

Committee of the Whole (Public Hearing) Report

DATE: Wednesday, December 05, 2018

WARD: 2

**TITLE: OFFICIAL PLAN AMENDMENT FILE OP.18.003
ZONING BY-LAW AMENDMENT FILE Z.18.007
1567855 ONTARIO LTD.
VICINITY OF KIPLING AVENUE AND WOODBRIDGE AVENUE**

FROM:

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

ACTION: DECISION

Purpose

To receive comments from the public and the Committee of the Whole on Official Plan and Zoning By-law Amendment Files OP.18.003 and Z.18.007 for the Subject Lands shown on Attachments #1 and #2, to permit the development of a 3-storey residential apartment building, containing 45 rental units, as shown on Attachments #3 to #6.

Report Highlights

- To receive input from the public and the Committee of the Whole on a development proposal for a 3-storey residential apartment building consisting of 45 rental units, a Floor Space Index ('FSI') of 1.89 times the area of the lot, and served by 40 parking spaces.
- Official Plan and Zoning By-law Amendments are required to permit the proposed development.
- A technical report to be prepared by the Development Planning Department will be considered at a future Committee of the Whole meeting.

Recommendations

1. THAT the Public Hearing report for files OP.18.003 and Z.18.007 (1567855 Ontario Ltd.), 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') shown on Attachments #1 and #2 are located on the west side of Kipling Avenue, north of Woodbridge Avenue, and are municipally known as 8010 Kipling Avenue. The surrounding land uses are shown on Attachment #2.

Official Plan Amendment and Zoning By-law Amendment Applications are required to permit the proposed development

The Owner has submitted the following Applications (the 'Applications') for the Subject Lands shown on Attachments #1 and #2 to permit a 3-storey residential apartment building, containing 45 rental units, with an FSI of 1.89 times the area of the lot, a lot coverage of 70%, 39 underground parking spaces and 1 surface parking space (the 'Development'), as shown on Attachments #3 to #6:

1. Official Plan Amendment File OP.18.003 to amend Vaughan Official Plan 2010 ("VOP 2010"), specifically Volume 2, Section 11.5 Kipling Avenue Corridor Secondary Plan ("KACSP") to:
 - a) redesignate the Subject Lands from "Low-Rise Mixed-Use" and "Low-Rise Residential B" to "Mid-Rise Residential";
 - b) amend policies 11.5.2.6 and 11.5.12 of VOP 2010, Volume 2 as follows:
 - i) increase the maximum permitted FSI from 0.7 to 1.89 FSI;
 - ii) increase the lot coverage from 50% to 70%;
 - iii) permit a residential Apartment Building.
2. Zoning By-law Amendment File Z.18.007 to amend Zoning By-law 1-88 to rezone the Subject Lands from "R3 Residential Zone" to "RA2 Apartment Residential Zone" in the manner shown on Attachment #3, together with the site-specific zoning exceptions 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 Hearing was circulated: November 9, 2018.

The Notice of Public Hearing was also posted on the City's web-site at www.vaughan.ca and a Notice Sign was installed along Kipling Avenue street frontage in accordance with the City's Notice Signs Procedures and Protocols.

- b) Circulation Area: To all property owners within 150 m of the Subject Lands and to the West Woodbridge Homeowners Association.
- c) To date, the Development Planning Department has not received any comments.

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

Not Applicable.

Analysis and Options

Amendments to VOP 2010 are required to permit the proposed Development

The Subject Lands are located within a 'Local Centre' as identified on Schedule 1-Urban Structure of VOP 2010 and within the KACSP. The front one-third of the Subject Lands abutting Kipling Avenue is designated "Low-Rise Mixed-Use" by the KACSP and the balance of the property is designated "Low-Rise Residential B" by VOP 2010. The portion of the lands designated "Low-Rise Residential B" are also subject to Section 11.5.2.6 of the KACSP, the Rainbow Creek South – South East Area, which conceptually illustrates a townhouse development with maximum density of 0.7 FSI and network of street and pedestrian connections as shown on Map 11.5N the Rainbow Creek South Industrial Lands Low Rise Residential Neighbourhood (Attachment #7).

The existing land use designations do not contemplate a 3-storey building with a lot coverage of 70% and an FSI of 1.89 times the lot area. Amendments to the KCASP are required to permit the proposed Development.

The Owner is proposing to redesignate the Subject Lands to "Mid-Rise Residential" and amend policies 11.5.2.6 and 11.5.12 together with site-specific exceptions to the KACSP to implement the proposed Development.

Amendments to Zoning By-law 1-88, are required to permit the proposed Development

The Subject Lands are zoned R3 Residential Zone by Zoning By-law 1-88, subject to site-specific Exception 9(267), which does not permit the proposed Development. The

Owner is proposing to rezone the Subject Lands from R3 Residential Zone to RA2 Apartment Residential Zone, together with the following site-specific exceptions:

Table 1

	Zoning By-law 1-88 Standard	RA2 Apartment Residential Zone Requirements	Proposed Exceptions to the RA2 Apartment Residential Zone Requirements
a.	Minimum Front Yard Setback (Kipling Avenue)	7.5 m	4.5 m
b.	Minimum Lot Area/Unit	80 m ² /unit	40 m ² /unit
c.	Minimum Rear Yard Setback (West)	7.5 m	4.5 m
d.	Minimum Interior Yard Setbacks (North and South)	4.5 m	3 m
e.	Minimum Amenity Area	1,250 m ²	318 m ²
f.	Minimum Number of Parking Spaces	45 units @ 1.5 spaces/ unit = 68 parking spaces + 45 units @ 0.25 spaces/unit for visitor parking = 12 Total Parking Required = 79 spaces	7 units (1 Bdrm) @ 0 spaces/unit = 0 spaces + 28 units (1 Bdrm + Den) @ 0.85 spaces/unit = 24 spaces + 10 units (2 Bdrm) @ 0.95 spaces/unit 10 = 9 spaces +

	Zoning By-law 1-88 Standard	RA2 Apartment Residential Zone Requirements	Proposed Exceptions to the RA2 Apartment Residential Zone Requirements
			<p>45 units @ 0.15 visitor parking spaces/unit = 7</p> <p>Total Parking Provided = 40 spaces</p>
g.	Minimum Front Yard Setback to Excavated Open and Unclosed Stairs	5.7 m	0 m
h.	Minimum Lot Frontage	30 m	25.2 m (existing)
i.	Minimum Parking Space Size	2.7 m x 6 m	2.6 m x 6 m
j.	Minimum Driveway Width at Property Line	7.5 m	6.7 m
k.	Minimum Loading Space Size	3.5 m x 9 m	3 m x 6.4 m
l.	Location of a Loading Space	Loading space shall be located between the building and the rear lot line	Permit a loading space to be located between the building and front lot line

	Zoning By-law 1-88 Standard	RA2 Apartment Residential Zone Requirements	Proposed Exceptions to the RA2 Apartment Residential Zone Requirements
m.	Minimum Landscape Strip Abutting Kipling Avenue	6 m	4.5 m 0 m at staircase

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.

Through 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	COMMENTS
a.	Provincial Policies, Growth Plan, and York Region and City of Vaughan Official Plan Policies	<ul style="list-style-type: none"> The Applications will be reviewed in consideration of the statutory policies including the <i>Provincial Policy Statement (2014) (the "PPS")</i>, the <i>Growth Plan for the Greater Golden Horseshoe 2017 (the "Growth Plan")</i>, and the policies of the York Regional Official Plan (YROP 2010).
b.	Appropriateness of Proposed Amendments to VOP 2010	<ul style="list-style-type: none"> The proposed redesignation of the Subject Lands and the amendments to VOP 2010 will be reviewed in consideration of the policies of VOP 2010 specifically, Volume 2, Chapter 11.5 - The Kipling Avenue Corridor Secondary Plan. The current land use permissions require that a 'Low-Rise Mixed-Use' building be provided along Kipling Avenue and the balance of the Subject Lands be developed with a low-rise built form consisting either of townhouses, stacked

	MATTERS TO BE REVIEWED	COMMENTS
		<p>townhouses and semi-detached units connected by a network of streets and pedestrian walkways. The proposed Development is for a residential rental apartment building on the entirety of the Subject Lands.</p> <ul style="list-style-type: none"> ▪ The proposed “Mid-Rise Residential” designation permits a building with a 4-storey podium increasing to a maximum of 6-storeys, stepping back on a 45 degree angle plane from the podium, with a FSI of 2.5 and lot coverage of 80%. The proposed redesignation of the Subject Lands to “Mid-Rise Residential” and the site-specific amendments to VOP 2010 required to implement the Development will be reviewed in consideration of the existing and planned land uses and the street and pedestrian networks of the area neighbourhood. ▪ The appropriateness of redesignating the Subject Lands from “Low-Rise Residential” to “Mid-Rise Residential” together with the amendments to VOP 2010 will be reviewed in consideration of the policies of VOP 2010 specifically, Volume 2, Kipling Avenue Corridor Secondary Plan - Chapter 11.5, the Neighbourhood Plan (Map 11.5N - Attachment #7) and the area context.
c.	Appropriateness of the Proposed Rezoning and Site-Specific Zoning Exceptions	<ul style="list-style-type: none"> ▪ The appropriateness of the proposed rezoning of the Subject Lands to permit the Development, together with the required site-specific zoning exceptions identified in Table 1 of this report, will be reviewed in consideration of the surrounding existing and planned land uses, with particular consideration given to land use compatibility, built-form, building height and setbacks, adequate parking,

	MATTERS TO BE REVIEWED	COMMENTS
		the adjacent heritage building, and pedestrian and vehicular accessibility.
d.	Woodbridge Heritage Conservation District Plan	<ul style="list-style-type: none"> ▪ The Subject Lands are located within the Woodbridge Heritage Conservation District ("WHCD") Plan and within the Kipling Avenue North Character Area. The Subject Lands are located immediately adjacent to 8006 Kipling Avenue, which contains a heritage contributing building. The Development will be reviewed for conformity with the WHCD Plan. ▪ The Development must be reviewed by the Heritage Vaughan Committee. ▪ The Owner has submitted a Cultural Heritage District Impact Assessment ("CHIA") to assess the impact of the Development and its conformity with the surrounding area within the Woodbridge Heritage Character Area. The CHIA is being reviewed by the Development Planning Department in consideration of the requirements of the WHCD Plan.
e.	Proposed Rental Building/Housing Options	<ul style="list-style-type: none"> ▪ The Development includes a rental housing tenure which is supported by policies of the PPS, YROP, and VOP 2010, that encourage increased housing choices. The Development may be eligible for York Region Rental Housing incentive programs for private market rentals. Should the Applications be approved, mechanisms to ensure the units remain as purpose built rental units will be reviewed.

	MATTERS TO BE REVIEWED	COMMENTS
f.	Studies and Reports	<ul style="list-style-type: none"> ▪ The Owner has submitted the following studies and reports in support of the Applications, which must be approved to the satisfaction of the City and/or respective public approval authority: <ul style="list-style-type: none"> - Planning Justification Report - Arborist Report - Cultural Heritage Impact Assessment - Functional Servicing and Stormwater Management Reports - Community Service and Facility Study - Noise and Vibration Study - Urban Design Brief - Transportation Study - Phase One and Two Environmental Site Assessment Reports - Draft Official Plan Amendment and Zoning By-law Amendment - Geotechnical Investigation Report - Hydrogeological Assessment <p>Additional reports or studies may be required as part of the development application review process.</p>
g.	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 is unavailable, the Subject Lands will be zoned with a Holding Symbol "(H)", which will be removed once Vaughan Council identifies and allocates servicing capacity to the Subject Lands.

	MATTERS TO BE REVIEWED	COMMENTS
h.	Cash-in-Lieu of Parkland	<ul style="list-style-type: none"> ▪ The Owner will be required to pay to the City of Vaughan, cash-in-lieu of the dedication of parkland, prior to the issuance of a Building Permit, in accordance with the <i>Planning Act</i> and the City's Cash-in-Lieu Parkland Policy, should the Applications be approved. The final value of the cash-in-lieu of parkland dedication will be determined by the Office of the City Solicitor, Real Estate Department.
i.	Related Site Development File DA.18.012	<ul style="list-style-type: none"> ▪ A Site Development File DA.18.012 has been submitted concurrently with the Applications to permit the proposed Development shown on Attachments #3 to #6. ▪ The Site Development Application will be reviewed to ensure, that the following matters, but not limited to, will be considered: <ul style="list-style-type: none"> - appropriate site design - architectural details, materials and colours - transition with the surrounding land uses - pedestrian connectivity and barrier free Accessibility - vehicular access and internal traffic Movements - parking, landscaping, servicing grading - appropriate amenity area(s). ▪ All issues identified through the review of a Site Development Application must be addressed to the satisfaction of the City, should the Application be approved.

	MATTERS TO BE REVIEWED	COMMENTS
j.	Sustainable Development	<ul style="list-style-type: none"> ▪ Opportunities for sustainable design, including CPTED (Crime Prevention Through Environmental Design), LEED (Leadership in Energy and Environmental Design), permeable pavers, bio-swales, drought tolerant landscaping, energy efficient lighting, reduction in pavement etc., will be reviewed and implemented through the site plan approval process, if the Applications are approved.
k.	Canadian Pacific Railway ("CPR")	<ul style="list-style-type: none"> ▪ The Subject Lands are located in close proximity to a main Canadian Pacific rail line and has been circulated to CPR for review and approval.
l.	Transportation and Roads	<ul style="list-style-type: none"> ▪ The Owner has submitted a Transportation Study, which includes a Parking Assessment and Transportation Demand Management ('TDM') measures, prepared by Nextrans Consultant Engineers in support of the Applications, which has been circulated to the Development Engineering ("DE") Department for review. ▪ Access improvements and any required road widenings must be approved by the DE Department.

	MATTERS TO BE REVIEWED	COMMENTS
m.	Section 37 (Density Bonusing)	<ul style="list-style-type: none"> ▪ The proposed Development exceeds the maximum permitted building density identified in the policies of VOP 2010 Volume 2, the Kipling Avenue Corridor Secondary Plan. The <i>Planning Act</i> and the policies in VOP 2010 permit an increase in the height and density in exchange for community benefits. The request for increased density will be reviewed in accordance with the Section 37 policies of VOP 2010 and the City's Guidelines. Should the Applications be approved, the implementing Zoning By-law shall include provisions regarding density bonusing that will be implemented through an executed Density Bonusing Agreement, to the satisfaction of the City of Vaughan.

Financial Impact

N/A

Broader Regional Impacts/Considerations

The Applications have been circulated to the York Region Community Planning and Development Services Department for review and comment. Any issues identified will be addressed when the technical report is considered.

York Region, on July 6, 2018, issued an exemption from Regional Approval, which allows the Official Plan Amendment application to be exempt from Regional Council approval. York Region has determined that the proposed amendment is a matter of local significance, and does not adversely affect Regional Planning policies or interests. This allows the amendment to come into full force and effect, following its adoption by Vaughan Council and the expiration of the required appeal period, should the Applications be approved.

Conclusion

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

For more information, please contact: Eugene Fera, Planner at extension 8003.

Attachments

1. Context Location Map
2. Location Map
3. Site Plan and Proposed Zoning
4. Landscape Plan
5. Elevation Plan (East - Kipling Avenue)
6. Elevation Plan (North, South and West)
7. Map 11.5N (The Rainbow Creek Industrial Lands Low Density Residential Neighbourhood)

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