

## Committee of the Whole (Public Hearing) Report

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**DATE:** Tuesday, September 17, 2019

**WARD:** 2

**TITLE: NATIONAL CAPITAL FINANCIAL INC.  
ZONING BY-LAW AMENDMENT FILE Z.19.005  
VICINITY OF KIPLING AVENUE AND WOODBRIDGE AVENUE**

**FROM:**

Jason Schmidt-Shoukri, Deputy City Manager, Planning and Growth Management

**ACTION:** DECISION

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**Purpose**

To receive comments from the public and the Committee of the Whole on Zoning By-law Amendment File Z.19.005 (National Capital Financial Inc.) to amend the C3 Local Commercial Zone subject to site-specific Exception 9(1054) of Zoning By-law 1-88, for the subject lands shown on Attachment 1. Zoning By-law Amendment File Z.19.005, if approved, will permit additional at-grade commercial uses and a residential unit within the second floor of the existing two-storey commercial building, together with the site-specific zoning exceptions identified in Table 1.

**Report Highlights**

- To receive comments from the public and the Committee of the Whole regarding the additional at-grade commercial uses and a second-floor residential unit on the subject lands.
- An amendment to Zoning By-law 1-88 is required to permit the proposed uses and site-specific exceptions.
- A technical report will be prepared by the Development Planning Department to be considered at a future Committee of the Whole meeting.

## **Recommendations**

1. THAT the Public Hearing report for Zoning By-law Amendment File Z.19.005 (National Capital Financial Inc.) BE RECEIVED; and, that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole.

## **Background**

The Subject Lands (the 'Subject Lands') are located on the west side of Kipling Avenue, south of Woodbridge Avenue, and are municipally known as 7938 Kipling Avenue, as identified on Attachment 1. The Subject Lands are currently developed with a two-storey commercial building, as identified on Attachment 2, that was formerly a residential dwelling.

### ***A Zoning By-law Amendment Application was submitted to permit additional uses and site-specific exceptions***

The Owner (National Capital Financial Inc.) has submitted Zoning By-law Amendment Application Z.19.005 (the 'Application') to amend the "C3 Local Commercial Zone" ('C3 Zone') subject to site-specific Exception 9(1054) of Zoning By-law 1-88, to permit additional at-grade commercial uses permitted by the C3 Zone, and one residential unit on the existing second floor of the building with a gross floor area ('GFA') of 84.6 m<sup>2</sup>. Site-specific Exception 9(1054) limits the permitted uses on the Subject Lands to a Bridal Retail Store with an accessory work area and storage on the second floor, and a storage area in the basement. The proposed site-specific zoning exceptions identified in Table 1 of this report will also be required to recognize the existing lot conditions on the Subject Lands.

The permitted uses by the C3 Zone that are proposed on the ground floor of the existing building through this Application are as follows:

- Bank or Financial Institution;
- Business or Professional Office;
- Personal Service Shop;
- Pharmacy;
- Photography Studio;
- Retail Store; and
- Video Store.

In addition to the permitted uses by the C3 Zone, a residential unit is proposed on the second floor of the existing building.

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

- a) Date the Notice of Public Hearing was circulated: August 23, 2019

The Notice of Public Hearing was also posted on the City's website at [www.vaughan.ca](http://www.vaughan.ca) and a Notice Sign was installed on the property in accordance with the City's Notice Signs Procedures and Protocols.

- b) Circulation Area: 150 m and the area shown on Attachment 1, and to the Village of Woodbridge Ratepayer's Association and West Woodbridge Homeowners Ratepayer's Association.

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

**Previous Reports/Authority**

N/A

**Analysis and Options**

***The Application conforms to Vaughan Official Plan 2010***

The Subject Lands are designated "Mid-Rise Mixed-Use" by Vaughan Official Plan 2010 ('VOP 2010'), Volume 2, Section 11.5 Kipling Avenue Corridor Secondary Plan ('KACSP'). The "Mid-Rise Mixed-Use" designation represents the primary retail and commercial centre for the KACSP and is intended to concentrate a significant residential population. The "Mid-Rise Mixed-Use" designation permits small scale, grade related retail, service commercial, restaurant and office uses as part of a contiguous mixed-use building. Residential units in the form of townhouse, low-rise or mid-rise building types are permitted, provided they are not located on the street facing ground level. Stand alone, single use buildings are not permitted.

The existing two-storey building on the Subject Lands is a permitted building type. The proposed uses on the ground floor and residential unit on the second floor are permitted by the "Mid-Rise Mixed-Use" designation of the KACSP. The Application conforms to VOP 2010.

The Subject Lands are located within the “Woodbridge Heritage Conservation District Study and Plan” (‘WHCD Plan’). The existing building is designated Part V under the *Ontario Heritage Act* and is listed on the City’s “Register of Properties of Cultural Heritage Value”. The Owner intends to utilize the existing building and proposes minor alterations to the rear of the building to accommodate access for the proposed residential unit. The proposed building and site alterations will be subject to review by the Urban Design and Cultural Heritage Division of the Development Planning Department and the Heritage Vaughan Committee.

***Site-Specific Amendments to Zoning By-law 1-88 are required to permit the Application***

The Subject Lands are zoned “C3 Local Commercial Zone” and subject to site-specific Exception 9(1054) of Zoning By-law 1-88, as shown on Attachment 2. The following site-specific exceptions are required to implement the full range of uses permitted by the C3 Zone on the ground floor and a residential unit on the second floor, and to recognize the existing lot area of the Subject Lands:

Table 1

|    | <b>Zoning By-law 1-88 Standards</b> | <b>C3 Zone and site-specific Exception 9(1054) Requirements</b> | <b>Proposed Exceptions to the C3 Zone and site-specific Exception 9(1054)</b>                                                                                                                                                                                                                                                                                                                                                            |
|----|-------------------------------------|-----------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| a. | Permitted Uses                      | Bridal Retail Store                                             | <p>On the ground floor:</p> <ul style="list-style-type: none"> <li>• Bank or Financial Institution;</li> <li>• Business or Professional Office;</li> <li>• Personal Service Shop;</li> <li>• Pharmacy;</li> <li>• Photography Studio;</li> <li>• Retail Store;</li> <li>• Video Store.</li> </ul> <p>On the second floor:</p> <ul style="list-style-type: none"> <li>• One (1) residential unit measuring 84.6 m<sup>2</sup>.</li> </ul> |
| b. | Minimum Lot Depth                   | 60 m                                                            | 47.67 m                                                                                                                                                                                                                                                                                                                                                                                                                                  |

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

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

|    | <b>Matters to be Reviewed</b>                                                                    | <b>Comments</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|----|--------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| a. | Consistency and Conformity with Provincial Policies, York Region and City Official Plan Policies | <ul style="list-style-type: none"> <li>The Application will be reviewed for consistency and conformity with the <i>Provincial Policy Statement, 2014</i> (the 'PPS'), the <i>Growth Plan for the Greater Golden Horseshoe 2019</i> (the 'Growth Plan') and the policies of the York Region Official Plan ('YROP'), VOP 2010 and the KACSP</li> </ul>                                                                                                                                                                                                                                                       |
| b. | Appropriateness of the Proposed Zoning By-law Amendment and Site-Specific Exceptions             | <ul style="list-style-type: none"> <li>The appropriateness of the proposed amendments to Zoning By-law 1-88 will be reviewed in consideration of the existing and planned uses to implement the "Mid-Rise Mixed-Use" designation of the KACSP; compatibility with surrounding land uses; appropriateness of the site design; and appropriateness of the proposed site-specific zone standards</li> </ul>                                                                                                                                                                                                   |
| c. | Related Site Development Application                                                             | <ul style="list-style-type: none"> <li>The Owner will be required to submit a Minor Site Development Application to facilitate the addition of an access to the proposed residential unit at the rear of the building, and minor alterations to the parking area, which will be reviewed in consideration of, but not limited to, the following matters: <ul style="list-style-type: none"> <li>– appropriate site design</li> <li>– barrier free accessibility</li> <li>– adequate parking to support the proposed uses</li> <li>– appropriate driveway access onto Kipling Avenue</li> </ul> </li> </ul> |

|    |                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|----|----------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|    |                                                    | <ul style="list-style-type: none"> <li>– appropriate landscaping, amenity area, and snow storage areas</li> <li>– proper stormwater management and retention measures to ensure any runoff/drainage is properly maintained on site</li> <li>– proper servicing and grading</li> <li>– appropriate provisions for waste management collection and storage</li> <li>• The Development Planning Department is the delegated approval authority for Minor Site Development Applications, as the Application is to add a building access and make site alterations only (no new development). The matters identified through the review of the Site Development Application must be addressed by the Owner.</li> </ul> |
| d. | Woodbridge Heritage Conservation District ('WHCD') | <ul style="list-style-type: none"> <li>• The Application and future Minor Site Development Application must conform to the approved WHCD Plan and be approved by the Heritage Vaughan Committee.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| e. | Studies and Reports                                | <ul style="list-style-type: none"> <li>• The Owner is required to submit the following studies and reports in support of the future Minor Site Development Application: <ul style="list-style-type: none"> <li>– Heritage Impact Assessment</li> <li>– Site Plan Accessibility Check List</li> </ul> </li> <li>• Additional reports or studies may be required as part of the development application review process.</li> </ul>                                                                                                                                                                                                                                                                                  |
| f. | Sustainable Development                            | <ul style="list-style-type: none"> <li>• Opportunities for sustainable design, including CPTED (Crime Prevention Through Environmental Design), LEED (Leadership in Energy and Environmental Design), permeable pavers, bio-swales, bicycle racks to promote alternative modes of transportation, drought tolerant landscaping, energy efficient lighting,</li> </ul>                                                                                                                                                                                                                                                                                                                                             |

|    |                                           |                                                                                                                                                                                                                |
|----|-------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|    |                                           | reduction in pavement, and roof-top treatment to address the “heat island” effect, green roofs, etc., will be reviewed and implemented through the site plan approval process, if the application is approved. |
| g. | Urban Design and Architectural Guidelines | <ul style="list-style-type: none"> <li>The Development must conform to the approved “Kipling Avenue Corridor Urban Design Guidelines – 2009.”</li> </ul>                                                       |

### **Financial Impact**

N/A

### **Broader Regional Impacts/Considerations**

The Subject Lands do not front onto a Regional Road. The York Region Community Planning and Development Services Department has reviewed the Application and consider it a local matter, and have no objection to the Application.

### **Conclusion**

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

**For more information**, please contact: Chris Cosentino, Planner at extension 8215

### **Attachments**

1. Location Map
2. Site Plan and Zoning
3. Site-Specific Zoning Schedule E-1153

### **Prepared by**

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