

Committee of the Whole (1) Report

DATE: Tuesday, February 7, 2023

WARD: 2

TITLE: DCFM DEVELOPMENTS LTD.
OFFICIAL PLAN AMENDMENT FILE OP.21.002
ZONING BY-LAW AMENDMENT FILE Z.21.003
8265 AND 8277 ISLINGTON AVENUE
VICINITY OF ISLINGTON AVENUE AND HARTMAN AVENUE

FROM:

Haiqing Xu, Deputy City Manager, Planning and Growth Management

ACTION: DECISION

Purpose

To seek approval from the Committee of the Whole for applications to amend Vaughan Official Plan 2010 and Zoning By-law 1-88 for the subject lands shown on Attachment 1, to permit the development of a 6-storey residential apartment building with 80 units and a Floor Space Index of 2.6 times the area of the lot, as shown on Attachments 3 to 6, consistent with prior approvals granted by the Ontario Land Tribunal on part of the subject lands.

Report Highlights

- The Owner seeks approval to amend Vaughan Official Plan 2010 and Zoning By-law 1-88 to permit a 6-storey apartment building with 80 units and a Floor Space Index of 2.6 times the area of the lot, consistent with prior approvals granted by the Ontario Land Tribunal on part of the subject lands.
- Official Plan and Zoning By-law Amendment Applications are required to permit the proposed development.
- The Development Planning Department supports the approval of the applications as they are consistent with the Provincial Policy Statement, 2020, conform to the Growth Plan for the Greater Golden Horseshoe, 2019, as amended, and the York Region Official Plan 2022, and are compatible with the existing and planned land uses in the surrounding area.

Recommendations

1. THAT Official Plan Amendment File OP.21.002 (DCFM Developments Ltd.) BE APPROVED, to amend Vaughan Official Plan 2010 specifically the Woodbridge Centre Secondary Plan as it applies to the subject lands shown on Attachment 2 as follows:
 - a) to amend the site-specific policies of Section 4.2.2.2 g) (OPA 23) of the Woodbridge Centre Secondary Plan as it applies to 8265 Islington Avenue, to include 8277 Islington Avenue as part of the combined subject lands (8265 and 8277 Islington Avenue) identified on “Land Use Plan” - Schedule 2 and to permit the development approvals for Part “A” and Part “B” from OPA 23 to extend over the combine lands;
 - b) to amend “Density Plan” - Schedule 3, to permit an increase in the maximum Floor Space Index to 2.6 times the area of the lot within the “Low Rise Residential (2)” designation, on the Subject Lands;
 - c) to amend “Building Height Maximum” - Schedule 4, to identify Part “A” on the subject lands to permit the maximum building height of 6-storeys (22 metres);
 - d) to amend Section 4.2.4 1 - Urban Design Policies of the Woodbridge Centre Secondary Plan to permit a minimum of 5.7 metre building setback from the Islington Avenue right-of-way on the subject lands;
 - e) to amend Section 4.2.4.2 - Urban Design Policies to provide a single row of street trees along Islington Avenue, within the setback on the subject lands;
2. THAT Zoning Amendment File Z.21.003 (DCFM Developments Ltd.) BE APPROVED, to amend Zoning By-law 1-88, to:
 - a) rezone the subject lands (8277 Islington Avenue) from “R2 Residential Zone” subject to site-specific Exception 9(656), to “RA3(H) Apartment Residential Zone” with the Holding Symbol “(H)”, and “OS1 Open Space Conservation Zone”, in the manner shown on Attachment 3, together with the site-specific zoning exceptions identified in Table 1 of this report, to implement the Development shown on Attachments 3 to 6; and,
 - b) to amend the “RA3(H) Apartment Residential Zone” with the Holding Symbol “(H)”, and “OS1 Open Space Conservation Zone” for the south portion of the subject lands (8625 Islington Avenue), subject to the site-specific Exception 9(1471) in the manner shown on Attachment 3, to

permit the site-specific zoning exceptions identified in Table 1 of this report, to implement the Development shown on Attachments 3 to 6;

3. THAT the Holding Symbol “(H)”, shown on Attachment 3 shall not be removed from subject lands, or any portion thereof, until the following conditions are satisfied:
 - a. The Owner shall obtain approval of a future Site Development Application, to facilitate the Development, which shall also address all outstanding comments provided through the review of Official Plan Amendment File OP.21.002 and Zoning By-law Amendment File Z.21.003, to the satisfaction of the City and TRCA;
 - b. Water and sanitary servicing capacity shall be identified and allocated by Vaughan Council in accordance with the City’s approved Servicing Capacity Distribution Protocol assigning capacity for the Development;
 - c. The Owner shall address all comments to the satisfaction of the Toronto and Region Conservation Authority (the ‘TRCA’) and the implementing Zoning By-law shall include the following:

“Owner shall confirm that the residential development has been floodproofed and safe access to the site is provided during a Regulatory flood event, plus freeboard, to the satisfaction of the TRCA.”
 - d. The Owner shall address all Environmental Noise Assessment comments to the satisfaction of the Development Engineering Department;
 - e. The Owner shall submit a copy of the acknowledged Ministry of the Environment, Conservation and Parks (‘MECP’) Record of Site Condition (‘RSC’) filed on the Environmental Site Registry including all referenced environmental site assessment reports with reliance from the environmental consultant to the satisfaction of the Development Engineering Department, the TRCA and York Region.

Background

The subject lands (the ‘Subject Lands’) are located on the east side of Islington Avenue, south of Hartman Avenue, and are comprised of 2 properties known as 8265 and 8277 Islington Avenue (‘Subject Lands’). The Subject Lands have a combined total lot area of 8538 m². Each property was originally developed with single detached dwelling and the combined Subject Lands are now vacant. The Subject Lands and the surrounding land

uses are shown on Attachment 1. The entire Subject Lands are located within the TRCA Regulated Area and TRCA permit approvals are required.

Previous Development Applications for 8265 Islington Avenue were approved by the OLT

- Official Plan and Zoning By-law Amendment applications (Files OP.13.002 and Z.13.004) for Amicorp Development Inc. and 1525233 Ontario Inc. (the ‘Previous Applications’) were submitted, on February 7, 2013
- The Previous Applications sought permission for a 9-storey, 88-unit apartment building
- A portion of 8265 Islington Avenue is located partially within the Woodbridge Special Policy Area (‘SPA’)
- The Previous Applications were appealed on May 12, 2017, to the former Ontario Municipal Board, now the Ontario Land Tribunal (‘OLT’) for non-decision by the City based on the timelines prescribed by the *Planning Act*.
- A settlement hearing was held on August 13, 2018. The OLT on September 13, 2018, the OLT issued its Order approving an Official Plan Amendment (OPA 23) to VOP 2010 for 8265 Islington Avenue to increase the maximum building height and density and amendments to Zoning By-law 1-88 (By-law 200-2018) to rezone the lands to “RA3(H) Residential Apartment Zone” with the Holding Symbol “(H)” and “OS1 Open Space Conservation Zone” to permit the following as shown on Attachment 8, as follows:
 - a residential apartment building with a maximum building height of 6-storey (19 m) containing 74-units
 - a maximum Floor Space Index (FSI) of 2.5 times the area of the lot
 - permitted driveway access to the building (with no habitable area) within the Special Policy Area

The Owner purchased 8265 and 8277 Islington Avenue for development

DCFM Developments Ltd. (the ‘Owner’), purchased both 8265 and 8277 Islington Avenue on July 28, 2020, and are seeking approval of a consolidated development on both parcels.

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

DCFM Developments Ltd. has submitted the following applications (the ‘Applications’) on January 28, 2021, to permit the development of a 6-storey residential apartment building with 80 dwelling units having an Floor Space Index (‘FSI’) 2.6 times the area of the lot, and 131 underground parking spaces and 4 at grade parking spaces, for the Subject Lands, with similar site-specific exceptions, as approved previously by the OLT for 8265 Islington Avenue portion of Subject Lands, as shown on Attachments 3 to 6:

1. Official Plan Amendment File OP.21.002 to amend Vaughan Official Plan 2010 ('VOP 2010') Volume 2, Section 11.11 - Woodbridge Centre Secondary Plan ('WCSP') as follows:
 - a) to permit a maximum density of 2.6 Floor Space Index times the area of the lot on the Subject Lands;
 - b) to permit a maximum building height of 6-storeys (22 metres);
 - c) amend Section 4.2.4 1 - Urban Design Policies of the WCSP to permit a minimum of 5.7 m to the front wall of the building from the Islington Avenue right-of-way along Islington Avenue, whereas a minimum of 7.5 m is required;
 - d) amend Section 4.2.4.2 - Urban Design Policies to permit a single row of street trees within the Islington Avenue setback, whereas double row is required.

2. Zoning By-law Amendment File Z.21.003 to amend Zoning By-law 1-88 as follows:
 - a) rezone the north portion of the Subject Lands (8277 Islington Avenue) from "R2 Residential Zone" subject to site-specific zone Exception 9(656) to "RA3(H) Apartment Residential Zone" with the Holding Symbol "(H)" and "OS1 Open Space Conservation Zone", together with site-specific zoning exceptions for the entire Subject Lands identified in Table 1 of this report, and;

 - b) amend the site-specific Exception 9(1471) for the south portion of the Subject Lands (8265 Islington Avenue) as shown on Attachment 2, to permit the site-specific zoning exceptions for the entire Subject Lands identified in Table 1 of this report.

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

On May 7, 2021, a Notice of Public Meeting (the 'Notice') was circulated to all property owners within 150 m of the Subject Lands, to the Village of Woodbridge Ratepayers' Association and the Greater Woodbridge Ratepayers' group and to anyone on file with the Office of the City Clerk. A copy of the Notice was also posted on the City's website at www.vaughan.ca and a sign was installed on the Subject Lands facing Islington Avenue in accordance with the City's Notice Signs Procedures and Protocols.

Vaughan Council on June 22, 2021, ratified the recommendation of the Committee of the Whole to receive the Public Meeting report of June 1, 2021, and to forward a comprehensive report to a future Committee of the Whole meeting. The following deputations were received at the Public Meeting:

Deputations:

- Mark Condello, Glen Schnarr & Associates Inc., presentation on behalf of the Owner
- A. Gambino, Islington Ave., Woodbridge, identified concerns regarding overlook, shadowing of rear yards, appropriateness of the building setback to the north property line and the existing single family dwelling.

The Development Planning Department on January 30, 2023 mailed a non-statutory courtesy notice of this Committee of the Whole meeting to the individual that made a deputation at the Committee of the Whole regarding the applications submitted for the Subject Lands.

Following the Public Meeting, the Owner provided a revised submission to address the comments from the City, TRCA and York Region

The Owner submitted revised plans on August 15, 2022, to address comments from the City and the TRCA. The revisions are summarized as follows:

- North section of building moved closer to the street to increase the setback to the Humber River Natural Heritage Core Feature and provide a buffer to address TRCA policies and Regulations
- Revised flood lines, top-of-slope and SPA lines identified on the conceptual site plan
- Revised grading on access driveway at underground garage entrance to address TRCA's SPA requirements, provide freeboard, flood proofing, safe access and egress from the building to Islington Avenue during a Regional flood event
- Maximum building height 6-storeys (19 m) increased to 6-storeys (22 m) due to grading and slope across entire site and to provide higher ceiling on 6th floor
- Rear yard setback increased from 1.6 m to 3.9 m
- Site yard setback increased from 3.5 m on north side to 4.0 m, balconies recessed to reduce overlook conditions to the adjacent residence
- 86 dwelling units reduced to 80 dwelling units
- 149 parking spaces, reduced to 135 parking spaces, after building was moved
- Visitor parking ratio of 0.25 spaces per unit reduced to 0.20 spaces per unit
- Maximum developable lot area, adjusted to 3673 m² due to SPA limits
- The maximum FSI increased from 2.5 times the area of the lot to 2.6 FSI due to increased buffer area provided to Core Feature

- Minimum lot area per unit, adjusted to 45 m² for 80 units
- 9595 m² GFA, reduced to 9478 m² GFA due to SPA limits
- Exterior stairs (west side) to underground garage reconfigured to better address streetscape

The Development Planning and Transportation Engineering Department requested the Owner reduce the ramp slope for underground garage and reconfigure garbage room/loading area to address the City's Waste Management Design Standards requirements truck maneuvering within the site, to the satisfaction of the City through the future Site Development Application.

Previous Reports/Authority

The Previous Owner's Development Applications for 8265 Islington Avenue were approved by the OLT in 2018

The following are links to previous reports regarding the OLT approvals for 8265 Islington Avenue:

[June 11, 2013, Committee of the Whole Public Meeting \(Item 2, Report 30\)](#)

[September 13, 2018 LPAT Order Approving OPA 23 to VOP 2010](#)

[September 13, 2018 LPAT Order Approving Zoning By-law 200-2018](#)

The DCFM Developments Ltd. Public Meeting Report is linked below:

[June 1, 2021 Committee of the Whole \(Public Meeting\) Report, Item 5, Report 30, ratified by Council on June 22, 2021.](#)

Analysis and Options.

The Applications are consistent with the Provincial Policy Statement, 2020

Section 3 of the *Planning Act* requires that all land use decisions in Ontario "shall be consistent" with the Provincial Policy Statement, 2020 (the 'PPS'). The PPS provides policy direction on matters of provincial interest related to land use planning and development. The PPS is applied province-wide and provides direction to support strong communities, a strong economy and a clean healthy environment.

The Applications are consistent with the PPS Sections 1.1.1, 1.1.3, 1.4.1 and Section 1.6.74 of the PPS encouraging development with Settlement Areas to make efficient use of land and planned and existing infrastructure and services and are transit supportive. The policies also contribute to providing for an appropriate range and mix of housing options and densities.

The PPS policies recognize that the local context and character is important. The *Planning Act* requires that Vaughan Council's planning decisions be consistent with the PPS. The Development Planning Department has reviewed the Development in

consideration of the PPS policies and is of the opinion that the Development is consistent with the following policies of the PPS:

- Section 1.1.1 - accommodating a market-based range and mix of residential types, and promoting land use planning, growth management and intensification to minimize land consumption and servicing costs
- 1.1.3 - regarding settlement areas being the focus development based on densities and land uses to efficiently use land, and are transit supportive, where transit is existing
- Section 1.1.3.3 - promote opportunities for transit-supportive development accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated considering the existing area
- Section 1.4.1 and 1.4.3 - to provide for a range of housing options and densities to meet projected market-based needs of current and future residents
- Section 1.4.3 d) - promote densities for new housing which efficiently uses land resources, infrastructure, and public service facilities, and supports the use of active transportation and transit in areas where it exists
- Section 1.4.3 f) - establishing development standards for residential intensification to facilitate compact form
- Section 1.6.3 a) - optimizes use of existing infrastructure and public service facilities

The Subject Lands are located within a Settlement Area, as defined by the PPS, and within the Woodbridge Centre Secondary Plan area. The Development is consistent with the policies of the PPS as it makes more efficient use of the Subject Lands by, minimizing land consumption and providing a range and mix of housing options within the existing community at Islington Avenue and Hartman Avenue. The Subject Lands abut Islington Avenue, identified as a Major Arterial Road (Regional) on Schedule 9 Future Transportation Network in the VOP 2010, and this section of Islington Avenue is within the “Islington Avenue Corridor” identified in the WCSP as a residential community. The proposed development is consistent with the land use patterns in the area and will utilize the existing municipal infrastructure and municipal services to support the intensification, redevelopment of the site in a compact form of development.

Section 3.1 of the PPS includes policies to protect public health and safety. These policies direct development away from areas of natural or human-made hazards where there is an unacceptable risk to public health or safety, or of property damage and, to avoid creating new or aggravate existing hazards. These policies also mitigate risk to public health and safety or property damage from natural hazards. The Subject Lands

are partially located within the “Floodplain of the Humber River” within the Woodbridge community. Section 3.1.2 outlines where development and site alteration shall not be permitted due to flooding hazards. Despite this policy, Section 3.1.4 of the PPS allows development and site alteration in certain areas associated with the flooding hazard along river and stream systems where, in exceptional situations a Special Policy Area (‘SPA’) has been approved.

Several SPA areas are approved by the Province for the Woodbridge Area and are identified within the Vaughan Official Plan 2010, Volume 2, Chapter 11.11 Woodbridge Centre Secondary Plan (‘WCSP’). A portion of the Subject Lands is located within a SPA located on Islington Avenue south of Hartman Avenue, as shown on Special Policy Area - Schedule 9 in the WCSP. The PPS SPA policies may permit development on portions of hazardous lands where the effects and risk to public safety are minor, and could be mitigated in accordance with provincial standards, where it is demonstrated that the development can be carried out in accordance with floodproofing, protection works standards and access standards; where vehicles and people have safe access and egress in flooding and other emergencies; where new hazards are not created and no adverse environmental impacts will result.

The proposed Development and specifically the portion of the Subject Lands located within the Woodbridge SPA identified in the WCSP has been reviewed by the City, York Region and the TRCA in accordance with the PPS SPA policies and has been determined to be consistent with the Section 3.1 Natural Hazards policies of the PPS. The Development is consistent with the policies of the PPS in consideration of the above.

The Development conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2019, as amended

A Place to Grow: Growth Plan for the greater Golden Horseshoe 2019 (‘Growth Plan’), as amended, guides decision making on a wide range of issues, including economic development, land-use planning, urban form, and housing. Council’s planning decisions are required by the *Planning Act* to conform, or not conflict with, the Growth Plan.

The Development conforms to the policy framework of the Growth Plan which supports the achievement of complete communities designed to support healthy and active living and meet people’s needs for daily living throughout an entire lifetime. as the build form would efficiently intensify the Subject Lands. The Applications will facilitate housing at a density supportive of the Growth Plan objectives, specifically Section 2.2.1.2 which directs growth to Settlement Area with existing or planned municipal water and wastewater systems. The proposed Development represents minor residential infill

development within the existing Woodbridge Centre Secondary Plan area and existing municipal water and wastewater systems can be accessed directly. Section 2.2.1.4 of the Growth Plan addresses the need for development to provide a diverse range and mix of housing options to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes. The Development will provide a range of unit sizes within an apartment building. The Development will support the achievement of complete communities, specifically Section 2.2.6.1, as it will utilize existing municipal serving and will support a range and mix of housing options within an existing settlement area.

The Subject Lands are located within a Settlement Area and in a Delineated Built-up area as defined by the Growth Plan (2.2.1), where intensification and the establishment of complete communities is encouraged. The Development will facilitate a multi-unit residential dwelling and will more efficiently utilize the Subject Lands and existing infrastructure for residential development within the delineated built-up area. The Development conforms to and does not conflict with the Growth Plan policies.

The Applications conform to the York Region Official Plan 2022

The York Region Official Plan 2022 ('YROP') guides economic, environmental and community building decisions across York Region. The Subject Lands are designated "Urban Area" on Map 1 – Regional Structure by the YROP which permits a range of residential, industrial, commercial, and institutional uses. The Subject Lands are also within the "Regional Greenlands System Vision", on Map 2 of the YROP which conceptually identifies the general location of corridors within the Region that perform major linkage functions on a Regional scale. The Section 2.1 policies of the YROP protect and enhance the Regional Greenlands System and its functions. The YROP Greenlands System Policies identify natural hazards that pose a risk to human health and safety; protect property; and to reduce potential risks and costs associated with natural hazards by ensuring that development is directed away from these areas.

The Region's policies to manage hazards are in Section 3.5.1. Section 3.5.3 indicates development is generally prohibited within defined portions of the floodplain subject to conservation authority regulations and Section 3.5.5 provides support to conservation authorities in the management of floodplain areas and Special Policy Areas. The Woodbridge Special Policy Area is recognized in as an Approved Floodplain Special Policy Area by VOP 2020. Section 3.5.6 requires setbacks and buffers based on a minimum buffer where defined by the local municipality in consultation with the conservation authority or determined through technical studies or to conform to Provincial regulations.

The Region supports the Toronto and Region Conservation Authority's ('TRCA') position on the Development Applications for the Subject Lands. A portion of the Subject Lands is within the Toronto Region Conservation Authority's Regulatory Floodplain. The Development is subject to TRCA's regulations and permit approvals process.

Section 4.4 of the YROP states that the Region's strategic growth areas within the Urban System will accommodate a significant portion of the planned growth in the Region and indicates that more gentle intensification will be in local centres and corridors to provide for compact and complete communities and reduce demand on the transportation system. The Development if approved, would offer housing types (1, 2, and 3- bedroom residential apartments), within an area primarily developed with low-rise residential dwellings. The Development conforms to the YROP as it assists in building complete communities and will help ensure residential development within the Region occurs within the defined built-up area. Although the immediate area is primarily low-rise residential dwellings, limited infill development of apartment dwellings has occurred on Islington Avenue.

Islington Avenue is a Regional Road with a 30 m right-of-way. "Map 11 – Street Network" in RYOP 2022 identifies Islington Avenue with a road width up to 36 m. A road widening is included in the proposed Development. York Region will comment on requirements for a road widening and site access through a future Site Development Application for the Development. York Region on December 6, 2022, exempted the Official Plan Amendment File OP.21.002 from approval by the Regional Planning Committee of the Whole and Council.

Amendments are required to VOP 2010 to permit the Development, which are supported by the Development Planning Department

The Subject Lands are located within a "Community Area" on Schedule 1 – Urban Structure of VOP 2010 within the broader Humber River Valley area, in the historical settlement of Woodbridge, within the Woodbridge Centre Secondary Plan Area. A portion of the Subject Lands is within the "Built-Up Valley Lands" designation of the VOP 2010 Natural Heritage Network (NHN), which recognizes existing developed lands located below the physical top of bank. The VOP recognizes that minor alterations and/or limited new development may be permitted with restrictions within Built-Up Valley Lands.

Islington Avenue Corridor and Residential Policies

The westerly portion of the Subject Lands are designated “Low-Rise Residential (2)” and “Low-Rise Residential by VOP 2010”, specifically Section 11.11 – “Woodbridge Centre Secondary Plan” (‘WCSP’) and located within the Islington Avenue Corridor, shown on Schedule 5 - “Distinct Character Areas” of the WCSP. The Low-Rise Residential (2) designation permits residential units as townhouse, stacked townhouse and low-rise building forms, with a maximum building height of 3.5-storeys and an FSI of 0.5 times the area of the lot subject to the policies of Section 3.3.2 of the WCSP. The Low-Rise Residential designation permits detached, semi-detached and townhouse dwellings to a maximum height of 3-storeys in accordance with Section 9.2.2 of VOP 2010.

A portion of the Subject Lands is within the ‘Islington Avenue Corridor’ and subject to the policies of Section 3.2.1.3 of the WCSP. These include urban design policies to strengthen the character of the Islington Avenue Corridor area while maintaining the primarily low-density character of the area with pockets of higher density residential development.

Woodbridge Special Policy Area

A portion of the Subject Lands is located within the TRCA Regulatory Floodplain of the Humber River within the Woodbridge community. In accordance with the SPA provisions (Section 3.1) of the PPS, certain lands within the Regulatory Floodplain of the Humber River in the Woodbridge community have been identified as “Special Policy Area” on Schedule 9 of the WCSP. The SPA areas within Woodbridge are based on the June 2014 Special Policy Area Justification Report for the Woodbridge Centre Secondary Plan and the SPA limits are identified on “Special Policy Area – Schedule 9” of the WCSP were approved by the Province.

Attachments 2 and 3 identify the SPA Limits reflected on Schedule 9 of the WCSP and the proposed “OS1 Open Space Conservation Zone” limit relative to the Development.

The portion of the Subject Lands located within the Woodbridge SPA is subject to Section 7.3 Natural Hazard and Special Policy Area Policies of the WSCP. These policies permit development within the SPA area in accordance with the land use designations on Schedule 2, and the policies of Part “B” Section 4 of the WCSP, subject to development criteria, to protect the public from unacceptable risks associated with flooding. The criteria, requires that an emergency response plan prepared by a qualified professional, shall be provided as part of the development application for a residential apartment building, in accordance with emergency management standards and practices. Safe pedestrian movement pursuant to the Provincial flood proofing

standards shall be provided for all new residential units and the highest level of flood protection shall be determined by TRCA and the City. In addition, all site alteration shall be carried out in accordance with flood proofing standards, protection works standards and access standards, to ensure new hazards are not created and existing hazards are not aggravated and, no environmental impacts will occur. This shall be addressed through the future Site Development Application for the Development.

OLT approval of OPA 23

OPA 23 to VOP 2010 (File OP.13.002), is the site-specific amendment to the WCSP for the 8265 Islington Avenue portion of the Subject Lands approved by the OLT. OPA 23 permits a 6-storey (19 m), 74-unit residential apartment building at 2.5 FSI times the area of the lot, with the building's driveway and entrance to the underground parking area located within the SPA limit. The OLT also approved a structural setback between the proposed rear retaining wall of the building and required that the future "OS1 Open Space Conservation Zone" lands be conveyed to public ownership. No habitable area of the residential development was permitted to be located within the Flood Plain Limits/Special Policy Area Limits. The OLT also required that a planting plan for the OS1 Open Space Conservation Zone and the Vegetation Protection Zone shall be prepared to the satisfaction of the City and TRCA and submitted with a future Site Development application.

DCFM Developments Ltd. purchased 8277 Islington Avenue to facilitate a larger property for the Development and requested that the same height and density permissions in OPA 23, to Section 4.2.2.2 g) of the WCSP, apply to 8277 Islington Avenue on the combined Subject Lands designated Low-Rise Residential (2) and Low-Rise Residential, with additional amendments to permit the Development as shown on Attachments 2 and 3, for a 6-storey, 80-unit, apartment building, at a maximum building height of 6-storeys (22 m) and a maximum density of 2.5 FSI times the area of the lot (which was later revised to 2.6 FSI to address TRCA requirements). The prior OPA 23 approvals regarding the SPA and OS1 lands described above, will be maintained to implement a development similar to the original OLT decision, should Council approve the recommendations of this report.

Natural Heritage Network

The Subject Lands contain a woodland feature contiguous with the Humber River. Valley/stream corridors. Woodlands are considered 'Core Features' of the Natural Heritage Network (NHN). Section 3.2.3.7 of the VOP 2010 prohibits development or site alteration in 'Core Features'. Section 3.2.3.8 does not permit development or site alteration on lands adjacent to 'Core Features' unless it is demonstrated through and environmental impact study that the development or site alteration will not result in a

negative impact on the feature or its functions. Section 3.2.3.10 requires that the 'Core Features; and any related vegetation protection zone be conveyed to the TRCA as a condition of development approval. The 'Core Features' and the related vegetation protection zone will be zoned "OS1 Open Space Conservation Zone" and conveyed to the TRCA through a future Site Development Application for the Development.

The Section 3.5 Environment policies of the WCSP protect environmental features and ecosystem functions, core features and the Natural Heritage Network from development, consistent with the YROP Regional Greenlands policies. Flood plain and river valleys are natural heritage features and, these are protected through Special Policy Area policies.

Similar Developments in Surrounding Community

Attachment 1 identifies similar existing and proposed multi-unit residential developments within the surrounding community. The adjacent 6-storey apartment building to the south at 8201 Islington Avenue was approved by the OLT. The existing 5-storey apartment building at 8302 Islington Avenue was approved by the OLT in 2011. The OLT approved 8265 Islington Avenue (part of the Subject Lands) for a 6-storey apartment building in 2018. Development applications for apartment buildings have been submitted for 8274 to 8286 Islington Avenue opposite the Subject Lands and, for 8337 to 8359 Islington Avenue, north of the Subject Lands at Pine Grove Road.

The Development Planning Department supports the Amendments required to VOP 2010 to permit the Development

Amendments to VOP 2010 specifically Volume 2, Chapter 11.11 WCSP are required to the Islington Avenue Corridor policies to permit a front yard setback of 5.7 m to the Islington Avenue right-of-way and to permit a single row of trees where a double row is required. A further amendment to the site-specific policies in Section 4.2.2.2 g) is required to increase the maximum permitted building height from 6-storeys (19m) to 6-storeys (22 m); and a maximum FSI of 2.6 times the area of the lot to facilitate the Development shown on Attachments 3 to 7.

The Development Planning Department can support the proposed amendments to Section 4.2.2.2, g) of the WCSP to extend the maximum building height and density policies to the combined Subject Lands, and to amend the Urban Design Policies for the Islington Avenue Corridor in Section 4.2.4 of the WCSP for the combine Subject Lands. for the following reasons:

- Through discussions with Development Planning and TRCA, the building was moved closer to Islington Avenue to ensure an adequate setback from the “Natural Area” designation and the “Special Policy Area” to satisfy the TRCA’s requirements for protection of the valley and flood plain portion of the Subject Lands. The focus on Natural Area and flood plain protection, resulted the need for the additional amendment to permit a reduction in the required Islington Avenue setback from 7.5 m to 5.7 m
- Most of the building is setback 6 m from Islington Avenue (except the south corner at 5.7 m). The front yard setback will be landscaped and includes a walkway connection between Islington Avenue and the building lobby to provide a pedestrian focused streetscape character within this section of the Islington Avenue Corridor
- The revision to provide an adequate setback from the Natural Area” designation and the “Special Policy Area” reduced developable site area which increased the FSI, from 2.5 to 2.6 times the area of the lot
- The Development on the combined Subject Lands is consistent with the development approved by the OLT for a 6-storey apartment building at 8265 Islington Avenue. Schedule 4 - “Building Height Maximum” of the WCSP, includes a corresponding height of 19 m for a 6-storey building. The building remains at 6-storeys, but the corresponding height measurement increased to 22 m due to the site grading across the combined Subject Lands, and to provide a higher ceiling height on the 6th floor
- The Development will add to the mix and range of housing options, utilize existing municipal infrastructure on Islington Avenue, provide a pedestrian friendly built form by locating a building entrance to Islington Avenue, and achieve an appropriate density of development within the surrounding community
- The Development will maintain the protection of the SPA and continue to provide development restrictions previously approved by the OLT. As required by the WCSP SPA policies which provide protection of the Humber River valley features, the lands within the SPA and the buffer shall be conveyed into public ownership to the TRCA through a conveyance as a condition of the final approval of the future Site Plan Agreement for the Subject Lands, should Council approve the recommendations of the report.

Section 37 Provisions and Community Benefit Charges

The Applications provide for an increase in height and density above that permitted in the WCSP. The existing RA3 Zone exception 9(1471) for 8265 Islington Avenue required Section 37 contributions for these increases through Section 37 community benefits to be implemented in a Section 37 Agreement between the City and the previous Owner of 8265 Islington Avenue. No Agreement was executed, and no cash contribution was provided prior to the purchase of the property by the Owner.

The province revised the *Planning Act* to repeal the original Section 37 provisions and replaced the provisions with the Community Benefits Charge (‘CBC’) to allow municipalities to impose CBC’s against land to pay for the first-round capital costs of facilities, services and matters required because of the development or redevelopment in the area to which the municipality’s CBC By-law is applied. Vaughan passed the CBC By-law on September 14, 2022. The CBC By-law allows the City to collect 4% of land value for projects identified in City’s approved CBC strategy. Should these applications be approved, a land appraisal will be required prior to permit issuance to establish that 4% calculation. The amount of the CBC charge payable is 4% of the Subject Land’s value on the day before the building permit is issued. Any approval of the Applications will also necessitate a revision to Exception 9(1471) to repeal the s. 37 requirements.

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

The Subject Lands consist of two parcels of land within separate zone categories and site-specific exceptions. The Owner proposes to rezone the north portion of the Subject Lands (8277 Islington Avenue) to “RA3(H) Apartment Residential Zone” with the Holding Symbol “(H)” and “OS1 Open Space Conservation Zone” and amend the site-specific Exception 9(1471) for the south portion of the Subject Lands (8265 Islington Avenue) together with the following site-specific zoning exceptions for the entire Subject Lands identified in Table 1 to permit the Development shown on Attachments 3 to 7, as follows:

Table 1:

	Zoning By-law 1-88 Standard	RA3 Apartment Residential Zone Requirements	Proposed Exceptions to the RA3 Apartment Residential Zone Requirements
a.	Permitted Uses	<ul style="list-style-type: none"> • Apartment Dwelling • Day Nursery 	In addition to the permitted uses, no residential development is permitted within the Flood Plain Limits/Special Policy Area Limits and Lands zoned OS1 Open Space Conservation Zone, shall

	Zoning By-law 1-88 Standard	RA3 Apartment Residential Zone Requirements	Proposed Exceptions to the RA3 Apartment Residential Zone Requirements
			be conveyed into public ownership, and used for open space purposes only
b.	Maximum Developable Lot Area	2,641.84m ²	3673 m ²
c.	Maximum Floor Space Index (FSI)	No requirement	2.6 times the area of the lot
d.	Minimum Lot Area Per Unit	67 m ²	45 m ²
e.	Minimum Front Yard Setback (Islington Avenue ROW)	7.5 m	5.7 m
f.	Maximum Encroachment to open stairs into Minimum Front Yard Setback (Islington Avenue)	1.8 m encroachment into 7.5 m setback	2.6 m encroachment into 5.7 m setback
g.	Minimum Landscape Strip Width (Islington Avenue)	6 m	3.1 m
h.	Minimum Rear Yard Setback (to OS1 Zone)	7.5 m	3.9 m
i.	Minimum Interior Side Yard Setback	<ul style="list-style-type: none"> • 3.5 m (north) • 12 m (south) 	<ul style="list-style-type: none"> • 4 m (north) no balconies shall be located within the north side yard setback
j.	Minimum Side Yard Setback to Underground	<ul style="list-style-type: none"> • 0.6 m (north) • 2.9 m (south) 	minimum below grade setback to underground garage/parking structure shall be: <ul style="list-style-type: none"> • 0.7 m north interior side yard

	Zoning By-law 1-88 Standard	RA3 Apartment Residential Zone Requirements	Proposed Exceptions to the RA3 Apartment Residential Zone Requirements
	Parking structure retaining wall		<ul style="list-style-type: none"> • 0.3 m east rear yard • 0.05 m south interior side yard
k.	Maximum height of Retaining wall and Setback to Residential Lot	<ul style="list-style-type: none"> • 1.2 m (north side yard) • 1.45 m (south side yard) 	<ul style="list-style-type: none"> • The retaining walls in the north and south side yards which form part of the underground garage/parking structure shall be: <ul style="list-style-type: none"> • 0.8 m in height and setback 0.7 m (north interior side yard) • 1.5 m in height and setback 0.05 m (south interior side yard)
l.	Minimum Bicycle Parking Requirements	No Requirements	<p><u>Long-Term Spaces</u></p> <ul style="list-style-type: none"> • minimum 0.5 spaces/unit (indoor) = 40 spaces <p><u>Short-Term Spaces</u></p> <ul style="list-style-type: none"> • minimum 0.1 spaces/unit short-term (outdoor) = 8 spaces <p>Provide Total = 48 spaces</p> <ul style="list-style-type: none"> • 1.75 m minimum aisle width • minimum Bicycle parking space dimension 0.6 X 1.8 m vertical clearance from the floor of 1.9 m
m.	Minimum Amenity Area	<p>Combined indoor and outdoor amenity area</p> <p><u>Total</u> =160 m² based on OLT approval of 74 units</p>	<p>Provide Total of 365 m² for 80 units</p>

	Zoning By-law 1-88 Standard	RA3 Apartment Residential Zone Requirements	Proposed Exceptions to the RA3 Apartment Residential Zone Requirements
n.	Minimum Parking Requirements	<u>Residential</u> 1.5 spaces/unit x 80 units = 120 spaces <u>Visitor</u> 0.25 spaces/unit x 80 units = 20 spaces Total Parking Required = 140 spaces	<u>Residential</u> 1.48 space/unit x 80 units = 119 spaces <u>Visitor</u> 0.20 spaces/unit x 80 units = 16 spaces Total Parking Required = 135 spaces
o.	Minimum Parking Space Dimensions	<u>Typical Parking Space</u> 2.7 X 6 m <u>Barrier Free Space Length</u> 6 m	<u>Typical Parking Space</u> 2.7 X 5.7 m <u>Layby Parking Space</u> 2.7 X 6.7 m <u>Barrier Free Space Length</u> 5.7 m
p.	Maximum Building Height	11 m by By-law 1-88 <u>OLT Approval</u> <ul style="list-style-type: none"> • 19 m building (6-storeys) and no portion of building/structure shall exceed maximum building heights shown on Schedule "E-1601" approved by OLT 	<ul style="list-style-type: none"> • 22 m building (6-storeys) • "no portion of building/structure shall exceed maximum building heights as shown on Schedule "E-1601" as amended, measured exclusive of any accessory roof construction, Chimney, tower, steeple, parapet, guardrails, stair enclosures, elevator and mechanical room. Measured at average grade elevation on Islington Avenue

Minor modifications to the zoning exceptions identified in Table 1 may be required prior to the enactment of an implementing Zoning By-law, as required should the Applications be approved.

The Development Planning Department can support the site-specific zoning exceptions in Table 1, to implement the Development shown on Attachment 3, as follows:

- The OLT approved the RA3 Zone for the 8265 Islington Avenue portion of the Subject Lands. The OLT Decision included a maximum developable lot area, maximum GFA, a maximum building height, and a maximum Floor Space Index for the proposed 6-storey apartment building. The acquisition of 8277 Islington Avenue resulted in increased total site however, with the buffer area to be zoned OS1 Zone it cannot be included in the developable lot area resulting in an increased FSI to 2.6.
- The Maximum Building Height increase to 6-storeys (22 m) whereas the OLT permitted a 6-storey building with a maximum height of 19 m (excluding the mechanical room). The proposed 22 m height was reviewed by the Development Planning Department and is considered acceptable since the grading over the combined lands had significantly impacted the building design due to grade sloping from north to south. The site must also maintain a minimum grade above the Regional flood line for flood proofing to meet the TRCA regulations. The 1st floor accommodates some of the additional height from site grading and the 6th floor provides higher ceilings heights than the mid floors
- The Islington Avenue Land Use Study – “Urban Design Guidelines (incorporated in the WCSP policies), requires a 7.5 m setback to Islington Avenue. However, the OLT Decision approved an irregular-shaped building for 8265 Islington Avenue with a 5.6 m front yard setback. Due to development constraints at the rear of the site, the revised site plan moved the building closer to Islington Avenue to meet the required TRCA setbacks to the top-of-slope and the SPA. The minimum front yard setback to Islington Avenue was reduced to 5.1 m
- The minimum landscape strip width to the patio amenity area near the Islington Avenue 3.1 m in the area where the stairs to the underground garage are located. While the stair location is a function of the underground garage design, the Development Planning Department requested that the stair design provide better screening from the street. The staircase encroaches into the landscape width
- Attachment 8 shows the site design approved by the OLT for 8265 Islington Avenue including the building form, height and setbacks. The current Applications to extend the development permissions onto 8277 Islington Avenue with the same built form and similar site design propose a setback of 4 m to the north side yard. Balconies on the north elevation of the building are recessed to address overlook to the adjacent

residential dwelling. The building is designed with step backs to the 5th and 6th floors to address the overlook and shadowing impacts to the adjacent residential property

- The Subject Lands and the adjacent property at 8201 Islington Avenue, slope south-east towards the valley lands. The building at 8201 Islington Avenue includes an underground parking structure that extends above-grade and functions as retaining walls for flood proofing. A similar underground parking garage with a retaining wall structure for flood proofing is included in the Development. The underground parking structure and the associated walls that extend above grade, are proposed within the reduced interior side yard setback, similar to the setbacks approved by the OLT Decision. However, an exception is also required for setbacks based on the height of the retaining walls; being, a 0.7 m setback from the north property line for a retaining wall 0.8 m above grade and, a 0.05 m setback to the south property line for where the top of the wall will be a maximum of 1.5 m above grade. The below grade setbacks to the Underground Parking Structure are similar to the OLT Decision
- To address TRCA's comments, to maintain an adequate setback to the natural feature and to provide a buffer area at the rear of the site, the building was shifted 11.96 m west. This increased the setback from the rear property line (at 8277 Islington Avenue) and established a development limit to include lands to be zoned open space and to be conveyed to public ownership (TRCA) through the future Site Development Approval process. The top-of-slope, proposed grades, existing floodlines and the Special Policy Area limits shown on Attachment 3, have been determined in consultation with TRCA
- The proposed amenity areas consist of an exercise room and a party room on the ground floor and an outdoor patio/terrace area adjacent to the Islington Avenue entrance to the lobby. The residential units each have private patios and balconies. A combined total of 365 m² is provided for the proposed Development
- The proposed resident parking ratio of 1.48 spaces per unit and 0.20 visitor spaces per unit has been reviewed by the Development Engineering Department and is discussed in the Transportation Engineering comments below

The Holding Symbol ('H') shall be applied to obtain servicing allocation, TRCA approval, and approval of a related Site Development Application and all outstanding comments

The Owner is required to obtain water and sanitary servicing allocation through Council upon review of a subsequent Site Development Application to facilitate the

Development, which is also required to be reviewed and approved by the Development Planning Department.

The TRCA provided comments on the Application regarding stormwater management on the Subject Lands, and other technical requirements, including the requirement for a conveyance of the open space lands to TRCA, to be addressed through the future Site Development Application to the satisfaction of TRCA. TRCA also requested the following wording shall be included in the proposed Zoning By-law Amendment for the removal of the Holding Symbol “(H)” from lands subject of the Application:

“Owner shall confirm that the residential development has been floodproofed and safe access to the site is provided during a Regulatory flood event, plus freeboard, to the satisfaction of the TRCA.”

The above noted matters must be satisfied and cleared by the appropriate authorities prior to lifting the Holding Symbol (‘H’) from the Subject Land and a condition to this effect is included in the Recommendations section of this report.

Council enacted Zoning By-law 001-2021 on October 20, 2021, as the new Vaughan Comprehensive Zoning By-law

Applications to amend both Zoning By-law 1-88 and Zoning By-law 001-2021 are required because Zoning By-law 001-2021 is not in force for the Subject Lands due to it being under appeal.

Should the Applications be approved, a future Site Development Application and Draft Plan of Condominium Application will be required

Should the Applications be approved, the Owner is required to submit a Site Development Application for the Subject Lands and a Draft Plan of Condominium application to implement the proposed Development. A Site Plan Agreement with the City will be required. Council approval for the Draft Plan of Condominium to establish the condominium tenure for the Development and to confirm any condominium conditions of the Development.

The Development Planning Department has no objection to the Applications
Conceptual Site Plan

The Development shown on Attachments 3 to 6, consists of a 6-storey residential apartment building with 80-dwelling units and 131 underground parking spaces and 4 at-grade parking spaces. The Development implements a similar site design approved by the OLT in 2018 for the development of 8265 Islington Avenue shown on Attachment

8. The Development extends similar permissions from the OLT Decision on the combined Subject Lands.

Landscape Plan

A Landscape Plan is shown on Attachment 4. Landscaping and private tree planting along the Islington Avenue right-of-way shall be coordinated with York Region and depicted on the final Landscape and Site Plans in a future Site Development Application to ensure adequate soil volumes to accommodate the growth of proposed trees over the areas where the underground parking garage is located.

Through the review of a future Site Development Application, TRCA and the City will review the detailed landscape plans to determine the ~~public/private~~ character of the proposed vegetation within the buffer area and will provide Conditions of Site Plan Approval as required.

Vents, servicing to the underground parking, utilities and snow storage areas should be appropriately screened from Islington Avenue frontage in accordance with the Urban Design Guidelines. The City recognizes that the service stairs to the underground garage at the northwest corner of the site within the front yard cannot be relocated and a landscaped transition the Islington Avenue right-of-way with a planter has been included to better incorporate the service stairs into the landscape.

Building Elevations

Attachments 5 and 6 show the proposed building elevations for the Development and conceptual perspective for the Islington Avenue frontage is shown on Attachment 7. The Development provides a 4 m setback at north property line similar to the setback approved by the OLT Decision. The balconies along this elevation have been recessed to avoid overlook to the existing low-rise residential use.

Amenity Areas

The Development includes indoor and outdoor amenity areas consisting of landscaped areas, balconies, an exercise room and party room on the ground floor and an outdoor amenity area totaling 365 m² of amenity area. The details of the amenity space shall be reviewed through a future Site Development Application.

Driveway Access and Loading Area

One full movement access from Islington Avenue provides access to the site, and serves the passenger drop-off/pick up area, and access to resident parking areas as shown on Attachment 3. The driveway extends further east to the underground parking area. The visitor parking, loading and delivery areas for the building, are not visible from

the street. York Region will comment on the site access and the City will comment on the loading area and waste storage room located internal to the P2 level of the parking garage through the future Site Development Application.

Snow Storage

Snow storage areas are located on near the driveway access shown on Attachment 3.

Tree Preservation and Protection

The Applicant shall retain as many trees as possible through the site design. A “Tree Inventory and Arborist Report”, prepared by the Urban Arborist, dated January 11, 2021 and revised November 8, 2021, was submitted in support of the proposed Development. The report tagged and inventoried 45 trees and includes protection and preservation measures for trees within and adjacent (within 6 m) to the Subject Lands. A total of 74 trees are required to be replanned on site, with replacement trees at the appropriate caliper to the satisfaction of the City. Should more replacement trees be required than can reasonably be accommodated on the Subject Lands, a cash-in-lieu payment may be made to the Forestry Tree Reserve Fund for tree planting on public properties in the same community.

Prior to the issuance of a future Site Plan Approval, the Applicant shall enter into a Tree Protection Agreement in accordance with the City’s Tree Protection Protocol.

The Development Engineering (‘DE’) Department has no objection to the Applications

The DE Department has provided comments dated April 15, 2021, and October 12, 2022, to be addressed by the Owner to the satisfaction to the DE Department through the future Site Development Application. The DE Department provides the following comments on the Applications:

Functional Servicing Report (‘FSR’)

The Owner submitted a Functional Servicing Report, dated January 15, 2021, and updated July 18, 2022, by Skira & Associates in support of the Development. The FSR states that any sanitary sewers running over 80% capacity must be upgraded or alternatively be subject to flow monitoring studies that demonstrate the actual post-development flows are less than 80% of sewer capacity.

The Owner conducted a hydrant pressure/fire flow test on May 10, 2022, to ensure adequate flow and pressure are available in the existing municipal water supply system. The projected flows demonstrated in the test are adequate.

The Owner shall confirm if groundwater will need to be pumped as part of the design of the building and provide a strategy for the development with a report on groundwater pumping and discharging. Vaughan may allow groundwater discharge into a storm sewer if the quality and quantity of the groundwater comply with the provisions of the Vaughan Sewer Use By-law No. 087-2016.

The updated FSR included a Hydrogeology Investigation Report by EXP, indicating the Development includes a permanent foundation sub-drain system. The underground parking foundation drains will require sump pumps to pump and discharge into the storm sewer on Islington Avenue. The maximum rate of discharge during construction is estimated to be 26,000 L/day groundwater plus 37,000 L/day rainwater collection (from 15 mm/day precipitation) being a maximum total dewatering of 64,000 L/day. The Owner shall provide detailed information on the ground water treatment methods and quality control in a future Site Development Plan application to ensure groundwater discharge for the Development complies with the Vaughan Sewer Use By-law. Permanent groundwater flows that may discharge into a Vaughan sewer, or into a proposed stormwater management facility shall be shown on the plans and within the report. The City may accept discharging of groundwater into a storm sewer if it complies with the provisions of the Vaughan Sewer use By-law. However, the City's records indicated the 600 mm – dia. storm sewer on Islington Avenue is a Regional storm sewer and long-term ground water discharge to this storm sewer requires York Region approval.

Storm Sewer Network

Two storm outlets are proposed to service the Development. A new 300 m diameter storm connection at the southwest corner of the site for runoff from building's roof and terraces will discharge directly to the Humber River. An area the Subject Lands will be dedicated to the public authority (TRCA) for Open Space Conservation purposes.

The DE Department provided detailed technical comments on the FSR and the conceptual Site Servicing Plan, including comments on groundwater discharge, and control for post-development stormwater flows for up to and including 100-year storm events which requires TRCA approval. The Owner shall address all comments and conditions of the DE Department regarding the proposed storm sewer connection on Islington Avenue and provide written confirmation from York Region to connect to a regional storm sewer on Islington Avenue and approval for proposed discharge from the driveway to the Islington Avenue to the Region's sanitary sewer.

Water Supply Network

The Subject Lands are within Pressure District 4 ('PD4') serviced by an existing 200 mm dia. meter watermain on Islington Avenue. The Development requires a 200 mm dia. watermain connection for fire and a 100 mm water service connection for domestic use of the condominium. A private fire hydrant is proposed to ensure building meets the fire coverage requirements. The water service connection shall conform to City Standards to the satisfaction of the Environmental Services Department and all exiting water connections shall be decommissioned and removed subject to City approval.

Sanitary Sewer Network

The Development is proposed to connect to the existing 675 mm -dia. Regional gravity sanitary sewer on Islington Avenue, which requires York Region's review and approval. Sanitary ejection pumps for the underground parking area are also proposed and shall require York Region and City approvals prior to the issuance of the Site Plan Approval.

Servicing Allocation

The Owner shall be required to obtain allocation for servicing capacity through the future Site Development Application. A Holding Symbol ('H') condition to this effect shall be applied to the implementing zoning by-law for the Subject Lands, as identified in the Recommendation section of this report.

Engineering Plans

The servicing and grading plans to implement the Development require approval of the Development Engineering Department through the Site Development application approval process and shall include all applicable Site Plan review fees.

Retaining Wall

The proposed retaining wall runs along the south and east property boundary, which forms part of the underground parking garage, is located 0.05 m from the south property line. A minimum 0.6 m setback is required where the proposed retaining wall exceeds 1.0 m in height, the wall requires an increased setback from the property line equivalent to the height. Details for the retaining wall will be reviewed in a future Site Development application.

Environmental Site Assessment

The Owner submitted a Phase One Environmental Site Assessment (ESA) prepared by EXP Consultants, and Chemical Test Results Report, dated February 26, 2020, for the Subject Lands. The findings of the ESA reports did not identify any areas of potential environmental concern. The DE Department has no objection to the Development. The Owner has submitted for a Ministry of the Environment, Conservation, and Parks

(MECP) Record of Site Condition (RSC for the Subject Lands. A copy of the MECP acknowledged RSC should be submitted to the City with the future Site Development application.

Noise Assessment

The Owner submitted an Environmental Noise Assessment prepared by Valcoustics, dated January 15, 2021, which concludes that the Development is feasible from a noise and vibration perspective. A revised/updated noise study shall be required through the future Site Development Application, to confirm the conclusions of the Noise Assessment, and identify measures to mitigate noise within the appropriate City and Provincial environmental noise criteria (i.e. implementation of central air conditioning, use of sound rated windows and building materials including warning clauses in future Site Plan and Condominium Agreements, and all Offers of Purchase and Sale or Lease. recommend mitigation measures that may be necessary due to the building redesign and if necessary, include specific recommendations and warning clauses. The Owner will be required to carry out the measures in accordance with the updated Noise Assessment Study recommendations within a future agreement with the City.

Transportation Engineering ('TE') Department

The TE Department provided comments dated March 17, 2021, and September 7, 2022. The Development will have one all-moves access to Islington Avenue with parking for residents and visitors in a below grade parking structure and 4 short-term at grade parking spaces. York Region will review and comment on the proposed driveway access to Islington Avenue and any required curb radii and design requirements for the proposed all moves access, through the review of a future Site Development application.

The Owner shall address to the TE Department's September 7, 2022, comments regarding the site design through the future Site Development. Several areas of conflict for vehicle and truck maneuvering are noted in the floor plans for the parking garage and the slope of the ramp shall be revised to the City's satisfaction.

The TE Department reviewed the proposed parking reduction to the resident parking rate of 1.48 spaces/per unit and the requested reduction for the visitor parking ratio to 0.20 spaces/unit (16 parking spaces). Both the resident and visitor parking supply ratios satisfy the minimum parking requirements of Zoning By-law 001-2021 and are supported by the Development Engineering Department.

Seventeen (17) of the resident parking spaces on the P2 parking level do not meet the 6.0 m minimum stall length requirements of By-law 1-88. A reduced stall size of 2.7 X 5.7 is requested for the residential spaces identified on the P2 level. A reduced stall size for layby parking to 2.7 X 6.7 m is also requested. The exceptions for stall size comply with the By-law 001-2021 requirements and can be supported. The remainder of the stall sizes for residents, and visitors in P1 and P2 meet the requirements of By-law 1-88. The requested parking exceptions for resident and visitor parking are included in the Zoning Section of this report.

Bicycle parking will be provided in the underground with a total of 40 long term spaces and a total of 8 spaces will be located outside at grade near the building entrances. The bicycle parking shall also satisfy the City's minimum requirements for aisle (1.75 m and stall size dimensions of 0.6 X 1.8 m with a vertical clearance from the floor of 1.9 m. The requested bicycle parking exceptions are included in the Zoning Section of this report. The location and layout of the bicycle parking will be reviewed through the future Site Development Application.

Environmental Services Department has no objection to the Development, subject Waste Management Design Standards, Dewatering Permits and sewage works approvals

Waste Storage, Staging and Loading

Loading and waste collection areas of the proposed Development shall be designed in accordance with City Waste Management Policy design standards and adequately accommodate large vehicle maneuvering to access and negotiate all ramps. One loading space is proposed within the P2 level of underground parking garage and the loading space will accommodate waste collection pick-up. The Environmental Services Solid Waste Division shall approve the final design for proposed loading and waste collection areas including the access ramp design through the future Site Development Application. The future Condominium Corporation will be responsible for private waste removal. Should the future condominium corporation choose to apply for municipal waste pick up, the site shall be designed in accordance with the City's current Waste Collection Design Standards.

The Development proposes 2 levels of underground parking. The Owner shall be required to make an application for any temporary and permanent dewatering system required for the Development and, enter into an agreement and/or permit to discharge groundwater as required by the City, prior to final Site Plan Approval. The sewers in this area are Regional as noted above, and the Owner may be required to enter into an agreement with York Region regarding the installation of the services, and provide the necessary Ministry of the Environment, Conservation and Parks (MECP) approvals for

the sewage works. Requirements for agreements and applications for dewatering systems will be addressed through the future Site Development Application.

Parks, Forestry and Horticulture Operations has not objection to the Development, subject to a Tree Protection Agreement

The Owner shall enter into a Tree Protection Agreement with the City regarding the protection of public and private trees through a future Site Development Application. The Subject Lands are within the TRCA Regulated Area, and any tree removals should avoid interference with nesting birds protected under the federal *Migratory Birds Convent Act*, and removals should not occur from May 1 to August 1 of any given year. Should removals be required within the May 1 to August 1 breeding period, a qualified avian biologist should conduct a thorough survey immediately prior to the desired tree removal date to confirm presence or absence of protected species. If protected species are present, removals cannot occur without a permit from the Canadian Wildlife Service. The Owner shall notify the Parks, Forestry and Horticulture Operations of the installation of tree hording in accordance with the Tree Protection By-law.

The City shall require a total of 74 trees replacement trees with a minimum of 50 mm caliper for deciduous and 200 cm tall for coniferous species, to be replanted on the Subject Lands in accordance with the City's Replacement Tree Requirements.

A written consent letter shall be obtained from the neighbouring property owner(s) if any neighbouring/shared trees are potentially impacted by the Development and/or construction activities, which may incur injury, including grading, root severing, pruning, soil compaction, and if minimum tree protection distances cannot be maintained to specifications and in accordance with the City's Tree Protection By-law 052-2018.

Islington Avenue is a Regional Road so no City trees will be impacted by this Development. Proposed tree plantings (or removals) within the Islington Avenue right-of-way require York Region approval and York Region shall be notified of any Regional trees that may be impacted by the Development. All tree species to be planted within the Development shall be in accordance with the Landscape Master Plan prepared by a Landscape Planning Architect and will be reviewed through a future the Site Development Application.

Financial Planning and Development Finance Department have no objection to the Development, subject to payment of Development Charges

The Owner shall pay to the City all applicable Development Charges in accordance with the Development Charges By-laws of the City of Vaughan, Region of York, York Region District School Board and York Catholic District School Board. York Catholic District

School Board. A clause for the payment of Development Charges is included in the standard conditions within the Site Plan Agreement.

The Policy Planning and Special Projects ('PPSP') Department has no objection to the Applications

The Owner provided an Environmental Impact Study for the 8277 Islington Avenue portion of the Subject Lands prepared by Beacon Environmental, dated January 2021. The TRCA, the Owner and representatives from Beacon staked the woodland drip line contiguous with valley corridor on September 9, 2020. The PPSP Department has no objection to the proposed Development subject to the comments provided on March 30, 2021 being addressed to the satisfaction of the City regarding conveyance of the "Open Space Conservation Zone" lands into public ownership; the location of the stormwater outfall not negatively impacting the Core Features or ecosystem function within the Natural Heritage Network.

The PPSP Department requested that the infiltration gallery not be located within the "Open Space Conservation" zoned portion of the property. However, the PPSP Department deferred to the TRCA to confirm the proposed Development meets the TRCA requirements and is consistent with the OLT Decision. The infiltration gallery is redesigned to a proposed plunge pool without an infiltration tank. The design details shall be addressed to the satisfaction of TRCA through a related future Site Development Application.

The PPSP Department advise that there are Species at Risk within Vaughan that are protected under the *Endangered Species Act, 2007*, (the 'Act') and further advise that the onus is on the proponent to ensure the provisions of the Act are not contravened. As such, it is the responsibility of the applicant to comply with any Ministry of Environment, Conservation and Parks ('MECP') regulations and guidelines to protect Species at Risk and their habitat.

The proposed Development will be required to meet the minimum threshold for development (Bronze). The detailed development plans will be reviewed in accordance with the City's Sustainability Performance Metric (SPM) through the review of a future Site Development Application.

Vaughan Fire and Rescue Service has no objection to the Development

The Vaughan Fire and Rescue Service has no objection to the proposed Development. Fire and Rescue will review and comment on the future Site Development Application for the Development and any required Emergency Management Plans for the

Development required through the SPA policies of the PPS and the VOP 2010 will be addressed through the Site Plan Approval process.

The Real Estate Department has no objection to the Development, subject to cash-in-lieu of Parkland being satisfied

The Vaughan Real Estate Department has no objection to the Development, provided the Owner pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland at a rate of 1 ha per 500 units, or at a fixed unit rate, prior to the issuance of a Building permit, in accordance with the *Planning Act* and the City's Cash-in-Lieu of Parkland Dedication Policy. A condition to this effect shall be included in future Site Plan Agreement approved through a future Site Development Application.

The Parks Infrastructure Planning Department ('PIPD')

The PIPD requires that payment-in-lieu of parkland dedication in accordance with the City's Policies and Procedures.

PIPD is satisfied with the Owner's Community Services and Facilities Impact Study dated January 2021, prepared by Glen Schnarr & Associates for the Development and the Trail Feasibility Report (TFR) dated January 2021, prepared by Beacon Environmental Limited which includes the recommendation for this section of the Vaughan Super Trail to be de dedicated and protected as a multi-use trail along the Islington Avenue Corridor from Pine Grove Road to Willis Road subject to input and approvals from TRCA.

PIPD requires a blanket easement over the open space/ valleyland system and buffer blocks in the absence of a finalized trail location/alignment for this section of the trail and for the purposes of constructing and maintaining a future publicly accessible trail. The blanket easement will be determined once the final alignment and construction of the trail has been completed to the satisfaction of the City and a future condition of site plan approval will be included through the review and approval of a future Site Development Application.

PIPD have no objection to the approval of the applications subject to the portions of the Subject Lands located below the top of bank (valley lands) and the associated buffer, being zoned "Open Space Conservation Zone". Should these applications be approved, this will be included in the implementing zoning by-law.

The TRCA has no objection to the Development, subject to conditions of approval

The Subject Lands are within the TRCA Regulated Area, and the "Built-Up Valley Lands" identified on Schedule 2 – Natural Heritage Network of VOP 2010. The TRCA

provided technical comments on April 21, 2021, January 28, 2022, and September 20, 2022. The Owner has addressed the requirements of the TRCA in regards to development limits, SPA limits, setbacks to the Valley and Stream Corridors, identification of the long-term stable top of bank, stable toe of slope ('LTSTOS'), and contiguous natural features and areas contributing to the conservation of land, and has also provided details at a conceptual level of how the development will be floodproofed, which has been accepted in principle by TRCA.

The Development is affected by the Regional Storm flood plain for the Humber River, the dripline of contiguous vegetation (woodland feature) and the SPA. To protect the feature and provide a 10 m vegetation protection zone to the dripline of contiguous vegetation, TRCA requested the portion of the building on 8277 Islington Avenue be located closer to the street. The building was moved away from the valley lands and an 8 m buffer from the dripline was provided to the satisfaction of TRCA.

TRCA requested the buffer be placed in a vegetation protection zone and zoned open space prohibiting development within this zone. The proposed zoning shown on Attachment 3 indicates the limits of the "Open Space Conservation Lands" which includes the 8 m buffer. The recommendations of this report require that the "OS1 Open Space Conservation Zone One" lands be conveyed into public ownership, and used for open space purposes only, to address TRCA's request.

The TRCA included technical comments which have been addressed by the Owner for the current Official Plan and Zoning By-law Amendment applications dated September 20, 2022. A Holding Provision ('H') condition shall be applied to the Subject Lands zoned "RA3(H) Apartment Residential Zone" to confirm that the residential development has been floodproofed and safe access to the site is provided to during a Regulatory flood event, plus freeboard, to the satisfaction of the TRCA. The ('H') condition shall remain until TRCA is satisfied with the approval of the flood proofing and safe access for the Development future Site Development Application.

The Development on the 8265 Islington Avenue portion of the Subject Lands remains consistent with the development limits approved in the OLT Decision for the SPA limits identified on Schedule 9 of the WCSP and the policies for conditional development within the flood plain in accordance with the SPA policy.

The TRCA has accepted limited flood plain alterations for the proposed development of the associated retaining wall along the east edge of the Subject Lands to facilitate the Development. The TRCA requires that the full extent of the buffers, defined by the TRCA, be planted with appropriate vegetation and ground cover and be free and clear

of any development infrastructure. The TRCA will assess the proposed plantings through a future Site Development Application to ensure that the entrances to the building shall be above the Regional Storm Flood Line elevations and flood proofing at the entrance to the Development meets provincial requirements. Site grading, flood proofing measures and Emergency Management Plans will be assessed through a future Site Development Application to the satisfaction of the TRCA.

The School Boards have no objection to the Applications

The York Catholic School Board and York District School Board have no objections to the approval of the Applications. No comments were received from the Conseil Scolaire de District Catholique Centre Sud.

Canada Post has no objection to the Development subject to conditions

Canada Post has no objection to the Applications, subject to the Owner providing the building with a centralized mail delivery facility. Conditions capturing Canada Post's requirements will be included in a future Site Plan Agreement.

The following utility providers and commenting agencies have no objection to the Development

- Bombardier has no objection to the Development at 6-storeys
- By-law & Compliance, Licensing & Permit Services Department
- Cultural Heritage Section confirmed the Development is not within a Heritage Conservation District and are not listed on the City Inventory of Heritage Properties
- Alectra Utilities has no objection to the Development, subject to conditions of approval noted in their February 26, 2021, comments
- Enbridge Gas Inc. has not objection to the Development

Financial Impact

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

Broader Regional Impacts/Considerations

The Owner requested exemption from Regional approval for Official Plan Amendment File OP.21.002. York Region advised that the Development is located within the Regional Greenlands System and York Region's interests regarding the Greenlands System are managed by TRCA. York Region is satisfied that the Owner addressed the comments and requirements of TRCA regarding the Regional Greenlands System. On December 6, 2022, York Region exempted the Official Plan Amendment from approval by Regional Committee of the Whole and Council. The OPA will come into effect following the City of Vaughan's approval process.

The Owner is required to convey sufficient lands to provide for a 30 m right-of-way for Islington Avenue and any required sight triangle at the driveway access through the required future Site Development Application and to address future technical comments of York Region.

Conclusion

The Development Planning Department reviewed the Applications in consideration of the applicable Provincial Policies, YROP and the VOP policies, comments received from City Departments, external public agencies, and the surrounding area context. The Development Planning Department is satisfied the Applications are consistent with the PPS, conform to the Growth Plan and the York Region Official Plan. The proposed amendments to VOP 2010 and Zoning By-law 1-88 are appropriate for the Development which is compatible with the surrounding area. The Development utilizes an intensified compact built form, is compatible with the surrounding area context, adds a mix of unit types to the community and utilizes existing municipal infrastructure within the existing community. The Development includes lands previously approved by the OLT for similar development and adjacent lands, although not part of the OLT approval, improves upon the site design and setbacks from the Special Policy Area and flood plain. In consideration of the above, the Development Planning Department can support the approval of the Applications extending the OLT approvals for height and density across the Subject Lands. subject to the Recommendations in this report.

For more information, please contact: Laura Janotta, Planner, Development Planning, ext. 8634.

Attachments

1. Context and Location Map.
2. Proposed Official Plan Designation.
3. Proposed Zoning and Conceptual Site Plan.
4. Conceptual Landscape Plan.
5. Conceptual Building Elevations – West and South.
6. Conceptual Building Elevations – North and East.
7. Conceptual Perspective.
8. Previous LPAT Approved Development – September 13, 2018 (8265 Islington Avenue).

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Reviewed by



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