

**COMMITTEE OF THE WHOLE AUGUST 31, 2010**

**SITE DEVELOPMENT FILE DA.10.046  
FABIO ALVIANI, GIOSEFFINA GRECO  
ALVIANI & ANDREA GRECO  
WARD 1**

**Recommendation**

The Commissioner of Planning recommends:

1. THAT Site Development File DA.10.046 (Fabio Alviani, Gioseffina Greco Alviani & Andrea Greco) BE APPROVED AS RED-LINED, subject to the following conditions:
  - a) the proposed Site Plan and Landscape Plan be amended as shown on Attachments #3 and #4 to reflect the following:
    - i) delete the proposed 6.0 m wide aisle located between Islington Avenue and Building "A"; this area shall be landscaped accordingly to comply with the Ontario Municipal Board (OMB) approved Zoning By-law 266-2009; and,
    - ii) label the required 2.5 metre wide landscape buffer area adjacent to the westerly property line, to be used for no other purpose than soft landscaping, as identified in the OMB approved Zoning By-law 266-2009.
  - b) the Owner shall post the required securities to the City of Vaughan in the form of a Letter of Credit, in accordance with the Minutes of Settlement and the Heritage Conservation Easement Agreement (HCEA) and that the obligations pursuant to the HCEA are met.
  - c) that prior to the execution of the Site Plan Letter of Undertaking:
    - i) a Zoning By-law Amendment be approved, lifting the "(H)" Holding Symbol on the subject lands, once the Region of York confirms that adequate water supply and sewage treatment are available and the City has allocated same;
    - ii) the final site plan, building elevations, landscape plan, and detailed landscape cost estimate shall be approved by the Vaughan Development Planning Department and Cultural Services;
    - iii) the final site servicing, grading plan, stormwater management report and registration of the Record of Site Condition (RSC) shall be approved by the Vaughan Engineering Department;
    - iv) the Owner shall satisfy all conditions and requirements of Heritage Vaughan and the Cultural Services Department;
    - v) the Owner shall satisfy all conditions and requirements of the Toronto and Region Conservation Authority.
    - vi) the minor variances to implement the development shall be approved by the Vaughan Committee of Adjustment and shall be final and binding.

2. THAT 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, or a fixed unit rate per unit whichever is higher in accordance with the Planning Act and the City's cash-in-lieu Policy.
3. THAT the Owner shall enter into an Agreement with the City of Vaughan and the Region of York, of which Agreement shall be registered on title, committing the Owner to:
  - a) Not enter into any agreement of purchase and sale with end user(s) for the Subject Lands until such time as:
    - i) York Region has advised in writing that it is no earlier than twelve(12) months prior to the expected completion of the expansion of the Kleinburg Water Pollution Control Plant and the completion of the additional water supply works in the Kleinburg/Nashville Water Supply System; and,
    - ii) The Council of the City of Vaughan has assigned or reserved adequate water supply and sewage service capacity to the subject development.

#### **Contribution to Sustainability**

The applicant has advised that the following sustainable features will be provided within the building design:

- erosion and sedimentation control;
- heat island effect for non-roof; and roof;
- light pollution reduction;
- indoor water use reduction;
- elimination of CFC's and halons;
- collection and storage of recyclables;
- regional material;
- carbon dioxide monitoring;
- increase ventilation effectiveness;
- low-emitting paints and coolings; and,
- thermal comfort, ASHRAE 55

#### **Economic Impact**

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

#### **Communications Plan**

The related Official Plan and Zoning By-law Amendment applications OP.07.031 and Z.07.031 (10,360 Islington Avenue Inc. & Josie and Fabio Alviani) were subject to an Ontario Municipal Board hearing in 2009. In the decision dated, October 5, 2009, the Board Member D.R. Granger wrote the following:

"Many of the concerns expressed by the participants in opposition to the proposal are matters to be considered and resolved through the site planning approval process. The City confirmed it a normal practice to consider input from area residents prior to final site plan approval and in this case assured that KARA (Kleinburg & Area Ratepayers Association) and Ms. Lazzarino would be afforded that opportunity."

Ms. Lazzarino and KARA were circulated the proposal on July 28, 2010. As of August 26, 2010, no written responses have been received from the Development Planning Department.

## **Purpose**

The Owners submitted a Site Development Application (File DA.10.046) on the subject lands shown on Attachments #1 and #2, to develop one 3-storey building form within Buildings "A", "B" and "C" for a multi-residential development consisting of 45 units. The existing "Redcroft" (Martin Smith) heritage house will remain and be preserved, as shown on Attachment #3.

## **Background - Analysis and Options**

### **Location**

The subject lands are located on the west side of Islington Avenue, south of Nashville Road, municipally known as 10,360 and 10,384 Islington Avenue in the Village of Kleinburg, in Part of Lot 23, Concession 8 (Ward 1), City of Vaughan, as shown on Attachments #1 and #2.

### **Ontario Municipal Board**

The Official Plan and Zoning By-law Amendment applications (OPA #703 and By-law 266-2009) were approved by the Ontario Municipal Board on October 5, 2009, through a settlement reached between all parties. The proposed site development conforms to the Official Plan, and complies with the site-specific by-law, except in two instances. The Development Planning Department and Building Standards Department have noted a discrepancy between the Board approved Zoning Schedule 'E-1436' (Attachment #6) and the proposed site plan and landscape plan, and have red-lined the Site Plan and Landscape Plan as shown on Attachments #3 and #4 respectively. The applicant proposes a 6.0 m driveway aisle at the southeast end of the site, between Building "A" and Islington Avenue. In addition, Zoning By-law 266-2009 provides for a 2.5 metre wide landscape buffer area adjacent to the westerly property line, to be used for no other purpose than soft landscaping. This area was not reflected on the site plan or landscape plan. As these revisions are not considered appropriate and not considered minor, the Development Planning Department recommends that these areas be red-lined to reflect the Ontario Municipal Board approved zoning by-law.

### **Official Plan and Zoning**

The subject lands are designated "Village Residential" and identified as a "Strategic Site and Gateway" by OPA #601 (Kleinburg-Nashville Secondary Plan) as amended by OPA #633 and OPA #703. The subject lands are zoned RM2(H) Multiple Residential Zone with the Holding Symbol "(H)" and OS1 Open Space Conservation Zone by By-law 1-88 subject to Exception 9(1330) (By-law 266-2009). The Holding Symbol "(H)" provision cannot be lifting until servicing allocation is available for the development.

The subject lands are located within the Kleinburg-Nashville Heritage Conservation District and were designated under Part V of the Ontario Heritage Act in 2003. The property at 10384 Islington Avenue contains the Martin Smith House (built in 1852) that was designated under Section 29 of Part IV of the Ontario Heritage Act in 1979 through By-law 55-79. The Ontario Heritage Act requires any proposed alterations, additions or demolitions of individually designated property or properties designated within a Heritage Conservation District (HCD) to be reviewed by Heritage Vaughan for a recommendation to Council. Heritage Permit approvals must be obtained by the property Owner in conjunction with all other necessary City permits or approvals. This will be discussed in greater detail in the Heritage Vaughan section of this report.

### **Site Plan Review**

The Vaughan Development Planning Department has reviewed the proposed site plan, building elevations and landscape plan as shown on Attachments #3 to #5 to ensure these plans are consistent with the Board approved Official Plan and Zoning By-law documents. As noted earlier,

the Development Planning Department cannot support the current site plan, and landscape plan as proposed, and have red-lined the plans to remove the 6.0m aisle and replace this area with the landscaping, and to include a 2.5 metre wide buffer area at the westerly limit of the property, as approved by OMB. A condition to this effect is included in the recommendation of this report.

The driveway entrance is located at the south end of the site. The site will be developed with an underground parking area for 65 spaces which shall be accessed by a garage entrance/exit located on the south elevation of Building "B", as shown on Attachment #3. 4 surface visitor parking spaces are provided at the south end of the site. The site will be serviced by private snow removal and garbage/recycling pick-up. The development plans shall be designed in accordance with the Vaughan Waste Collection Design Standards Policy, to the satisfaction of the Vaughan Public Works Department.

i) Landscape Plan

The landscape plan shown on Attachment #4 consists of a mix of coniferous and deciduous trees, ground plantings, and hard landscaping amenity areas. The Landscape Plan has been red-lined to remove the 6.0m aisle proposed at the southeast end of the site, as this is not consistent with Zoning By-law 188-2009 approved by the Municipal Board. The Development Planning Department is of the opinion that this is not a minor revision, and the site plan and landscape plans shall be red-lined to address this issue.

The limits of development have been established through negotiations with the TRCA. Through those negotiations and through the implementing zoning by-law, the applicant is required to provide a 2.5 metre wide landscape buffer area along the westerly limits of the property, which shall be used for no other purpose than soft landscaping (refer Attachment #6). This information has not been labeled on the site plan and landscape plans, and therefore these plans have been red-lined. The applicant shall revise the plans to label this 2.5 metre area on these plans and shall provide the landscape details on the landscape plan. The Vaughan Development Planning Department along with the Cultural Services Department will continue to work with the Owner to finalize the details of the landscape plan. The final landscape plan/details and landscape cost estimate must be approved to the satisfaction of the Vaughan Development Planning Department and the Cultural Services Department.

ii) Building Elevations

The proposed building elevations are shown on Attachment #5. The building materials consist of brick veneer, stone sill around the window frames and black metal railings and roof, in keeping with the materials used on the existing "Redcroft" (Martin Smith) heritage house on the site. The final elevations must be approved to the satisfaction of the Vaughan Development Planning Department and the Vaughan Cultural Services Department. Comments from Heritage Vaughan on the building elevations are provided later in this report.

Building Standards Department

The Building Standards Department have identified the following variances on the site plan:

- i) the proposed front yard setback to Building "A" at the main entrance is 16.52 whereas 17.2m is required; The Development Planning Department can support this minor change as the original setback at this location was 15.4 m to a balcony which has been removed;
- ii) the proposed 4 surface parking spaces have been relocated on the site plan, further west, south of Building "A", whereas Schedule "E-1458" (Attachment #6) shows these spaces being located to the east of Building "A" adjacent to the requirement 6.0 m wide landscape strip. The Development Planning Department can support the relocation of the

4 parking spaces to the east, subject only to the removal of the 6.0 m wide aisle, as red-lined on Attachments #3 and #4.

- iii) the 2.5 metre landscape buffer area abutting the new property line has not been identified on the site plan and landscape plan; the Development Planning Department require that these areas be labeled on the site plan and landscape plan and have red-lined these plans accordingly;
- iv) no encroachments are permitted into the 4.5 m rear yard setback other than eaves and gutters. The owner shall ensure that any patios abutting this area are at grade level only. Any elevated patios would be considered encroachments and will not be supported by the Development Planning Department as this is not considered a minor revision.
- v) the total amenity area of 2755m<sup>2</sup> is required; the Building Standards Department requires these areas to be identified at the time building permit application.

The Development Planning Department has reviewed these variances and consider the 16.52 m front yard to the main entrance acceptable, as well as the relocation of the 4 surface parking spaces, subject to the removal of the 6.0 m aisle, as red-lined on Attachments #4 and #5. The Owner will be required to obtain approval for these 2 variances from the Vaughan Committee of Adjustment, which shall be final and binding, prior to the execution of the Site Plan Letter of Undertaking. A condition to this effect is included in the recommendation of this report.

#### Heritage Vaughan

The related Heritage Permit application (HP.2008.024) was forwarded to the Heritage Vaughan Committee meeting of July 21, 2010. The Committee recommended minor changes be made, and that the Owner submit samples of the materials used subject to approval by the Cultural Services Staff.

The following recommendation was approved at the Heritage Vaughan Committee of July 21, 2010:

- "1. That Heritage Vaughan approve the submitted Conservation Plan for the Martin Smith House received by Cultural Services on July 6, 2010, subject to the following revisions/amendments to the Plan:
  - i) The final Conservation Plan state in its objectives that the Standards and Guidelines for the Conservation of Historic Places in Canada will be followed by the applicant/architect.
  - ii) The final Conservation Plan include the following requirements/amendments:
    - Mortar colour and mortar profile is to be matched in all restoration work to the exterior brick;
    - Existing brick is to be retained wherever possible;
    - Any new brick must match existing;
    - Only the joints that are in poor condition should be repointed;
    - Front elevation shutters are to be reinstalled;
    - Emphasize the retention of all original materials and elements where possible;
    - Emphasize that all window openings, size and location are to remain the same;
    - Describe what will be done with the door paint sample;

- Historic plaque and hardware be retained and reinstalled in a timely fashion;
  - Barrier free ramp, all porch design is simple, understated and made of wood;
  - Decorative stone planter on front façade is not to be higher than 2 feet from the porch deck. Landscaping should visually minimize the impact of the planter; and,
  - Discuss the retention, repair, stabilization, storage, protection and reinstallation of all stained glass, if required.
- iii) The long-term conservation, monitoring, and maintenance of all heritage attributes is discussed in the final conservation plan, to the extent described in the below report.
- iv) A thinner door surround on the North Elevation than indicated, 4.5 to 5 inches thick, may be installed to cover damage to the brick around the existing doorway.
- v) An amendment in the Plan that confirms that the work identified in the Conservation Plan will be completed prior to the registration of the building to the Condominium Corporation.
- vi) Detailed design drawings or images of the proposed designs for the following proposed elements are to be submitted to Cultural Services for approval prior to the issuance of a Heritage Permit:
- South Exterior replacement door;
  - Central staircase replacement railings; and,
  - 6/6 Ridley Windows "Norwood" windows and 1/1 replacement wood windows.
- vii) The following exterior and interior materials samples are to be submitted to Cultural Services staff for approval prior to the issuance of a Heritage Permit.
- Mortar;
  - Replacement brick, if required;
  - Replacement Windows, 1/1 wood and 6/6 Ridley Windows "Norwood" windows;
  - Exterior Paint Colours for all wood elements;
  - Board and Batten cladding;
  - Wall Tiles;
  - Interior Paint Colours; and,
  - All replacement Baldwin Heritage Line hardware, if required.
- viii) That all work to be completed on the Martin Smith House reflects all the requirements and amendments noted above.
2. That the proposed design received by Cultural Services Staff on July 6, 2010 for a 45 unit, 3 storey multi-residential condo development (HP.2008.024), be approved subject to the following conditions/revisions:
- i) That the proposed development be in conformance to the OMB decision (PL060606) on this property as confirmed by the Development Planning and Building Standards Departments.

- ii) That detailed drawings of the central 1-storey connective feature linking Building B and Building C, and the 3-storey connective feature linking Building A and Building B be submitted to Cultural Services staff for consideration and approval. This must include heritage appropriate samples of window and door features, material and paint samples.

*Note: A green roof would be an appropriate addition to the one-storey feature, and would help to incorporate the connection into the landscape. Mirrored spandrel may be used where necessary; however, the elevator electrical component on the 3-storey feature should lie flat on the roofline.*

- iii) Central gable window of Building A is to be redesigned as either a larger arched window, or a half-circle elliptical window or two quarter-circle vents, or of an appropriate design with heritage precedent.

*Note: The pitch of this gable has been altered from previous submissions to mirror that of the Martin Smith House. Heritage Vaughan has expressed concerns that this lower pitch is not appropriate for the scale of the proposed development.*

- iv) Full-length windows and/or doors on the front elevations should consist of wood, double hung or regency style French doors, as appropriate for intended function.
- v) Metal roofing is to be metal shingles that mimic asphalt-style shingles matching those of the Martin Smith House.
- vi) Plantings along the Martin Smith House foundations are to be located away from direct contact with the stone foundations.

*Note: Signs, bike racks, picket fencing, bollards and lighting should be reviewed by Culture and Urban Design staff to ensure these are sympathetic as it relates to the heritage conservation district.*

- 3. That the applicant provide a full set of revised drawings reflecting the required changes for final approval (including site plan, roof plan, revised conservation plan, and all elevations) by Cultural Services staff.
- 4. That Heritage Vaughan request the applicant provide samples of all exterior cladding materials and paint samples for consideration and approval by Cultural Services staff."

The Owner shall satisfy the above noted conditions of approval to the satisfaction of the Cultural Services Department prior to the execution of the Letter of Undertaking. A condition to this effect is included in the recommendation section of this report.

#### Vaughan Engineering

There is no available sewage and water servicing capacity in the Kleinburg/Nashville servicing area at this time. Accordingly, the Zoning By-law for this development includes an "H" Holding provision and a requirement for the Owner to enter into an agreement of no-sale with the City and Region in the normal manner as well wording that states that the Holding Symbol "(H)" shall not be removed until such time as the Region of York confirms that adequate water supply and sewage treatment are available and the City has allocated same; and, site plan application is approved by Council. Until all these conditions have been satisfied, the Holding Symbol "(H)" shall remain on the subject lands. A condition to the effect is included in the recommendation section of this report.

The Phase 1 ESA (Environment Site Assessment) and the Soil Investigation Report submitted in support of the application has been found to be acceptable. Prior to the execution of the Site Plan Letter of Undertaking, the documented proof of the satisfactory registration of the Record of Site Condition (RSC) with the Environmental Site Registry (ESR) of the Ministry of Environment (MOE), which includes a hard copy of the RSC signed by a Qualified Person and the Acknowledgement from the MOE, has to be submitted to the Development/Transportation Engineering Department for review and approval. A condition to this effect has been included in the recommendation section of this report.

The final stormwater management report, and site servicing and grading plans shall be approved by the Vaughan Engineering Department. A condition to this effect has been included in the recommendation of this report.

#### Vaughan Real Estate Division

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, or a fixed unit rate per unit whichever is higher in accordance with the Planning Act and the City's cash-in-lieu Policy. A condition to this effect has been included in the recommendation section of the report.

#### Toronto and Region Conservation Authority (TRCA)

In a letter to the Development Planning Department dated August 26, 2010, the TRCA have indicated the following:

“As per the decision outlining the Minutes of Settlement (OMB – October 5, 2009), the Humber River valley and the 7.5 metre ecological buffer are to be dedicated to the TRCA. We would ask that the process to dedicate these lands to the TRCA be initiated, if this has not already been done so....”

The TRCA has reviewed the site development application and has no objections, subject to the following conditions that shall be satisfied prior to the issuance of the Letter of Undertaking:

1. That the applicant successfully obtain a permit under Ontario Regulation 166/06 (Development Interference with Wetlands and Alterations to Shorelines and Watercourses) for site grading and development on the subject property;
2. That the applicant submit a revised Grading Sedimentation and Erosion Control Plan which satisfactorily addresses TRCA comments as outlined in their letter of August 26, 2010;
3. That the applicant submit a complete and comprehensive set of Landscape/Edge Management Restoration Planting Plans for the subject site and the associated ecological buffer to the satisfaction of the TRCA;
4. That the applicant provide a technical submission addressing outstanding TRCA comments as noted in the TRCA's letter of August 26, 2010; and
5. That the applicant erect a fence (1.5 metre high chain link) fence at the easternmost limit of the 7.5 metre ecological buffer (at the new property limit).

The Owner will be required to satisfy any outstanding issues or conditions of this authority, prior to the execution of the Letter of Undertaking. A condition to this effect has been included in the recommendation section of this report.



### **Relationship to Vaughan Vision 2020/Strategic Plan**

This report is consistent with the priorities set forth in Vaughan Vision 2020, particularly "Plan & Manage Growth & Economic Vitality".

### **Regional Implications**

N/A

### **Conclusion**

The Development Planning Department has reviewed the subject lands in accordance with OPA #601 (Kleinburg-Nashville Secondary Plan) as amended by OPA #633 and Board Approved OPA#703 and By-law 266-2009, the comments from City Departments and external public agencies, and the area context. The Vaughan Development Planning Department has red-lined the proposed Site Plan and Landscape Plan, as they do not comply with site-specific By-law 266-2009. The Development Planning Department is of the opinion that these red-lines are appropriate as the applicant's changes to the site plan and landscape plan are not minor and cannot be supported. The Development Planning Department will continue to work with the applicant to ensure that the proposed development is in keeping with the Official Plan and Zoning By-law, and will continue to work with the applicant to finalize the plans. Accordingly, the Development Planning Department can support the approval of the Site Development Application, subject to the red-lined revisions and conditions in this report.

### **Attachments**

1. Context Location Map
2. Location Map
3. Site Plan as Red-Lined on August 31, 2010
4. Landscape Plan as Red-Lined on August 31, 2010
5. Exterior Elevations
6. OMB Approved Zoning By-law 266-2009 (Schedule 'E-1456' to Exception 9(1330))

### **Report prepared by:**

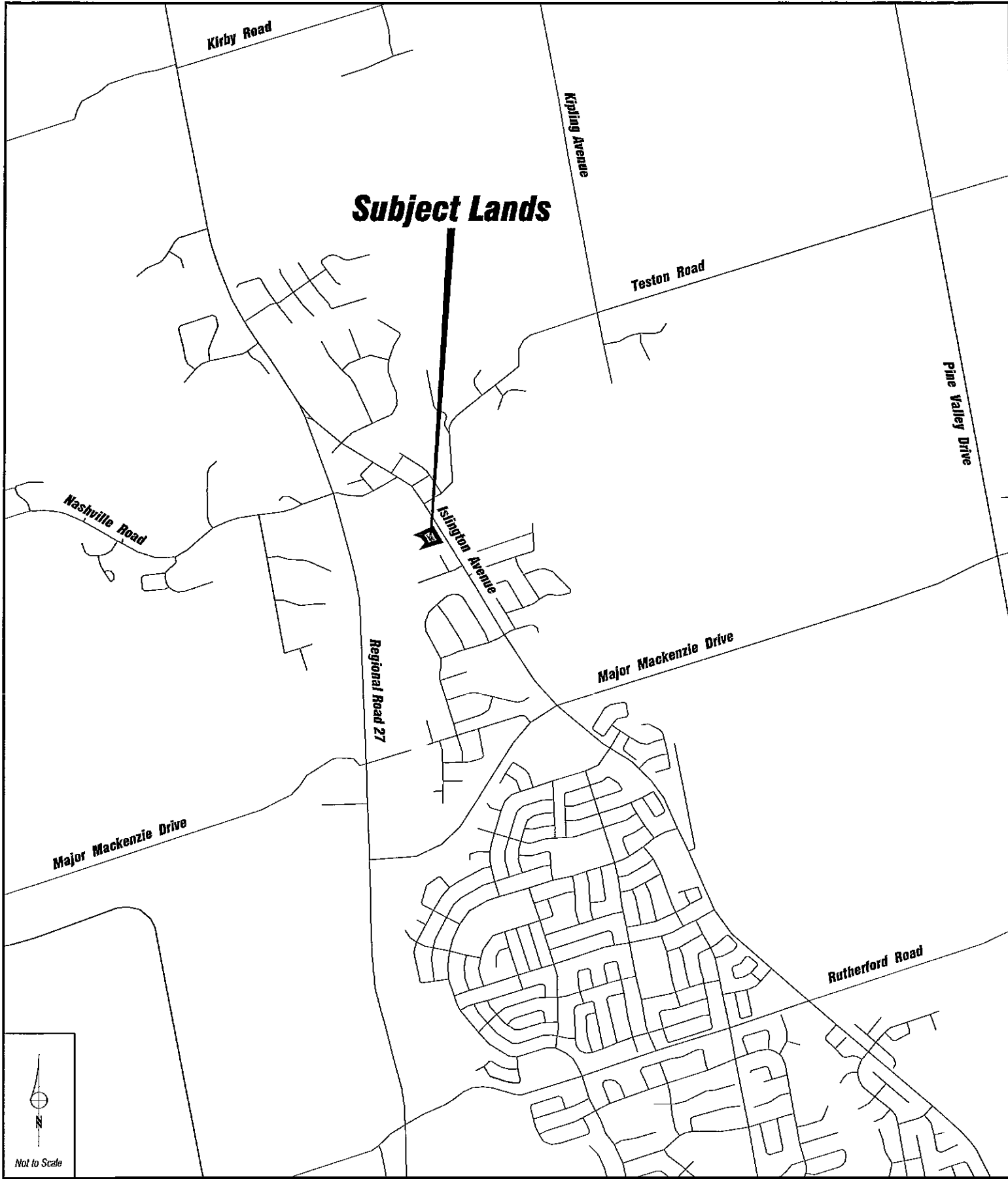
Margaret Holyday, Planner, ext. 8216  
Christina Napoli, Acting Senior Planner, ext. 8483  
Carmela Marrelli, Acting Manager of Development Planning, ext. 8791

Respectfully submitted,

JOHN ZIPAY  
Commissioner of Planning

GRANT UYEYAMA  
Director of Development Planning

/CM



**Context Location Map**

LOCATION:  
Part of Lot 23, Concession 8

APPLICANT:  
Fabio Alviani, Gioseffina Greco Alviani & Andrea Greco

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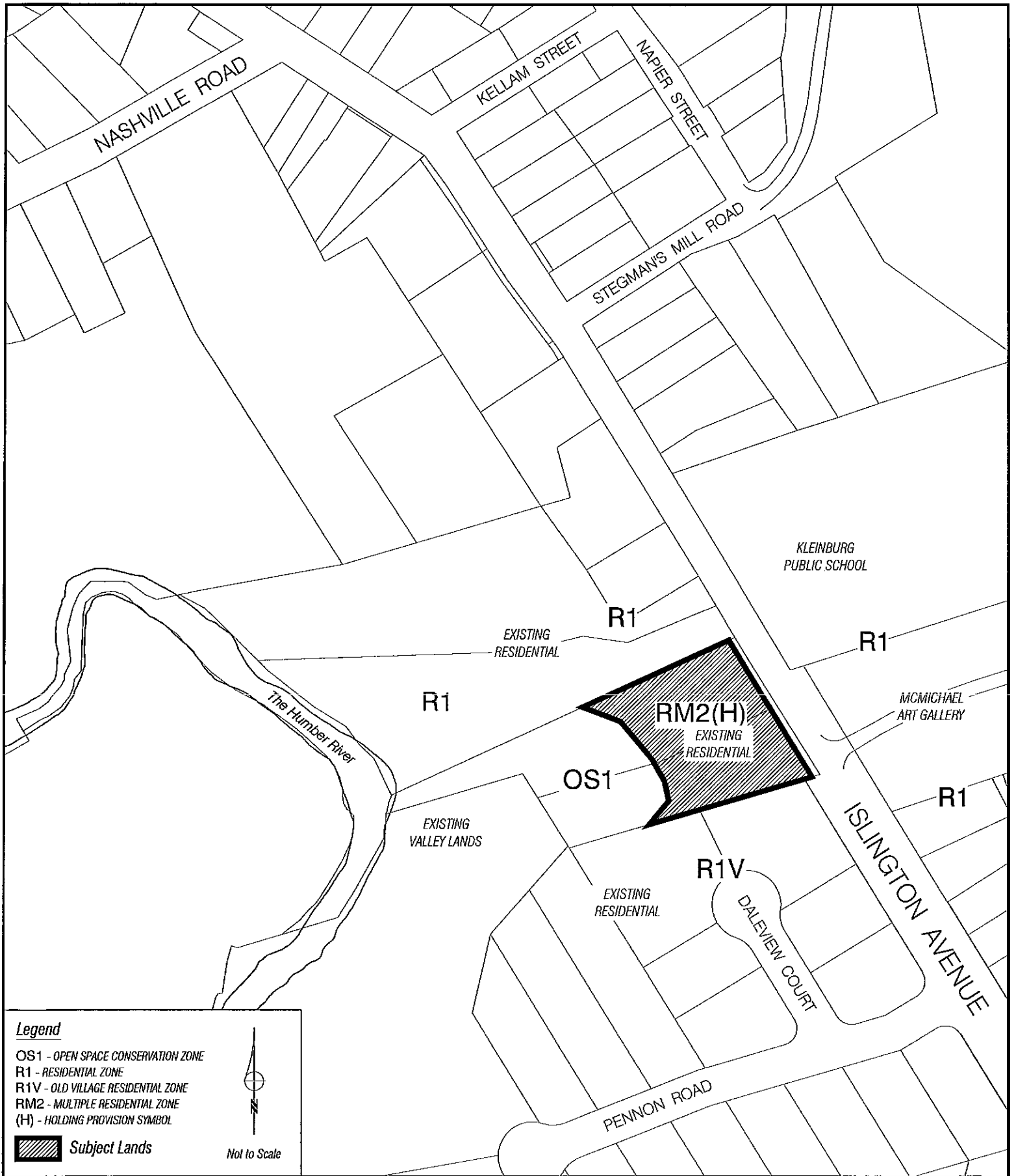


**Attachment**

FILE:  
DA.10.046

DATE:  
August 31, 2010





## Location Map

LOCATION:  
Part of Lot 23, Concession 8

APPLICANT:  
Fabio Alviani, Gioseffina Greco Alviani & Andrea Greco

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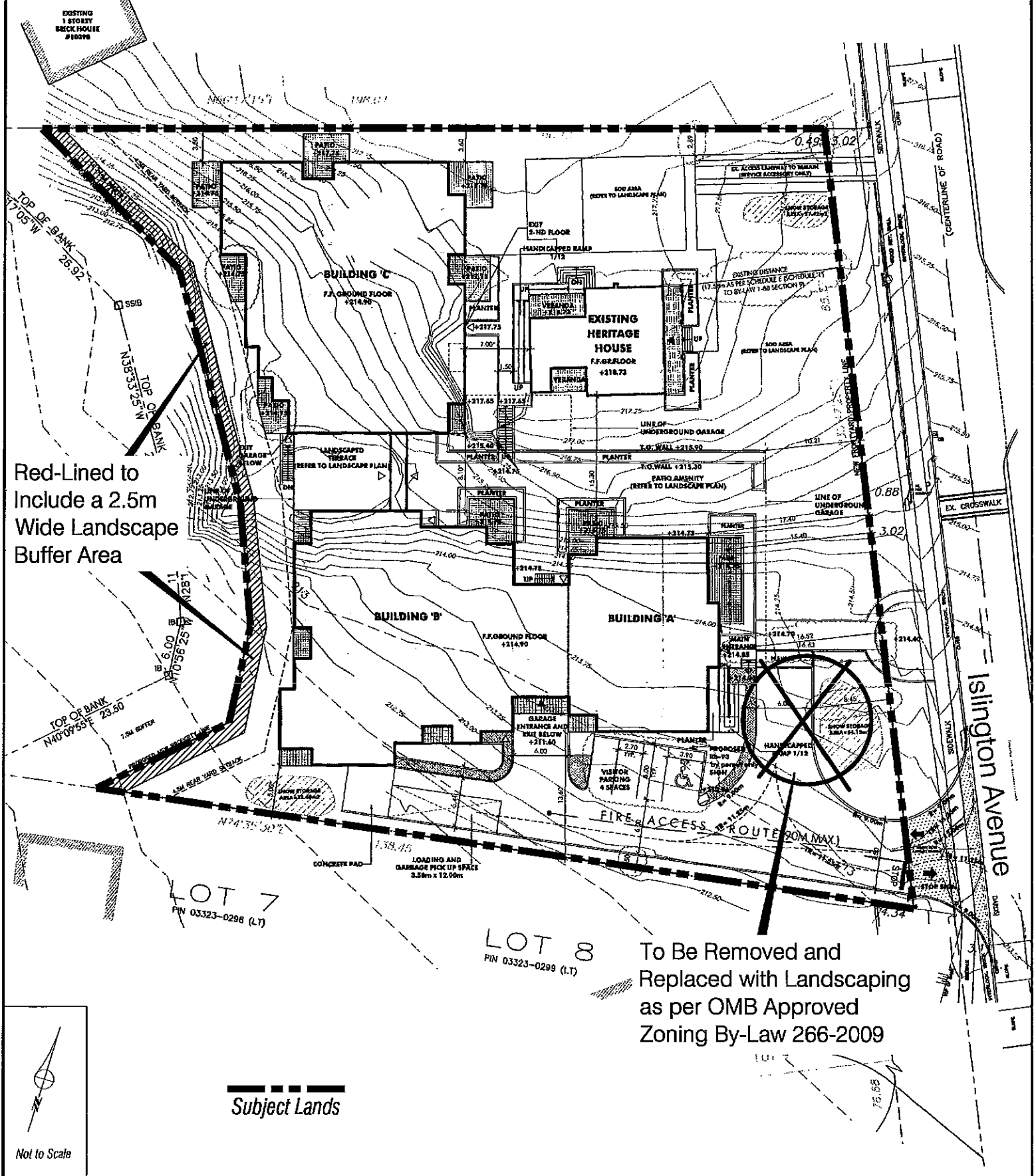


## Attachment

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DA.10.046

DATE:  
August 31, 2010

# 2



Red-Lined to Include a 2.5m Wide Landscape Buffer Area

To Be Removed and Replaced with Landscaping as per OMB Approved Zoning By-Law 266-2009

Subject Lands

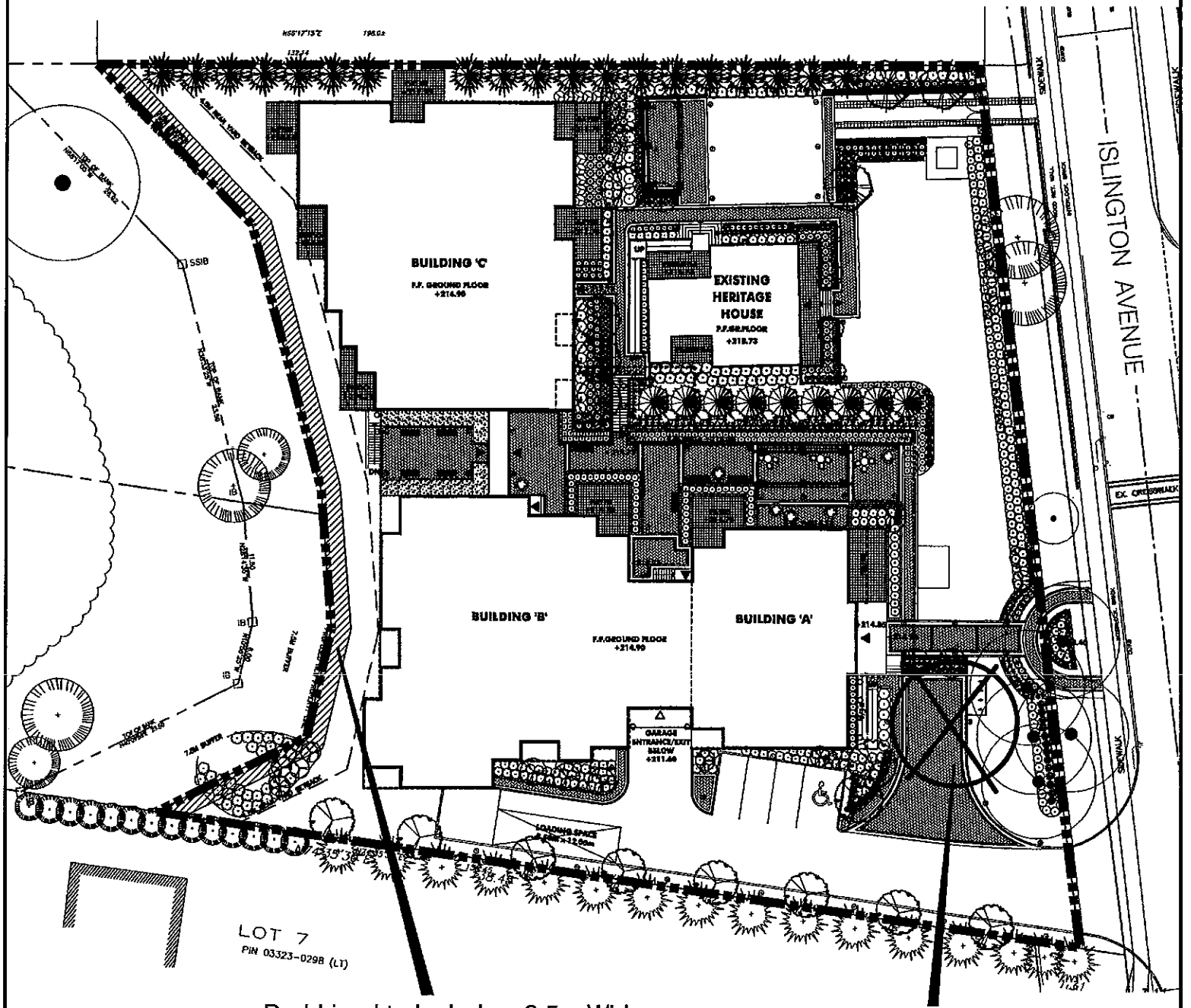
Site Plan As Red-Lined on August 31, 2010

APPLICANT: Fabio Alviani, Gioseffina Greco Alviani & Andrea Greco

LOCATION: Part of Lot 23, Concession 8



Attachment  
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**3**  
DATE:  
August 31, 2010



Red-Lined to Include a 2.5m Wide Landscape Buffer Area to be used for no other purpose than Landscaping as per OMB Approved Zoning By-Law 266-2009

To Be Removed and Replaced with Landscaping as per OMB Approved Zoning By-Law 266-2009

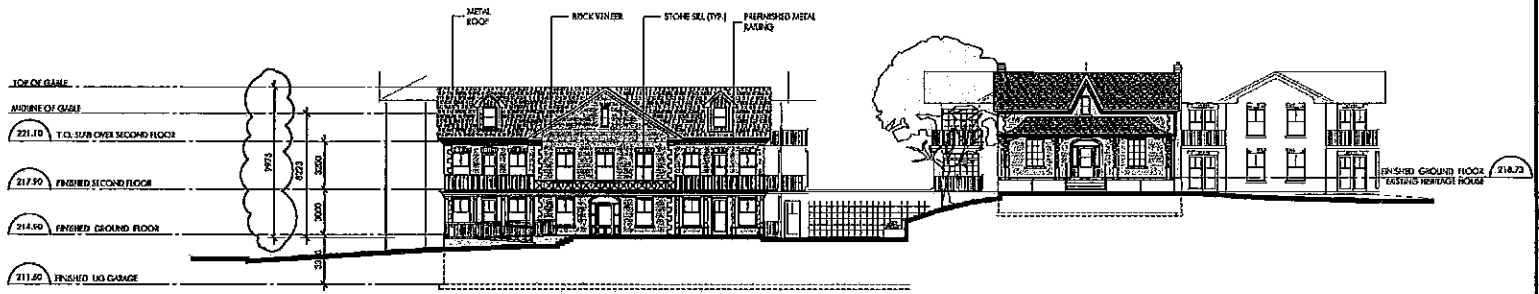
**Subject Lands**

*Landscape Plan As Red-Lined on August 31, 2010*

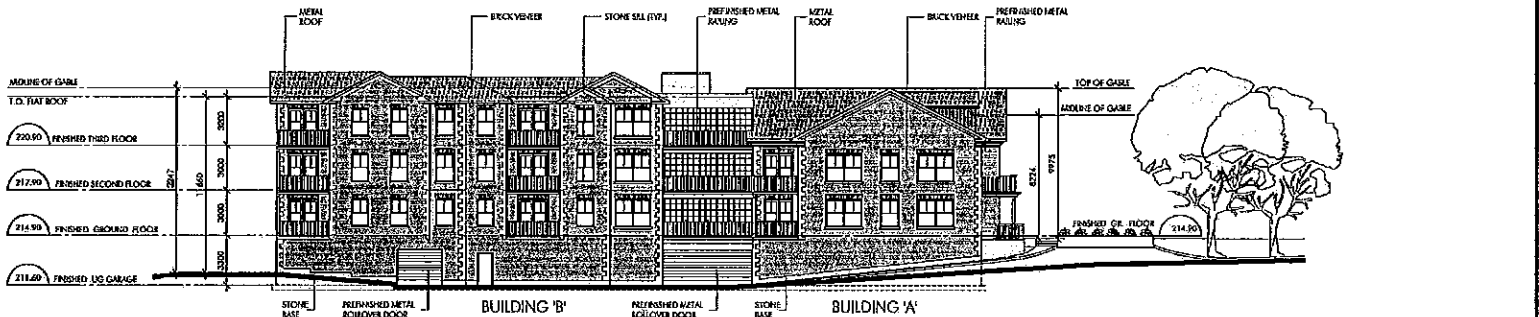


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 DATE:  
 August 31, 2010  
**4**

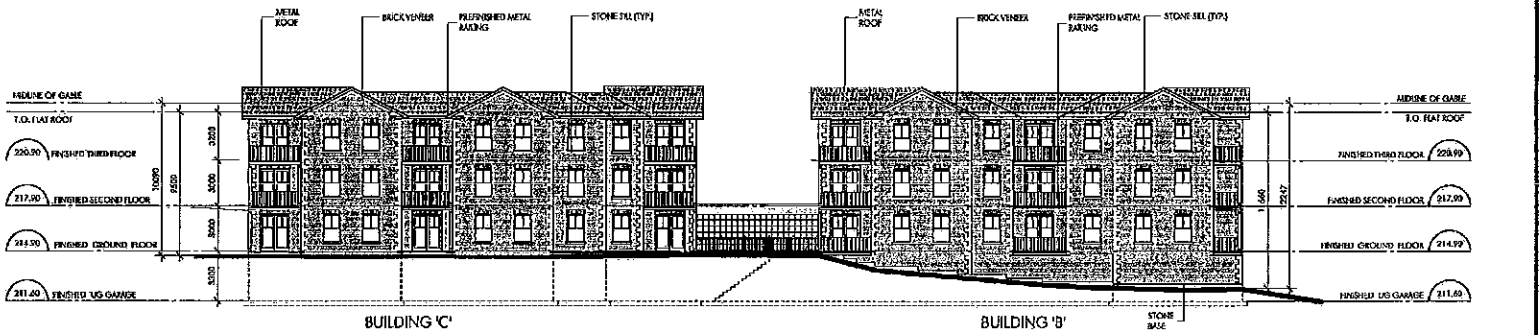
APPLICANT: Fabio Alviani, Giosellina Greco Alviani & Andrea Greco  
 LOCATION: Part of Lot 23, Concession 8



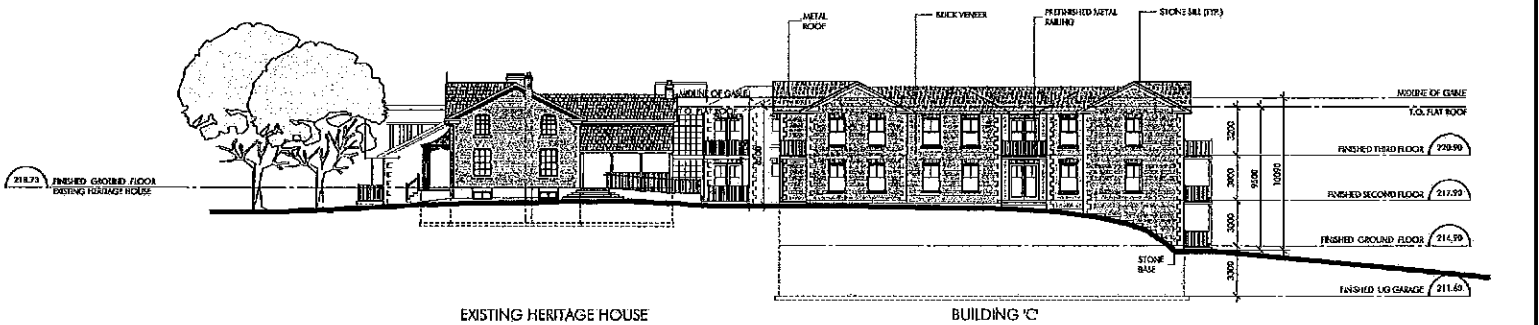
Exterior East Elevation



Exterior South Elevation



Exterior West Elevation



Exterior North Elevation

Not to Scale

# Exterior Elevations

LOCATION:  
Part of Lot 23, Concession 8

APPLICANT:  
Fabio Alviani, Gioseffina Greco Alviani & Andrea Greco

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# Attachment

FILE:  
DA.10.046

DATE:  
August 31, 2010

# 5



**OMB Approved Zoning By-Law 266-2009  
 (Schedule 'E-1458' to Exception 9(1330))**

APPLICANT: Fabio Alviani, Gioseffina Greco Alviani & Andrea Greco  
 LOCATION: Part of Lot 23, Concession 8

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