

Committee of the Whole (1) Report

DATE: Tuesday, April 5, 2022

WARD: 2

TITLE: KINGSMEN (ISLINGTON) INC.

DRAFT PLAN OF CONDOMINIUM (STANDARD)

FILE 19CDM-21V007

9560, 9570, 9580 AND 9590 ISLINGTON AVENUE

VICINITY OF ISLINGTON AVENUE AND SONOMA BOULEVARD

FROM:

Haiping Xu, Deputy City Manager, Planning and Growth Management

ACTION: DECISION

Purpose

To seek approval from the Committee of the Whole for a Draft Plan of Condominium (Standard) application for the Subject Lands shown on Attachment 2, to create a condominium tenure for 104 stacked townhouse units with one level of underground parking, as shown on Attachments 4 to 7.

Report Highlights

- The Owner is proposing to create a condominium tenure for 104 stacked townhouse units.
- The Draft Plan of Condominium (Standard) consists of the areas dedicated to residential units, common landscaped areas and parking areas.
- The Draft Plan of Condominium conforms to Vaughan Official Plan 2010, complies with Zoning By-law 1-88 and is consistent with Council approved Site Development File DA.17.023.

Recommendation

1. THAT Draft Plan of Condominium (Standard) File 19CDM-21V007 (Kingsmen (Islington) Inc.), as shown on Attachments 4 to 7, BE DRAFT APPROVED, subject to the Conditions of Draft Approval set out in Attachment 1.

Background

The Subject Lands (the ‘Subject Lands’) are municipally known as 9560, 9570, 9580 and 9590 Islington Avenue, which are located on the west side of Islington Avenue, south of Napa Valley Avenue. The Subject Lands and surrounding uses are shown on Attachment 2.

Vaughan Council, on June 19, 2018, approved Zoning By-law Amendment File Z.17.011 and Site Development File DA.17.023 to rezone the Subject Lands from “A Agricultural Zone” to “RM2 Multiple Residential Zone” to facilitate the development of 104 stacked townhouse units within 4 blocks. The implementing Zoning By-law (By-law 121-2018) for the development was enacted by Vaughan Council on June 19, 2018, and the Site Plan Agreement for the development was executed on July 16, 2019. The approved site plan for the development is shown on Attachment 3.

Previous Reports/Authority

[November 7, 2017, Committee of the Whole \(Public Hearing\) for Z.17.011 \(Item 2, Report No. 40\).](#)

[June 19, 2018, Committee of the Whole for Z.17.011 and DA.17.023 \(Item 37, Report No. 21\).](#)

[March 1, 2022, Committee of the Whole for City-wide Comprehensive Zoning By-law 001-2021: Zoning By-law Amendment File Z.21.052 – Repeal and Replace Transition Provisions \(Item 2, Report No. 9\).](#)

[March 8, 2022, Committee of the Whole \(Public Meeting\) for General and Site-Specific Amendments to Comprehensive Zoning By-law Amendment File Z.21.052 \(Item 1, Report No. 14\).](#)

Analysis and Options

Kingsmen (Islington) Inc. (the ‘Owner’) has submitted Draft Plan of Condominium (Standard) File 19CDM-21V007 (‘the Application’) to create a condominium tenure for 104 stacked townhouse units (88 back-to-back stacked townhouse units and 16 stacked townhouse units), with one level of underground parking (‘the Development’), as shown on Attachments 4 to 7.

The Draft Plan of Condominium consists of the following:

- 104 residential units, including private balconies, rooftop terrace for all blocks and/or private at grade patios for Block 4, as shown on Attachment 3.

- 183 parking spaces (157 residential spaces and 24 visitor parking spaces within one level of underground parking) and 52 bicycle parking spaces.
- Common areas that include 2 at-grade parking spaces, 12 visitor bicycle parking spaces, walkways, drive aisles, and landscaped areas including the outdoor community amenity area.

The Draft Plan of Condominium (Standard) is consistent with and conforms to Provincial policies, the York Region Official Plan and Vaughan Official Plan 2010

The Provincial Policy Statement, 2020 ('PPS') and A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 (the 'Growth Plan') provide policy direction for land use planning and development for lands in Ontario. Section 1.4.1 of the PPS, Section 2.2.6. of the Growth Plan, and Section 3.5.4 of the York Region Official Plan ('YROP') requires an appropriate range and mix of housing options and densities be provided within "Settlement Areas" to meet the needs of current and future residents. The stacked townhouse built form of the Draft Plan of Condominium provides additional housing options for the area in the form of stacked townhouse dwelling units.

The Subject Lands are located within the "Urban Area" on Map 1 - Regional Structure, of the YROP. Section 5.3 of the YROP requires intensification to occur in strategic locations in the built-up area to maximize efficiencies in infrastructure and service delivery, along with transit ridership. The Subject Lands have frontage along Islington Avenue which is identified as a regional road on Map 12 – Street Network, of the YROP. Islington Avenue is currently serviced by York Region Rapid Transit Route 13 which operates northbound and southbound along Islington Avenue. In consideration of the above, the Application is consistent with and conforms to the PPS, Growth Plan and the YROP.

The Subject Lands are designated "Low-Rise Mixed-Use" by Vaughan Official Plan 2010 ('VOP 2010') with a maximum height of 4 storeys and a Floor Space Index ('FSI') of 1.5 times the area of the lot. Stacked townhouses are a permitted building type in the "Low-Rise Mixed-Use" designation. The Development approved by Council through Site Development File DA.17.023 consists of 104 stacked townhouse units with a height of 4 storeys and an FSI of 1.5 times the area of the lot, with one level of underground parking, as shown on Attachments 3 to 7. The Application would establish tenure for 104 stacked townhouse units within an approved development. The Application conforms to VOP 2010.

The Draft Plan of Condominium complies with Zoning By-law 1-88, but a technical amendment to Zoning By-law 001-2021 is required

The Subject Lands are zoned "RM2 Multiple Residential Zone" and subject to site-specific exception 9(1465) by Zoning By-law 1-88, as shown on Attachment 2. The

Application is consistent with the Development that was approved by Council through Zoning By-law Amendment File Z.17.011 and Site Development File DA.17.023 and complies with Zoning By-law 1-88. Building Permits have been issued and the Development is under construction on the Subject Lands.

On October 20, 2021, Council enacted By-law 001-2021 as the new Vaughan Comprehensive Zoning By-law. The Subject Lands were inadvertently zoned “A Agricultural Zone” by Zoning By-law 001-2021, as shown on Attachment 2, which is inconsistent with the zoning approved by Council through Zoning By-law Amendment File Z.17.011 (By-law 121-2018). The “A Agricultural Zone” does not permit the Development.

On March 1, 2022, the Development Planning Department brought forward a Committee of the Whole Report to amend the transition provisions of Zoning By-law 001-2021, which includes allowing Council decisions on development applications that were made prior to the passing of Zoning By-law 001-2021, to be recognized. The revised transition provisions of Zoning By-law 001-2021 were ratified and enacted by Council on March 22, 2022. The revised transition provision of Section 1.6.2.6 of Zoning By-law 001-2021 will allow the Council approval under Zoning By-law Amendment File Z.17.011 to be recognized.

On March 8, 2022, the Development Planning Department brought forward a Committee of the Whole (Public Meeting) Report to identify site-specific technical amendments to Zoning By-law 001-2021 that will be addressed at a future Committee of the Whole Meeting, which includes the Subject Lands (Attachment 2 of the March 8th Report). A technical amendment to Zoning By-law 001-2021 will be brought forward by the Development Planning Department to a future Committee of the Whole Meeting to rezone the Subject Lands from “A Agricultural” to an appropriate zone category, together with any site-specific exceptions required, to recognize the approval granted under Zoning By-law Amendment File Z.17.011, for the Development.

The Draft Plan of Condominium is consistent with the approved site plan for the Subject Lands

The Draft Plan of Condominium is consistent with approved Site Development File DA.17.023, however during the building permit stage, the following changes were made to the Development to meet the *Ontario Building and Fire Code*:

- exterior stairs of corner units for Blocks 1, 2 and 3 were reoriented.
- removeable bollards at the emergency accesses via Laneway V36 were replaced with electronic arm gates to allow better access to the site during emergencies.

Prior to the execution of the Condominium Agreement, the Owner is required to provide a revised site plan and landscape plan to the Development Planning Department to recognize the changes. A condition to this effect has been included in Attachment 1.

The Development Planning Department supports the approval of the Draft Plan of Condominium, subject to the comments and conditions outlined in this report

The Development Planning Department supports the approval of the Condominium Plan, subject to the comments in this report and conditions included in Attachment 1.

The Development Engineering Department has no objection to the Draft Plan of Condominium, subject to their condition of Draft Approval

The Development Engineering ('DE') Department has no objection to the Application, subject to the Owner providing documentation to the DE Department prior to registration of the condominium plans, to confirm that site plan conditions relating to noise warning clauses have been incorporated into all Agreements of Purchase, Sale and Lease, the Condominium Declaration, and the Condominium Agreement. A condition to this effect is included in Attachment 1.

The Environmental Services Department has no objection to the Draft Plan of Condominium, subject to dewatering requirements being satisfied

The Geotechnical Report prepared by Forward Engineering and Associates Inc., dated November 12, 2013, was submitted in support of Site Development File DA.17.023 for the Subject Lands. The report identifies high groundwater elevation that could affect the approved underground parking garage. The Owner will be required to provide a letter from their Structural Engineering to identify that the foundation is watertight, otherwise the Owner shall provide a Hydrogeological Report to confirm whether dewatering is required. If it is determined that dewatering is required, the Owner shall apply for and obtain Discharge Approval (which permits dewatering), to the satisfaction of the Environmental Services Department and conditions will be included in the Condominium Agreement. These conditions have been included in Attachment 1 for reference.

The Solid Waste Management Division of the Environmental Services Department has no objection to the Draft Plan of Condominium, subject to their condition

The Site Plan Agreement includes warning clauses for leasers and/or purchasers to indicate that waste collection and recycling is to be privately administered by the Condominium Corporation. However, since the registration of the Site Plan Agreement, changes to the City's waste management collection policies may allow the Development to be eligible for municipal pick-up, subject to a successfully completed application, site inspection, and an executed Agreement with the Solid Waste Management Division. Should the Condominium Corporation be deemed ineligible by the City or choose not to

enter into an Agreement with the City for municipal collection service, all waste collection services shall be privately administered and shall be the responsibility of the Condominium Corporation. A condition to this effect has been included in Attachment 1.

The Fire and Rescue Services Department has no objection to the Draft Plan of Condominium, subject to the Owner providing a revised site plan identifying electronic arm gates at the Laneway V36 emergency access points

The approved site plan for Site Development File DA.17.023, as shown on Attachment 3, identifies emergency accesses via Laneway V36 fitted with removeable bollards. However, the Fire and Rescue Services Department has identified electronic arm gates being more suitable for emergency service access onto the Subject Lands. Prior to final approval of the Condominium Plan, the Owner is required to submit a revised site plan that identifies the electronic arm gates at the emergency accesses along Laneway V36. The accesses via Laneway V36 are for emergency access only and are not to be used by future residents to enter and exit the site. A warning clause to this effect will be included in the Condominium Agreement as identified in Attachment 1.

The Vaughan Financial Planning and Development Finance Department has no objection to the Draft Plan of Condominium, subject to their condition of Draft Approval

The Vaughan Financial Planning and Development Finance Department has no objection to the Application, subject to the Owner paying all outstanding taxes, development charges and levies, as may be required. A condition to this effect is included in Attachment 1.

Other Departments of the City of Vaughan have no objection to the Draft Plan of Condominium

The Application was circulated to the Building Standards Department, the Parks Infrastructure Planning and Development Department, the Office of Infrastructure and Development - Real Estate Services, and to By-law and Compliance - Licensing and Permit Services of the City of Vaughan, and no comments or objections were received.

Canada Post has no objection to the Draft Plan of Condominium, subject to Conditions of Approval

The Owner is required to provide a community mailbox and satisfy all requirements of Canada Post. Conditions to this effect are included in Attachment 1.

All utility providers have no objection to the Draft Plan of Condominium, subject to their Conditions of Approval

Bell Canada, Rogers Communications, Alectra Utilities, and Enbridge Gas have no objections to the Application. The Owner is required to confirm that all required

easements and rights-of-way for each utility have been granted to the appropriate authority. A condition to this effect is included in Attachment 1.

Financial Impact

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

Broader Regional Impacts/Considerations

The York Region Community Planning and Development Services Department has no objection to the approval of the Application, subject to their conditions as outlined in Attachment 1.

Conclusion

Draft Plan of Condominium (Standard) File 19CDM-21V007 would create a condominium tenure for 104 stacked townhouse units on the Subject Lands. The Draft Plan of Condominium is consistent with and conforms to the PPS, Growth Plan, the YROP, VOP 2010, Zoning By-law 1-88 and Site Development File DA.17.023. Accordingly, the Development Planning Department can support the approval of the Application, subject to the Conditions of Draft Approval identified in Attachment 1.

For more information, please contact: Rebecca Roach, Planner at extension 8626.

Attachments

1. Conditions of Draft Approval.
2. Context and Location Map.
3. Approved Site Plan File DA.17.023.
4. Draft Plan of Condominium - Level 1.
5. Draft Plan of Condominium – Level 2.
6. Draft Plan of Condominium – Level 2 Continued.
7. Draft Plan of Condominium – Underground Parking (Level A).

Prepared by

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Approved by

A handwritten signature in cursive script, appearing to read 'Haiqing'.

Haiqing Xu, Deputy City Manager,
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Reviewed by

A handwritten signature in cursive script, appearing to read 'Nick'.

Nick Spensieri, City Manager