

COMMITTEE OF THE WHOLE JUNE 8, 2005

**ZONING BY-LAW AMENDMENT FILE Z.76.90
SITE DEVELOPMENT FILE DA.03.075
O. MORELLI HOMES LIMITED
REPORT #P.2001.30**

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.76.90 (O. Morelli Homes Limited) BE APPROVED, to rezone the subject lands from R3 Residential Zone to RM2 Multiple Residential Zone to permit the development of 11 block townhouse units, and three residential apartment units in the existing heritage house (8204 Kipling Avenue).
2. THAT the implementing zoning by-law shall provide the following exceptions to the RM2 Multiple Residential Zone standards:
 - permit a maximum of 14 residential dwelling units comprising 11 block townhouse units and 3 residential apartment units in the heritage home (8204 Kipling Avenue);
 - require a minimum parking space size of 2.7m x 5.8m for the parking spaces located in the driveway of the townhouse units;
 - require a minimum setback of 5.8m between a garage and a lot line; permit a minimum landscape strip width of less than 3m around the parking area for the heritage home;
 - require a minimum distance of 7m between a driveway and intersection of two streets;
 - require a minimum lot frontage of 25m; and
 - other zoning exceptions required to implement the final approved site plan.
3. THAT Site Development File DA.03.075 (O. Morelli Homes Limited) BE APPROVED, subject to the following conditions:
 - a) That prior to the execution of the site plan agreement:
 - i) the final site plan, building elevations, landscape plan and cost estimate shall be approved by the Development Planning Department;
 - ii) the Owner shall satisfy all hydro requirements of Power Stream Inc;
 - iii) the noise study shall be approved by the Engineering Department and the Canadian Pacific Railway Company and all recommendations included therein shall be implemented in the final site plan;
 - iv) the final site servicing and grading plan, stormwater management report, access, and internal driveway and parking locations and design shall be approved to the satisfaction of the Engineering Department;
 - v) the implementing Zoning By-law shall be enacted by Council and be in full force and effect; and

- vi) confirmation by Staff that the final development design conforms to the approved Urban Design Guidelines for the Kipling Avenue Neighbourhood, and that the new construction is sympathetic to the Heritage House (8204 Kipling Avenue) on the subject lands.
- b) That the site plan agreement contain the following provisions and warning clauses:
 - i) all garbage pick-up and snow removal shall be privately administered;
 - ii) the Owner shall pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% of the value of the subject lands, prior to the issuance of a building permit, in accordance with the Planning Act. The Owner shall submit an appraisal of the subject lands prepared by an accredited appraiser for approval by the Vaughan Legal Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment;
 - iii) the Owner shall, if required, allow and provide any cross-easements for linked driveways required to facilitate the development of adjacent land holdings, and enter into a Developers Group Agreement to ensure matters such as easements, servicing costs, and parkland can be implemented for the Kipling Avenue Neighbourhood Plan; and
 - iv) all warning clauses recommended by the approved Noise Study shall be included in the site development agreement.
- 4. That the private road serving this development be named Sandro Morelli Way.
- 5. That Council pass the following resolution with respect to allocation of water and sanitary servicing:

"NOW THEREFORE BE AND IT IS HEREBY RESOLVED THAT Site Development Application File DA.03.075 be allocated sewage capacity from the York/Durham Servicing Scheme via the Woodbridge Service Area and water supply capacity from Pressure District 4 of the York Water Supply System, for a total of 14 residential units."

Economic Impact

There are no requirements for a new funding associated with this report. The proposed development will add new assessment to the local tax base.

Purpose

The Owner has submitted applications for the subject lands shown on Attachment #1 to:

1. Amend the Zoning By-law to rezone the subject lands from R3 Residential Zone to RM2 Multiple Residential Zone to permit the development of 11 block townhouse units, and 3 residential apartment units within the existing Heritage Structure, and to provide for the necessary zoning standards to implement the site development; and,
2. Obtain Site Plan approval to permit the development of 11 block townhouse units and 3 apartment units within the existing heritage building (8204 Kipling Avenue). The pertinent site statistics are as follows:

Site Area =	0.4ha
Proposed Gross Floor Area =	1541.76m ²
Site Coverage =	19.88 %
Parking provided (includes Handicap) =	28 spaces
Parking required =	25 spaces

The Owner originally submitted a site development application to develop the property with 15 residential units, consisting of 12 block townhouse units, and 3 apartment units within the heritage house at (8204 Kipling Avenue). The site development application has since been amended to reflect the current plan.

Background - Analysis and Options

The subject lands shown on Attachment #1 are located on the west side of Kipling Avenue, north of Woodbridge Avenue, (8204 Kipling Avenue), in Lot 9, Concession 8, City of Vaughan. The property is relatively flat and irregular in shape with 25.63m of frontage on Kipling Avenue. There are two existing structures on the site including the residential building located at 8204 Kipling Avenue, which has been identified as having historical significance and is to be incorporated within the overall development, and a garage/barn type structure in deteriorating condition which will be demolished.

The subject lands are designated "Medium Density Residential" by OPA #240 (Woodbridge Community Plan), as amended by OPA #356 (Kipling Avenue Corridor Plan), and zoned R3 Residential Zone by By-law 1-88. The surrounding land uses are as follows:

- North - driveway to Woodbridge Foam; existing residential (R3 Residential Zone)
- South - existing residential (R3 Residential Zone) and vacant parcel/Draft Plan of Subdivision (Peter Maida Homes File 19T-93023) (M1 Restricted Industrial Zone)
- East - Kipling Avenue; Meeting House Road, existing residential (R3 Residential Zone)
- West - CP Rail line; industrial (M2 General Industrial Zone)

Public Hearing

On March 31, 2001, a Notice of Public Hearing was mailed to all property owners within 120m of the subject lands, and to the Kipling Ratepayers Association and West Woodbridge Homeowner's Association. To date, no comments have been received. The recommendation of the Committee of the Whole to receive the Public Hearing report of April 23, 2001, and to forward a technical report to a future Committee meeting was ratified by Council on April 30, 2001.

Official Plan

The subject lands are designated "Medium Density Residential" by OPA #240 (Woodbridge Community Plan), as amended by OPA #356 (Kipling Avenue Corridor Plan), which permits a range of housing types on the subject lands including small lot single detached units, semi-detached units, quadraplex, street townhouses, block townhouses and other building forms not exceeding the permitted densities. The Official Plan requires that the housing type and built form directly abutting Kipling Avenue shall be single-detached dwellings complementary with the existing neighbourhood along Kipling Avenue, with a transition of medium density housing forms to be located to the west, behind the single-detached homes.

The proposal yields a density of 33.5 uph which is based on the site area plus one-half of the area of a boundary road 0.4175 ha, and is within the maximum density of 35 uph permitted by the Official Plan. The proposed development conforms to the Official Plan.

Zoning

The subject lands are zoned R3 Residential Zone by By-law 1-88, which does not permit the proposed townhouse and apartment units. A Zoning By-law amendment is required to rezone the subject lands from R3 Residential Zone to RM2 Multiple Residential Zone to permit the proposed development. The following zoning exceptions to the RM2 Multiple Residential Zone are required to implement the proposed site plan:

- permit a maximum of 14 residential dwelling units comprising 11 block townhouse units, and 3 apartment units in the heritage home (8204 Kipling Avenue) to meet the maximum density in the Official Plan;
- require a minimum parking space size of 2.7m x 5.8m located in the driveway of the townhouse units, whereas the minimum stall depth is 6.0m;
- permit a minimum landscape strip width around the parking area for the heritage home of less than 3m, whereas the by-law requires a minimum landscape strip of 3m;
- require a minimum distance of 7m from the nearest driveway to an intersection of streets whereas the by-law requires 15m;
- require a minimum lot frontage of 25m to address an existing situation, whereas the by-law requires 30m; and
- require a minimum setback between the garage and the lot line of 5.8m, whereas 6.4m is required.

Any other necessary zoning exceptions required to implement the final site development will be included in the implementing by-law. Staff are satisfied that the above-noted exceptions will facilitate an appropriate site development.

Neighbourhood Land Use Context

The surrounding area including the Kipling Avenue Neighbourhood Plan area consists mainly of detached residential dwellings along the east and west sides of Kipling Avenue, and to the north in the Gordon Avenue subdivision. The lands south of the subject land is currently vacant, and there are several pockets of industrial development that still remain, the largest being Woodbridge Foam located to the west across the CP tracks. This neighbourhood is undergoing a transition with residential redevelopment and intensification as evidenced by current development applications. The buildings along Kipling Avenue are generally older housing stock, converted businesses and/or professional office uses.

Kipling Avenue Neighbourhood Plan

In 1998, Council approved a Neighbourhood Development Plan as shown on Attachment #6 for an approximate land area of 3.33ha bounded by Kipling Avenue to the east, south of the residential detached dwellings on Gordon Drive to the north, and the CP Rail line to the west and south, in Lots 8 and 9, Concession 8. The plan was developed to co-ordinate and guide development for the area with respect to density, road patterns and compatible built form. The applicant, O. Morelli Homes Inc. was one of the original participants and assisted in the development of the final Neighbourhood Plan.

The proposed medium density development in this application varies somewhat from the approved Neighbourhood Plan, but maintains a similar built form, density and land use. The road pattern has been modified, however it provides for connection with future development to the north. The current site plan design will provide the necessary fire route and emergency and service vehicle movements. The Neighbourhood Plan provides a framework for development in this area, however minor variations are acceptable, provided the densities, built form and land uses maintain the intent of the plan. The proposed site plan conforms to the Neighbourhood Plan.

Site Design

The subject property is currently developed with one heritage residential dwelling known municipally as 8204 Kipling Avenue and accessory buildings, the latter to be demolished. The property fronts onto Kipling Avenue and backs onto the CP rail line. All existing and proposed buildings are setback 30m from the railway right-of way as required by CP Rail. Eleven 3- storey townhouse units are proposed west of the heritage dwelling, served by a 6m wide private driveway from Kipling Avenue which terminates at the west limit of the site into a hammer head design with 4-visitor parking space. The visitor parking area, and landscape amenity area are located within the 30m right-of-way. The final site plan must be approved to the satisfaction for the Development Planning Department.

Parking

The development proposes 28 parking spaces, including one parking space for the physically challenged. Based on the parking standards of By-law 1-88, the development requires 25 parking spaces calculated as follows:

14 residential units @ 1.75 parking spaces/unit (includes 0.25 spaces visitor) = 25 spaces

The proposal meets the minimum parking requirements for the overall site. The site proposes two parking spaces for each townhouse unit (ie. one each in garage and drive way), two spaces for the apartment units, and four visitor parking spaces. With regard to the two parking spaces proposed for the 3 apartment units located in the Heritage house, Staff recommends that additional parking for this dwelling be provided or conversely that the number of units proposed in the Heritage house be reduced. The applicant has indicated that the home was purchased in its current form, as a multi-unit building, but has seldom been occupied by three families. The zoning amendment application would recognize and legalize the existing situation. However, the applicant has recently submitted two parking scenarios that provides for 3 parking spaces for the 3 units in the Heritage house. The Engineering Department is reviewing each option at this point in time. Prior to the enactment of the zoning by-law and execution of the site plan agreement, this issue must be resolved to the satisfaction of the City.

Access

The main access to the development is provided by a 6m wide private road designed with a hammerhead at the westerly end, which has the potential to extend and connect to future development on lands to the north. The road does not align directly opposite with Meeting House Road (formerly Church Street) on the east side of Kipling Avenue. The Engineering Department has indicated that the preferred road design would be to re-align the 6m road with Meeting House Road to the east. However, given that a historic building is located directly opposite Meeting House Road, a direct alignment is not possible. Therefore, based on the building location and generally low traffic volumes split between the two access points that are identified to serve the Kipling Avenue Neighbourhood Plan, Engineering Staff consider the access location to be acceptable. In addition, the existing driveway serving the Historic home on Kipling Avenue will be relocated to the private roadway, which is acceptable to Engineering Staff. The private road also serves as the main fire route and therefore, on-street parking will be prohibited. Garbage pick-up and snow removal will be privately administered, and the hammerhead road design will facilitate the appropriate truck movement and turn-around radius.

The Engineering Department has identified that a road widening will be required along Kipling Avenue, and that upon site plan approval, the applicant will be required to make satisfactory arrangements with the City to prepare and pay for registration of a reference plan for the conveyance of the road widening to the satisfaction of the Engineering Department

Street Name

The applicant has requested that the private road serving this development be named "Sandro Morelli Way". The City and the Region of York have no objection to the use of this street name. A condition to this effect will be included in the Site Plan Agreement.

Elevations

The site will be developed with three separate townhouse blocks (A, B and C) and a separate block for the existing heritage home abutting Kipling Avenue. The elevations for the townhouse blocks are shown on Attachments #4 and #5 and are similar in appearance and construction, with brick being the main construction material interrupted by glazing in the form of windows and balcony type doors. Decorative gable dormers with gothic window inserts are provided within the roofline to add to the architectural treatment. The colour scheme and final details have not been determined at this time, however Development Planning Staff will ensure that the final elevations are sympathetic to the existing Heritage Home (8204 Kipling Avenue) and conform to the approved Urban Design Guidelines for the Kipling Avenue Neighbourhood Plan area. The final building elevations must be approved to the satisfaction of the Development Planning Department, in consultation with the Cultural Services Division.

Landscaping

The landscape plan proposes a mix of deciduous and coniferous trees and shrubs, including typical street landscaping in front of each townhouse dwelling, at the rear of the development, and along the proposed berm adjacent to the railway track, which includes a mix of Colorado Spruce, Michigan Maple and White Pine Trees. The westerly end of the site has been landscaped to resemble a small parkette, which can serve as an amenity area for the residents. The introduction of bench seating and additional planting would enhance the park-like feel and serve as additional buffering from the railway track. The final landscape plan must be approved to the satisfaction of the Development Planning Department.

Servicing

The site will be developed on municipal services, including hydro, water and sanitary and storm sewers. The final site servicing and grading plan, and stormwater management report must be approved to the satisfaction of the Engineering Department.

The Engineering Department has confirmed that water and sanitary sewage capacity is available and that it be allocated in conjunction with site plan approval.

Environmental Report (Phase One)

The Phase One report prepared by Bruce Brown Associates in 1998, was approved by the City's peer reviewer and found to be acceptable for residential development. No additional reports are required.

Noise

The noise study prepared by SS. Wilson dated January 11, 2005, has been reviewed and accepted by the Engineering Department. The recommendations of the noise study will be included and implemented through the Site Plan Agreement.

Developers Group Agreement

Given the number of landowners within the development area and the potential for development overlap it is appropriate for all landowners to enter into a Developers Group Agreement. The agreement must deal with, but not be limited to, cost sharing for the provision of parks, cash-in-lieu of parkland, roads and municipal services, to address issues within the Neighbourhood Plan. As new development occurs, the owners are encouraged to join the privately administered Developers Group Agreement.

Relationship to Vaughan Vision

This staff report is consistent with the priorities set forth in Vaughan Vision 2007, particularly "A-5" "Plan and manage Growth".

Conclusion

The Zoning By-Law Amendment and Site Development applications have been reviewed in accordance with the policies of OPA #356 (Kipling Avenue Corridor Plan), the standards in By-law 1-88, the approved Kipling Avenue Neighbourhood Plan, and the area context. The applicant is proposing a development, which would maintain the existing residential heritage house in its current condition to facilitate 3 apartment units, and also permit 11 block townhouse units served by a private road. The proposed uses conform to the Official Plan and Zoning By-law, and Staff are satisfied that the development will be compatible within the surrounding land uses, and will allow future connection of the private road northward when the adjacent property develops.

In light of the above, Staff can support the approval of the Zoning By-law Amendment and Site Development applications, to rezone the subject lands from R3 Residential Zone to RM2 Multiple Residential Zone, and to permit the construction of the proposed residential development, subject to the conditions identified in this report.

Attachments

1. Location Map
2. Site Plan
3. Landscape Plan
4. Elevation Plan (Blocks A and B)
5. Elevation Plan (Block C)
6. Kipling Avenue Neighbourhood Plan

Report prepared by:

Eugene Fera, Planner, ext. 8064
Mauro Peverini, Senior Planner, ext. 8212
Grant Uyeyama, Manager of Development Planning, ext. 8635

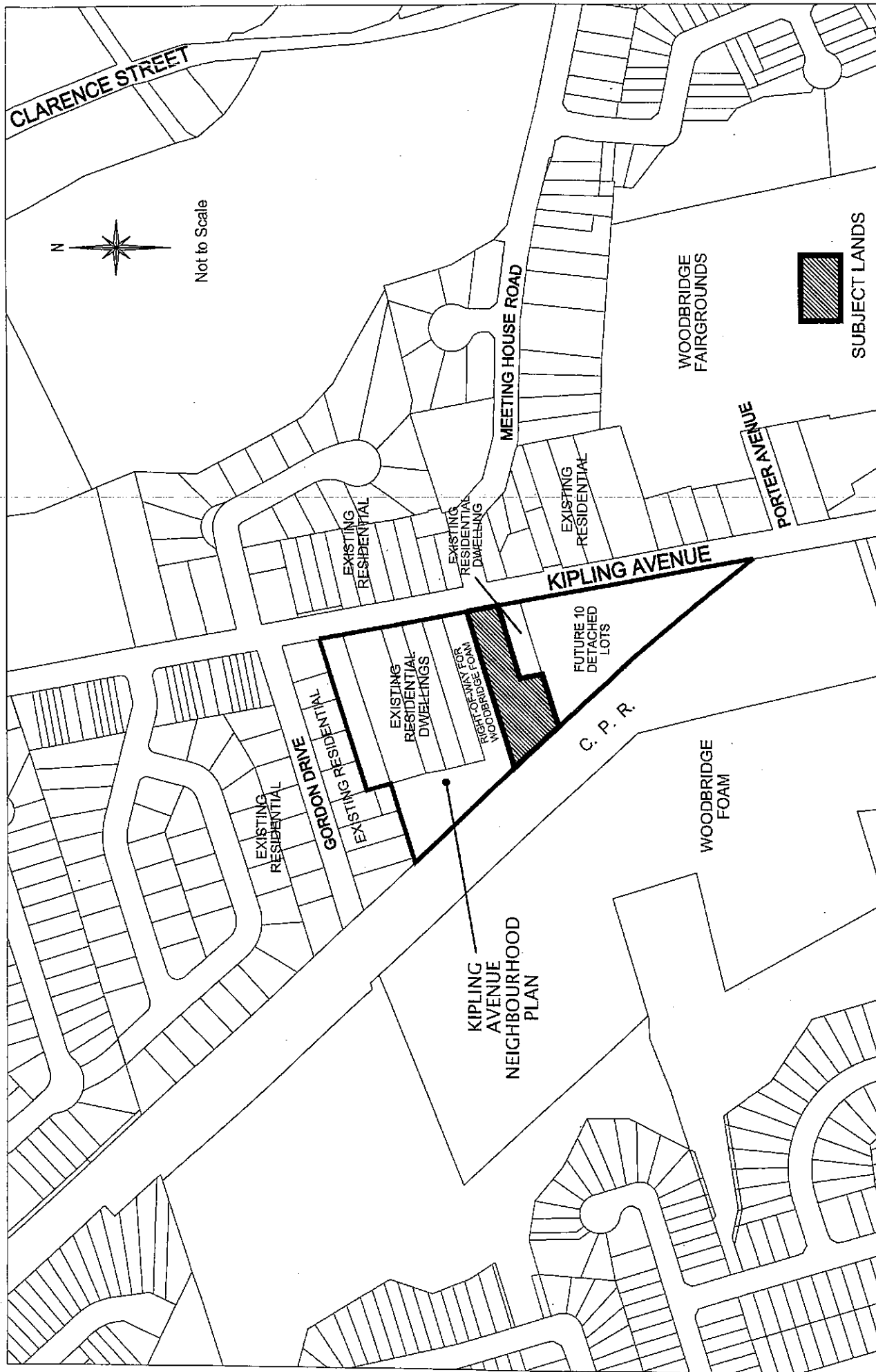
Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

MARCO RAMUNNO
Director of Development Planning

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Location Map

Part of Lot 9,
Concession 8

APPLICANT:
O. MORELLI HOMES LIMITED

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City of
Vaughan

Development Planning Department

Attachment

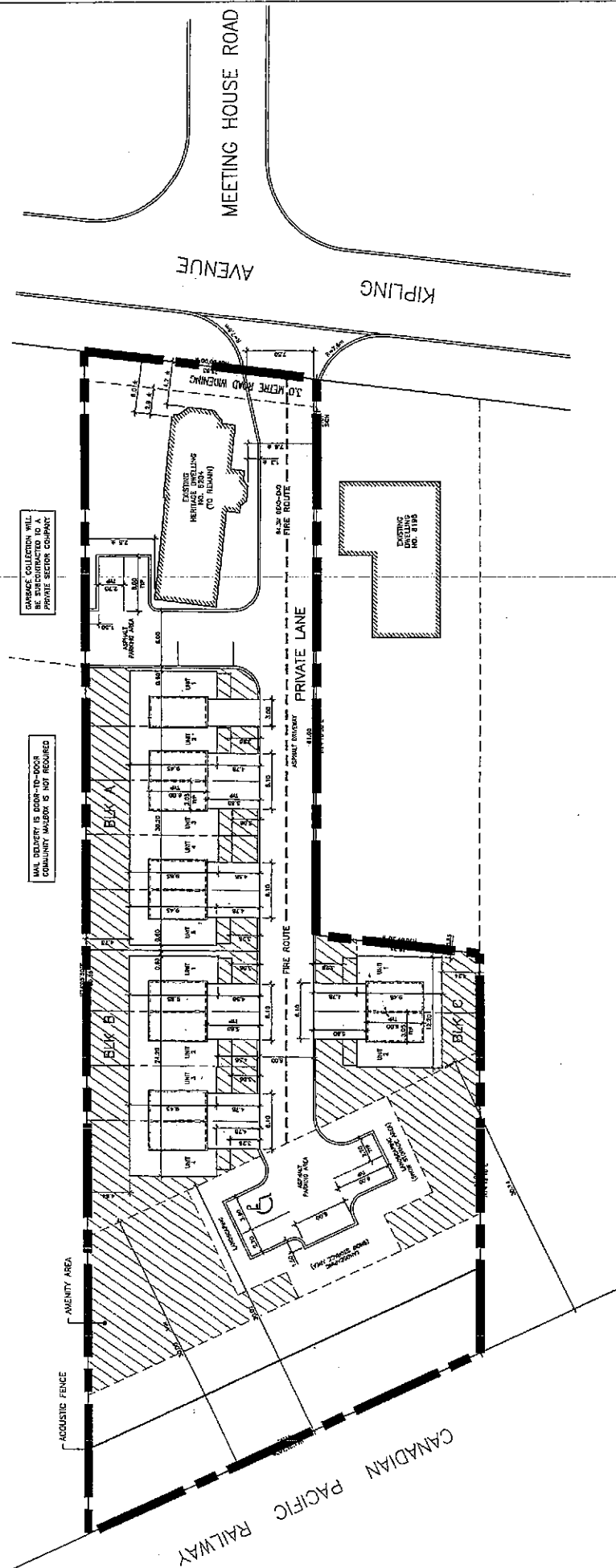
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FILE No.:
DA.03.075
RELATED FILE:
Z.76.90

May 10, 2005



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SUBJECT LANDS

Site Plan

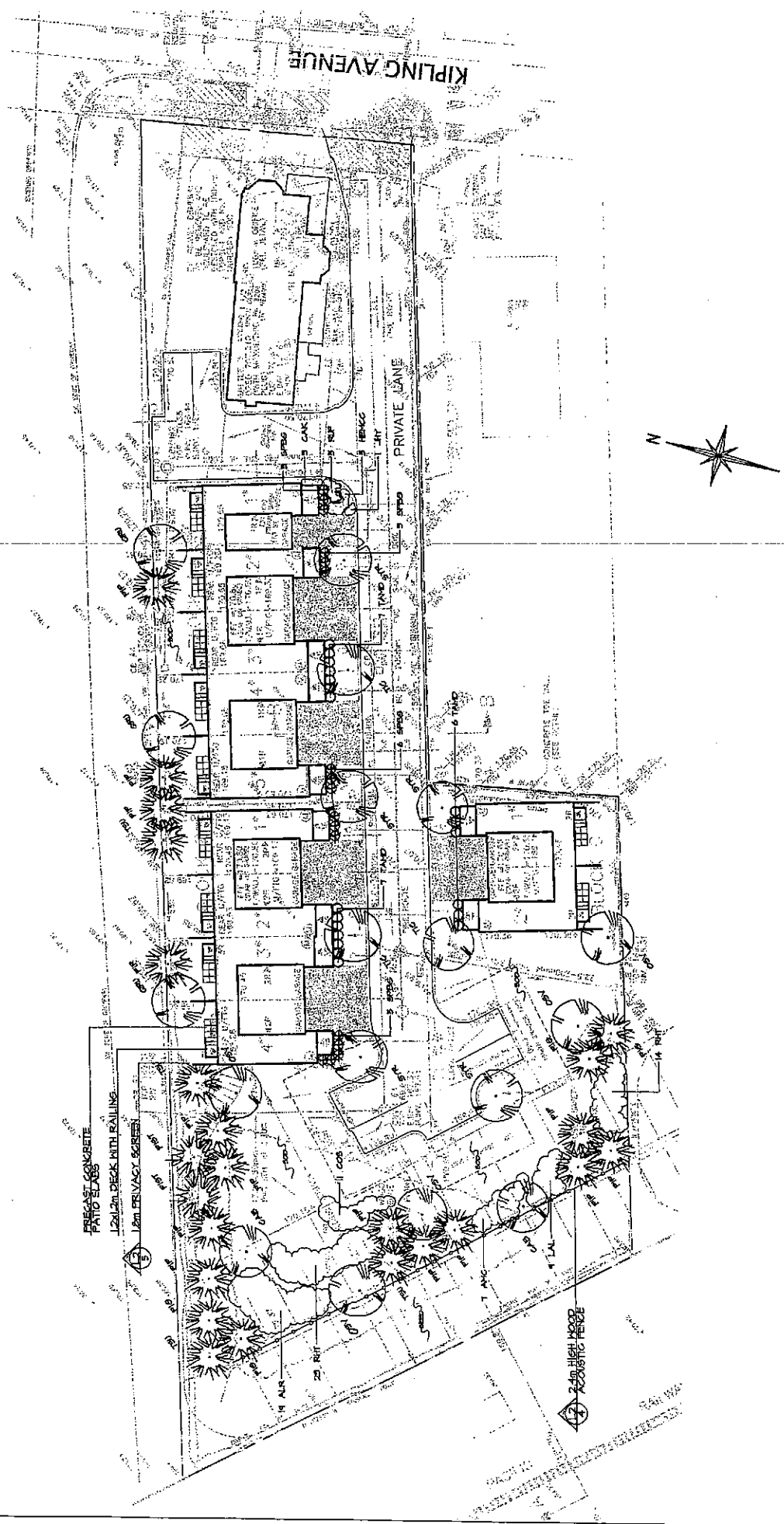
Part of Lot 9,
Concession 8
APPLICANT:
O. MORELLI HOMES LIMITED

City of
Vaughan

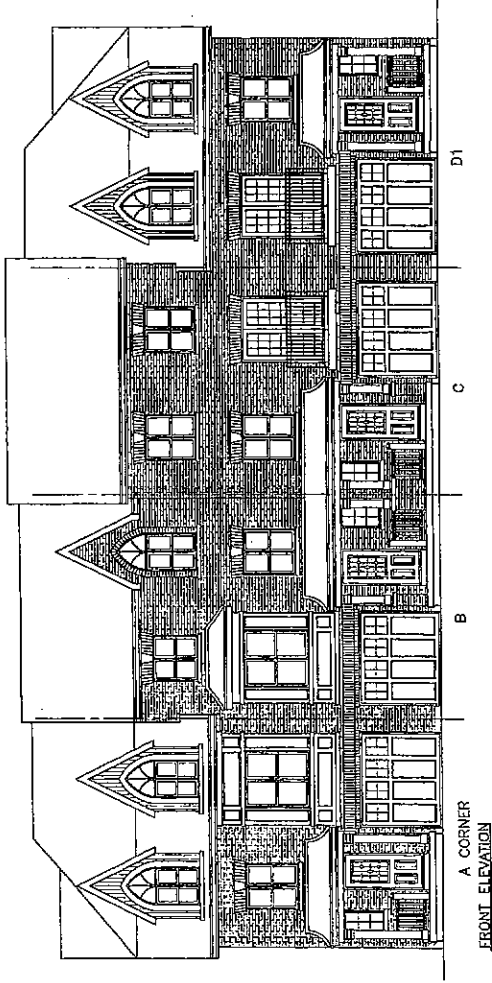
Development Planning Department

Attachment 2

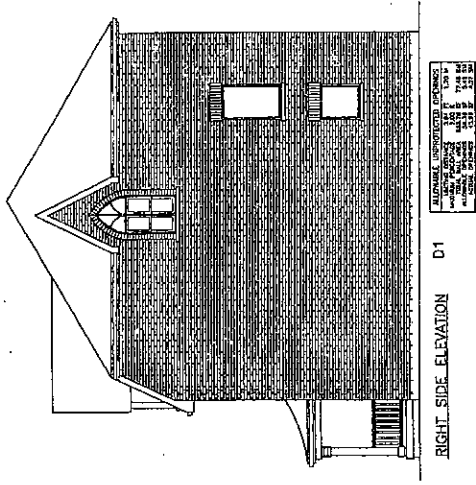
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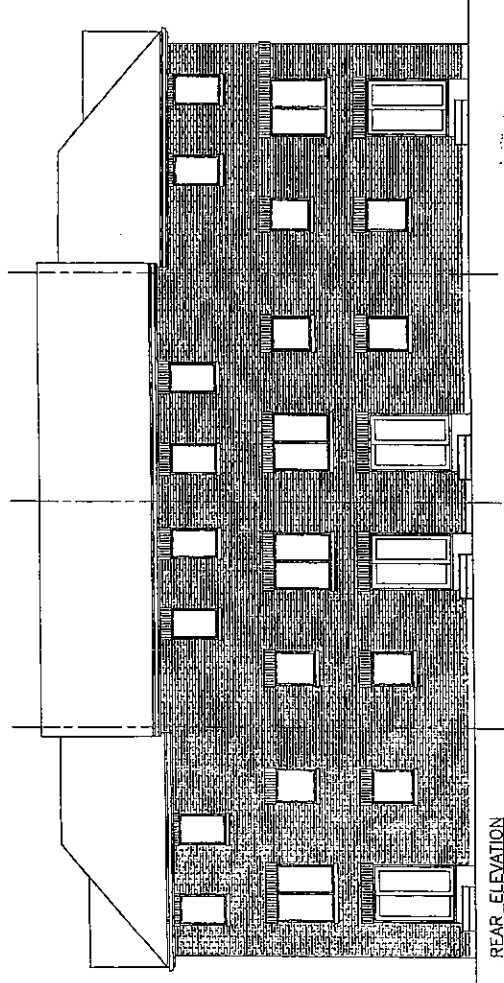


A CORNER
FRONT ELEVATION

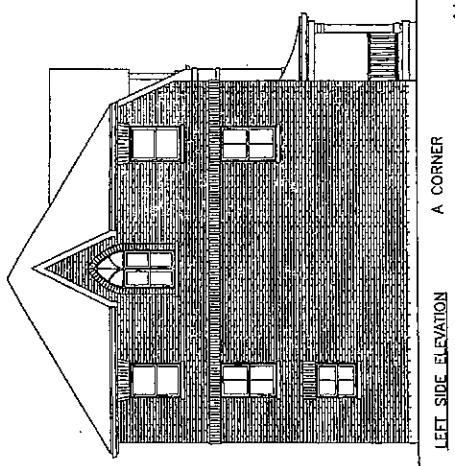


RIGHT SIDE ELEVATION
D1

ELEVATION DIMENSIONS
Overall Height: 30' 0"
Overall Width: 40' 0"
Overall Depth: 10' 0"
Overall Area: 1200 sq ft
Overall Volume: 12000 cu ft
Overall Weight: 12000 lbs
Overall Cost: \$120,000
Overall Time: 1200 hrs
Overall Risk: 1200 pts
Overall Rating: 1200 pts



REAR ELEVATION



LEFT SIDE ELEVATION
A CORNER

Not to Scale

Elevations - Blocks A & B

Part of Lot 9,
Concession 8
APPLICANT:
O. MORELLI HOMES LIMITED
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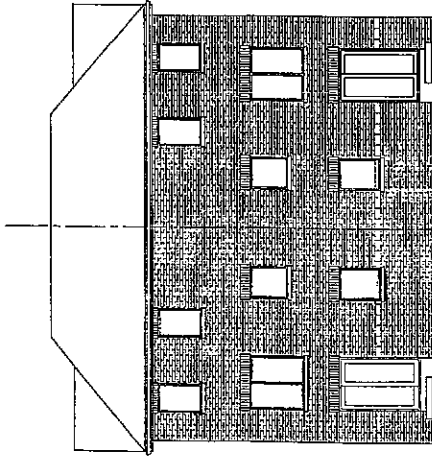
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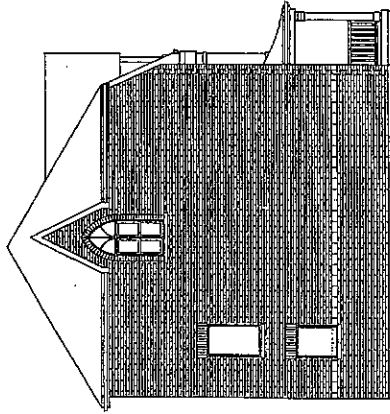
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FILE No.:
DA.03.075
RELATED FILE:
Z.76.90
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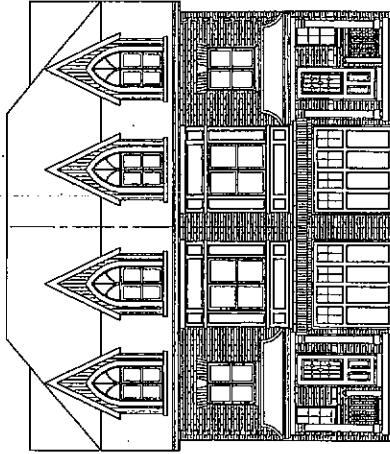


REAR ELEVATION

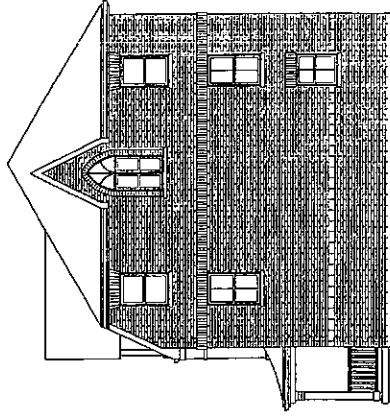


LEFT SIDE ELEVATION

CONCRETE VENTILATOR	CONCRETE VENTILATOR
18" x 18"	18" x 18"
18" x 18"	18" x 18"
18" x 18"	18" x 18"
18" x 18"	18" x 18"
18" x 18"	18" x 18"

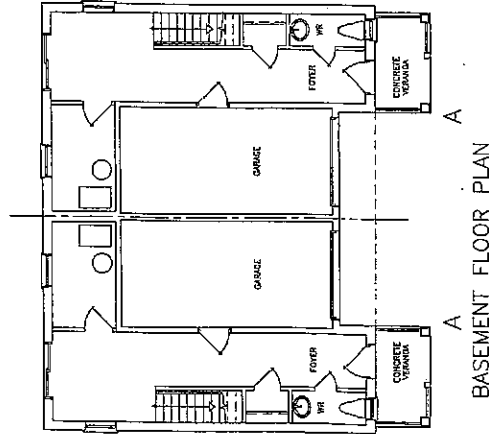


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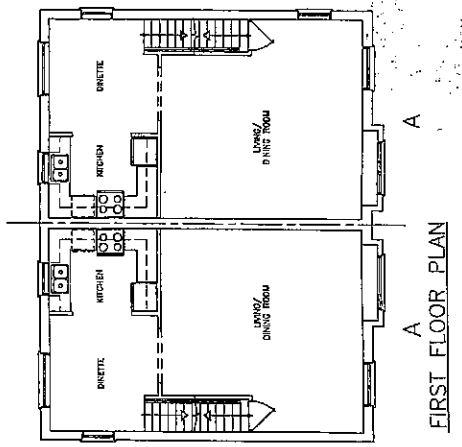


RIGHT SIDE ELEVATION

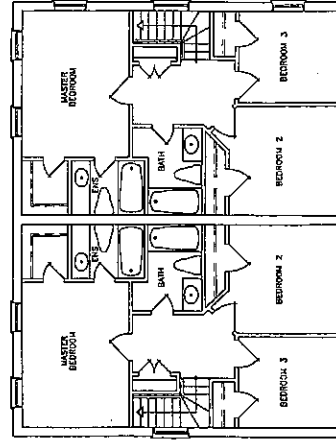
A CORNER



BASEMENT FLOOR PLAN



FIRST FLOOR PLAN



SECOND FLOOR PLAN

Not to Scale

Elevations - Block C

Part of Lot 9,
Concession 8
APPLICANT:
O. MORELLI HOMES LIMITED

City of
Vaughan

Development Planning Department

Attachment 5
FILE No.:
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RELATED FILE:
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May 10, 2005

