

Committee of the Whole (Public Meeting) Report

DATE: Tuesday, November 28, 2023

WARD(S): 1

TITLE: KENTVIEW ESTATES INC.

OFFICIAL PLAN AMENDMENT FILE OP.18.022

ZONING BY-LAW AMENDMENT FILE Z.18.035

10,398 AND 10,402 ISLINGTON AVENUE

VICINITY OF ISLINGTON AVENUE AND NASHVILLE ROAD

FROM:

Haiqing Xu, Deputy City Manager, Planning and Growth Management

ACTION: FOR INFORMATION

Purpose

To receive comments from the public and the Committee of the Whole on applications to amend the official plan and zoning for the subject lands shown on Attachments 1 and 2 to permit the development of 22, 3 and 4-storey townhouse units in five blocks with a total residential gross floor area of 4,125.40 m² on a private (common element condominium) road with access onto Islington Avenue, as shown on Attachments 3 to 6.

Report Highlights

- The Owner proposes 22, 3 and 4-storey townhouse units in five blocks on a private (common element condominium) road with access onto Islington Avenue
- Official Plan and Zoning By-law Amendment Applications are required to permit the Development
- This report identifies preliminary issues to be considered in a technical report to be prepared by the Development Planning Department at a future Committee of the Whole meeting

Recommendations

1. THAT the Public Meeting report for Official Plan and Zoning By-law Amendment Files OP.18.022 and Z.18.035 (Kentview Estates Inc.) BE RECEIVED, and that

any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole.

Background

Location: 10,398 and 10,402 Islington Avenue (the 'Subject Lands'). The Subject Lands and the surrounding land uses are shown on Attachment 1.

Date of Pre-Application Consultation Meeting: June 18, 2017

Date applications were deemed complete: November 26, 2018

A Public Meeting was held on March 5, 2019, to consider the Official Plan Amendment and Zoning By-law Amendment proposal for 22, four-storey (12.4 m) townhouse dwelling units within three buildings on a private (common element condominium) road.

Vaughan Council on March 19, 2019, ratified the recommendation of the Committee of the Whole (Public Meeting) to receive the Public Meeting report of March 5, 2019, and to forward a comprehensive technical report to a future Committee of the Whole meeting. The recommendation also required that Kentview Estates Inc. ('Owner') meet with the Local Councillor, Regional Councillors and the Kleinburg and Area Ratepayers Association ('KARA') to address the concerns raised as follows:

- conformity to the Kleinburg-Nashville Heritage Conservation District Plan ('KNHCD Plan');
- proposed building height and Floor Space Index ('FSI') not in accordance with Vaughan Official Plan 2010 ('VOP 2010');
- additional traffic to add to the already congested road network; and
- investment in the servicing infrastructure is necessary to accommodate future development to alleviate servicing issues on the existing community.

Revised Official Plan Amendment and Zoning By-law Amendment Applications have been submitted to permit the Development.

The Owner has submitted the following applications ('Applications') for the Subject Lands to permit the development of 22, 3 and 4-storey townhouse units in five blocks with a total residential gross floor area of 4,125.40 m² on a private (common element condominium) road ('Development') as shown on Attachments 3 to 6:

1. Official Plan Amendment File OP.18.022 to amend the "Village Residential" policies of VOP 2010, Volume 2, Area Specific Policy 12.4 Kleinburg Core, and redesignate a portion of the Subject Lands from "Natural Areas" to "Village Residential".
2. Zoning By-law Amendment File Z.18.035 to rezone the Subject Lands from:
 - i. "R1B(EN) First Density Residential (Established Neighbourhood) Zone" and "EP-459 Environmental Protection Zone" subject to Exception 14.459

to “RT1 Townhouse Residential Zone” and “EP Environmental Protection Zone” in Zoning By-law 001-2021 in the manner shown on Attachment 3, together with the site-specific zoning exceptions identified in Table 1 in Attachment 7.

- ii. “R1 Residential Zone” and “OS1 Open Space Conservation Zone” to “RT1 Residential Townhouse Zone” and “OS1 Open Space Conservation Zone” in Zoning By-law 1-88 in the manner shown on Attachment 3, together with the site-specific zoning exceptions identified in Table 2 in Attachment 8.

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

- a) Date the Notice of Public Meeting was circulated: November 3, 2023

The Notice of Public Meeting was also posted on the City’s website at www.vaughan.ca and a Notice Sign was installed along Islington Avenue in accordance with the City’s Notice Signs Procedures and Protocols.

- b) Circulation Area: To all property owners within 150 m of the Subject Lands, on Pennon Road and Daleview Court, to the Kleinburg and Area Ratepayers’ Association and to anyone on file with the Office of the City Clerk having requested notice.
- c) No comments have been received as of November 13, 2023, by the Development Planning Department.

Any written comments received will be forwarded to the Office of the City Clerk to be distributed to the Committee of the Whole as a Communication, and be reviewed and addressed by the Development Planning Department in a future technical report to the Committee of the Whole.

Previous Reports/Authority

The following is the link to a previous report regarding the Subject Lands: [March 19, 2019, Committee of the Whole Public Meeting \(Item 1, Report 12\)](#)

Analysis and Options

An amendment to VOP 2010 is required to permit the Development.

Official Plan Designation:

- “Local Centre (Intensification Area)” on Schedule 1 – Urban Structure by VOP 2010
- “Village Residential” and “Natural Areas” by VOP 2010 Volume 2, Area Specific Policy 12.4, Kleinburg Core
- The “Village Residential” designation permits detached dwelling units at a maximum building height of 9.5 m.
- An amendment to VOP 2010 is required to provide “Townhouses” on a private road and permit a maximum building height of 13 m (4-storeys).

The Subject Lands are located in the Kleinburg-Nashville Heritage Conservation District.

The Subject Lands are located within the Kleinburg-Nashville Heritage Conservation District Plan ('KNHCD Plan') area and are designated under Part V of the *Ontario Heritage Act*. Therefore, all planning applications, demolitions and new constructions must be consistent with the KNHCD Plan. The Subject Lands are not identified as contributing properties. The two existing vacant residential buildings on the Subject Lands are not listed as heritage buildings within the KNHCD Plan.

The Low-Rise Guidelines do not apply to the Subject Lands.

The Council adopted Urban Design Guidelines ('Guidelines') for Infill Development in Established Low-Rise Residential Neighbourhoods and the Community Area Policies for Low-Rise Residential Designations which serve to help clarify and implement Policy 9.1.2.3 of VOP 2010 related to compatibility. The Subject Lands are designated "Village Residential" and are located within a "Local Centre" by VOP 2010. The Guidelines do not apply to the Subject Lands as they are located within a "Local Centre".

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 an appeal.

Amendments to Zoning By-law 001-2021 are required to permit the Development.

Zoning:

- "R1B(EN) First Density Residential (Established Neighbourhood) Zone" and "EP-459 Environmental Protection Zone" subject to Exception 14.459 in Zoning By-law 001-2021.
- This Zone does not permit the Development.
- The Owner proposes to rezone the Subject Lands to "RT1 Townhouse Residential Zone" and "EP Environmental Protection Zone" together with the site-specific zoning exceptions to permit the Development, identified in Table 1 as shown in Attachment 7.

Amendments to Zoning By-law 1-88 are required to permit the Development to address the appeal to Zoning By-law 001-2021.

Zoning:

- "R1 Residential Zone" and "OS1 Open Space Conservation Zone" in Zoning By-law 1-88
- This Zone does not permit the Development.
- The Owner proposes to rezone the Subject Lands to "RT1 Residential Townhouse Zone" and "OS1 Open Space Conservation Zone" together with the site-specific zoning exceptions to permit the Development, identified in Table 2 as shown in Attachment 8.

Additional zoning exceptions to Tables 1 and 2 may be identified through the detailed review of the Applications and will be considered in a technical report to a future Committee of the Whole meeting.

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

	MATTERS TO BE REVIEWED	COMMENT(S)
a.	Conformity and Consistency with Provincial Policies, York Region, and City Official Plan Policies	<ul style="list-style-type: none"> The Applications will be reviewed for consistency and conformity with the Provincial Policy Statement, 2020 (the 'PPS'), A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended (the 'Growth Plan') and the policies of the York Region Official Plan, 2022 ('YROP 2022') and VOP 2010, Volume 2, Area Specific Policy 12.4, Kleinburg Core.
b.	Appropriateness of Amendments to VOP 2010 and Zoning By-law	<ul style="list-style-type: none"> The appropriateness of the amendments to VOP 2010 will be reviewed in consideration of the proposed land use designation, development limits, building height and density. The appropriateness of the rezoning and site-specific exceptions including the building height, lot coverage, setbacks, built form compatibility and proposed lot/block pattern and configuration will be reviewed in consideration of the existing and planned surrounding land uses.
c.	Kleinburg-Nashville Heritage Conservation District Plan ('KNHCD Plan')	<ul style="list-style-type: none"> The Subject Lands are located in the KNHCD and are designated under Part V of the <i>Ontario Heritage Act</i>. The Development must be reviewed by the Vaughan Development Planning Department, Urban Design and Cultural Heritage Division and the Heritage Vaughan Committee.
d.	Studies and Reports	<ul style="list-style-type: none"> The Owner submitted studies and reports in support of the Applications available on the city's website at https://maps.v Vaughan.ca/planit/ (PLANit Viewer) and must be approved to the satisfaction of the City or respective approval authority. Additional studies and/or reports may be required as part of the application review process.
e.	Allocation and Servicing	<ul style="list-style-type: none"> The availability of water and sanitary servicing capacity for the Development must be identified and allocated by Vaughan Council, if the Applications are approved. If servicing allocation is unavailable, the lands will be zoned with a Holding Symbol "(H)", which will be removed once

	MATTERS TO BE REVIEWED	COMMENT(S)
		servicing capacity is identified and allocated to the Subject Lands by Vaughan Council.
f.	Urban Design Guidelines	<ul style="list-style-type: none"> ▪ The Development will be reviewed in consideration of the City of Vaughan City-wide Urban Design Guidelines.
g.	Public Agency/Municipal Review	<ul style="list-style-type: none"> ▪ The Applications must be reviewed by York Region and the Toronto and Region Conservation Authority and external public agencies and utilities, municipalities, and the Public, Separate, and French School Boards.
h.	Sustainable Development	<ul style="list-style-type: none"> ▪ The Applications will be reviewed in consideration of the City of Vaughan's Policies and Sustainability Metrics Program. The Development shall achieve a minimum Bronze score of 41.
i.	Parkland Dedication	<ul style="list-style-type: none"> ▪ The Applications will be reviewed in consideration of the requirements of the <i>Planning Act</i> and the City of Vaughan's Parkland Dedication Policy.
j.	Affordable Housing	<ul style="list-style-type: none"> ▪ The Applications will be reviewed in consideration of Provincial, Regional and City polices to ensure that the development provides an appropriate level, range and mix of unit sizes and types to meet the City's affordable housing goals.
k.	City's Tree Protection Protocol ('TPP')	<ul style="list-style-type: none"> ▪ There are 75 trees on the Subject Lands, 51 of which must be removed to accommodate the Development of which includes the removal of three City-owned trees. ▪ The Development will be reviewed in accordance with the City's Tree Protection Protocol, for the protection and the replacement of any tree(s) should they be damaged during construction, if the Applications are approved. ▪ The Owner must enter into a Tree Protection Agreement with the Development Planning Department, to identify the standards and procedures required by the City to protect public and private trees through the development review processes as indicated in the Tree Protection Protocol.

	MATTERS TO BE REVIEWED	COMMENT(S)
i.	Traffic Impacts, Road Widening and Access	<ul style="list-style-type: none"> ▪ The Transportation Impact Study will be reviewed in accordance with the City’s Transportation Impact Study Guidelines to the satisfaction of the Development Engineering Department. ▪ The proposed traffic generated by the Development at the requested density will be reviewed in consideration of existing traffic conditions at Islington Avenue and Nashville Road. ▪ Council, at it September 23, 2023 meeting, directed that the right-of-way widening requirements of 24 m for a Minor Collector on Islington Avenue be taken for developments in accordance with Schedule 9 – Future Transportation Network, VOP 2010. The Owner shall be required to provide 12 m from the centreline of Islington Avenue for the Islington Avenue road widening. ▪ Matters including the driveway entrance, parking, truck manoeuvring, bicycle parking and Transportation Demand Management requirements are required to be reviewed to the satisfaction of the Development Engineering Department. ▪ The Subject Lands are located on Islington Avenue, where this stretch is a local road under the jurisdiction of Vaughan.
m.	Required Applications	<ul style="list-style-type: none"> ▪ A Draft Plan of Subdivision Application is required to create a Block on a Registered Plan of Subdivision for individual lots (parcels of tied land) through a Part Lot Control Exemption Application, as the Subject Lands are not part of a Registered Plan of Subdivision. The Owner advised that a Draft Plan of Subdivision will be submitted. ▪ Should the Applications be approved, a Draft Plan of Condominium (Common Element) Application will be required to establish the condominium tenure for the Development. ▪ A Part Lot Control Exemption Application is required to create the individual lots (parcels of tied land).

Financial Impact

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

Operational Impact

The Applications have been circulated to City departments and external agencies and their comments will be included in a future technical report.

Broader Regional Impacts/Considerations

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

York Region has determined the proposed Official Plan Amendment application is a matter of local significance and does not adversely affect Regional planning policies or interest. York Region, on February 28, 2019, exempted the Official Plan Amendment Application from approval by the Regional Committee of the Whole and Council.

Conclusion

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

For more information, please contact: Judy Jeffers, Planner, Development Planning Department, ext. 8645.

Attachments

1. Context and Location Map
2. Vaughan Official Plan 2010, Volume 2, Map 12.4.A - Kleinburg Core Land Uses
3. Conceptual Site Plan and Proposed Zoning
4. Conceptual Landscape Plan
5. Building Elevations - Block 1 (Garage Top Amenity Space)
6. Building Elevations - Block 5 (Roof Top Amenity Space)
7. Zoning By-law 001-2021 Table 1
8. Zoning By-law 1-88 Table 2

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