

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 14, 2019

Item 3, Report No. 17, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 14, 2019.

**3. GO-TO VAUGHAN ISLINGTON AVENUE LP OFFICIAL PLAN
AMENDMENT FILE OP.18.009 ZONING BY-LAW AMENDMENT FILE
Z.18.015 VICINITY OF ISLINGTON AVENUE AND HIGHWAY 407**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Deputy City Manager, Planning and Growth Management, dated May 7, 2019:

Recommendations

1. THAT staff continue to review Official Plan and Zoning By-law Amendment Files OP.18.009 and Z.18.015 (Go-To Vaughan Islington Avenue LP) to provide the Owner the opportunity to resolve the outstanding matters detailed in this report.

Committee of the Whole Report

DATE: Tuesday, May 07, 2019

WARD: 2

**TITLE: GO-TO VAUGHAN ISLINGTON AVENUE LP
OFFICIAL PLAN AMENDMENT FILE OP.18.009
ZONING BY-LAW AMENDMENT FILE Z.18.015
VICINITY OF ISLINGTON AVENUE HIGHWAY 407**

FROM:

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

ACTION: DECISION

Purpose

This report provides an interim response with respect to Official Plan and Zoning By-law Amendment Files OP.18.009 and Z.18.015 for the Subject Lands shown on Attachment 1, where staff are currently not in a position to provide a final technical report to Council, but which could be appealed to the Local Planning Appeal Tribunal due to a lack of decision within the prescribed timeline (210 days) of the *Planning Act*.

The proposed development shown on Attachments 3 to 6, consists of 8, 3-storey townhouse blocks with 43 townhouse dwelling units.

Report Highlights

- This report is an interim response related to the Applications for a development comprised of 8 townhouse blocks containing 43, 3-storey dwelling units.
- Official Plan and Zoning By-law Amendments are required to permit the development.
- The Development Planning Department is currently not in a position to provide a final technical report to Council and the applications could be appealed to the Local Planning Appeal Tribunal due to lack of decision within the prescribed timeline (210 days) of the *Planning Act*. Staff will continue to provide the Owner an opportunity to address comments received from various City Departments and external agencies to date.

Recommendations

1. THAT staff continue to review Official Plan and Zoning By-law Amendment Files OP.18.009 and Z.18.015 (Go-To Vaughan Islington Avenue LP) to provide the Owner the opportunity to resolve the outstanding matters detailed in this report.

Background

The Subject Lands (the 'Subject Lands') are located on the west side of Islington Avenue, north of Highway 407, and are municipally known as 7386 Islington Avenue. The Subject Lands are currently developed with a single detached dwelling (vacant) with a detached garage and several accessory structures in various locations throughout the property, which are proposed to be demolished. Jersey Creek also traverses the Subject Lands. The Subject Lands and surrounding land uses are shown on Attachment 1.

Access to the Subject Lands is currently provided by a single-lane driveway from Islington Avenue that is shared with the adjacent property to the north through an existing mutual access easement.

The Ministry of Municipal Affairs and Housing ('MMAH') confirmed in correspondence dated November 16, 2018 (Attachment 8), that the Subject Lands were removed from the Parkway Belt West Plan ('PBWP') through Amendment 100 to the PBWP, on March 14, 1996.

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

The Owner has submitted the following applications (the 'Applications') for the Subject Lands shown on Attachment 1 to permit the development of 8, 3-storey townhouse blocks consisting of 43 townhouse dwelling units (the 'Development'), as shown on Attachments 3 to 6:

1. Official Plan Amendment File OP.18.009 to amend Vaughan Official Plan 2010 ("VOP 2010") to redesignate a portion of the Subject Lands from "Natural Areas" to "Low-Rise Residential".
2. Zoning By-law Amendment File Z.18.015 to rezone the Subject Lands from "PB1 Parkway Belt Open Space Zone" to "RT1 Residential Townhouse Zone" and "OS1 Open Space Conservation Zone" in the manner shown on Attachment 3, and to permit site-specific zoning exceptions.

There is a prescribed timeline in the Planning Act for processing development applications

The Applications were received on April 13, 2018, and deemed 'complete' on May 9, 2018. The last day for Council to adopt an Official Plan amendment and make a decision on the Zoning By-law amendment for the Applications was November 9, 2018 (210 days from when the Applications were received). The Owner can appeal the Applications to LPAT as Council was not in a position to make a decision on the Applications within the prescribed timeline of 210 days. To date, no appeals respecting the Applications have been received.

As the Bill 139 amendments to the *Planning Act* are now in effect, any appeals made after April 3, 2018, will be considered by the Local Planning Appeal Tribunal ('LPAT') under the 'new rules'.

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

On August 10, 2018, a Notice of Public Hearing was circulated to all property owners within 150 m of the Subject Lands, plus the expanded notification area as shown on Attachment 1, and to the West Woodbridge Homeowners' Association and the Vaughanwood Ratepayers' Association. A copy of the Notice of Public Hearing was also posted on the City's website at www.vaughan.ca and a Notice Sign was installed along the Islington Avenue frontage in accordance with the City's Notice Signs Procedures and Protocols.

A Committee of the Whole (Public Hearing) meeting was held on September 17, 2018, to receive comments from the public and members of the Committee of the Whole. Vaughan Council on September 27, 2018, adopted the Recommendation of the Committee of the Whole to receive the Public Hearing report of September 17, 2018, and that any issues identified be addressed by the Development Planning Department in a comprehensive report to a future Committee of the Whole meeting.

At the Public Hearing, deputations and/or written submissions were received from the following individuals regarding the Applications:

Deputations

- V. Tesa, Islington Avenue, Woodbridge
- D. McKay, MHBC, Weston Road, Vaughan, representing the Owner

Written Submissions (Attachment 7)

- V. Tesa, Islington Avenue, Woodbridge, dated August 16, 2018

At the Public Hearing, members of the Committee of the Whole requested that the Owner work with the neighbouring landowner to the north (V. Tesa) to address issues he raised with respect to maintaining access to the shared driveway, providing sidewalks from the Development to Islington Avenue, and ensuring that the Development will not negatively affect the farming activities on his property.

On April 26, 2019, the Vaughan Development Planning Department mailed a non-statutory courtesy notice of this Committee of the Whole Meeting to those individuals requesting notification of further consideration of the Applications.

Previous Reports/Authority

[September 17, 2018, Committee of the Whole \(Public Hearing\) Report \(Item 5, Report No. 28, Recommendation 1\)](#)

[November 29, 2011, Committee of the Whole Report \(Item 15, Report No. 50\)](#)

Analysis and Options

Based on the review undertaken to date, the Applications are not consistent with the Provincial Policy Statement, 2014 (the 'PPS')

In accordance with Section 3 of the *Planning Act*, all land use decisions in Ontario "shall be consistent" with the PPS. The PPS provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong, healthy communities, the wise use and management of resources, and protecting public health and safety.

The PPS recognizes that protecting public health and safety and the environment, including natural heritage resources, is important in building strong communities and identifying appropriate locations and promoting opportunities for intensification and redevelopment. The *Planning Act* requires that Vaughan Council's planning decisions be consistent with the PPS. The Development Planning Department has reviewed the Applications in consideration of the following, but not limited to, policies of the PPS:

Policy 1.1.1 states (in part) that healthy, liveable and safe communities are sustained by

- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns; and
- h) promoting development and land use patterns that conserve biodiversity and consider the impacts of a changing climate.

The PPS defines “settlement areas” as urban areas and rural settlement areas within municipalities (such as cities, towns, villages and hamlets).

Policy 1.1.3.1 provides that settlement areas shall be the focus of growth and development, and their vitality and regeneration be promoted.

Policy 1.1.3.3 states that planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs. Policy 1.1.3.3 further states that intensification and redevelopment shall be directed in accordance with the policies of Section 2: Wise Use and Management of Resources and Section 3: Protecting Public Health and Safety.

Policy 1.2.1 states that a coordinated, integrated and comprehensive approach should be used when dealing with planning matters within municipalities, across lower, single and/or upper tier municipal boundaries, and with other orders of government, agencies and boards including managing and/or promoting growth and development.

Policy 2.1.1 requires that natural features and areas shall be protected for the long term.

Policy 2.1.2 states that the diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features.

Policy 2.1.5 states (in part) that Development and site alteration shall not be permitted in:

- b) significant woodlands
- c) significant valleylands

Policy 3.1.1 b) states that development shall generally be directed to areas outside of hazardous lands adjacent to river, stream and small inland lake systems which are impacted by flooding hazards and/or erosion hazards.

Policy 3.1.2 states (in part) that development and site alteration shall not be permitted within:

- c) areas that would be rendered inaccessible to people and vehicles during times of flooding hazards, erosion hazards and/or dynamic beach

hazards, unless it has been demonstrated that the site has safe access appropriate for the nature of the development and the natural hazard; and

- d) a floodway regardless of whether the area of inundation contains high points of land not subject to flooding (a “floodway” for river, stream and small inland lake systems, means the portion of the floodplain where development and site alteration would cause a danger to public health and safety or property damage).

However, Policy 3.1.4 states that despite policy 3.1.2, development and site alteration may be permitted in certain areas associated with the flooding hazard along river, stream and small inland lake systems:

- a) in those exceptional situations where a Special Policy Area (‘SPA’) has been approved. The designation of a Special Policy Area, and any change or modification to the official plan policies, land use designations or boundaries applying to Special Policy Area lands, must be approved by the Ministers of Municipal Affairs and Housing and Natural Resources prior to the approval authority approving such changes or modifications; or
- b) where the development is limited to uses which by their nature must locate within the floodway, including flood and/or erosion control works or minor additions or passive non-structural uses which do not affect flood flows.

The Vaughan Official Plan 2010 (‘VOP 2010’) does not identify the Subject Lands within an SPA and the Development is not by its nature required to be located within the floodway.

The Subject Lands are located within the Humber River watershed and is entirely within the Greenlands System of the York Region Official Plan, 2010 (‘YROP’). Most of the Subject Lands are also located within the Natural Heritage Network of VOP 2010, which the PPS states must be protected for the long-term, in order to maintain, restore or improve the ecological function and biodiversity of this feature. The Applications propose development and site alteration on lands identified for protection and direct development towards an area containing erosion and flooding hazards.

Policy 4.7 of the PPS states the Official Plan is the most important vehicle for implementation of the PPS and that comprehensive, integrated and long-term planning is best achieved through official plans. The City of Vaughan has established a policy framework for protecting natural heritage resources and public health and safety through its Official Plan.

VOP 2010 conforms with the YROP. Both policy documents contain policies that protect public health and safety and the environment, by directing development away from

areas containing flooding hazards and natural heritage resources, and identifying appropriate locations and promoting opportunities for intensification and redevelopment, outside of these areas.

The review of the Applications considers the coordinated responses from the City of Vaughan, York Region and the Toronto and Region Conservation Authority ('TRCA'). Based on the above policies and on the comments received to date, the Applications are not consistent with the PPS as the applications seek to develop a significant portion of the Subject Lands identified as natural features to be protected and directing development and site alteration towards an area subject to erosion and flooding hazards. The Development Planning Department will continue to provide the Owner the opportunity to demonstrate consistency with the PPS and to address the comments received (Attachment 8) before a technical report is considered at a future Committee of the Whole meeting.

The Provincial Policy Statement can be found here:

[The Provincial Policy Statement, 2014](#)

Based on the review undertaken to date, the Applications do not conform to the Growth Plan for the Greater Golden Horseshoe, 2017 (the 'Growth Plan')

The Growth Plan is intended to guide decisions on a wide range of issues, including economic development, land-use planning, urban form, and housing. The Growth Plan provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. Council's planning decisions are required by the *Planning Act* to conform, or not conflict with, the Growth Plan. The Applications have been reviewed in consideration of, but not limited to, the following policies of the Growth Plan:

Policy 2.2.1.1 of the Growth Plan speaks to the population and employment forecasts to the horizon of the Growth Plan contained in Schedule 3 (i.e. to the year 2041) to be used for planning and managing growth.

The Subject Lands are located within the conceptual Built-Up Area boundary as identified in the Growth Plan, where population and employment growth is anticipated. The City of Vaughan is required through its Official Plan to plan for a future population of 416,600 people by the year 2031. The Applications must be considered in the context of all of the relevant Growth Plan and applicable Official Plan policies, and should not be rationalized solely on the basis of density targets provided in the Growth Plan.

Policy 2.2.1.2 of the Growth Plan states that the forecasted growth to the horizon of the Growth Plan will be allocated based on the following:

- a) the vast majority of growth will be directed to settlement areas that:
 - i. have a delineated built boundary;
 - ii. have existing or planned municipal water and wastewater systems; and
 - iii. can support the achievement of complete communities;
- c) within settlement areas, growth will be focused in:
 - i. delineated built-up areas;
 - ii. strategic growth areas;
 - iii. locations with existing or planned transit, with a priority on higher order transit when it exists or is planned;
- e) development will be generally directed away from hazardous lands

The Growth Plan defines settlement areas as:

Urban areas and rural settlement areas within municipalities (such as cities, towns, villages and hamlets) that are:

- a) built up areas where development is concentrated, and which have a mix of land uses; and
- b) lands which have been designated in an official plan for development in accordance with the policies of this Plan. Where there are no lands that have been designated for development, the settlement area may be no larger than the area where development is concentrated.

Policy 2.2.1.4 states that applying the policies of the Growth Plan will support the achievement of complete communities.

The Growth Plan defines complete communities as:

Places such as mixed-use neighbourhoods or other areas within cities, towns, and settlement areas that offer and support opportunities for people of all ages and abilities to conveniently access most of the necessities for daily living, including an appropriate mix of jobs, local stores, and services, a full range of housing, transportation options and public service facilities. Complete communities are age-friendly and may take different shapes and forms appropriate to their contexts.

Policy 4.2.2 of the Growth Plan includes policies with regard to the Natural Heritage System, as follows (in part):

2. Municipalities will incorporate the Natural Heritage System as an overlay in official plans, and will apply appropriate policies to maintain, restore, or enhance the diversity and connectivity of the system and the long-term ecological or hydrologic functions of the features and areas as set out in the policies in this subsection and the policies in subsections 4.2.3 and 4.2.4.
3. Within the Natural Heritage System:
 - a) new development or site alteration will demonstrate that:
 - i. there are no negative impacts on key natural heritage features or key hydrologic features or their functions;
 - iii. the removal of other natural features not identified as key natural heritage features and key hydrologic features is avoided, where possible. Such features should be incorporated into the planning and design of the proposed use wherever possible.
4. The natural heritage systems identified in official plans that are approved and in effect as of July 1, 2017, will continue to be protected in accordance with the relevant official plan until the Natural Heritage System has been issued.

The Applications propose to remove lands from the “Natural Areas” designation of VOP 2010 and the “Regional Greenlands System” of YROP identified on the Subject Lands, which is contrary to the policies in the Growth Plan for protecting natural heritage systems identified in official plans.

The Applications direct development towards hazardous lands. The Applications contemplate a Development, in its current form, that may not achieve the Growth Plan policy objectives for development within settlement areas or for directing growth to focused locations within the settlement area.

To date, the Applications have not demonstrated that the Development meets the criteria for achieving a complete community. Given the land use constraints on the Subject Lands from both a geographic and policy perspective, there may not an opportunity to create a complete community on the Subject Lands or the surrounding adjacent lands. Islington Avenue has an existing transit (bus) route operated by York Region Transit and Schedule 10 of VOP 2010 identifies a proposed GO Station at the southwest corner of Islington Avenue and Highway 407. However, there are no

confirmed plans to implement Go Rail Service on the Bolton Rail Line that traverses this intersection or to construct a GO station at this location in the foreseeable future.

In consideration of the above and based on the comments received to date, the Applications do not conform with the Growth Plan. The Development Planning Department will continue to provide the Owner the opportunity to address non-conformity of the Applications to the Growth Plan and the comments in Attachment 8, in anticipation of a further technical report to be considered at a future Committee of the Whole meeting.

The Growth Plan for the Greater Golden Horseshoe (2017) can be found here: [The Growth Plan for the Greater Golden Horseshoe \(2017\)](#)

Based on the review undertaken to date, the Applications do not conform to the York Region Official Plan, 2010 ('YROP')

The YROP contains policies that guide economic, environmental and community building decisions to manage growth. These policies strengthen the connections between the natural and built environment, job opportunities, human services, transportation, public health and fiscal capacity. YROP policies also coordinate and set the stage for more detailed planning by local municipalities. VOP 2010, with its prescribed land uses and environmental management policies, including hazardous lands, conform to the YROP, and more specifically with York Region's planned urban structure. York Region endorsed VOP 2010 with modifications, on June 28, 2012.

The YROP prescribes an urban structure that focuses intensified growth to a system of Regional Centres and Regional Corridors, while limiting growth in existing neighbourhoods and natural heritage features.

The Subject Lands are wholly located within the "Regional Greenlands System" and "Greenlands System Vision" of the YROP. The eastern portion of the Subject Lands, adjacent to Islington Avenue is also identified as "Woodlands" by the YROP.

The Applications seek to remove lands from the "Natural Areas" designation of VOP 2010 and the "Regional Greenlands System" of YROP identified on the Subject Lands, in order to facilitate the Development.

The YROP requires that urban development and infrastructure projects contribute enhancements to the Regional Greenlands System to provide for a natural heritage legacy based on a linked and enhanced Regional Greenlands System (Policies 1.2.9 and 1.2.10).

The YROP states that the Regional Greenlands System is to be protected and enhanced, and new development and site alteration is to be controlled within the vicinity

of the Regional Greenlands System through the policies and mapping in local official plans (i.e. VOP 2010) in order to establish and protect greenlands systems from development and site alteration (Policies 2.1.1 and 2.1.4).

Policy 2.1.5 requires that in the Urban Area and Towns and Villages, the Regional Greenlands System shall be identified more specifically in local official plans (i.e. VOP 2010) and secondary plans, and integrated into community design.

Policy 2.1.7 acknowledges that the boundaries and the extent of the Regional Greenlands System identified by the YROP are approximate and that refinements to the boundaries of the Regional Greenlands System may occur through approved planning applications supported by appropriate technical studies.

Policy 2.2.44 states that development and site alteration is prohibited within significant woodlands and their associated vegetation protection zone ('VPZ'), except as provided for elsewhere within the Regional Official Plan.

York Region defers the evaluation of natural heritage and environmental studies to the TRCA and the City of Vaughan.

The YROP also contains policies to minimize risks to human health and safety and property associated with natural hazards, by directing development and site alteration away from hazardous lands and hazardous sites (Policy 2.3.22), planning and designing development to minimize flooding and erosion impacts (Policy 2.3.24), and generally prohibiting development and site alteration within defined portions of the floodplain, subject to conservation authority (i.e. TRCA) regulations (Policy 2.3.25).

The cumulative impacts of permitting new development and site alteration within a natural heritage feature and within hazard lands (i.e. floodplain), outside of a Regional Centre and/or Corridor, has the potential to negatively affect the natural heritage system associated with the Humber River watershed and cause undue harm to people and property.

York Region has provided comments (Attachment 8) confirming that the Applications do not conform to the policies of the YROP pertaining to the Regional Greenlands System and Woodlands. As such, York Region approval of an application to amend the YROP is required.

In consideration of the above policies and based on the comments received to date, the Applications do not conform with the YROP.

The York Region Official Plan 2010 can be found here: [York Region Official Plan 2010](#)

An amendment to Vaughan Official Plan 2010 ('VOP 2010') is required to permit the Development

The Subject Lands are designated “Low-Rise Residential” with a site-specific permitted maximum building height of 4-storeys and a maximum density (Floor Space Index - “FSI”) of 1.5 times the area of the lot, and “Natural Areas” by VOP 2010, as shown on Attachment 2. The proposed Development for 8 townhouse blocks containing 43, 3-storey townhouse dwellings within the portion of the Subject Lands designated “Natural Areas”, does not conform to VOP 2010, as development and/or site alteration in a Core Feature of the Natural Heritage Network is not permitted by VOP 2010, and therefore, an amendment to the Vaughan Official Plan is required.

The Owner proposes to amend VOP 2010 to redesignate a portion of the “Natural Areas” designation to “Low-Rise Residential” to permit the Development.

The portion of the “Natural Areas” designation on the Subject Lands is more specifically identified as a “Core Feature” that is comprised of significant woodlands and significant valleylands associated with the Humber River Valley Corridor. The Subject Lands are wholly located in the TRCA’s regulated area.

Policy 3.1.1.3. requires that the City work with the TRCA, the Region, the Province and landowners to define and protect the Natural Heritage Network within Vaughan and provide policies to enhance that Network over time.

Policy 3.1.1.4. requires that the City work in consultation with the TRCA to identify flood and erosion prone areas of the City and provide policies that provide for public safety within those areas.

Policy 3.2.3.1.a.i. states (in part) that it is the policy of Council to protect and enhance the Natural Heritage Network as an interconnected system of natural features and the functions they perform, as identified on Schedule 2, by restricting development or site alteration in accordance with the policies of this Plan within the Core Features component of the Natural Heritage Network.

VOP 2010 also requires that the Natural Heritage Network be protected and enhanced by seeking opportunities to expand and better link the Natural Heritage Network (Policy 3.2.3.1.b.), seeking the dedication of Core Features and their associated minimum VPZ’s through the development approvals process, conservation easements, donations or purchases (Policy 3.2.3.1.c.) and securing new natural and open space linkages for improved connectivity of the Natural Heritage Network through the development approvals process, conservation easements, donations or purchases (Policy 3.2.3.1.d.).

Policy 3.2.3.2. states that the policy text prevails over the mapping shown on Schedule 2 in determining the Natural Heritage Network. Identification of elements comprising the

Natural Heritage Network is an ongoing process and as such the Natural Heritage Network identified on Schedule 2 is based on the best information available. Schedule 2 may not identify all the natural heritage features in Vaughan. The precise limits of mapped natural heritage features, and any additions to the mapped network, will be determined through appropriate study undertaken in consultation with the TRCA and the Province. This may occur on a site-by-site basis through the development process or through studies carried out by the City, Region, TRCA or other government agencies.

Policy 3.2.3.7. prohibits development and/or site alteration in Core Features.

Policy 3.2.3.8. does not permit development or site alteration on lands adjacent to Core Features unless it is demonstrated through an environmental impact study that the development or site alteration will not result in a negative impact on the feature or its functions.

Policy 3.2.3.12. states that where regulations or standards of other agencies or levels of government exceed the standards related to Core Features in this Plan, such as may occur with hazardous lands under section 28 of the *Conservation Authorities Act* or with fisheries under the *Federal Fisheries Act*, the most restrictive provision or standard applies.

Policy 3.6.3.1 requires that the safety of the public be protected by directing development to locations outside of hazardous lands and hazardous sites.

Policy 3.6.3.2. states that a comprehensive approach to natural hazard management for all development and site alteration proposals considering factors including but not limited to:

- a. risk to life and property;
- b. upstream and downstream impacts and the cumulative impacts of development on the overall hazard level;
- d. impacts to natural features and areas including their ecological and hydrologic functions.

Policy 3.6.3.3. prohibits new lot creation in hazardous lands and hazardous sites except in accordance with an approved Special Policy Area.

Policy 3.6.3.5. requires any proponent for development in proximity to hazardous lands or hazardous sites to determine the limit and extent of such hazardous lands and hazardous sites to the satisfaction of the City and the TRCA, through appropriate study in a manner consistent with Provincial standards.

Policy 3.6.4.4. requires that any development, redevelopment or land use change that would result in intensification within flood vulnerable areas will not be permitted until

such time as it has been demonstrated through an appropriate comprehensive study that the flood risk has been reduced through flood remediation, flood proofing, flood warning and emergency response measures, to the satisfaction of the City and the TRCA.

The existing driveway to the Subject Lands is proposed to provide the only access to the Development, which is located within the erosion hazard of Jersey Creek (tributary to the Humber River) and appears to be within the floodplain. As such, the Subject Lands are considered hazardous lands.

The intent of VOP 2010 is to direct development to the identified intensification areas that implement the planned urban structure for the City of Vaughan, while limiting redevelopment in Community Areas and prohibiting development within the Natural Heritage Network and hazardous lands.

The Development Planning Department will continue to provide the Owner the opportunity to address the comments received to date and to demonstrate how the Development is consistent with the applicable policies of the PPS and conforms to the applicable policies of the Growth Plan, YROP and VOP 2010, before a technical report is considered at a future Committee of the Whole meeting.

The Vaughan Official Plan 2010 can be found here:

[Vaughan Official Plan 2010 Volume 1](#)

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

The Subject Lands are zoned “PB1 Parkway Belt Open Space Zone” by Zoning By-law 1-88, which does not permit the Development. The Owner proposes to amend Zoning By-law 1-88 to rezone the Subject Lands to “RT1 Residential Townhouse Zone” (residential portion) and “OS1 Open Space Conservation Zone” together with site-specific zoning exceptions to permit the Development shown on Attachments 3 to 6.

The Owner has submitted a conceptual site plan in support of the Applications, as shown on Attachment 3. Zoning exceptions related to development standards in Zoning By-law 1-88 may be identified through the detailed review of the Applications and will be considered in a technical report at a future Committee of the Whole hearing.

The Applications include reports and studies to support the Development

The following reports/studies were submitted in support of the Applications (1st submission):

- Planning Justification Report
- Urban Design Brief

- Community Services and Facilities Study
- Traffic Report
- Environmental Impact Statement
- Environmental Noise Assessment
- Phase 1 Environmental Site Assessment
- Archaeological Assessments (Stages 1 to 3)
- Soil Investigation & Slope Stability Analysis
- Flood Impact Analysis Report
- Functional Servicing and Preliminary Stormwater Management Report
- Architectural Drawings and Landscape Plans

All material submitted in support of the Applications are available at the City's PLANit Viewer website <https://maps.v Vaughan.ca/planit/> (Reference Files OP.18.009 and Z.18.015).

The Applications have been circulated to commenting agencies and City Departments

The Applications, together with the applicable reports/study and architectural drawings noted above, have been circulated to all appropriate agencies and City Departments and the review of the 1st submission is complete. Comments received to date have been used to assist in evaluating the Applications and are attached hereto as Attachment 8 to this report.

More specifically, the TRCA have identified in their comments (Attachment 8) two major issues with the Development:

- the appropriateness of the proposed level of intensification within the Natural Heritage Network; and
- whether or not there is safe ingress and egress to the Development due to the erosion and flood hazards situated along the frontage of the Subject Lands.

Given the proximity of the driveway to Jersey Creek (tributary to the Humber River) and its slopes, extensive armouring and straightening of this watercourse is proposed to facilitate access to the Development on the Subject Lands. However, the TRCA advises in their comments that development and site alteration within significant natural features and/or natural hazards is contrary to provincial, municipal and TRCA policies.

Based on these comments, the Development Planning Department is of the opinion that, at this time, the Applications do not adequately demonstrate consistency with the PPS and conformity to the Growth Plan, YROP and VOP 2010.

Financial Impact

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

Broader Regional Impacts/Considerations

York Region has reviewed the Official Plan and Zoning By-law Amendment Applications and have provided comments in correspondence dated December 11, 2018, included as Attachment 8. The Owner has applied for an exemption from York Region approval for the Official Plan Amendment Application; however, York Region has not granted this exemption for the reasons outlined in the above-noted correspondence. As such, the Owner will be required to apply for an amendment to the York Region Official Plan. Both the York Region and City of Vaughan Official Plan Amendment Applications will require approval by York Region.

Conclusion

This report provides an interim response with respect to Official Plan and Zoning By-law Amendment Files OP.18.009 and Z.18.015 for the Subject Lands shown on Attachment 1, where staff are currently not in a position to provide a final technical report to Council, but which could be appealed to the Local Planning Appeal Tribunal due to a lack of decision within the prescribed timeline (210 days) of the *Planning Act*.

The Applications have been reviewed in consideration of the policies of the Provincial Policy Statement (2014), the Growth Plan for the Greater Golden Horseshoe (2017), the York Region Official Plan (2010) and the Vaughan Official Plan 2010. Based on the comments received to date, the Applications are not considered to be consistent with the policies of the PPS (2014) or in conformity with the Growth Plan (2017), the YROP, and VOP 2010.

The Owner has committed to address the policies and technical comments identified in this report through the development application review process.

For more information, please contact: Letizia D'Addario, Planner, Development Planning Department, ext. 8213.

Attachments

1. Location and Context Map
2. Vaughan Official Plan - Schedule 13 (Land Use Plan)
3. Conceptual Site Plan and Proposed Zoning
4. Typical Elevations (Block 1) - Front and Side (East)
5. Typical Elevations (Block 1) - Rear and Side (West)
6. Landscape Plan
7. Written Submissions
8. Comments Received

Prepared by

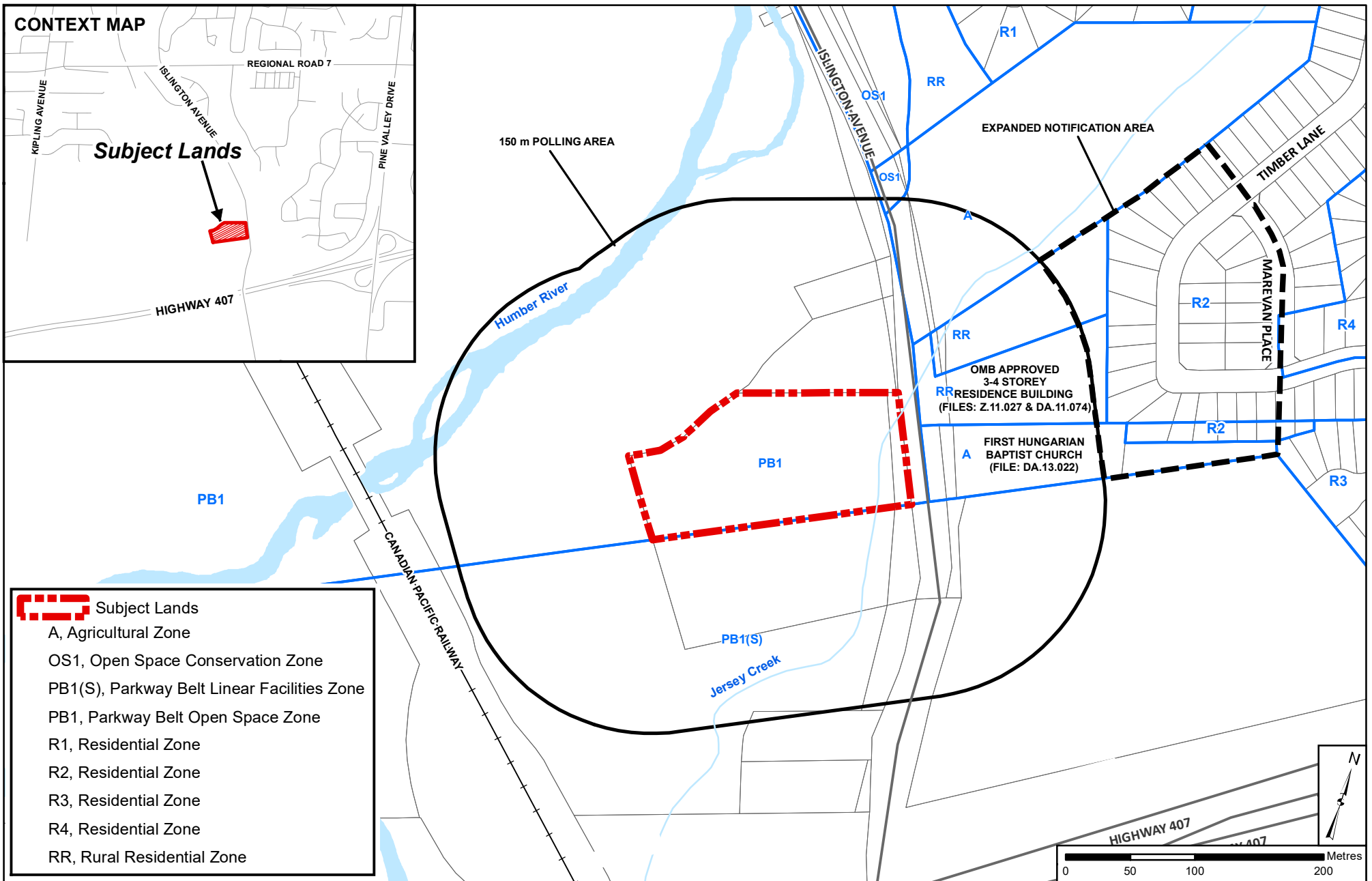
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/LG



Location and Context Map

LOCATION:
Part Lot 3, Concession 7

APPLICANT:
Go-To Vaughan Islington Avenue LP



Attachment

FILES:
OP.18.009, Z.18.015

DATE:
May 7, 2019

1



Vaughan Official Plan - Schedule 13 (Land Use Plan)

LOCATION:

Part Lot 3, Concession 7

APPLICANT:

Go-To Vaughan Islington Avenue LP

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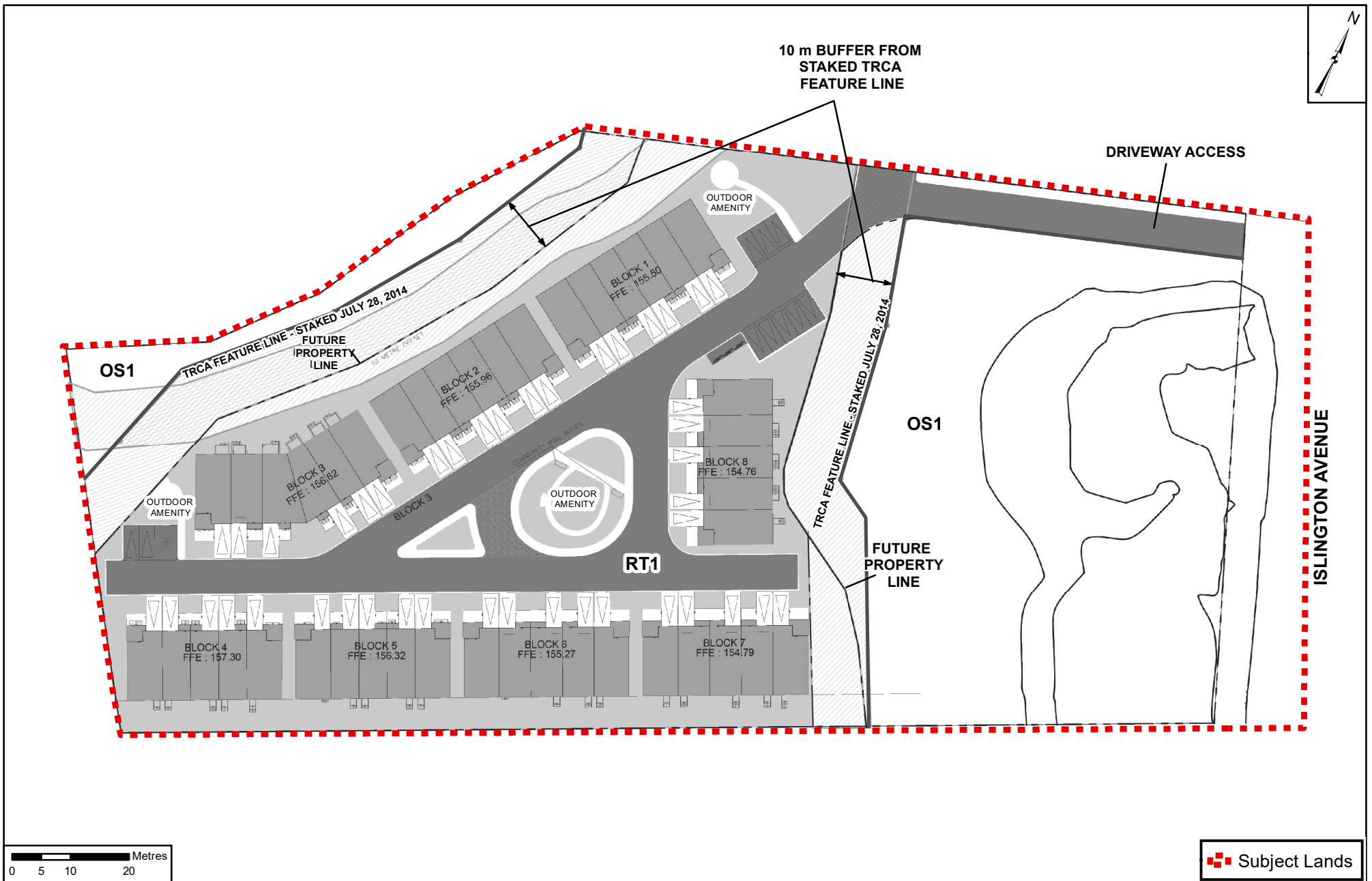
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FILES:
OP.18.009, Z.18.015

DATE:
May 7, 2019

2

Printed on: 4/8/2019



Conceptual Site Plan and Proposed Zoning

LOCATION:
Part Lot 3, Concession 7

APPLICANT:
Go-To Vaughan Islington Avenue LP

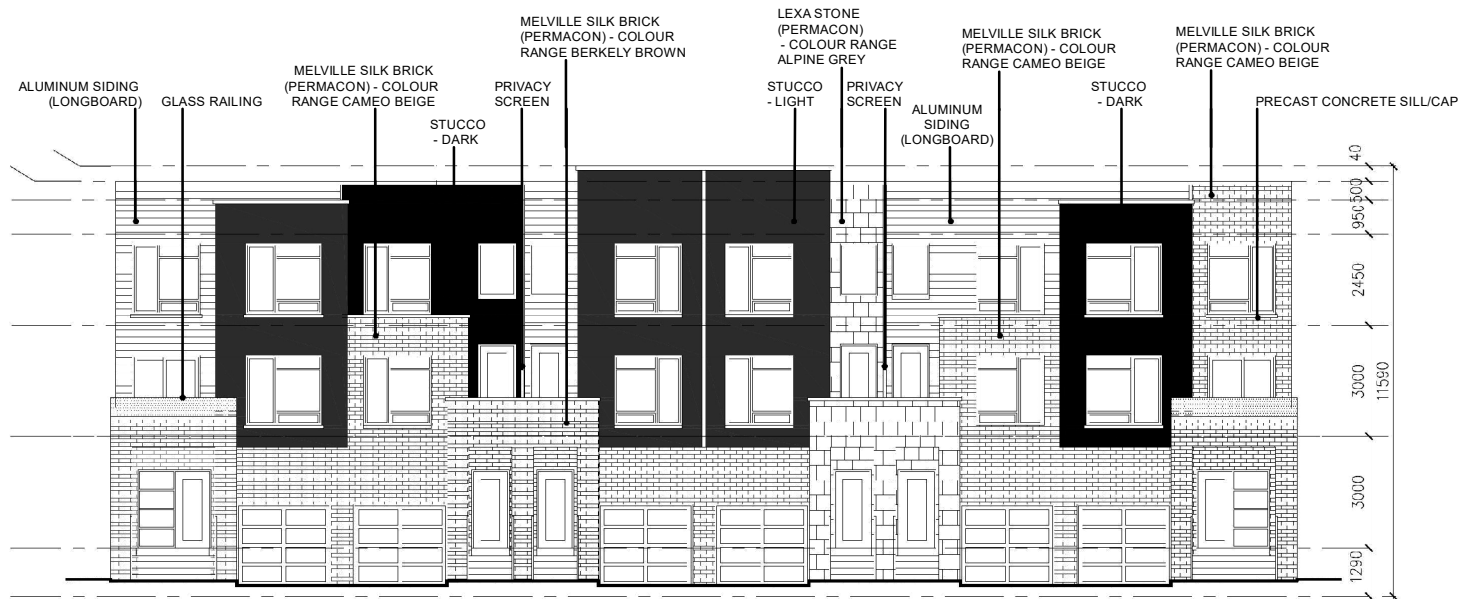


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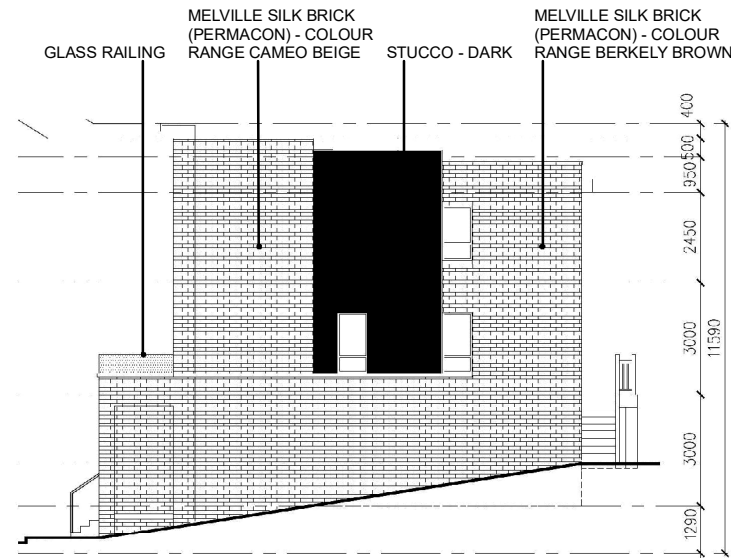
FILES:
OP.18.009, Z.18.015

DATE:
May 7, 2019

3



FRONT ELEVATION



SIDE ELEVATION - EAST

Not to Scale

Typical Elevations (Block 1) - Front and Side (East)

LOCATION:
Part Lot 3, Concession 7

APPLICANT:
Go-To Vaughan Islington Avenue LP

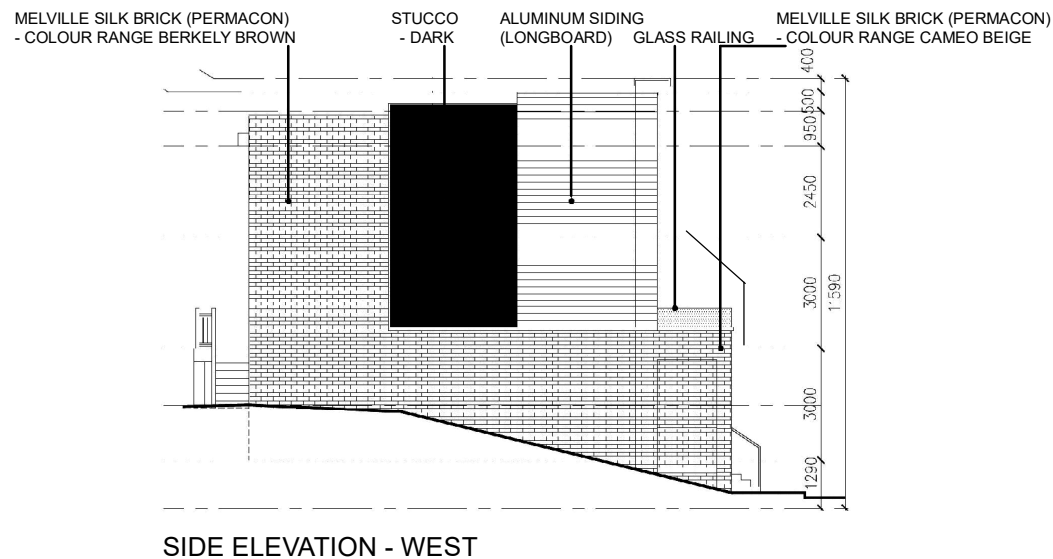
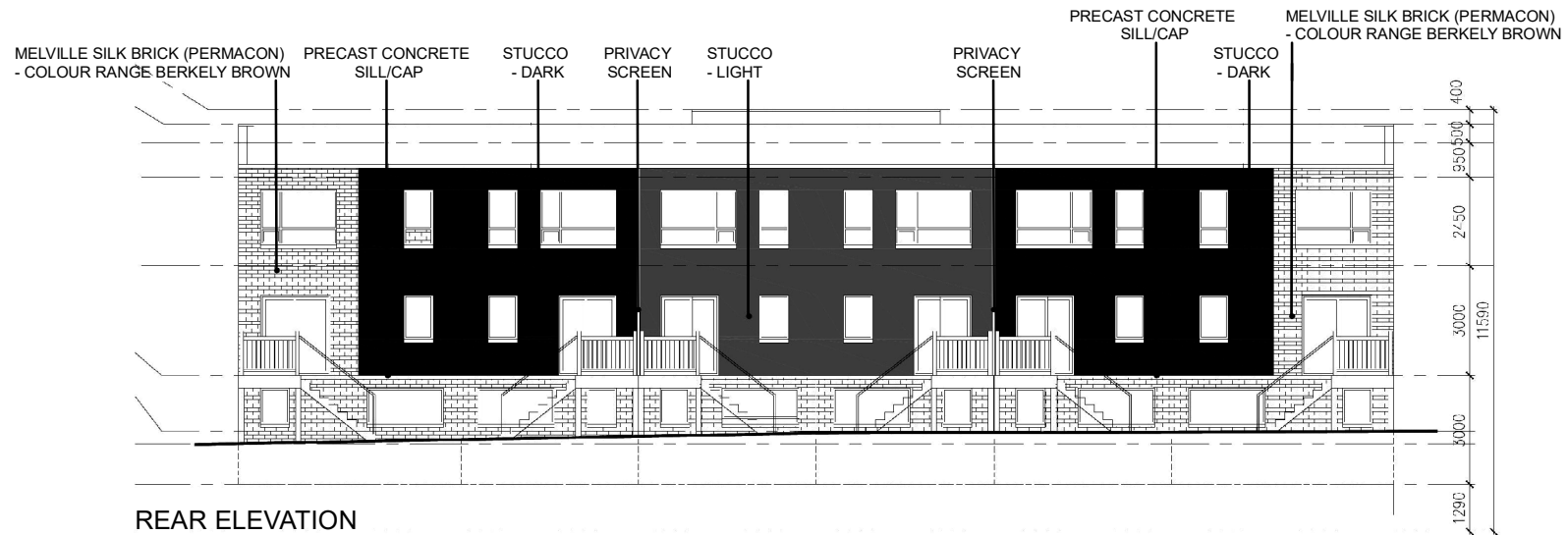


Attachment

FILES:
OP.18.009, Z.18.015

DATE:
May 7, 2019

4



Not to Scale

Typical Elevations (Block 1) - Rear and Side (West)

LOCATION:
Part Lot 3, Concession 7

APPLICANT:
Go-To Vaughan Islington Avenue LP

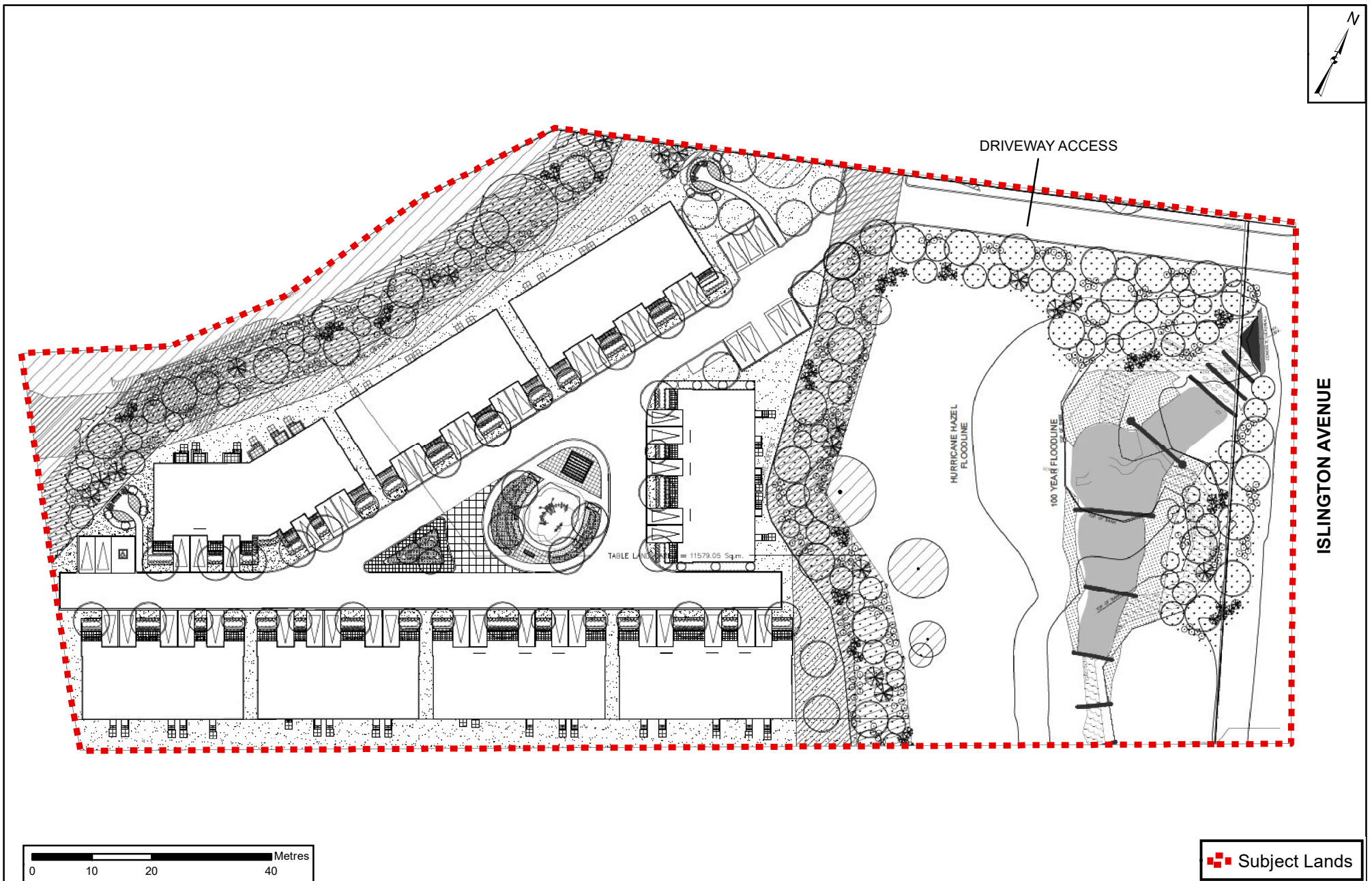


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FILES:
OP.18.009, Z.18.015

DATE:
May 7, 2019

5



Landscape Plan

LOCATION:
Part Lot 3, Concession 7

APPLICANT:
Go-To Vaughan Islington Avenue LP

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Attachment

FILES:
OP.18.009, Z.18.015

DATE:
May 7, 2019

6

Created on: 4/3/2019

Attachment 7

Vince Tesa

PUBLIC HEARING
COMMUNICATION

Date: Sept 17/18 ITEM NO. 5

August 16, 2018

City of Vaughan
Development Planning
2141 Major Mackenzie Dr.
Vaughan, ON L6A 1T1

Sent via email to:

Developmentplanning@vaughan.ca

Letizia.D'Addario@vaughan.ca

Clement.Messere@vaughan.ca

Attention: Letizia D'Addario, Clement Messere

Re: Proposed Development – 7386 Islington Ave, Woodbridge File #'s: OP.18.009 and Z.18.015

This letter is in reference to the proposed development on 7386 Islington Avenue. My father, Luca Tesa owns the neighbouring property located at [REDACTED] Islington Avenue of which we share the same driveway to access both properties. We have some questions and concerns regarding the proposed development which we would like addressed.

- 1) An easement does exist on the property in favour of [REDACTED] Islington Avenue (Vaughan 48498, Instrument # VA65695, Part 17, Plan 64-R7756) commencing at the property line on Islington Avenue extending to and ending at the property line located at the most westerly point. Refer to Site Survey labelled Schedule 1. This easement refers to the current roadway which gives us the right of way and the legal right to use the lands as described in the easement without any encumbrances, forever. My concerns are as follows:
 - The preliminary grading plan shows a retaining wall and a 1.57m drop in elevation prohibiting access to the main entrance of my property as well as my 2 car garage. Please note: Current grading plan shows 0.57m, this is an error, it's actually 1.57m and the 2 car garage is listed as a shed, when the survey shows it as a garage. See Schedule 2, 3 and 4.
 - The preliminary grading plan also shows an outdoor amenity constructed on the right of way as well as a retaining wall extending to the property line and a curb which is encumbering my legal use of the existing easement and preventing access to my barn. See Schedule 5.
- 2) We operate a farming operation, and the above mentioned right of way is regularly used from April to December to access my property with heavy and large farming equipment, some as wide as 12', as well as 5 Ton trucks making deliveries. Note: [REDACTED] Islington Avenue is within the parkway belt and is zoned non-conforming agriculture. I would like assurances that:
 - The new roadway will be able to accommodate the current use with the added traffic created from the 43 proposed townhomes
 - Sidewalks will be constructed so that pedestrians can access Islington Avenues in a safe manner.
 - During said construction we will always have safe access to my property and that there will never be any disruptions or encumbrances to my access especially in the case of an unforeseen emergency.

[REDACTED] Islington Ave, Woodbridge ON, [REDACTED] Tel: [REDACTED] / Fax: [REDACTED]

Vince Tesa

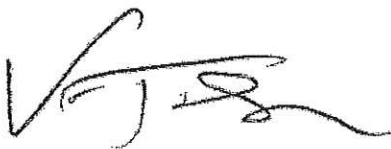
3) As mention above, my property is zoned as non-conforming agriculture and the property is used for:

- Parking & Storage of farming equipment
- At any given time we may have livestock in the barn
- Operations in the summer run 7 days per week starting early in the morning, ending late at night.

What measures will be taken to ensure that the residents of the proposed townhomes are made aware of the current operations and bylaws that exist on my property today. I do not want to start having to deal with complaints of noise from equipment, parked farming equipment, livestock, manure or the use of large farming machinery and large trucks accessing the driveway.

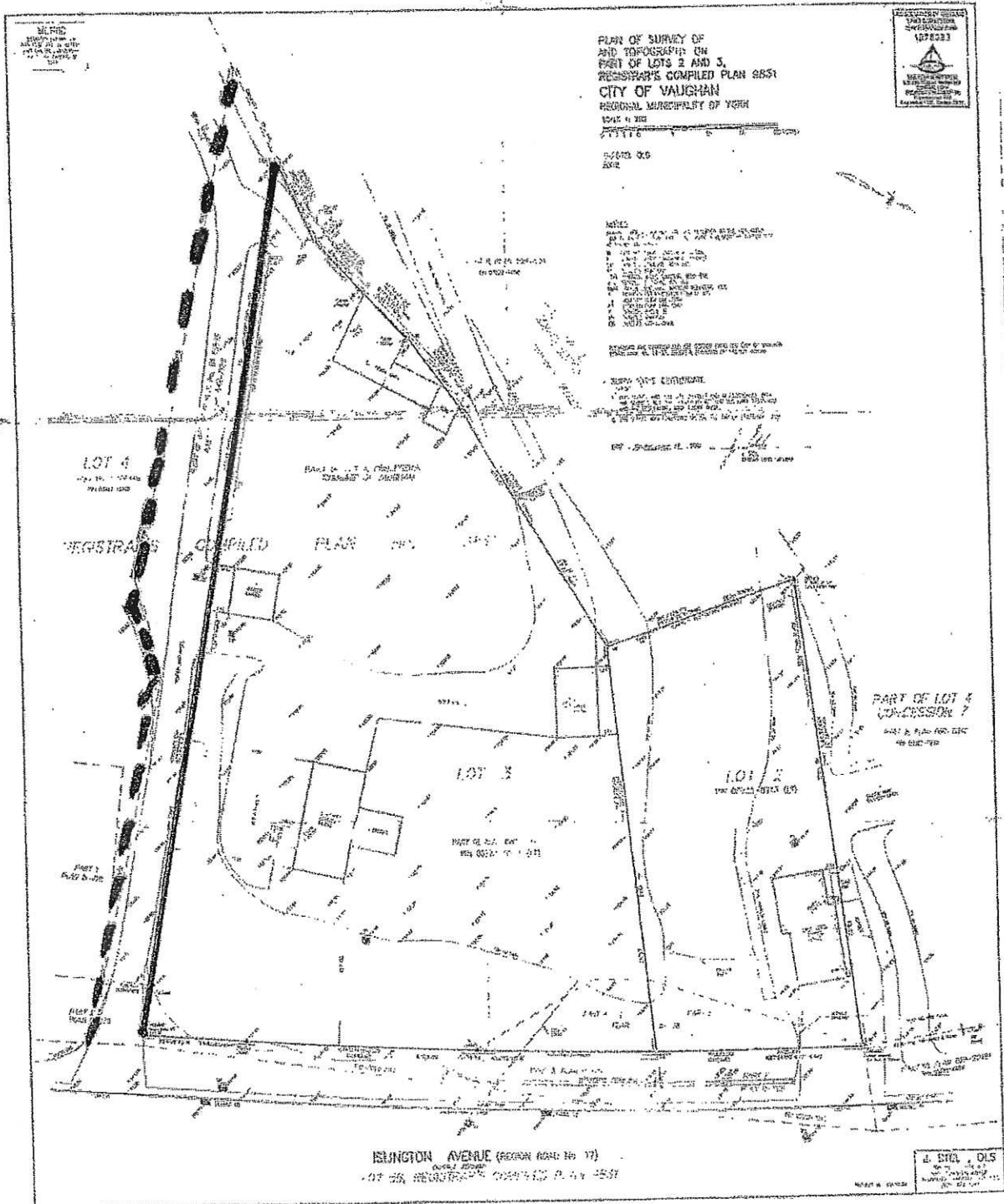
It's extremely important to me that these concerns are addressed in advance to avoid any potential issues in the future.

Sincerely



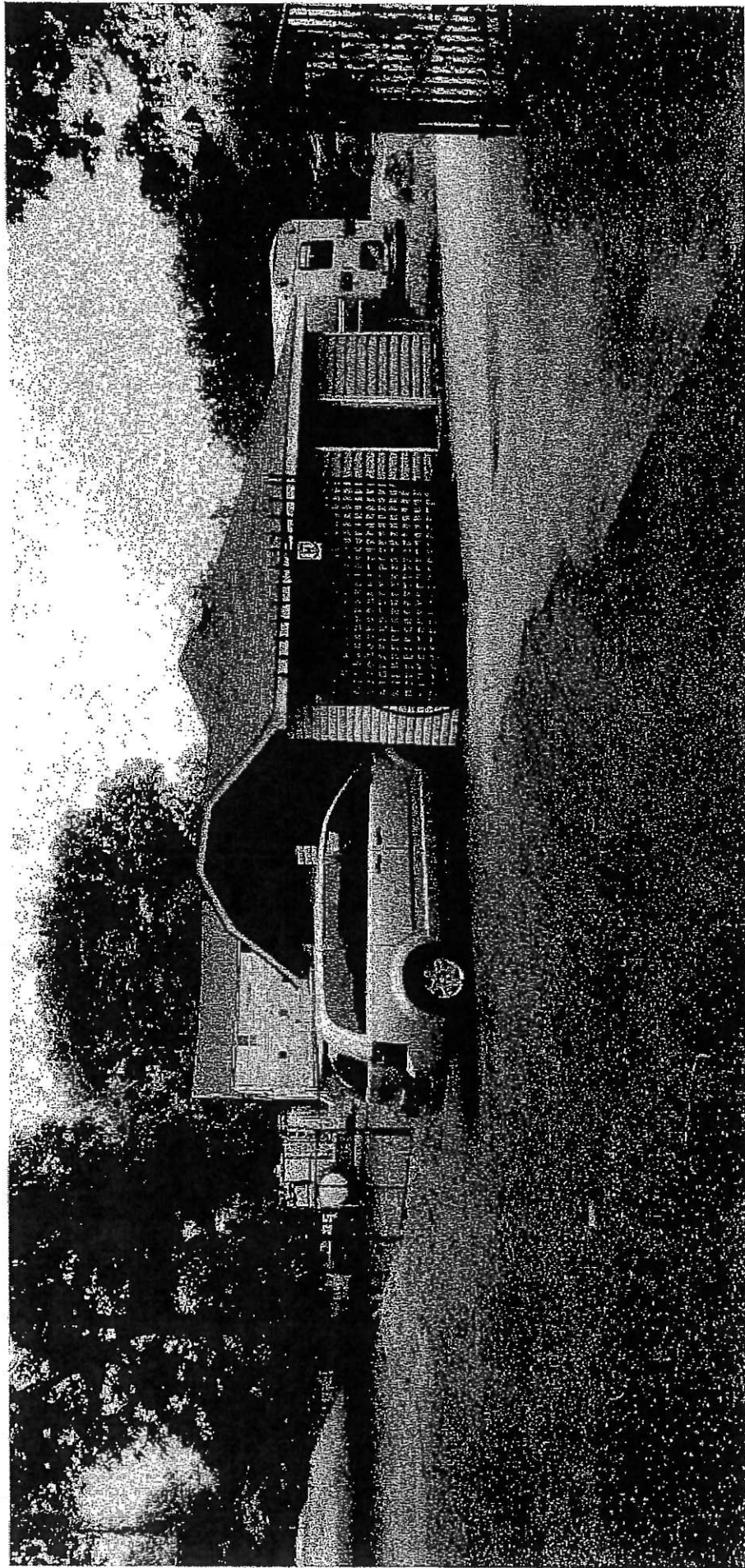
Vince Tesa

Schedule 1

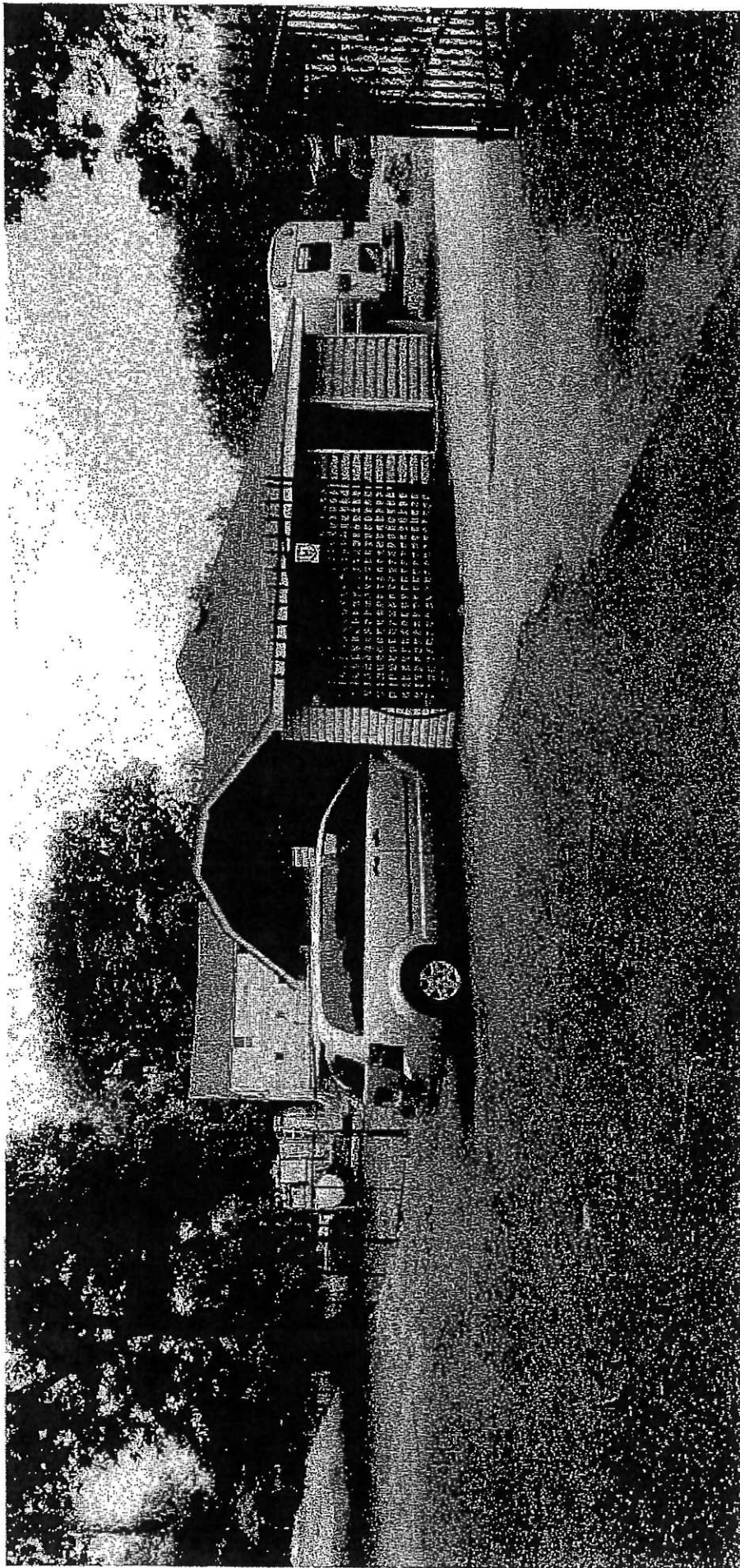


Right of Way
property line

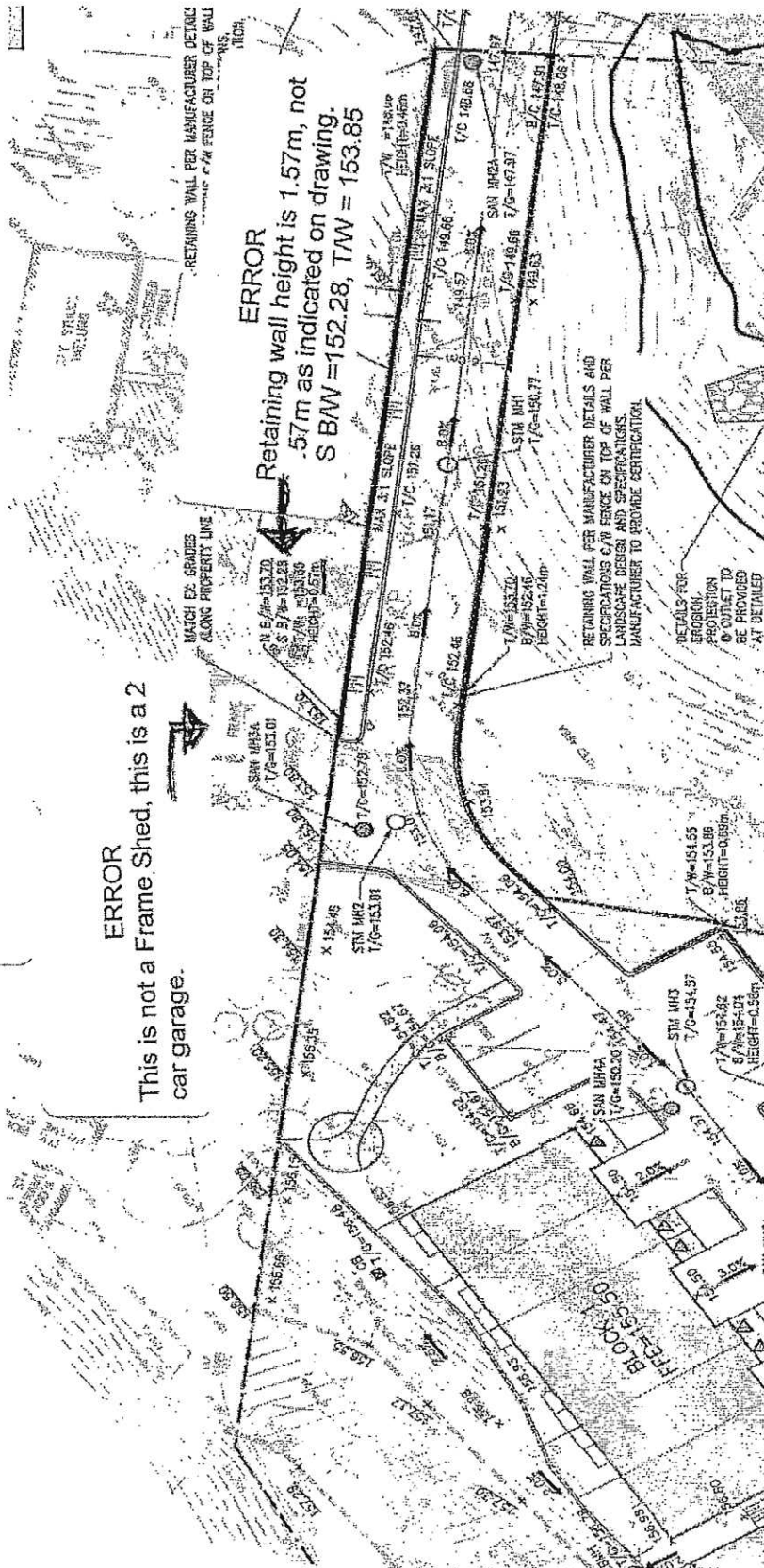
Schedule 2



Schedule 3

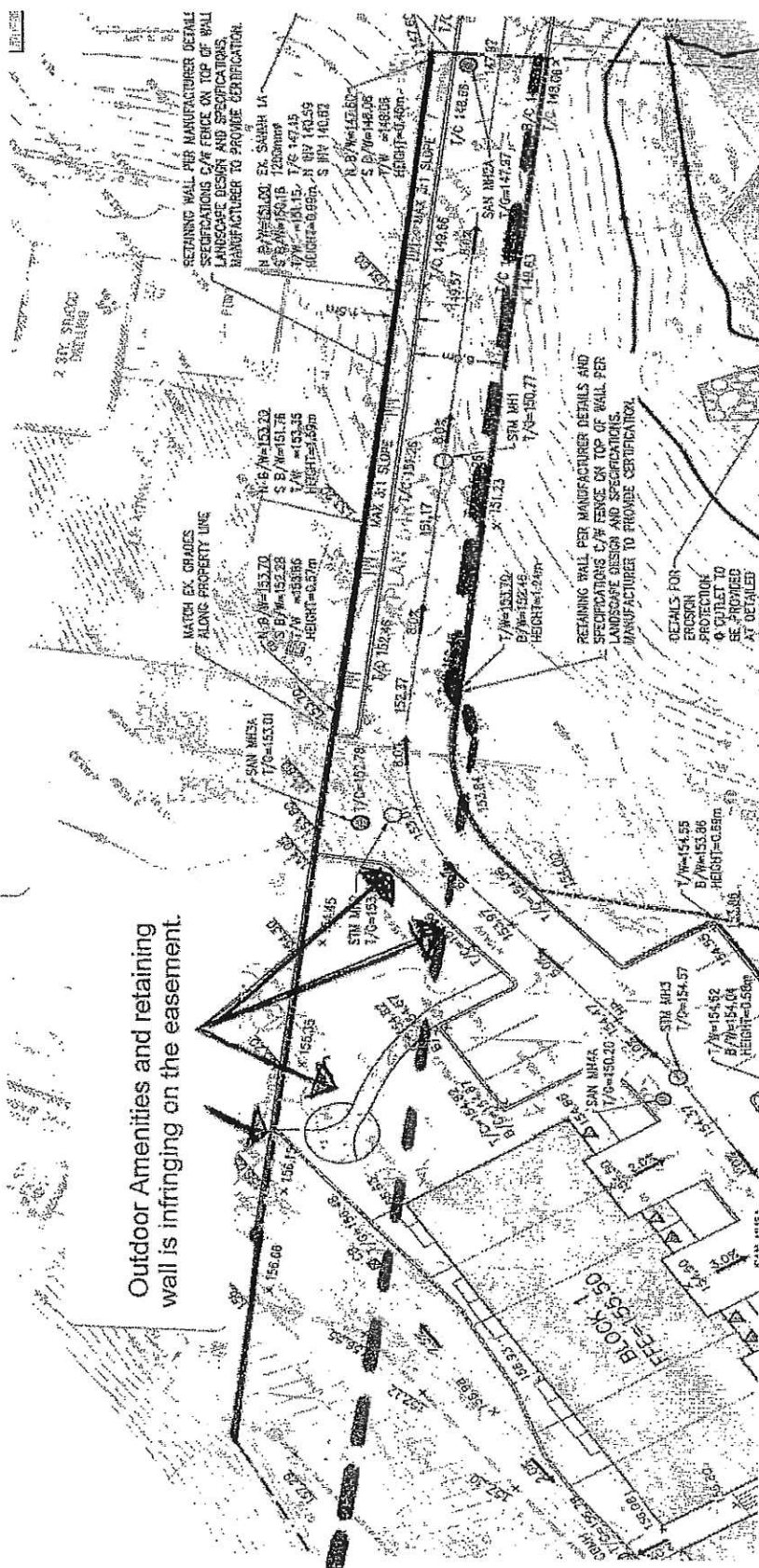


Schedule 4



Schedule 5

Outdoor Amenities and retaining wall is infringing on the easement.



~~Right of Way~~ ~~Right of Way~~ ~~property line~~

Attachment 8



Corporate Services

December 11, 2018

Ms. Letizia V. D'Addario, MES, MCIP, RPP
Planner
City of Vaughan
Development Planning Department
2141 Major Mackenzie Drive
Vaughan, ON, L6A 1T1

Dear Ms. D'Addario,

**Re: Proposed Official Plan Amendment
Go-To Vaughan Islington Avenue LP
7386 Islington Avenue
Vaughan File Nos.: OP.18.009 & Z.18.015
York Region File Nos.: LOPA.18.V.0026 & ZBA.18.V.0081**

This is in response to your circulation and request for comments for the above-captioned Official Plan Amendment (OPA) application and Zoning By-law Amendment application. We are also in receipt of your request for exemption from Regional approval of this OPA application.

The 1.77 hectare subject site is located on the west side of Islington Avenue, north of Highway 407, on lands municipally known as 7386 Islington Avenue, in the City of Vaughan. The proposed development consists of 43 three-storey townhouse units on a common element road.

Regional staff do not have any comments on the site specific rezoning application.

Purpose and Effect of the Proposed Amendment

According to the applicant's Planning Justification report, prepared by MHBC, dated March 2018, the subject lands are designated "Natural Areas" and "Low-Rise Residential" on Schedule 13 – Land Use of the Vaughan Official Plan 2010. Schedule 13 also permits a maximum height of 4-storeys and a maximum density of 1.5 FSI on the subject lands. The Amendment proposes to refine the boundary between the "Natural Areas" and "Low-Rise Residential" designations by increasing the "Low-Rise Residential" designation.

York Region Official Plan

The Regional Official Plan contains policies that guide economic, environmental and community building decisions to manage growth. These policies strengthen the connections between the natural and built environment, job opportunities, human services, transportation, public health

and fiscal capacity. The Regional Official Plan policies also coordinate and set the stage for more detailed planning by local municipalities.

Map 1 – Regional Structure and Map 2 – Regional Greenlands System, shows the subject property to be wholly within the “Regional Greenlands System”. The subject lands are also within Map 2’s “Greenlands System Vision”. Map 5 - Woodlands, identifies the eastern portion of the subject lands, adjacent to Islington Avenue, as “Woodlands”.

The Regional Official Plan defines an urban structure that directs intensified growth to its Centres and Corridors, while limiting new growth in existing neighbourhoods and natural heritage features. Policy 1.2.9 states that urban development should contribute enhancements to the Regional Greenlands System, and Policy 1.2.10 states that a key element of the Regional Official Plan is to provide for a natural heritage legacy based on a linked and enhanced Regional Greenlands System. Read together, the Regional Official Plan directs appropriate levels of intensified urban development to its Centres and Corridors, while avoiding development within the Regional Greenland System.

Regional Official Plan policies found in Section 2.1 – Regional Greenlands System, states that Regional Greenlands are to be protected and enhanced, and new development and site alteration in the vicinity of the System is to be controlled (Policy 2.1.1). The Regional Official Plan also directs local Official Plans to establish and protect greenlands systems from development and site alteration (Policy 2.1.4) and to more specifically identify and integrate the System into community design (Policy 2.1.5). The boundaries and the extent of the Regional Greenland System, as shown on Map 2 of the Regional Official Plan, are approximate. Refinements to the boundaries may occur through approved planning applications supported by appropriate technical studies (Policy 2.1.7).

According to Policy 2.2.44, development and site alteration is prohibited within significant woodlands and their associated vegetation protection zone, except as provided for elsewhere within the Regional Official Plan. The determination of woodland significance will reply on site-specific studies (Policy 2.2.46).

Regional Planning staff defers the evaluation of natural heritage and environmental studies to the matter experts at the Toronto and Region Conservation Authority and City of Vaughan.

Regional Planning Comments

According to the Regional Official Plan and as discussed earlier, the subject lands are wholly within the Regional Greenlands System, thereby not meeting one of the exemption criteria contained in Regional Official Plan Policy 8.3.8. Also, according to the TRCA, the proposed development is not consistent with the Provincial Policy Statement, thereby also not meeting another criterion contained in Regional Official Plan Policy 8.3.8. For these reasons, the request to exempt this local Official Plan Amendment application from Regional approval is denied. York Region will retain its approval authority per Section 17(34) of the *Planning Act*.

Regional Planning staff have reviewed the Toronto and Region Conservation Authority's letter dated September 12, 2018, expressing their position of not supporting the approval of the proposed Official Plan Amendment and rezoning applications. Reasons for the refusal cited include:

- The subject property 's natural features and natural hazards meet the policy tests of the Regional and Vaughan Official Plans and of the Provincial Policy Statement (2014) for recognition and protection;
- Development and site alteration within the natural heritage features and natural hazards are contrary to provincial, municipal and TRCA policies;
- The site's access is within the erosion hazard of the Jersey Creek and appears to be within the floodplain. Safe access has not been demonstrated. According to the PPS, Regional, City and TRCA policies, development should be directed away from hazardous lands.

On the issue of safe access, Regional transportation staff, as described below, requires a 10m x 10m day light triangle at the mouth of the private driveway. This may have a significant impact on the engineering works required to mitigate against the natural hazards of the site. The applicant is encouraged to continue to work with the City of Vaughan and the Toronto and Region Conservation Authority in finding possible solutions, which may include TRCA's position of redeveloping the site with one single detached residential unit.

Technical Comments

Below is a summary of technical comments received from Regional Departments.

Transportation Comments:

Regional Transportation Planning staff have reviewed the application along with the supporting Traffic Impact Study (TIS) dated January 2018 prepared by Paradigm Solutions. The following consolidated comments are provided in coordination with staff from Transportation Planning, Traffic Signal Operations, Development Engineering and YRT/Viva.

- 1) A review of the supporting Traffic Impact Study indicates that the report used the old Guidelines (August 2007) for preparing Transportation Impact Study. It should be noted that effective January 1, 2017, all transportation impact study report must be consistent with the new requirements outlined in the Region's Transportation Mobility Plan Guidelines for Development Applications (November 2016). The report format shall be consistent with the Region's Transportation Mobility Plan Guidelines for Development Applications (November 2016), which includes the table of content, figures and list of table. Table 10 of the Guidelines should be filled out and attached to the final report.
- 2) Transportation planning staff does not concur with the study findings that the proposed access onto Islington Avenue can be accommodated without providing both left and

right turn exclusive lanes. The left and right turn lanes are required on Islington Avenue for both traffic operation and safety. As such, the TIS shall include a functional design drawing and a cost estimate to implement turning lanes on Islington Avenue to the satisfaction of York Region.

- 3) The TDM plan shall include a TDM checklist that summarizes the programs and measures, estimated costs and responsibility of the applicant to implement TDM recommendations. Estimated costs for any items that are provided by the Region or the Municipality shall be identified as "TBD" (To be determined).
- 4) The TDM Plan shall also include a TDM communication strategy, to assist the Region and the City of Vaughan to effectively deliver the Information Packages and pre-loaded PRESTO Cards to residents. This strategy shall also include a physical location for distribution of the Information Packages and pre-loaded PRESTO Cards. The applicant is responsible for the coordination and for providing a venue for the distribution of PRESTO cards. Each event, approximately 4 hours of staff time, can serve approximately 100 residential units. The applicant shall coordinate specific event details with York Region/York Region Transit Staff allowing a minimum of 2 months' notice.

Preliminary Conditions for Subsequent Development Applications for this site

- 1) A basic 36 metre right-of-way is required for this section of Islington Avenue. As such, all municipal setbacks shall be referenced from a point 18.0 metres from the centerline of construction of Islington Avenue and any lands required for additional turn lanes at the intersections will also be conveyed to York Region for public highway purposes, free of all costs and encumbrances, to the satisfaction of the York Region Solicitor.
- 2) Provide engineering design and drawing for the proposed intersection to Islington Avenue to the satisfaction of the Region.
- 3) Provide 10x10 m daylight triangle at the proposed intersection onto Islington Avenue to the satisfaction of the Region.
- 4) Provide direct shared pedestrian and cycling connections to the boundary roadways and adjacent developments to support public transit and active transportation, where appropriate.
- 5) Provide a functional design drawing and the cost estimate for implementing exclusive right and left turn lanes on Islington Avenue to the satisfaction of York Region.
- 6) Address all comments provided on the supporting Traffic Impact Study dated January 2018 prepared by Paradigm Solutions. Region will provide additional comments when the updated TIS is submitted to the Region for review.

Water and Wastewater Servicing Comments:

Infrastructure Asset Management (IAM) have reviewed the documentation submitted in conjunction with the subject Local Official Plan Amendment (OPA). IAM have no objection to the approval of the OPA subject to the following:

1. Servicing Allocation

All residential development requires servicing capacity allocation from the City of Vaughan prior to the final approval of the developments proposed within the OPA area. If the City of Vaughan does not grant allocation from the existing capacity assignments to date, the build out of the OPA area may require additional Regional infrastructure based on conditions of future capacity assignment, which may include:

- West Vaughan Sewage Servicing - expected commissioning 2028
- Other projects as may be identified in future studies.

The timing of the above infrastructure is the current estimate and may change as each infrastructure project progresses and is provided for information purposes only.

2. Municipal Servicing

The Functional Servicing & Preliminary Stormwater Management Report (FSR) dated April 2018 and the Preliminary Site Servicing Plan both by C.F. Crozier & Associates Inc. indicate that the wastewater and water servicing for the proposed development is by way of connection to City of Vaughan wastewater and water infrastructure located within the Islington Avenue ROW. Should there be any change in the proposed servicing scheme, the Owner shall forward the revised servicing plan to the Region for review and record. The FSR is to be sealed and signed by a Professional Engineer.

3. Impact on Regional Wastewater and/or Water Infrastructure

The Site Servicing Plan DWG. C 102 shows that there is a crossing of the Region's 600 mm diameter watermain by the water service for the subject development. Engineering drawings showing details of the crossing, including plan and profile views of the new and existing infrastructure shall be submitted to the Community Planning and Development Services branch. The crossing details will be circulated to Infrastructure Asset Management for review and approval prior to construction. Integrity of the aforementioned regional infrastructure is to be maintained at all times during the grading and construction activities of the subject development.

The Owner is further advised that a regional Construction Administrator shall be invited to the pre-construction meeting for the works related to the crossing of the regional watermain. York Region requires two (2) weeks advanced notice prior to the scheduled meeting date. The Region reserves the right to inspect the site during the works.

Water Resources Comments:

Water Resources does not have any concerns or comments with the Official Plan Amendment application as it relates to Source Protection policy, subject to the general comments below. Should the proposal change and/or the application be amended, Water Resources will require recirculation for comment and/or approval.

Highly Vulnerable Area

Should the proposed development include bulk fuel or bulk chemicals within the HVA, a Contaminant Management Plan (CMP) will be required prior to Draft Plan of Subdivision approval, for Water Resources review and approval.

Low Impact Development (LID)

The owner is to be advised that Low Impact Development (LID) measures are encouraged to be applied to the site. As per York Region Official Plan policy 2.3.41, developments should maximize infiltration through integrated treatment approach techniques to minimize stormwater volume and contaminant loads. This should include, but not be limited to, techniques such as rainwater harvesting, phosphorus reduction, constructed wetlands, bioretention swales, green roofs, permeable surfaces, clean water collection systems, and the preservation and enhancement of native vegetation cover. The use of the following resource is encouraged: Low Impact Development Stormwater Management Planning and Design Guide and is available using the following link: <http://www.creditvalleyca.ca/low-impact-development/low-impact-development-support/stormwater-management-lid-guidance-documents/low-impact-development-stormwater-management-planning-and-design-guide/>

Salt Management

As the site is within a vulnerable area, Water Resources recommends the use of a contractor who is certified by Smart About Salt, and use of best management practices identified in the TAC Synthesis of Best Management Practices for Salt and Snow are followed: <http://tac-atc.ca/en/bookstore-and-resources/free-resources-and-tools/syntheses-practice>

If the proposed development includes a parking lot, Water Resources recommends following the Parking Lot Design Guidelines: <https://www.lsrca.on.ca/Shared%20Documents/reports/Parking-Lot-Design-Guidelines-Salt-Reduction.pdf>

Please contact Augustine Ko, Senior Planner, at 1-877-464-9675, ext. 71524 or at augustine.ko@york.ca should you have any questions or require further assistance.

Sincerely,

A handwritten signature in black ink, appearing to read 'Karen Whitney', with a stylized, flowing script.

Karen Whitney, M.C.I.P., R.P.P
Director of Community Planning and Development Services

AK

Attachment 8a



Toronto and Region
Conservation
Authority

September 12, 2018

CFN: 59051.06

By Email only: Letizia.D'Addario@vaughan.ca

Ms. Letizia D'Addario, Planner
Planning Department
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON, L6A 1T1

Dear Ms. D'Addario:

**Re: Official Plan Amendment Application OP.18.009
Zoning By-law Amendment Application Z.18.015
7386 Islington Avenue, Part of Lot 3, Concession 7
(Go-To Vaughan Islington Avenue LP & Gillam Urban Islington Inc.)
City of Vaughan, Regional Municipality of York**

The Toronto and Region Conservation Authority (TRCA) has reviewed the above-noted official plan amendment and zoning by-law amendment applications as per The Living City Policies for Planning and Development in the Watersheds of the Toronto and Region Conservation Authority (2014). The following comments are provided as part of TRCA's commenting role under the *Planning Act*; the Authority's delegated responsibility of representing the provincial interest on natural hazards encompassed by Section 3.1 of the Provincial Policy Statement (PPS) (2014); TRCA's Regulatory Authority under Ontario Regulation 166/06, Development, Interference with Wetlands and Alterations to Shorelines and Watercourses; and our Memorandum of Understanding (MOU) with York Region, wherein we provide technical environmental advice.

Background

The Owner has submitted the subject Official Plan Amendment (OPA) application to facilitate the development of 7386 Islington Avenue with eight townhouse blocks.

The subject property is entirely within the Greenlands System of the York Region Official Plan. The property is currently designated "Natural Areas" and "Low Rise Residential" on Schedule 13 of the City of Vaughan Official Plan (2010), with a site

specific height restriction of 4 storeys and a maximum density of 1.5 FSI. The Owner proposes to further refine the "Natural Areas" of the site through the OPA, to expand the "Low Rise Residential" designation.

The Owner also proposes to rezone the property from PB1 Parkway Belt Open Space Zone to a Residential Townhouse (RT1) Zone and Open Space Conservation (OS1) Zone, together with site specific exceptions.

Site Context

The subject property is located on the west side of Islington Avenue, north of Highway 407. There is an existing single family residence on the property. The area around the existing residence has been historically manicured and also contains large canopy trees. There are single family homes to the north and east of the property and the lands surrounding this site are part of the Parkway Belt West Plan.

The property is situated on a plateau of the valley system of the Humber River with steep embankments on the property sloping to both to the east and west. This high point is situated between the Humber River to the west, and Jersey Creek to the east, and their associated flood plains. There is an elevation difference of approximately 18 metres from the top of the bank to the toe of slope along the west valley wall (Humber River), and an elevation difference of approximately 10 metres on the eastern embankment (Jersey Creek). Both the east and the west valley slopes are fully forested.

The site is constrained by both flood hazards and erosion hazards. The Humber River is situated approximately 123 metres northwest of the property; Jersey Creek flows along the eastern boundary of the site and within the property. The site is not within the flood plain associated with the Humber River; however, it would be partially inundated along Jersey Creek during a Regional Storm event. It is unclear if the access along Islington Avenue is subject to flooding during a Regional Storm event. The site is also subject to erosion hazards due to the west and east valleyland slopes, as described above.

Given its location within the Humber River valley and Jersey Creek, the entire property is regulated by TRCA under Ontario Regulation 166/06. A permit is required from TRCA prior to conducting any regulated activities (e.g., development or site alteration) on the property.

Site Walk

TRCA staff conducted a site walk on the property on April 28, 2017 in order to confirm the July 2014 staking of the natural features on the property (i.e., Top-of-Bank of the valleyland plateau, dripline of the woodlands). A copy of the draft survey was provided to TRCA after the staking confirmation exercise in April 2017; however, a signed copy of the survey has not been submitted.

Proposal

Eight townhouse blocks consisting of 43, 3-storey freehold townhouse dwellings fronting onto a common element road on a 1.77- hectare property are proposed. Access to the site is proposed from an existing shared single driveway / road connection on Islington Avenue. Given the proximity of the driveway to the watercourse and its slopes, extensive armouring and straightening of Jersey Creek is proposed to facilitate access to the site.

TRCA had previously reviewed and commented on a similar concept plan for this site in a letter to the Owner and City, dated April 12, 2017 (attached), wherein TRCA flagged two major issues with the townhouse development concept:

- the appropriateness of this level of intensification within the Natural Heritage Network; and
- whether or not there is safe ingress and egress to the proposed development due to the erosion and flood hazards situated along the frontage of the property.

Given these constraints, the Owner was encouraged to look at alternative development proposals more in keeping with what currently exists on the property (i.e., one single family home) thereby reducing the potential impacts to the natural heritage network and limiting the risk to life and property to one household. This would be consistent with provincial, municipal and TRCA policy.

Despite our previous written and verbal comments, the Owner has proceeded with a revised proposal on the site that is not consistent with policy and relevant technical requirements.

Recommendation

The Planning Justification Report has not addressed Section 3.1 (Natural Hazards) of the PPS. Section 3.1 states that development shall be directed away from areas of natural hazards and must not create new, or aggravate existing hazards. For reasons previously noted and further outlined below, TRCA cannot support the redevelopment of the subject property as proposed. TRCA's detailed comments on the development proposal can be found in Appendix I of this letter. Appendix II provides a list of the materials submitted to TRCA to assist in our review. A summary of our position is as follows:

1. The subject property is located within the Humber River watershed and is entirely within the Greenlands System of the York Region Official Plan (2010). The site is also located partially within the Natural Heritage Network of the Vaughan Official Plan (2010) and TRCA's Terrestrial Natural Heritage System Strategy (2007). The natural features and natural hazards on the site meet the policy tests of these plans and of the PPS (2014) for recognition and protection.
2. The site is entirely within a Significant Valleyland (Humber River Valley) and partially within a Significant Woodland. Development and site alteration proposed within these significant natural heritage features / natural hazards is contrary to provincial, municipal and TRCA policies.

3. Access into the site is proposed within the erosion hazard of Jersey Creek (tributary to the Humber River) and appears to be within the flood plain. These are hazardous lands and are unsafe for development due to naturally occurring processes. There appears to be no viable safe access alternatives outside the valley slope during times of erosion hazards. In addition, it has not been demonstrated that safe access from a flooding perspective can be achieved. In accordance with the PPS, Regional, City and TRCA policies, development should be directed away from hazardous lands. Based on the information we know about the site and the information provided, this would preclude the redevelopment of the site as currently proposed.

Accordingly, TRCA staff recommend refusal of Official Plan Amendment Application OP.18.009 and Zoning By-law Amendment Application Z.18.015 as these applications are not consistent with applicable Provincial, Regional, City and TRCA policies and the development would not meet the tests in order for a permit under Ontario Regulation 166/06 to be issued by our office.

TRCA could consider a minor expansion of the existing single family dwelling and ancillary uses on the site as may be permitted by current policies. A pre-consultation meeting with TRCA and City staff is encouraged to identify submission requirements for any proposed alternative redevelopment scenario for a single family dwelling.

Please note that these comments are based on current policies and regulation, which may change from time to time. Any future development proposal would be subject to the policies and regulation in effect at the time of application.

Fees

By copy of this letter, we thank the Owner for submission of the major official plan amendment / zoning by-law amendment application fee of \$12,600.00.

We trust these comments are of assistance. Should you have any questions, please do not hesitate to contact the undersigned.

Yours truly,



Jackie Burkart, RPP
Senior Planner, Planning and Development, Extension 5304

Attachment: TRCA letter, dated April 12, 2017

C: Clement Messere, Bill Kiru & Ruth Rendon: City of Vaughan
Celeste Salvagna, MHBC: csalvagna@mhbcplan.com
Regional Municipality of York: developmentservices@york.ca
Coreena Smith, Carolyn Woodland: TRCA

Appendix I

TRCA Detailed Review Comments

The following comments are provided based upon TRCA's review of the 1st submission.

While TRCA typically asks that all plans and reports be updated to address our concerns, given TRCA's current position on the subject applications, we would recommend against undertaking any further studies in support of this application. This would avoid further expenses, time and resources on a proposal which does not meet current planning policy requirements or the tests for a permit under Ontario Regulation 166/06.

Geotechnical:

1. The west and east valley walls rise vertically by approximately 18 metres and 10 metres, respectively. Both valley slopes are well vegetated with mature trees. The Owner is proposing to replace an existing single family dwelling on the property with 43, 3-storey townhouses.
2. The Supplementary Slope Stability Report prepared by Soil Engineers Limited did not provide critical clarification for the areas between Cross-sections A-A and B-B. Further, the slope stability analysis did not include the segment of the slope that provides access into the site (i.e., the existing driveway). Regardless, any slopes of this degree pose a hazard to development. The PPS directs development away from hazardous areas and prohibits development in areas that would be rendered inaccessible to people and vehicles during times of erosion hazards. Further, safe access must respect natural processes and not be based upon armouring and other engineering solutions that require on-going maintenance in perpetuity. Such solutions are only acceptable in the context of restoration / erosion hazard mitigation for existing structures / infrastructure.

Ecology:

3. The entire development is proposed within a Significant Valleyland (the Humber River Valley); is located within the Regional Greenland System; is within Vaughan's Natural Heritage System defined as "Core Feature" and; entirely within TRCA's Terrestrial Natural Heritage System. Given the site is located entirely within the Natural Heritage System, TRCA cannot support an intensified use on the site. TRCA could entertain an alternative proposal (i.e., a single family dwelling with amenity

space and accessory building) provided the application demonstrates that impacts to the Natural System are minimized to the extent possible.

4. Extensive vegetation removals within a Significant Valley, and permanent removal of part of the Significant Woodland is proposed to facilitate intensification within the Natural Heritage Network. In addition, extensive hard armouring and straightening of the watercourse and alterations to fish habitat is proposed to facilitate development within the Natural System. The development proposes a significant amount of watercourse realignment which will result in a reduction in channel length, loss in fish habitat, loss in natural channel sinuosity and significant loss in riparian areas. Moreover, ongoing maintenance of the infrastructure would result in perpetual disturbances to the natural environment over the long term. Due to the negative impacts that would result from the proposed modifications to the natural features on the site, and the long term maintenance required to the proposed access, TRCA cannot support the development application, as proposed. As noted above, TRCA could consider a minor expansion of the existing single family dwelling and ancillary uses on the site, as may be permitted by current policies.

Fluvial Geomorphology:

5. As previously noted, TRCA and provincial policy do not support hardening of watercourse banks to facilitate new development. No further efforts / assessments are recommended given that TRCA cannot support any intensification proposals on this site, from both a natural heritage and a natural hazard perspective and any hardening proposals to address new development would not be supported.

Water Resources:

Hydrology:

6. At a conceptual level, the results of hydrologic modelling are similar to the flows from TRCA's Humber Hydrology Update and are therefore acceptable. However, further clarification on the determination of the drainage areas would be required. Page 5 of the Jersey Creek Flood Impact Analysis Report provides input parameters for the hydrology model. It is TRCA's understanding that the parameters are based on the recent Humber River model (2015) updates except for the drainage areas and Timp/Ximp values. As per TRCA's 2015 model, the total drainage area for Jersey creek is 417.3 hectares, whereas the report / model states that the drainage area is 393.4 hectares. The Flood Impact Analysis Vista Parc Development (2012) predates the recent Humber River model (2015) and its subsequent update in 2018. In addition, the Timp/Ximp (0.48-0.52 / 0.45-0.47) is lower than (0.6-0.66 / 0.57-0.60) used in the 2015 TRCA model. Either the applicant's model (as it relates to drainage areas and Timp/Ximp values) needs to be updated in accordance with the Humber River model (2015), or sufficient justification for the inconsistencies between the two models is required.

Hydraulic Modelling:

7. At a conceptual level, the modelling appears to show that Regional flooding would overtop Islington Avenue and flow north, thereby providing dry access to the existing driveway and southward on Islington Avenue; however, the information included in the first submission has not confirmed these results. Supporting information has not been provided i.e., detailed drawings of the Islington Avenue culvert and access/entrance to the property illustrating size, length, slope, inverts, obvert and topographical details with respect to overtopping or spill zone on Islington. Similarly, details of the downstream railway culvert would also be required as well as a drawing with cross-section locations for the extent of the modelling for use in TRCA's flood plain mapping program (including downstream of the site to the confluence and upstream of the culvert at Islington Avenue) to scale such that distances between the sections can be confirmed with HECRAS model. Further, clarification of the source of the known water surface elevations for the downstream boundary condition would also be required. Regardless, TRCA recommends that no further work in this regard be carried out as the proposal is contrary to both provincial and TRCA policy.

Stormwater Management:

8. No comments are provided on the Stormwater Management Report as this application does not meet Provincial or TRCA policy for the reasons outlined above.

Appendix II:**1st Submission Review Materials
(submitted May 14, 2018 / June 20, 2018)**

- Planning Justification Report, 7386 Islington Avenue, Vaughan – prepared by MHBC Planning Ltd., dated March 2018;
- Jersey Creek Flood Impact Analysis Report prepared by Greenland Consulting Engineers Ltd, updated January 2018;
- Drawing Sheet 3379 – “Proposed Flood Lines”, prepared by Greenland Consulting Engineers Ltd., dated January 2018;
- Drawing Sheet 3379 – “Flood Lines”, prepared by Greenland Consulting Engineers Ltd., dated January 2018;
- Property Survey of Part of Lot 3, Concession 7, City of Vaughan, prepared by Guido Papa Surveying Limited, dated January 17, 2013, updated August 1, 2014;
- Functional Servicing and Stormwater Management Report, prepared by C.F. Crozier and Associates Inc., dated April 2018;
- Drawing C 102 - Preliminary Site Servicing Plan, prepared by C.F. Crozier and Associates Inc., dated April 2018;
- Drawing C 103 - Preliminary Grading Plan, prepared by C.F. Crozier and Associates Inc., dated April 2018;
- Environmental Impact Study Report, prepared by BioLogic Incorporated, dated February 19, 2018;
- A Soil Investigation and Slope Stability Assessment, prepared by Soil Engineers Ltd., dated January, 2016;
- Drawing No. L100, Landscape Plan, prepared by Strybos Baron King, revised April 4, 2018;
- Drawing No. L200, Landscape Details, prepared by Strybos Baron King, revised April 4, 2018;
- Drawing No. V100, Existing Tree Inventory and Preservation plan, prepared by Strybos Baron King, revised April 4, 2018;
- Drawing A011 – Site Plan, prepared by ICON, dated January 4, 2018;
- Drawings A021 to A041 (incl.) – Floor Plans and Elevation Plans, prepared by ICON, dated January 4, 2018;



Attachment 8b

memorandum

DATE: February 20, 2019

TO: Letizia D'Addario, Planner, Development Planning

CC: Jackie Burkart, Toronto and Region Conservation Authority

FROM: Ruth Rendon, Senior Environmental Planner, Policy Planning and Environmental Sustainability
Tony Iacobelli, Manager of Environmental Sustainability

RE: File OP.18.009 (7386 Islington Avenue) – Environmental Comments

Environmental staff in the Policy Planning and Environmental Sustainability (PPES) department have reviewed the Environmental Impact Study (EIS) dated February 19, 2018 for 7386 Islington Avenue conducted by BioLogic Incorporated and provide the following comments.

The subject lands are located within the City's' Natural Heritage Network (NHN) "Core Features" designation as per Schedule 2 and is subject to policy 3.2.3.4 of the City of Vaughan (VOP) 2010. The "Core Features" on this property are composed of significant woodlands and significant valleylands which make up the Humber River Valley Corridor. The parcel is not within the area identified as "Built-up Valley Lands" on Schedule 2 of VOP 2010.

The Toronto and Region Conservation Authority (TRCA) has confirmed in their letter dated September 12, 2018, that the subject lands are indeed significant valleylands and significant woodland features and part of the Humber River Valley System. TRCA has also confirmed that the site is within the regional floodplain and the development does not support safe access off of Islington Avenue. TRCA has stated that they cannot support the redevelopment of the subject property as proposed. The City will defer to TRCA on this matter.

The Regional Municipality of York (York Region) has also confirmed in their letter dated December 11, 2018, that the subject lands are within their Regional Greenlands System (System) as per Map 2 of the York Region Official Plan. Regional staff do not support the development as the redesignation to residential development does not comply to their policies to provide and enhance the System but will remove 0.94 hectares of land from the System. York Region has deferred the evaluation of natural heritage and environmental studies to the TRCA.

As per policy 3.2.3.2. of VOP 2010, the policy prevails over the mapping and as noted above, the proposed development does not meet the intent of Provincial, Regional, VOP 2010 and the Living Cities policies. As the development would have negative



memorandum

impacts on the significant woodland and significant valleylands of the Humber River Valley, the development is not consistent with the following:

- the Provincial Policy Statement, policies 2.1.1, 2.1.2, 2.1.5(b)(c), and 2.1.6;
- the Growth Plan, policies 4.2.2.2, 4.2.2.3(a), and 4.2.2.4; and,
- the City of Vaughan Official Plan policies related to development and site alteration within Natural Heritage Network, and,
- York Region's Official Plan policies related to Regional Greenlands System.

PPES will defer to the TRCA for technical comments on the EIS report. From a policy perspective, the City does not support the redesignation of Natural Areas that are part of the Natural Heritage Network and Greenlands System into residential development.

If you need additional information or clarification on this matter, I can be reached at ruth.rendon@vaughan.ca or at ext. 8104.

Attachment 8c

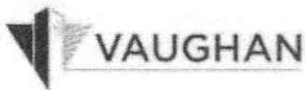
From: Walker, Sharon
Sent: Tuesday, March 05, 2019 3:17 PM
To: Rendon, Ruth <Ruth.Rendon@vaughan.ca>
Cc: D'Addario, Letizia <Letizia.D'Addario@vaughan.ca>
Subject: RE: 7386 Islington Ave OP.18.009 & Z.18.015

Ruth

Thanks, the map gives me a clear picture and the driveway is in the flood zone so there would be no access or egress during a flood event. Even if the water level was 15 to 30 cm deep, there is still danger from the velocity, debris and silt (makes conditions slippery).

Sharon Walker, ABCP, CMM III EMP
Manager, Emergency Planning
905-832-8585, ext. 6322 | sharon.walker@vaughan.ca

Vaughan Fire and Rescue Service | Emergency Planning
2800 Rutherford Road, Vaughan, ON L4K 2N9
www.vaughan.ca/PrepE



Sharon

From: Rendon, Ruth
Sent: March-05-19 3:02 PM
To: Walker, Sharon <Sharon.Walker@vaughan.ca>
Cc: D'Addario, Letizia <Letizia.D'Addario@vaughan.ca>
Subject: RE: 7386 Islington Ave OP.18.009 & Z.18.015

Sharon, I got the map you asked for yesterday....see attached. I am not sure if this would help with your review.

From: Walker, Sharon
Sent: Tuesday, March 05, 2019 1:42 PM
To: D'Addario, Letizia <Letizia.D'Addario@vaughan.ca>
Subject: 7386 Islington Ave OP.18.009 & Z.18.015

Letizia

I have reviewed the flood maps for the property located at 7386 Islington Ave for access and egress during a potential flood event. The only access point for the property of the shared driveway would be inundated by flood waters and there would be no safe access or egress from the property.

Regards

Sharon Walker, ABCP, CMM III EMP

Manager, Emergency Planning

905-832-8585, ext. 6322 | sharon.walker@vaughan.ca

Vaughan Fire and Rescue Service | Emergency Planning

2800 Rutherford Road, Vaughan, ON L4K 2N9

www.vaughan.ca/PrepE



Attachment 8d

From: Mahendran, Janani (MMAH) <Janani.Mahendran@ontario.ca>
Sent: Friday, November 16, 2018 3:28 PM
To: D'Addario, Letizia <Letizia.D'Addario@vaughan.ca>
Subject: FW: REQUEST FOR COMMENTS: 7386 Islington Avenue, Vaughan - Files OP.18.009 & Z.18.015 (GO-TO Vaughan Islington Avenue LP)

Hi Letizia,

Thanks for your email and for checking our contact information. From the address and the documents that you circulated, it appears the subject lands were removed from the Parkway Belt West Plan through Amendment 100 to the Plan. Attached please find a copy of Amendment 100 for your reference.

Should you have any questions, please do not hesitate to contact me.

Thanks,

Janani

Janani Mahendran
Planner
Municipal Services Office – Central Ontario
Ministry of Municipal Affairs and Housing
777 Bay Street, 13th Floor, Toronto, Ontario, M5G 2E5
P: 416-585-7578
B.B: 647-201-0903
E: Janani.Mahendran@ontario.ca

From: D'Addario, Letizia [<mailto:Letizia.D'Addario@vaughan.ca>]
Sent: November 6, 2018 2:18 PM
To: Mahendran, Janani (MMAH) <Janani.Mahendran@ontario.ca>
Subject: REQUEST FOR COMMENTS: 7386 Islington Avenue, Vaughan - Files OP.18.009 & Z.18.015 (GO-TO Vaughan Islington Avenue LP)

Hello Janani,

Further to our telephone conversation yesterday regarding the above-noted applications, please find attached a copy of the Request for Comments on the above-noted applications for the property located at 7386 Islington in Vaughan. I have also attached a copy of the proposed Site Plan for reference.

As discussed, these lands were formerly in the Parkway Belt West Plan, but were later removed. Confirmation of this would be appreciated, as well as any other comments you may have. The subject lands are outlined in red in the map provided below:



I have also confirmed with our administrative staff that the address you provided me is the same as the one we have on file for circulations to the MMA/MHO. However, we did not have Ross Lashbrook as the contact, so we will be adding him moving forward, and hopefully this will help ensure all of our circulations are delivered to the appropriate staff on your end.

Should you have any questions, feel free to contact me.

Thank you and best regards,

**Letizia V. D'Addario, MES | MCIP | RPP
Planner**
905-832-8585 ext. 8213 | letizia.d'addario@vaughan.ca

City of Vaughan | Development Planning Department
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1
vaughan.ca



 Please consider the environment before printing this e-mail.

From: D'Addario, Letizia
Sent: Tuesday, November 06, 2018 1:05 PM
To: D'Addario, Letizia <Letizia.D'Addario@vaughan.ca>
Subject:

Please see attached files.....

PARKWAY BELT WEST PLAN
PROPOSED AMENDMENT # 100
CITY OF VAUGHAN

Introduction

The Parkway Belt West Plan (PBWP) was approved by the Ontario Cabinet in 1978. The process to amend the PBWP is provided in the Ontario Planning and Development Act, 1994.

Robert C. Stockey on behalf of the Humberlea Church of God has submitted an application to the Minister of Municipal Affairs and Housing to delete 1.76 hectares (4.3 acres) of land from the Parkway Belt West Plan.


Location and Designation

The subject lands are located in Part of Lot 3, Concession 7 in the City of Vaughan and are more specifically described as parts 16 and 17 on Plan 64R7756. The subject lands are located within the Northern Link (Woodbridge - Markham) of the Parkway Belt West Plan and are designated Public Open Space and Buffer Area in the Plan.

The Amendment

1. Map 1 is amended, as illustrated on Schedule A attached, by deleting approximately 1.76 hectares (4.3 acres) of land in the City of Vaughan, from the area covered by the Parkway Belt West Plan, July 1978; and,
2. Map 5 entitled "Northern Link (Woodbridge - Markham)" is amended, as illustrated on Schedule B attached, by deleting approximately 1.76 hectares (4.3 acres) of land in the City of Vaughan, from the area covered by the Parkway Belt West Plan, July 1978.

This amendment to the Parkway Belt West Plan is hereby approved under subsection 7(1) of the Ontario Planning and Development Act, 1994 as Amendment No. 100 to the Parkway Belt West Plan.

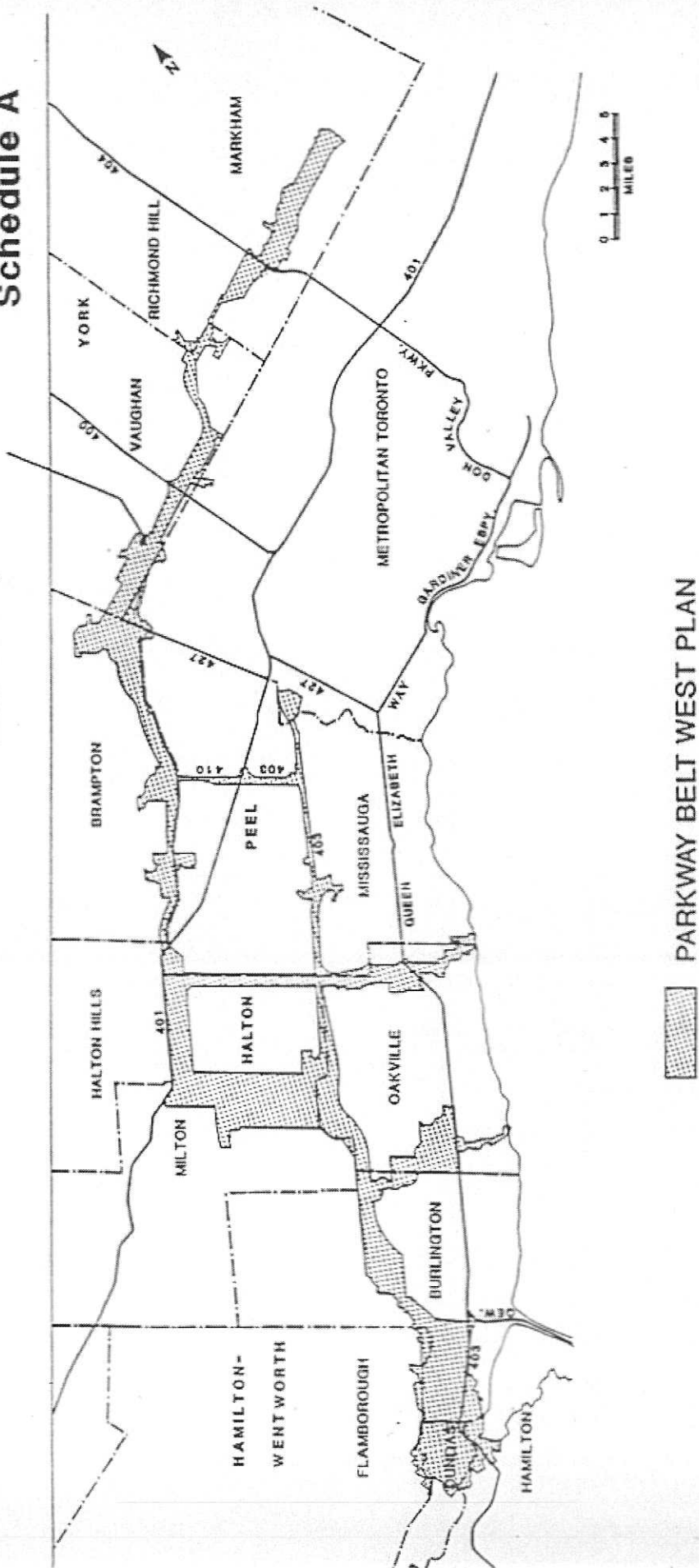

Minister of Municipal Affairs and
Housing

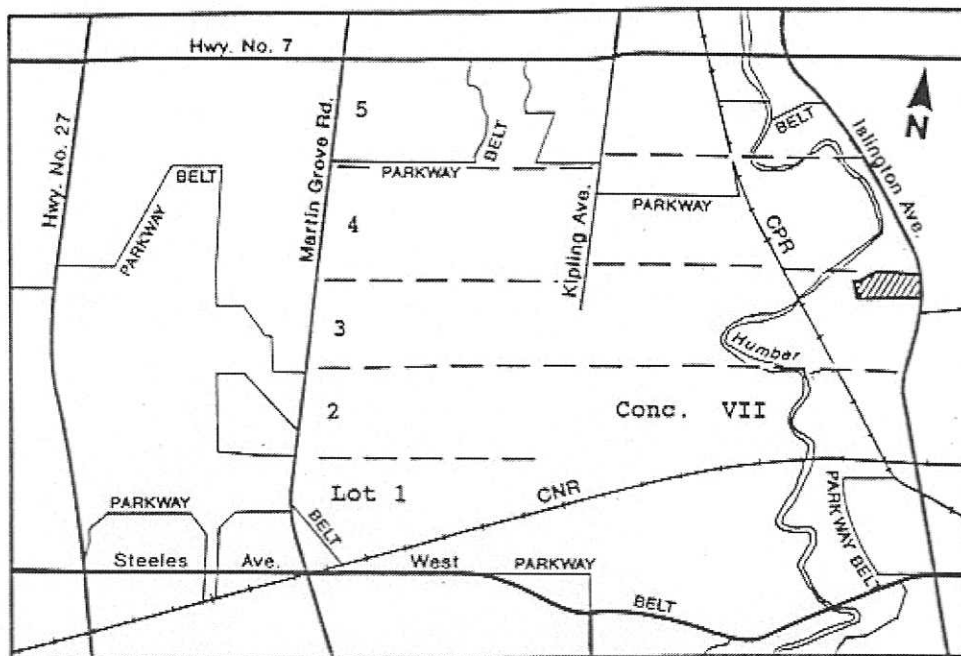
Dated at Toronto on MARCH, 14, 1996.

Map 1

Area Of Proposed Amendment

Schedule A





PARKWAY BELT WEST



AREA PROPOSED FOR DELETION

NORTHERN LINK (Woodbridge-Markham) Map 5

Schedule B

Base Information


Public Use Area

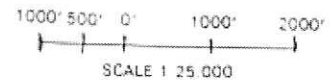
-  Public Open Space and Buffer Area
-  Utility
-  Electric Power Facility
-  Road
-  Inter-urban Transit

Built-up Area

Wooded Area


Orchard

 Area Proposed For Deletion



Complementary Use Area

General Complementary Use Area

 Special Complementary Use Area

SOURCE: National Topographic System

This map constitutes part of the Plan and should be read together with the text.

Ministry of Treasury, Economics, and Intergovernmental Affairs, 1978

**BUILT-UP AREA
AT
WOODBIDGE**

