

Committee of the Whole (Public Meeting) Report

DATE: Tuesday, December 6, 2022 **WARD(S):** 2

TITLE: 2668654 ONTARIO INC.
OFFICIAL PLAN AMENDMENT FILE OP.20.010
ZONING BY-LAW AMENDMENT FILE Z.20.031
VICINITY OF KIPLING AVENUE AND WOODBRIDGE AVENUE

FROM:

Haiqing Xu, Deputy City Manager, Planning and Growth Management

ACTION: FOR INFORMATION

Purpose

To receive comments from the public and the Committee of the Whole on applications to amend the Official Plan and Zoning By-law for the subject lands shown on Attachment 1. The Owner proposes to permit a 7-storey residential rental apartment building (Building 1) and a 5-storey residential rental apartment building (Building 2) with a total of 219 rental units and a Floor Space Index ('FSI') of 2.16 times the area of the lot, accessed by a private driveway off of Woodbridge Avenue with connection to Kipling Avenue through an existing private condominium driveway located at 8026 Kipling Avenue, as shown on Attachments 2 to 6.

Report Highlights

- The Owner proposes two residential rental apartment buildings with a total of 219 rental units and FSI of 2.16
- Applications for Official Plan and Zoning By-law Amendments are required to permit the proposed development
- This report identifies preliminary issues to be considered in a technical report to be prepared by the Development Planning Department at a future Committee of the Whole meeting

Recommendations

1. THAT the Public Meeting report for Official Plan and Zoning By-law Amendment Files OP.20.010 and Z.20.031 (2668654 Ontario Inc.) BE RECEIVED, and that any issues identified be addressed by the Development Planning Department in a technical report to a future Committee of the Whole meeting.

Background

Location: The 0.8 ha subject lands (the 'Subject Lands') do not have a municipal address and are legally described as: Part of Lots 7 and 8, Concession 8, Vaughan, designated as Parts 3, 4 and 5, Plan 65R-32167. The Subject Lands and the surrounding land uses are shown on Attachment 1.

Date of Pre-Application Consultation Meeting: *January 12, 2020*

Date applications were deemed complete: File: OP.20.010 – *October 30, 2020*
File: Z.20.031 – *November 13, 2020*

Previous applications were submitted for the Subject Lands

On July 24, 2007, the Development Planning Department received Official Plan and Zoning By-law Amendment applications (Files OP.07.005 & Z.07.036) (Canadian Pacific Railway Company), to redesignate the Subject Lands from "Industrial" to "Medium Residential" in OPA 695 to permit 54 stacked townhouse units. The Development Planning Department advised that the proposed amendment did not conform to the policies of the Provincial Policy Statement ('PPS'), as it constituted the conversion of lands within an employment area to a non-employment use which requires a municipal comprehensive review. As a result, Canadian Pacific Railway Company did not pursue the amendment and these applications were closed.

Official Plan Amendment File OP.20.010 and Zoning By-law Amendment File Z.20.031 have undergone significant revisions

2232394 Ontario Inc. ('the previous owner') submitted Official Plan and Zoning By-law Amendment Files OP.20.010 Z.20.031 ('the Applications') to amend Vaughan Official Plan 2010 ('VOP 2010') and rezone the Subject Lands from "M2 General Industrial Zone" ('M2 Zone') and "M3 Transportation Industrial Zone" ('M3 Zone') to "RM2 Multiple Residential Zone" ('RM2 Zone') with site-specific exceptions to permit the original development as shown on Attachment 9, consisting of:

- a 4-storey mixed-use apartment building comprised of 14 residential units and 245.2 m² of retail space (Block 1);
- 3 blocks of 4-storey stacked townhouses, comprised of 30 units (Blocks 2 to 4);
- 2 blocks of 3-storey townhouses, comprised of 9 units (Blocks 5 and 6);
- 2, 3-storey semi-detached residential units (Block 7); and
- a private condominium road to provide access via Woodbridge Avenue connecting to a shared private road (existing development at 8026 Kipling Avenue).

On March 2, 2021, the Committee of the Whole received a Public Meeting report on the Applications which considered the original development. The following comments concerning the original development were received:

- A. Chira, email dated November 11, 2020;
- Rosemarie Humphries of Humphries Planning Group Inc., on behalf of Canuck Properties Ltd, Owner of 8214 Kipling Avenue, letter dated February 11, 2021;
- Nick Pinto, West Woodbridge Homeowner's Association, letter dated March 1, 2021;
- Aaron Gillard, Larkin Land-Use Planners Inc., deputation on behalf of the Owner, email dated February 16, 2021;
- Aaron Gillard, Larkin Land-Use Planners Inc., deputation on behalf of the Owner, March 2, 2021;
- Daniel Ceron, Larkin Land-Use Planners Inc., deputation on behalf of the Owner, March 2, 2021;

The following is a summary of the comments received for the original development and have been organized into themes as follows:

Compatibility

- The proposed development is irresponsible and has consequences for the personal privacy as well as the peaceful enjoyment of future residents;
- It doesn't make sense to support a rezoning to permit residential development in a general industrial zone
- The application's amendments are not sustainable and are not likely to result in a well-planned, harmonious neighbourhood; and
- What is the strategy for buffering given the existing employment uses abutting the Subject Lands to the west?

Parking and Access

- The proposed on-street parking spaces along Woodbridge Avenue will diminish the westbound view and pose a safety risk for pedestrians and vehicular traffic;
- The proposed private driveway from Woodbridge Avenue will be within close proximity to three additional access points – one driveway is located immediately to the east of the Subject lands, accessing existing commercial uses and two driveways are located immediately to the west of the Subject Lands, accessing existing employment uses;
- The access proposed from Woodbridge Avenue will be located off a sharp bend in Woodbridge Avenue which would cause safety issues;
- The Owner of the abutting lands to the northwest, 8214 Kipling Avenue, owned by Canuck Properties Ltd, is concerned about the lack of connectivity between the proposed development and their property;
- Canuck Properties Ltd. has requested that the development incorporate a future access/easement at the north-west corner of the Subject Lands to ensure a potential connecting access westerly from the Subject Lands, should the Canuck Properties Ltd property redevelop; and

- Canuck Properties Ltd. suggests that a t-intersection be considered rather than a curve in the private laneway adjacent to their property to allow for future access west of the Subject Lands.

Heritage

- The development is located adjacent to the former Toronto Grey and Bruce Railroad station which should be preserved and restored as a historical landmark

Other

- Concerned that the buildings will be of 'stick construction' which is a noise and fire issue.

Revised Official Plan and Zoning By-law Amendment Applications have been submitted to permit the proposed development

2668654 Ontario Inc. (the 'Owner') acquired the Subject Lands from the previous owner and has submitted the following Applications to permit a 7-storey residential rental apartment building with a total of 126 rental units and a 5-storey rental apartment building with a total of 93 units for a total of 219 rental units, with a total FSI of 2.16 times the area of the lot, accessed by a private laneway via Woodbridge Avenue, with connection to Kipling Avenue through an existing condominium development at 8026 Kipling Avenue ('the Development'), as shown on Attachments 2 to 6:

1. Official Plan Amendment File OP.20.010 to amend VOP 2010, specifically Volume 2, Section 11.5 - Kipling Avenue Corridor Secondary Plan ('KACSP') to:
 - a) Redesignate the Subject Lands from "Low-Rise Residential B" and "Mid-Rise Mixed-Use" to "Mid-Rise Residential";
 - b) Increase the maximum permitted building height under the "Mid-Rise Residential" designation from 6-storeys (19 m) with a 4-storey podium (13 m), to a maximum building height of 7-storeys (24.5 m) with no podium;
 - c) Permit a setback of 2.6 m whereas a 3 m setback is required from Woodbridge Avenue in the "Mid-Rise Residential" designation, and;
 - d) To amend Section 11.5.2.6 to permit the Development;
2. Zoning By-law Amendment File Z.20.031 to rezone the Subject Lands from M2 Zone and M3 Zone to RA2 Zone in Zoning By-law 1-88, as shown on Attachment 2, together with the site-specific exceptions as identified in Table 1 of this report.

Public Notice was provided in accordance with the Planning Act and Council's Notification Protocol

- a) Date the Notice of Public Meeting was circulated: November 11, 2022.

The Notice of Public Meeting was also posted on the City's website at www.vaughan.ca and a Notice Sign were installed along Woodbridge Avenue and Burton's Lane on the Subject Lands in accordance with the City's Notice Signs Procedures and Protocols.

- b) Circulation Area: To all property owners within an expanded notification area of 300 m of the Subject Lands and to the West Woodbridge Homeowners Association, the Village of Woodbridge Ratepayers Association, and to anyone on file with the Office of the City Clerk having requested notice.
- c) No comments have been received on the revised Applications as of November 15, 2022, by the Development Planning Department.

Any written comments received will be forwarded to the Office of the City Clerk to be distributed to the Committee of the Whole as a Communication and be reviewed and addressed by the Development Planning Department in a future technical report to the Committee of the Whole.

Previous Reports/Authority

The following is a link to a previous report regarding the Subject Lands:

[March 2, 2021, Committee of the Whole Public Meeting \(Item 1, Report No. 9\)](#)

Analysis and Options

Amendments to VOP 2010 are required to permit the Development

Official Plan Designation:

- Located partially within a "Community Area" and "Intensification Area," specifically the Historic Village of Woodbridge" on Schedule 1 – Urban Structure of VOP 2010
- "Mid-Rise Mixed-Use" and "Low-Rise Residential B", by VOP 2010, Volume 2, Section 11.5 – the Kipling Avenue Corridor Secondary Plan ('KACSP'), as shown on Attachment 7
- The "Mid-Rise Mixed-Use" designation permits residential units and small-scale retail uses within a mixed-use building with a maximum height of 6-storeys and a maximum FSI of 3.0 times the area of the lot
- The "Low-Rise Residential B" designation permits semi-detached, townhouses and stacked townhouses with a maximum height of 2 storeys and maximum FSI of 0.7
- The Owner proposes to redesignate the Subject Lands from "Mid-Rise Mixed-Use" and "Low-Rise Residential B" to "Mid-Rise Residential" to permit the Development
- The KACSP also includes a number of schedules related to block pattern, street network, open space framework, proposed parks, parkettes and public spaces, pedestrian and bicycle trail network, landmark sites and gateways, building frontages, orientation and corner and terminus sites, minimum front-yard building setbacks, heritage resources, projected new unit counts and density
- Additional amendments to VOP 2010, including any required amendments to KACSP Schedules, may be identified through a detailed review of the Applications

Council enacted By-law 001-2021 as the new Vaughan Comprehensive Zoning By-law

On October 20, 2021, Council enacted By-law 001-2021 as the new Vaughan Comprehensive Zoning By-law. A notice of passing was circulated on October 25, 2021 in accordance with the *Planning Act*. The last date for filing an appeal to the Ontario Land Tribunal ('OLT') in respect of By-law 001-2021 was November 15, 2021. By-law 001-2021 is currently under appeal and, when in force, will replace Zoning By-law 1-88, as amended.

The Applications were received by the City on October 30, 2020 and November 13, 2020. According to the transition provisions of Section 1.6.3 of Zoning By-law 001-2021, as complete applications were received prior to the enactment of Zoning By-law 001-2021, the Applications will not be subject to Zoning By-law 001-2021.

Amendments to Zoning By-law 1-88 are required to permit the development

Zoning:

- M2 Zone and M3 Zone by Zoning By-law 1-88, which permits industrial and outside storage uses
- These zones do not permit the Development
- The Owner proposes to rezone the Subject Lands to RA2 Zone as shown on Attachment 2, together with the following site-specific zoning exceptions, to permit the Development:

Table 1

	Zoning By-law 1-88 Standard	RA2 Apartment Residential Zone Requirement	Proposed Exceptions to the RA2 Apartment Residential Zone Requirement
a.	Definition of a "Driveway"	Means a vehicular accessway providing access from a public highway to a building or property, a loading space, a parking area or garage	Means a vehicular accessway providing access from a public highway or a private street
b.	Minimum Lot Area	80 m ² /unit	36.8 m ² /unit
c.	Minimum Front Yard (Woodbridge Avenue)	7.5 m	2.95 m
d.	Minimum Rear Yard	2 m	0.85 m to stairwell

	Zoning By-law 1-88 Standard	RA2 Apartment Residential Zone Requirement	Proposed Exceptions to the RA2 Apartment Residential Zone Requirement
e.	Minimum Interior Side Yard	<ul style="list-style-type: none"> • Building 1 – 14.34 m • Building 2 – 11.19 m 	<ul style="list-style-type: none"> • Building 1 - 1.5 m • Building 2 – 2.8 m
f.	Minimum Setback to Structures Below Grade	1.8 m	0.89 m
g.	Parking for Multiple Family Dwellings	<p>A strip of land not less than 3 m 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.</p> <p>An outdoor parking area shall be screened from the street and any adjacent premises. Screening shall consist of either a landscaped earthen berm, or an evergreen hedgerow, and shall have a minimum height of 1.2 m. This shall not prevent the provision of access driveways through the said screening</p>	<p>A strip of land not less than 0.99 m in width around the periphery of an outdoor parking area shall be used for no other purpose than landscaping, but this shall not prevent the provision of access driveways across the said strip.</p> <p>Screening shall consist of trees and/or ornamental shrubs or grasses and a minimum height of such landscaping shall not be required</p>
h.	Minimum Width of Drive Aisle	6 m	5.53 m
i.	Minimum width of joint ingress and egress driveway (Woodbridge Avenue)	7.5 m	6 m
j.	Minimum Parking Requirements	Residential 1.5 spaces/unit x 219 units = 329 spaces	Residential 0.689 spaces/unit x 219 units = 151 spaces

	Zoning By-law 1-88 Standard	RA2 Apartment Residential Zone Requirement	Proposed Exceptions to the RA2 Apartment Residential Zone Requirement
		<p>Visitor 0.25 spaces/unit x 219 units = 55 spaces</p> <p>Total Parking Required = 384 spaces</p>	<p>Visitor 0.2 spaces/unit x 219 units = 44 spaces</p> <p>Provide a total of 195 spaces</p>
k.	Minimum Amenity Area	<p>175 One Bedroom Unit x 20 m²/unit = 3,500 m²</p> <p>44 Two Bedroom Unit x 55 m²/unit = 2,420 m²</p> <p>0 Three Bedroom Unit x 90 m²/unit = 0 m²</p> <p>Total required amenity area = 5,920 m²</p>	<p>175 One Bedroom Unit x 10 m²/unit = 1,750 m²</p> <p>44 Two Bedroom Unit x 18.888 m²/unit = 827.2 m²</p> <p>0 Three Bedroom Unit x 90 m²/unit = 0 m²</p> <p>Provide a total amenity area of 2,577.2 m²</p>
l.	Loading	Where a lot has a frontage of less than 45m and is not a through lot, all loading shall take place between the building and the rear lot line	Loading shall be permitted between the building and the side lot line
m.	Minimum Landscape Strip abutting a street line	A strip of land not less than 6 m in width shall be provided along a lot line which abuts a street line, and shall be used for no other purpose than landscaping	A strip of land not less than 0.89 m in width shall be used abutting Burton's Lane and 2.6 m abutting Woodbridge Avenue, and shall be used for no other purpose than landscaping

Additional zoning exceptions may be identified through the detailed review of the Applications and will be considered in a technical report to a future Committee of the Whole meeting.

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

	MATTERS TO BE REVIEWED	COMMENT(S)
a.	Conformity and Consistency with Provincial Policies, York Region and City Official Plan Policies	<ul style="list-style-type: none"> ▪ The Applications will be reviewed for consistency and conformity with the Provincial Policy Statement, 2020 (the 'PPS'), A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020, as amended (the 'Growth Plan') and the policies of the York Region Official Plan, 2010 ('YROP') and VOP 2010, specifically, Volume 2, Section 11.5, KACSP, including all applicable schedules and the Rainbow Creek South concept plan ▪ The appropriateness of the amendments to VOP 2010 will be reviewed in consideration of the proposed land use designation, building height, built form, density, the proposed stand-alone residential use, and compatibility with existing employment, residential and planned surrounding land uses.
b.	Appropriateness of Amendments to Zoning By-law	<ul style="list-style-type: none"> ▪ The appropriateness of the rezoning and site-specific exceptions will be reviewed in consideration of the existing and planned surrounding land uses ▪ Additional matters that will be reviewed during the zoning by-law amendment and site plan stage include, but are not limited to: parking, loading, maneuvering, access, landscaping, massing, lot coverage, setbacks, amenity areas and pedestrian and bicycle connectivity.
c.	Woodbridge Heritage Conservation District Plan ('WHCDP')	<ul style="list-style-type: none"> ▪ The Subject Lands abut the WHCDP and properties that contribute to the district such as 3 Burton's Lane ▪ The Development must have regard for the adjacency policies of the WHCDP and be reviewed by the Vaughan Development Planning Department, Urban Design and Cultural Heritage Division
d.	Related Site Development Application	<ul style="list-style-type: none"> ▪ Should the Applications be approved, the Owner will be required to submit a Site Plan Application to be reviewed by City staff
e.	Studies and Reports	<ul style="list-style-type: none"> ▪ The Owner submitted studies and reports in support of the Applications available on the city's website at https://maps.vaughan.ca/planit/ (PLANit Viewer) and must be

	MATTERS TO BE REVIEWED	COMMENT(S)
		<p>approved to the satisfaction of the City or respective approval authority.</p> <ul style="list-style-type: none"> The requirement for additional studies and/or reports may be identified through the review of the Applications, including but not limited to: a Heritage Impact Assessment, Noise and Vibration Study, Phase Two Environmental Site Assessment (ESA) and Hydrogeological Report
f.	Allocation and Servicing	<ul style="list-style-type: none"> The availability of water and sanitary servicing capacity for the Development must be identified and allocated by Vaughan Council, if the applications are approved. If servicing allocation is unavailable, the lands will be zoned with a Holding Symbol “(H)”, which will be removed once servicing capacity is identified and allocated to the lands by Vaughan Council
g.	Urban Design Guidelines	<ul style="list-style-type: none"> The Development will be reviewed in consideration of the City of Vaughan City-wide Urban Design Guidelines and the Woodbridge Centre Urban Design Guidelines
h.	Design Review Panel ('DRP')	<ul style="list-style-type: none"> As the Subject Lands are partially located within an “Intensification Area”, the Applications may be subject to DRP, which must be undertaken prior to proceeding to the Committee of the Whole
i.	Public Agency/Municipal Review	<ul style="list-style-type: none"> The Applications must be reviewed by York Region and external public agencies including the Canadian Pacific Railway and utilities, municipalities and the Public, Separate, and the School Boards
j.	Sustainable Development	<ul style="list-style-type: none"> At the Site Development Application stage of the Applications, the Development shall be reviewed in consideration of the City of Vaughan’s Policies and Sustainability Metrics Program. The Development shall achieve a minimum Bronze score of 31.
k.	Parkland Dedication	<ul style="list-style-type: none"> The Applications will be reviewed in consideration of the requirements of the <i>Planning Act</i> and the City of Vaughan’s Parkland Dedication Policy.
l.	The CBC By-law will be applicable	<p>The development meets the criteria for Community Benefits Charges ('CBC'). The City passed the CBC By-law on September 14, 2022 which is therefore the applicable mechanism used to collect community benefits.</p>

	MATTERS TO BE REVIEWED	COMMENT(S)
m.	Affordable Housing	<ul style="list-style-type: none"> ▪ The Applications will be reviewed in consideration of Provincial, Regional and City policies to ensure that the development provides an appropriate level, range and mix of unit sizes and types to meet the City's affordable housing goals
n.	Amenity Areas	<ul style="list-style-type: none"> ▪ The minimum required amenity area under Zoning By-law 1-88 is 5,920 m², whereas the Owner is proposing a minimum amenity area of 2,577.2 m². ▪ Although the Applications are not subject to Zoning By-law 001-2021, the Owner should meet the minimum required amenity area as calculated under Zoning By-law 001-2021. ▪ The amenity area calculation under Zoning By-law 001-2021 would require the Owner to provide 1,159 m² of amenity space, whereas based on the definition of amenity area in Zoning By-law 001-2021, the Owner proposes a total amenity area of 1,130.1 m². ▪ The Owner does not meet the required minimum amenity area in Zoning By-law 001-2021. As the City intends to apply these rates in the future, the development proposal should provide more amenity space to comply with the minimum rates established by Zoning By-law 001-2021
o.	Access and Parking	<ul style="list-style-type: none"> ▪ The Owner is proposing access to the Development via Woodbridge Avenue and connecting to an existing private condominium road on the abutting lands municipally known as 8026 Kipling Avenue ▪ Shared access must be coordinated with the landowner of 8026 Kipling Avenue. Consent from the abutting landowner, easements and/or agreements will be required to provide mutual access between the Subject Lands and the existing development ▪ The Transportation Engineering Division of the Development Engineering Department has advised that they cannot support the proposed parking reduction (195 total spaces), as it does not fulfill the updated parking standards under By-law 001-2021 or the IBI study

	MATTERS TO BE REVIEWED	COMMENT(S)
		<ul style="list-style-type: none"> The Parks Infrastructure Planning and Development Department ('PIPD') have identified a public park abutting the Subject Lands along the western boundary, as shown on Attachment 8. As such, the PPID has requested that the proposed driveway be designed as a public lane to provide future public access to this park
p.	Multi-use Path	<ul style="list-style-type: none"> Map 11.5.E – Open Space Framework of the KACSP identifies an "Open Space Trail" traversing the Subject Lands with connection to the lands north of the Subject Lands, as shown on Attachment 8 The Parks Infrastructure Planning and Development Planning Department has identified that the Owner shall accommodate a multi-use path on the Subject Lands
q.	Tree Protection	<ul style="list-style-type: none"> Should the Applications be approved, the Owner may be required to enter into a Tree Protection Agreement with the City of Vaughan in accordance with By-law 052-2018 to protect any existing trees on the Subject Lands that are in good condition
r.	Other Agreements May be Required	<ul style="list-style-type: none"> Should the Applications be approved, the Owner may be required to enter into a development agreement with the City of Vaughan Development Engineering department for the installation of any proposed service connections and agree to pay for design and construction of any improvements to the municipal infrastructure should it be determined that upgrades are required to the infrastructure to support the Development Additionally, agreements with the City of Vaughan regarding discharging groundwater, excavation, shoring, encroachment, and payment of associated fees may also be required

Additional matters to be reviewed shall be identified through a detailed review of the Applications and will be considered as part of a comprehensive report to a future Committee of the Whole meeting.

Financial Impact

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

Broader Regional Impacts/Considerations

The Applications have been circulated to the York Region Community Planning and Development Services Department for review and comment. The Owner has requested exemption of Regional Approval for Official Plan Amendment File OP.20.010. York Region has determined the proposed Official Plan Amendment application is a matter of local significance and does not adversely affect regional planning policies or interest. York Region, on November 19, 2020, exempted the Official Plan Amendment Application from approval, and confirmed via email on July 5, 2022, that regional exemption by the Regional Committee of the Whole and Council continues to apply.

Conclusion

The preliminary issues identified in this report and any other issues identified through the processing of the Applications will be considered in the comprehensive review of the Applications. Comments from the public and Vaughan Council expressed at the Public Meeting or in writing will be addressed in a technical report to a future Committee of the Whole meeting.

For more information, please contact Rebecca Roach, Planner, Development Planning Department, ext. 8626.

Attachments

1. Context and Location Map
2. Conceptual Site Plan and Proposed Zoning
3. Landscape Master Plan
4. West and East Building Elevations
5. North and South Building Elevations
6. Rendering
7. KACSP Land Uses
8. Open Space Framework KACSP
9. Previous Development Proposal

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Approved by

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Haiqing Xu, Deputy City Manager,
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Reviewed by

A handwritten signature in cursive script, appearing to read 'Nick Spensieri'.

Nick Spensieri, City Manager