD, UNIT 34  
VAUGHAN, ONTARIO, L4H 3T8  
416-806-7000  
FCORTESE@FAUSTOCORTESE.COM

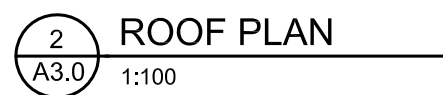
PROJECT:  
PROPOSED GARAGE  
PROPOSED CABANA  
ON  
72 NAPIER STREET  
TOWN OF KLEINBURG

DRAWING:  
**PROPOSED GARAGE**

PLOTTED:			
DATE:	<b>SEPT 2016</b>	PROJECT No.	<b>2016-26</b>
SCALE:	<b>AS NOTED</b>	DRAWING No.	<b>A2.0</b>
DRAWN BY:	REVIEWED BY:		

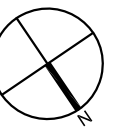
**REFERENCES:**

PLOT SCALE: 1=



LINTEL SCHEDULE

L1= 2- 2 X 6
L2= 2- 2 X 8
L3= 2- 2 X 10
L4= 3- 2 X 10
L5= 2- 2 X 12
L6= 3- 2 X 12

Attachment 5 - Cabana

ISSUED FOR CONSTRUCTION	
ISSUED FOR BID	
ISSUED FOR BUILDING PERMIT	
ISSUED FOR SITE PLAN APPROVAL	DATE
SUBMITTALS	



PROJECT:  
PROPOSED GARAGE  
PROPOSED CABANA  
ON  
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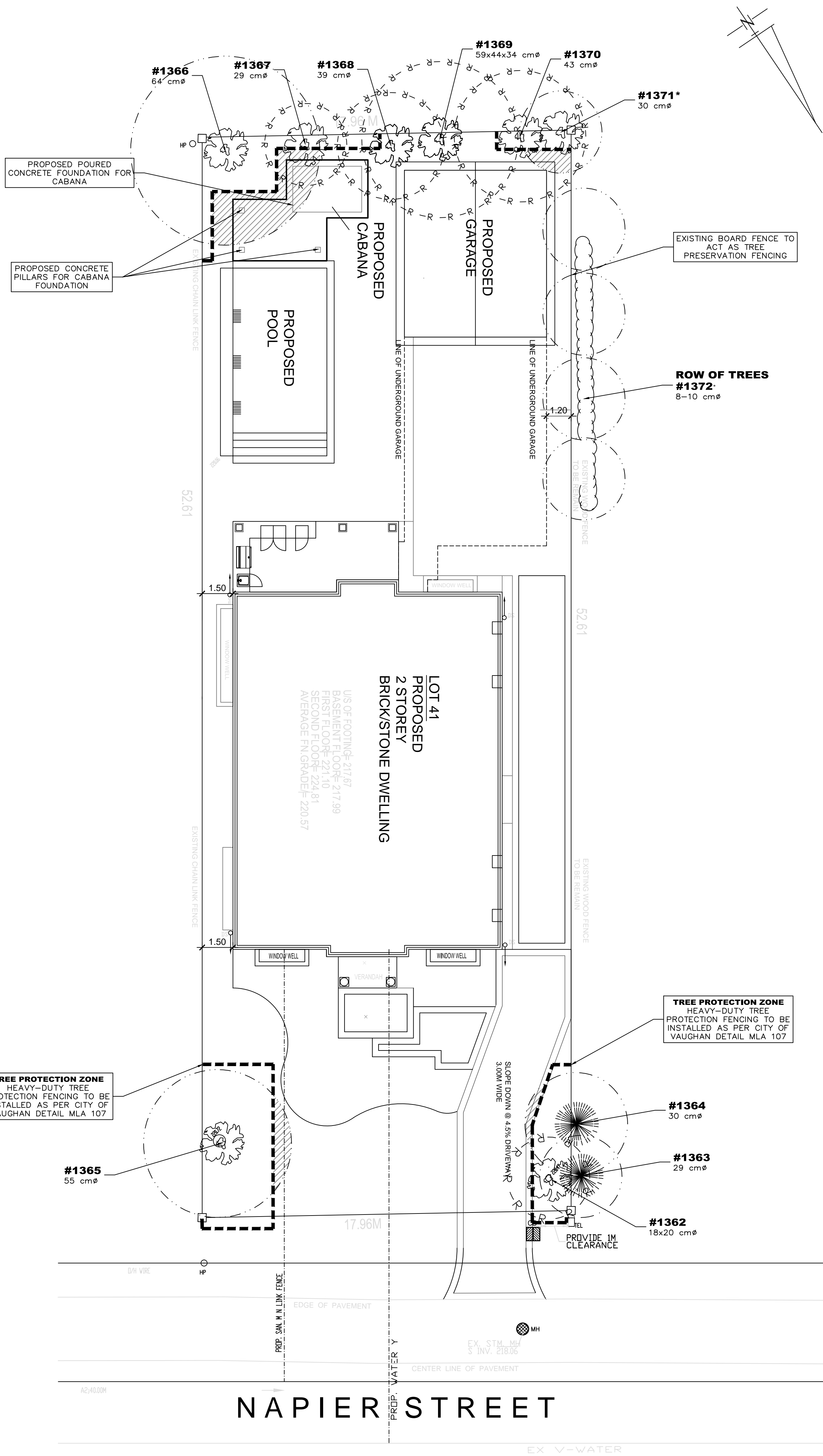
PLOTTED:		
DATE:	SEPT 2016	PROJECT No. 2016-26
SCALE:	AS NOTED	DRAWING No. A3.0
DRAWN BY:	REVIEWED BY:	











TREE INVENTORY AND PRESERVATION SPECIFICATIONS

Tag #	Species	DBH	Condition	Category	Remarks	Recommendations
1362	Horsechestnut <i>Aesculus hippocastanum</i>	18 x 20	Good	SL	Co-dominant stems with included bark Crown of tree is imbalanced due to shading from neighbouring spruce trees Leaves appear scorched	REMOVE <i>Permit to Remove required</i>
1363	White Spruce <i>Picea glauca</i>	29	Poor	PP	Crown is thin and imbalanced Minor branch dieback throughout the crown Cankering on west side of bole with some minor decay Poor growth rates Tree appears to be in a declining condition	PRESERVE & PROTECT <i>Permit to Remove required</i> Install TPZ hoarding Provide root pruning where required
1364	White Spruce <i>Picea glauca</i>	30	Poor	PP	Crown is thin with branch dieback on the west side of the crown Top of tree has died back and secondary leader has established	PRESERVE & PROTECT <i>Permit to Remove required</i> Install TPZ hoarding Provide root pruning where required
1365	White Mulberry <i>Morus alba</i>	55	Good	SL	Co-dominant stems with included bark Tree is poorly structured with many bark inclusions Sine Bark/wood bacterial infection observed in many areas within the crown (staining/wetness)	PRESERVE & PROTECT <i>Permit to Remove required</i> Install TPZ hoarding Provide root pruning where required
1366	Black Walnut <i>Juglans nigra</i>	64	Very Good	PP	Co-dominant leaders	PRESERVE & PROTECT <i>Permit to Remove required</i> Install TPZ hoarding Provide root pruning where required Provide pre-construction pruning and fertilizing
1367	Manitoba Maple <i>Acer negundo</i>	29	Very Poor	SL	Tree has been topped; bole is approximately 3.5m tall with epicormic branching as crown Target canker on east side of bole	REMOVE <i>Permit to Remove required</i>
1368	Manitoba Maple <i>Acer negundo</i>	39	Good	SL	Co-dominant stems; southern stem is dead and decaying (fruiting bodies observed) Large dead and broken limb on east side of stem	REMOVE <i>Permit to Remove required</i>
1369	Manitoba Maple <i>Acer negundo</i>	59 x 44 x 34	Fair	SL	3 stems with severely included bark at crotch Largest stem has extensive decay on east side Smallest stem is leaning to the west	REMOVE <i>Permit to Remove required</i>
1370	Manitoba Maple <i>Acer negundo</i>	43	Fair	SL	Tree is leaning to the west Branch dieback at the top	REMOVE <i>Permit to Remove required</i>
1371	Norway Maple <i>Acer platanoides cv.</i>	20	Very Good	B*	Tree was not located by O.L.S.	PRESERVE & PROTECT <i>Permit to Remove required</i> Install TPZ hoarding Provide root pruning where required
1372	Columnar Beech Hedgerow <i>Fagus sylvatica cv.</i>	8-10	Good	PP*	Not located by an O.L.S.	PRESERVE & PROTECT <i>Permit to Remove required</i> Install TPZ hoarding

Tree Protection Plan Notes

The following notes are to be provided on all site and landscape plans submitted in support of construction related applications.

Prior to site disturbance the owner must confirm that no migratory birds are making use of the site for nesting. The owner must ensure that the works are in conformance with the Migratory Bird Convention Act and that no migratory bird nests will be impacted by the proposed work.

It is the applicants' responsibility to discuss potential tree injury of trees on shared property lines with their neighbours. Should such trees be injured to the point of instability or death the applicant may be held responsible for removal and such issues would be dealt with in civil court or through negotiation. The applicant would be required to replace such trees to the satisfaction of Urban Forestry.

**TREE PROTECTION ZONE:**

No construction activity including grade changes, surface treatments or excavations of any kind is permitted within the area identified on the Tree Protection Plan or Site Plan as a Tree Protection Zone (TPZ). No root cutting is permitted. No storage of materials or fill is permitted within the TPZ. No movement or storage of vehicles or equipment is permitted within the TPZ. The area(s) identified as a TPZ must remain undisturbed at all times.

**TREE PROTECTION BARRIERS:**

Tree protection barriers for trees situated on the City road allowance where visibility must be maintained, can be 1.2m (4ft.) high and consist of Paige wire fencing on metal T-bar posts. All supports and bracing used to secure the barrier should be located outside the TPZ. All supports and bracing should minimize damage to roots outside the TPZ.

Where some fill or excavate has to be temporarily located near a tree protection barrier, plywood must be used to ensure no material enters the TPZ.

If the TPZ needs to be reduced to facilitate construction access, the tree protection barrier must be maintained at a lesser distance and the exposed TPZ protected with plywood and wood chips. This must first be approved by Urban Forestry.

Tree protection barriers must be installed around trees to be protected using plywood clad hoarding or an equivalent approved by Urban Forestry. All supports and bracing to safely secure the barrier should be outside the TPZ. All such supports and bracing should minimize damage to roots outside the TPZ.

Tree protection hoarding must remain in place and in good condition during demolition and/or construction and must not be altered or moved until authorized by Urban Forestry.

Established tree protection zones must not be used as construction access, storage or staging areas. Grade changes are not permitted within established TPZ.

Sediment control fencing shall be installed in the locations as indicated in the approved sediment control plan. The sediment control fencing must be installed to Ontario Provincial Standards (OPSD-219.110) and to the satisfaction of Urban Forestry.

**General Note:**

Prior to the commencement of any site activity the tree protection barriers specified on this plan must be installed and written notice provided to Urban Forestry. The tree protection barriers must remain in effective condition until all site activities including landscaping are complete. Where required, "Tree Protection Signage" must be attached to all sides of the barrier and be clearly visible.

Written notice must be provided to Urban Forestry prior to the removal of the tree protection barriers.

**ARBORICULTURAL WORK:**

Any roots or branches which extend beyond the TPZ indicated on this plan which require pruning, must be pruned by a qualified Arborist or other tree professional as approved by Urban Forestry. All pruning of tree roots and branches must be in accordance with good arboricultural standards.

THIS PLAN IS TO BE READ IN CONJUNCTION WITH THE TREE INVENTORY AND PLAN OF PRESERVATION AS PREPARED BY 7 OAKS TREE CARE & URBAN FORESTRY CONSULTANTS INC

Attachment 7 - Tree Inventory

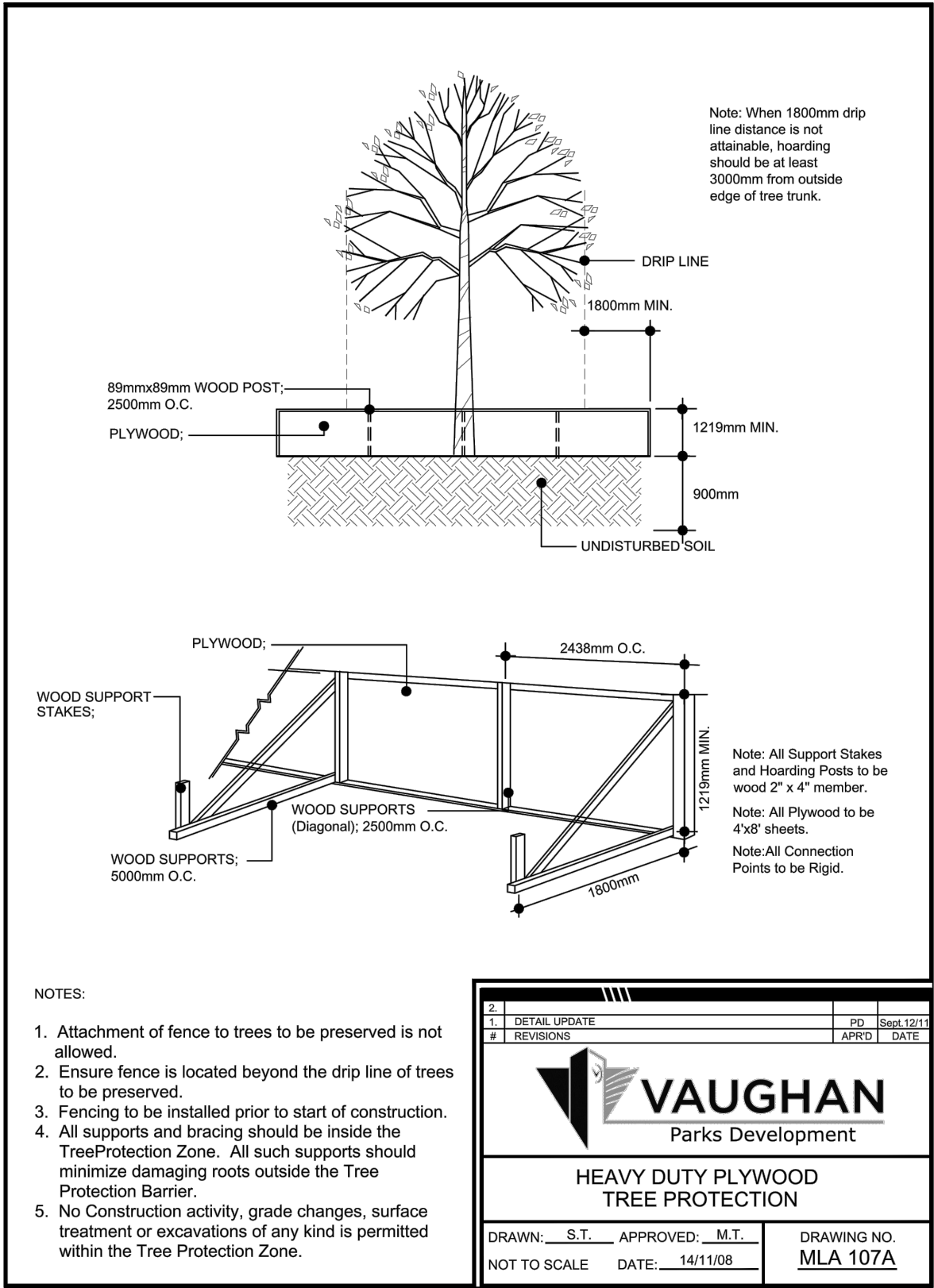


CONSULTING ARBORIST

7Oaks

TREE CARE & URBAN FORESTRY CONSULTANTS INC.  
P.O BOX 2453 (STN. B) RICHMOND HILL, ONTARIO L43 1A5  
t: 905-773-1733 f: 905-773-9319  
www.7oakstreecare.ca

Tree Protection Fence Detail



- LEGEND
- EXISTING DECIDUOUS TREE
- EXISTING CONIFEROUS TREE
- #390  
45cmØ

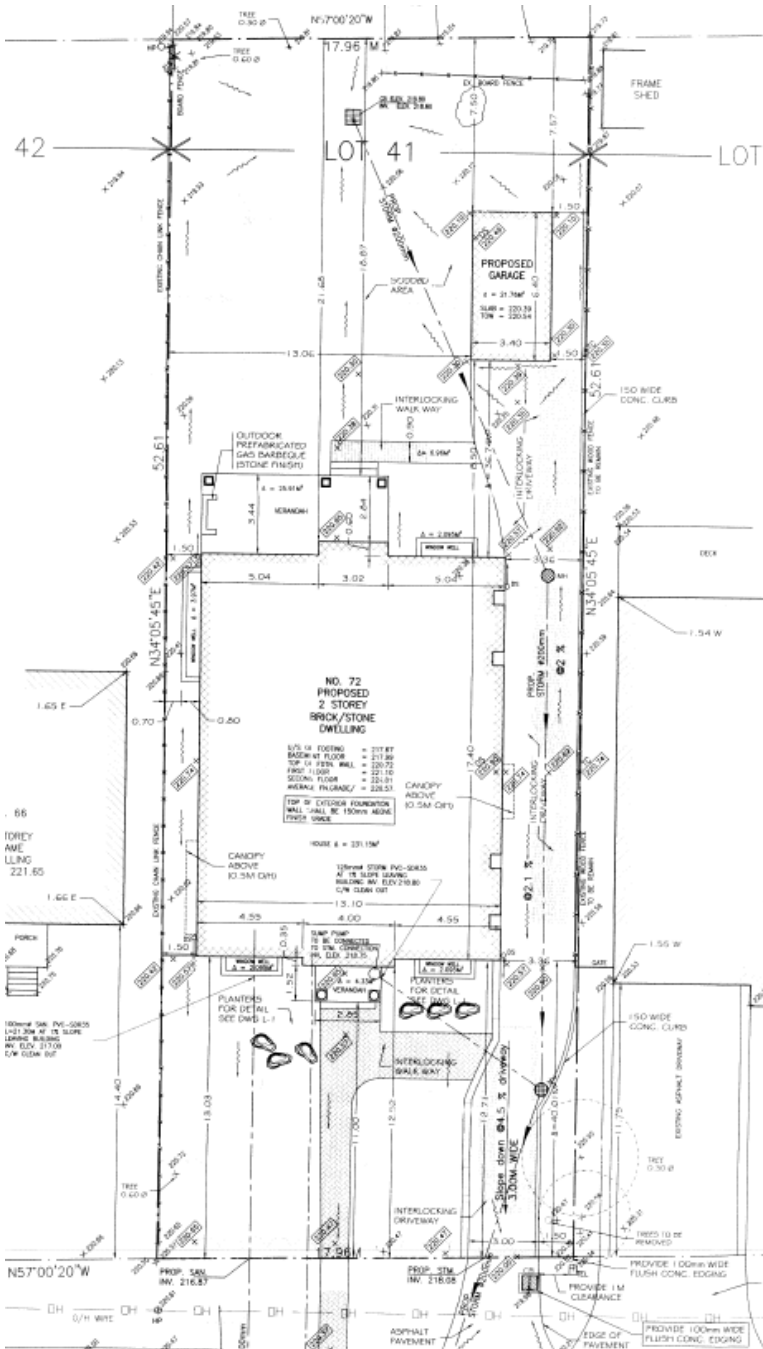
TREE TAG NUMBER &  
DIAMETER MEASUREMENT
- MINIMUM TREE PROTECTION DISTANCE  
TREE TO BE PRESERVED  
(HATCHED AREA INDICATES AREA OF INJURY)
- MINIMUM TREE PROTECTION DISTANCE  
TREE TO BE REMOVED
- TREE PROTECTION FENCING

03	REISSUED FOR SITE PLAN APPROVAL – REVISED SITE PLAN	4.11.2016
02	REISSUED FOR SITE PLAN APPROVAL – UPDATED DRIVEWAY	30.11.2015
01	REISSUED FOR SITE PLAN APPROVAL	25.09.2015
REV #	REVISIONS	DATE

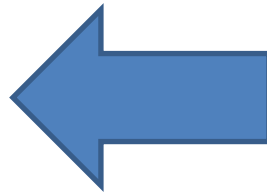
SITE

72 NAPIER STREET  
VAUGHAN, ON  
FILE #: DA.15.031

TITLE	
TREE PRESERVATION PLAN	
DATE	25 SEPTEMBER 2015
SCALE	1 : 125
DRAWN BY	LAS
PROJECT NO.	TA – 15 – 044
DRAWING NO.	TIPP – 01
PAGE	1 OF 1



Previous



Current  
Proposal

