

Committee of the Whole (1) Report

DATE: Tuesday, April 9, 2024

WARD: 2

**TITLE: 5TH AVENUE HOMES (WOODBRIIDGE) INC.
OFFICIAL PLAN AMENDMENT FILE OP.22.021
ZONING BY-LAW AMENDMENT FILE Z.22.042
DRAFT PLAN OF SUBDIVISION FILE 19T-22V017
8473, 8477, 8487 ISLINGTON AVENUE
VICINITY OF ISLINGTON AVENUE AND LANGSTAFF ROAD**

FROM:

Haiqing Xu, Deputy City Manager, Planning and Growth Management

ACTION: DECISION

Purpose

To seek approval from the Committee of the Whole on applications to redesignate and rezone the Subject Lands to permit one development block of 23 front-loaded townhouse units accessed by a private road network, one natural area block, and one stormwater management block as shown on Attachments 2 to 7.

Report Highlights

- Official Plan and Zoning By-law Amendment applications are required to permit the development.
- A Draft Plan of Subdivision application is required to facilitate the development.
- The Development Planning Department supports the proposed development.

Recommendations

1. THAT Official Plan Amendment File OP.22.021 (5th Avenue Homes (Woodbridge) Inc.) BE APPROVED, to amend Vaughan Official Plan 2010, Volume 1 and Volume 2, for the subject lands shown on Attachment 1, as follows:
 - a) Increase the number of attached residential units in a townhouse row to 9 units.

- b) Remove the requirement for a front yard and front door to face a public street.
 - c) Allow a 16 m front facing distance between townhouses.
 - d) Increase the maximum building height to 13.05 m (3 storeys).
 - e) Permit townhouses to front upon a private laneway.
2. THAT Zoning By-law Amendment File Z.22.042 (5th Avenue Homes (Woodbridge) Inc.) BE APPROVED, to amend Zoning By-law 001-2021, to rezone the Subject Lands shown on Attachment 2, from “R2A(EN) Second Density Residential Established Neighbourhood Zone” and “Environmental Protection Zone” subject to site-specific Exception 14.336 to “RT1 Residential Townhouse Zone” and “Environmental Protection Zone” with a Holding Symbol “(H)” in the manner shown on Attachment 2, together with the site-specific zoning exceptions identified in Table 1, Attachment 8 of this report.
3. THAT the Holding Symbol “(H)” shall not be removed from the Subject Lands or any portion thereof, until the following condition is addressed to the satisfaction of the City:
- a) Vaughan Council adopts a resolution allocating sewage and water supply capacity in accordance with the City’s approved Servicing Capacity Distribution Policy assigning capacity to the subject lands.
4. THAT Draft Plan of Subdivision File 19T-22V017 (5th Avenue Homes (Woodbridge) Inc.) as shown on Attachment 4 BE DRAFT APPROVED, to create a total of 3 blocks: 1 development block, 1 natural area block, and 1 stormwater management block, subject to the Conditions of Draft Plan of Subdivision Approval in Attachment 9.
5. THAT Council’s approval of Draft Plan of Subdivision File 19T-22V017 (5th Avenue Homes (Woodbridge) Inc.), be for a period of three years from the date on which approval was given, and the approval shall lapse at the expiration of that time period.
6. THAT the Owner be permitted to apply for a Minor Variance Application(s) to the City of Vaughan Committee of Adjustment, if required, before the second anniversary of the day on which the implementing Zoning By-law for the subject lands came into effect, to permit minor adjustments to the implementing Zoning By-law.

Background

Location: 8473, 8477, and 8487 Islington Avenue (the ‘Subject Lands’). The Subject Lands and the surrounding land uses are shown on Attachment 1.

Date of Pre-Application Meeting: September 8, 2021

Date applications were deemed complete: January 31, 2023

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

5th Avenue Homes (Woodbridge) Inc., (the 'Owner') has submitted Official Plan and Zoning By-law Amendment and Draft Plan of Subdivision applications (the 'Applications') for the Subject Lands to permit 23 front-loaded townhouse units accessed by a private road network (one development block), one natural area block and one stormwater management block (the 'Development') as shown on Attachments 2 to 7.

A Site Development Application is required for the Development.

Related Site Development Application File DA.22.070, has been submitted. In accordance with Bill 109 and By-law 141-2022, the approval of Site Development Applications is delegated to the Deputy City Manager of Planning and Growth for approval. The Site Development Application will review building elevations and associated architectural materials, landscaping and site plan details to ensure City standards are met.

Should the Applications be approved, a Draft Plan of Condominium Application is required.

The townhouses are proposed on freehold parcels created via a Part Lot Control application(s), accessed by a common element road. Shared ownership of other infrastructure within the Development is also proposed. Therefore, the townhouses will become Parcels of Tied Land ('POTL's), as their freehold ownership is to be tied to the common element condominium. These details will be reviewed through the Draft Plan of Condominium Application.

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

- February 3, 2023 (Circulated 150 m from Subject Lands and to the expanded 500 m polling area as shown on Attachment 1):
- A Notice Sign was installed along the Islington Avenue frontage of the Subject Lands
- Date of Public Meeting: February 28, 2023, date ratified by Council March 21, 2023
- Date of Committee of the Whole Courtesy Notice sent to those requested to be notified: March 20, 2024

No Public Comments were received.

Previous Reports/Authority

The previous report related to the applications can be found at the following link: 5th Avenue Homes (Woodbridge) Inc., OP.22.021 and Z.22.042, [Public Meeting Report February 28, 2023, Committee of the Whole Public Meeting \(Item 5, Report 12\)](#)

Analysis and Options

The Development is consistent with the Provincial Policy Statement 2020 and conforms to the Growth Plan 2019, York Region Official Plan 2022 and Vaughan Official Plan 2010.

Provincial Policy Statement, 2020 ('PPS')

The PPS provides direction on matters of Provincial interest related to land use planning and development and include building strong, healthy communities with an emphasis on efficient development and land use patterns, wise use and management of resources, and protecting public health and safety.

The Subject Lands are within a Settlement Area and the Delineated Built-Up Area of the Built Boundary of York Region. The Development facilitates a compact urban form through the intensification of underutilized lands in the City's established Settlement Area where full municipal services exist. The compact urban form, the ability to utilize existing municipal infrastructure, and the opportunity to provide housing with varying unit sizes facilitates a higher density development that capitalizes on the transportation infrastructure investments, consistent with the PPS. Staff are satisfied that the Development is consistent with the PPS.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended (the 'Growth Plan')

The Growth Plan provides a framework for implementing the Province's vision for building strong, prosperous communities within the Greater Golden Horseshoe to 2041. The premise of the Growth Plan is building compact, vibrant and complete communities, developing a strong competitive economy, protecting and wisely using natural resources, and optimizing the use of existing and new infrastructure to support growth in a compact and efficient form. The Development shown on Attachments 2 to 7 conforms to the Growth Plan.

York Region Official Plan 2022 ('YROP 2022')

The YROP 2022 designates the Subject Lands 'Community Area' within the 'Urban Area', which permits a wide range of residential, commercial, industrial, and institutional uses. The Development, which conforms to the YROP 2022, provides for a denser and more intense development on a parcel of the land to accommodate future population growth.

Vaughan Official Plan 2010 ('VOP 2010'), Volume 2 – Woodbridge Centre Secondary Plan ('WCSP')

VOP 2010 sets out the municipality's general planning goals and policies that guide future land use. The Subject Lands are also within Volume 2, Section 11.11, WCSP. The primary focus of the WCSP is to provide guidance for development and investment within Woodbridge Centre. The Subject Lands are identified in VOP 2010 and the WCSP as follows:

- “Community Area” on Schedule 1 – “Urban Structure” of VOP 2010
- “Built-Up Valley Lands” and “Core Features” on Schedule 2 – “Natural Heritage Network” of VOP 2010
- “Low-Rise Residential” with “Low Density Heritage Residential Pockets” overlay on Volume 2, Section 11.11, WCSP

Townhouse dwellings should front and address the public street, and be in rows of 3-6 units. Private laneways (common element condominium roads) shall not be used to provide frontage for residential dwellings. Where a townhouse flanks a public street (end unit), the end unit shall provide a front yard and front door entrance facing the public street. The front-facing distance between townhouse unit should generally be a minimum of 18 m.

The “Low-Rise Residential” designation within the WCSP permits townhouse dwellings with a maximum height of 9.5 m (2 storeys).

The following amendments to VOP 2010 are required to permit the Development as shown on Attachments 2 to 7:

- Permit townhouse units in a configuration of up to 9 attached residential units (1 row of 9 attached units, 1 row of 8 attached units)
- Permit townhouses to front upon a private laneway.
- Permit townhouse units that do not face a public street, do not have a front yard facing a public street, and do not have a front door facing a public street.
- Permit a front-facing distance between townhouses of 16 m

The following amendment to the WCSP is required to permit the development as shown on Attachments 2 to 7:

- Permit a maximum building height of 13.05 m (3-storeys)

The Development shown on Attachments 2 and 3 provides for 23 front-facing townhouse units on a condominium road with natural areas to the east. The Development represents intensification in the form of incremental change to a stable Community Area. The additional residential uses increase density within the Low Density Residential Designation and contribute to a mix of housing options for the area.

The Development is compatible with the character and form of the surrounding context, representing the continuation of the existing townhouse and Low-Rise Building development south of the Subject Lands on the east side of Islington Avenue.

Block 2 is proposed to be zoned “EP Environmental Protection Zone” and will be dedicated to the Toronto and Region Conservation Authority (‘TRCA’), consistent with the policies of VOP 2010. Block 3, which includes stormwater management infrastructure to support the Development, will be maintained in private ownership and will also be zoned “EP Environmental Protection Zone”, supporting the intent of the official plan policies.

Townhouse units with frontage onto a private common element road are supported by Section 9.1.1.5 of VOP 2010, which requires common element roads to be designed to simulate a public street and conform to the policies outlined in Sections 9.1.1.1, 9.1.1.3, and 9.1.1.4. The Development conforms to these sections by providing sidewalks, pedestrian crossings, street trees and landscaping as shown on Attachment 3.

The facing distance of 16.9 m between townhouse blocks is appropriate given the Development provides a standard 6 m width for the common element road with an appropriate level of landscaping abutting the streets to ensure daylight and privacy conditions for individual units.

On this basis, the Development conforms to VOP 2010.

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

The Subject Lands are zoned “R2A(EN) Second Density Residential Zone (Established Neighbourhood)” and “EP Environmental Protection Zone” subject to site-specific Exception 14.336, as shown on Attachment 2. The R2A(EN) Zone permits single detached dwellings in addition to select community and accessory uses. The EP Zone permits conservation and passive recreational uses. The site-specific Exception does not contain provisions applicable to the Subject Lands.

The Owner proposes to rezone the Subject Lands to “RT1 Residential Townhouse Zone” and expand the “EP Environmental Protection Zone” boundary together with the following site-specific zoning exceptions to permit the Development, as shown in Table 1, Attachment 8.

The Owner also requested a 0 m lot line setback to the north retaining wall, identified as “1.8 m High Wood Privacy Fence on Retaining Wall”, generally located behind (north of) Block 1, Unit 9. Retaining walls at or above a height of 1 m require a setback equal to the height of the retaining wall. The north retaining wall(s) near Unit 9 are approximately 1 metre in height at their greatest extent. Development Engineering Department has advised that, if a retaining wall at or above 1 m in height is proposed, access in the form of easements or owned property is required to maintain the wall(s) and access the site in the event of a failure. In the absence of access easements for the north retaining wall(s), the retaining wall(s) must be set back their corresponding height of 1 m on the Subject Lands to carry out maintenance. Development Planning Department has excluded the Owner’s requested retaining wall setback reduction from Table 1 – Attachment 8 in response to Development Engineering’s comments.

Development Planning Department can support the zoning exceptions identified in Table 1 on the basis that the site-specific development standards will enable an appropriate level of intensification within a Community Area by providing a more compact built form and pedestrian realm relationship with access to transit.

Minor modifications may be made to the zoning exceptions identified in Attachment 8 Table 1 prior to the enactment of an implementing Zoning By-law, as required, should the Applications be approved.

A Holding Symbol “(H)” is recommended for the Subject Lands to satisfy the conditions of the City.

A Holding Symbol “(H)” is recommended to be placed on the Subject Lands until such time as servicing allocation is available for the Development. A condition to this effect is included in the Recommendation of this report.

The Development Planning Department recommends approval of the Draft Plan, subject to the Conditions of Approval.

Subdivision Design

The Draft Plan shown on Attachment 4 includes three blocks. Block 1 proposes 23 front-loaded townhouse dwelling units within 3 townhouse blocks, and a common element condominium road with 4 visitor parking spaces. Block 2 contains key natural heritage features associated with the Humber River Valley to be conveyed into public ownership. Block 3 contains stormwater management infrastructure to support the development in Block 1.

Urban Design

All development within the Draft Plan is required to proceed in accordance with the Vaughan Council approved City-Wide Urban Design Guidelines and VOP 2010 Urban Design Policies. A condition to this effect is included in Attachment 9a.

Archaeology

The Development Planning Department, Urban Design and Cultural Heritage Division has advised there are no built heritage concerns on the Subject Lands and is not identified as having archaeological potential, subject to any archaeological resources or human remains being located during construction.

Tree Protection Agreement

The Owner shall provide a detailed Tree Preservation Study to the satisfaction of the City. The study shall include an inventory of all existing trees, assessment of significant trees to be preserved and proposed methods of tree preservation based on the arborist report recommendations. The Owner shall enter into a tree protection agreement in accordance with City Council enacted Tree By-Law 052-2018. A condition to this effect is included within the Conditions of Approval in Attachment 9a.

The Development Planning Department is satisfied with the proposed Draft Plan of Subdivision design as shown on Attachment 4, subject to the Conditions of Approval in Attachment 9 of this report.

The Development achieves a minimum Sustainability Threshold Score.

The Development achieves an overall Sustainability Performance Metrics (SPM) application score of 34. This score meets minimum threshold requirements.

Financial Impact

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

Operational Impact

The Policy Planning and Environmental Sustainability Department supports the Development, subject to Conditions of Approval.

The Policy Planning and Environmental Sustainability Department has advised that there are natural heritage features on the Subject Lands, and has requested Conditions of Approval in Attachment 9a.

Warning clauses within the Draft Plan of Subdivision/Site Plan Agreement are also requested to inform the Owner that they are required to abide by the *Endangered Species Act, 2007* regulated by the Ministry of Natural Resources and Forestry (MNRF). The Owner is required to complete an information request form and submit it to the MNRF for confirmation of any potential Species at Risk on the Subject Lands. The Owner is also required to abide by the *Migratory Bird Convention Act, 1994*. The Owner shall not remove any trees within the breeding bird window in Vaughan from March 31 to August 31. If tree removals are necessary than bird nest sweeps and/or surveys shall be conducted by a qualified professional within 48 hours prior to the removal of trees.

The Development Engineering ('DE') Department supports the Development, subject to the conditions in this report.

The DE Department has provided the following comments:

Municipal Servicing – Water

The Subject Lands are located within the City's Pressure District 5 ('PD') and proposed to be serviced through a connection to a City watermain on Islington Avenue. The proposed service connection is sufficient to provide adequate pressures and flows to support the proposed development.

Municipal Servicing – Wastewater

There are no municipal sanitary sewers in the vicinity of the Subject Lands and said lands are proposed to be serviced via sanitary service connections to Regional Municipality of York's ('York Region') sanitary sewer located along Islington Avenue. The Owner shall obtain all necessary approvals/permits from York Region to its sole satisfaction prior to issuance of approval.

Municipal Servicing – Stormwater

There are no municipal storm sewers in the vicinity of the Subject Lands. They are located within the Humber River watershed which is within the jurisdiction of the Toronto and Region Conservation Authority ('TRCA'). The Subject Lands are proposed to be discharged to the Humber River via an outfall channel. The Owner shall obtain all necessary approvals/permits from TRCA) to its sole satisfaction prior to issuance of approval. Furthermore, the applicant shall clarify who will be responsible for the operation and maintenance of the proposed storm outfall and channel.

Noise Assessment

The Owner has submitted a noise report prepared by HGC Engineering dated November 30, 2022. The report concludes that the sound levels due to road traffic will exceed the Ministry of the Environment, Conservation and Parks limits.

The study indicates that the Development is feasible with the noise control measures and recommends upgraded building exterior components, central air conditioning, acoustic barrier, and noise warning clauses to be included in all Offers of Purchase and Sale or Lease and registered on title to make future occupants aware of potential noise situations. The final Noise Study must be approved to the satisfaction of the Development Engineering Department.

Environmental Engineering

The City reviewed the environmental site screening questionnaire provided by the Owner and no environmental site assessment concerns were identified. Should it be determined that Blocks 2 or 3 are to be conveyed to the City, a Phase 1 ESA will be required at a minimum.

Sewage and Water Allocation

Currently, there is limited available city-wide servicing capacity. However, York Region is expected to grant the City additional servicing capacity in 2024 as part of their Capacity Assignment cycle to Regional Municipalities. In the meantime, the City anticipates a Holding Symbol “(H)” will be required on the zoning for the above noted development application and the availability of regional servicing capacity will be assessed at the site plan approval stage. A condition to this effect is included in the Recommendation of this report.

Transportation

A Traffic Impact Study (‘TIS’) was supplied in support of the Applications for the Subject Lands. One driveway access is proposed for the Development which will facilitate right-in/right-out/left-out access to Islington Avenue. Through comments provided by York Region, left-in movements will be prohibited via a half pork-chop design of the access. The sight distance analysis for the driveway meets/exceeds the sightline criteria identified in City’s Design Criteria/Transportation Association of Canada Manual.

Transportation Engineering staff anticipate that the Development will introduce an acceptable transportation impact onto the surrounding networks.

Lot Grading

The grading, erosion and sediment control design drawings were submitted in support of the Subject Lands. The drawings should reflect upon all the special structures and property required necessary to service the Subject Lands. The Owner shall inform the City of any operation and maintenance obligations for future municipal or private infrastructure including retaining walls, soil stability requirements or other proposed structures necessary to facilitate the development of the Subject Lands.

Cash-in-Lieu of the dedication of parkland is required.

The Owner is required to pay to the City by way of certified cheque, cash-in-lieu of the dedication of the parkland, in accordance with the *Planning Act* and the City's cash-in-lieu Policy. A condition to this effect will be included in the future Site Plan Agreement.

The Toronto and Region Conservation Authority ('TRCA') supports the Development.

The TRCA has identified that the Subject Lands are within a historically urbanized portion of the Humber River valley corridor and are subject to Ontario Regulation 166/06.

Block 2 will be dedicated into public ownership, to the TRCA. Block 3, lands containing private servicing infrastructure, are being maintained under private ownership for future operations and maintenance.

The TRCA has no concerns with the Draft Plan and as such has not provided any Conditions of Approval. Any concerns as well as the dedication of land (Block 2), will be addressed through the Site Plan agreement.

Other external agencies and various utilities have no objection to the Development.

Canada Post, Alectra, Bell, Enbridge Gas Inc., have no objection(s) to the Development, subject to the conditions included in Attachments 9c to f.

Broader Regional Impacts/Considerations

York Region has determined the proposed amendment is a matter of local significance and does not adversely affect Regional planning policies or interest. York Region, on March 6, 2023, exempted the Official Plan Amendment Application from approval by the Regional Committee of the Whole and Council.

The Subject Lands abut Islington Avenue, a regional road. The Owner is required to satisfy all York Region requirements, subject to the comments and Conditions of Approval in Attachment 9b.

York Region, on March 7, 2024, provided the following comments for Site Development Application DA.22.070:

York Region requires the Access Operational Study prior to the approval of the Site Plan application. This is to ensure that safety standards for sightlines (5 x 5 m daylight triangles), potential turning movement conflicts, and u-turn as a result of the half pork-chop design are satisfied.

Conclusion

The Development Planning Department is satisfied the Applications are consistent with

the PPS, conform to the Growth Plan, YROP and VOP 2010, and are appropriate for the development of the Subject Lands. The Development is considered appropriate and compatible with existing and planned surrounding land uses. Accordingly, the Development Planning Department can recommend approval of the Applications, subject to the recommendations in this report and Conditions of Approval in Attachment 9.

For more information, please contact David Harding, Senior Planner, at extension 8409.

Attachments

1. Context and Location Map
2. Conceptual Site Plan and Proposed Zoning
3. Conceptual Landscape Plan
4. Draft Plan of Subdivision File 19T-22V017
5. Building Elevations Townhouse Block 1
6. Building Elevations Townhouse Block 2
7. Building Elevations Townhouse Block 3
8. Zoning By-law 001-2021 Table 1
9. Conditions of Draft Plan of Subdivision File 19T-22V017

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