

Committee of the Whole (1) Report

DATE: Tuesday, November 05, 2024

WARD: 1

**TITLE: KENTVIEW ESTATES INC.: OFFICIAL PLAN AMENDMENT
FILE OP.18.022, ZONING BY-LAW AMENDMENT FILE Z.18.035
– 10398 AND 10402 ISLINGTON AVENUE, VICINITY OF
ISLINGTON AVENUE AND NASHVILLE ROAD**

FROM:

Haiqing Xu, Deputy City Manager, Planning and Growth Management

ACTION: DECISION

Purpose

To seek approval from Council on applications to redesignate and rezone the subject lands shown on Attachments 1 and 2 to permit the development of 22, 3-storey and 4-storey townhouse units in five (5) blocks, with a total residential gross floor area of 4,125.40 m² on a private (common element condominium) road with access onto Islington Avenue, as shown on Attachments 3 to 6.

Report Highlights

- The Owner submitted Official Plan and Zoning By-law Amendment Files OP.18.022 and Z.18.035 to facilitate 22, 3-storey and 4-storey townhouse units in five (5) blocks with a total residential gross floor area of 4,125.40 m² on a private (common element condominium) road with access onto Islington Avenue.
- The development's overall architectural composition of the proposed buildings conforms to the policies and guidelines of the Kleinburg-Nashville Heritage Conservation District Study and Plan.
- The Development Planning Department supports the development as it is consistent with the Provincial Policy Statement, 2020 and Provincial Planning Statement, 2024, conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2019, as amended, the York Region Official Plan 2022 and York Region Official Plan 2010, and meets the intent of Vaughan Official Plan 2010, and is considered to be compatible with the surrounding existing and planned land uses, as outlined in this report.

Recommendations

1. THAT Official Plan Amendment File OP.18.022 (Kleinburg Estates 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) redesignate a portion of the subject lands from “Natural Areas” to “Village Residential”;
 - b) increase the maximum permitted building height from 2 ½ storeys (9.5 m) to four (4) storeys (12 m); and
 - c) permit street townhouse dwellings on a common element road which are not permitted;
2. THAT Zoning By-law Amendment File Z.18.035 (Kleinburg Estates Inc.) BE APPROVED, to amend Zoning By-law 1-88, to rezone the subject lands shown on Attachment 1, from “R1 Residential Zone” and “OS1 Open Space Conservation Zone” in Zoning By-law 1-88 to “RT1- Residential Townhouse Zone” and “OS1 Open Space Conservation Zone” in the manner shown on Attachment 3, together with the site-specific zoning exceptions identified in Table 1 of this report; and
3. THAT prior to the implementation of any Official Plan Amendment or Zoning By-law Amendment, the Owner is required to complete an information request form and submit it to the Ministry of Natural Resources and Forestry for confirmation of any potential Species at Risk on the Subject Lands and that the Redside Dace habitat will be protected with a 30 m buffer from meander belt from development activities and the extent of the impact on bats due to the proposed tree removals to the satisfaction of the City.

Background

Location: 10398 and 10402 Islington Avenue (the ‘Subject Lands’). The Subject Lands and the surrounding land uses are shown on Attachment 1.

The Official Plan and Zoning By-law Amendment applications were originally submitted to permit the development of 22, 4-storey (12.4 m) townhouse dwelling units within three (3) buildings

The Owner had submitted Official Plan and Zoning By-law Amendment Files OP.18.022 and Z.18.035 for the Subject Lands shown on Attachments 8 and 9, to permit 22, 4-storey (12.4 m) townhouse dwelling units within three (3) buildings on a private road with a total residential gross floor area of 4,896 m².

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

- Date of Notice: February 8, 2019

- Circulation: 150 m from the Subject Lands as shown on Attachment 1 and to the Kleinburg and Area Ratepayers' Association and to anyone on file with the Office of the City Clerk having requested notice
- Location of Notice Sign: Islington Avenue
- Date of Public Meeting: March 5, 2019, with recommendations ratified by Council on March 19, 2019
- Community Meeting: September 12, 2023

Public Comments were received

The following is a summary of the comments provided and received to date. The comments are organized by theme as follows:

Density, Built Form, and Building Design

- the development does not conform to the Kleinburg-Nashville Heritage Conservation District Plan ('KNHCD Plan')
- the proposed building height and Floor Space Index ('FSI') are not in accordance with Vaughan Official Plan 2010 ('VOP 2010')

Traffic

- additional traffic to add to the already congested road network
- road widenings on surrounding roads are required to support increased users from the recent and proposed developments

Servicing Infrastructure

- investment in the servicing infrastructure is necessary to accommodate future development to alleviate servicing issues on the existing community

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

The Owner has submitted the following revised applications (the 'Applications') for the Subject Lands to permit the development of 22, 3-storey and 4-storey townhouse units in five (5) blocks with a total residential gross floor area of 4,125.40 m² on a private (common element condominium) road (the 'Development') as shown on Attachments 3 to 6.

Related Draft Plan of Subdivision File 19T-24V006 has been submitted to create the Parcels of Tied Land ('POTLs') for the Development

The Owner has submitted a Draft Plan of Subdivision Application ('Draft Plan') to create the POTLs to permit the freehold townhouses on a private road. The Draft Plan shown on Attachment 7 proposes to create five (5) residential blocks comprised of between three (3) to six (6) dwelling units. In accordance with Bill 23, Site Development Applications are no longer required for development containing 10 residential units or less, on a legal lot or block. Therefore, upon registration of the Draft Plan for the Subject

Lands, a Site Development Application will not be required for this Development should the Applications be approved.

A second Public Meeting was held on November 28, 2023, to consider the Applications

- Date of Notice: November 3, 2023
- Circulation: 150 m from the Subject Lands as shown on Attachment 1 and to the Kleinburg and Area Ratepayers' Association and to anyone on file with the Office of the City Clerk having requested notice
- Location of Notice Sign: Islington Avenue
- Date of Public Meeting: November 28, 2023, ratified by Council on December 12, 2023
- Date of Committee of the Whole Courtesy Notice sent to those requested to be notified: October 28, 2024

Public Comments were received

The following is a summary of the comments provided and received to date. The comments are organized by theme as follows:

Architectural Design

- the revised development provides an attractive street facing presence

Housing

- the development will provide required housing

Density, Built Form, and Building Design

- conformity to the KNHCD Plan
- the proposed building height and Floor Space Index ('FSI') are not in accordance with Vaughan Official Plan 2010 ('VOP 2010')

Traffic

- additional traffic to add to the already congested road network
- road widenings on surrounding roads are required to support increased users from the recent and proposed developments

Servicing Infrastructure

- investment in the servicing infrastructure is necessary to accommodate future development to alleviate servicing issues on the existing community.

These comments are addressed throughout this report.

Previous Reports/Authority

Previous reports related to the Applications can be found at the following links:

[March 5, 2019, Committee of the Whole Public Meeting \(Item 1, Report 12\) and March 19, Council Extract](#)

[November 28, 2023, Committee of the Whole Public Meeting \(Item 3, Report 49\) and December 12, 2024, Council Extract](#)

[June 11, 2024, Heritage Vaughan Committee \(Item 2, Report 8\)](#)

[Sept 10, 2024, Committee of the Whole \(Heritage Vaughan Committee Transmittal\) \(Item 10, Report 27\) and September 24, 2024, Council Extract](#)

Analysis and Options

The Development is consistent with the Provincial Planning Statement, 2024 ('PPS 2024') and Provincial Policy Statement, 2020 ('PPS 2020'), conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended ('Growth Plan'), the York Region Official Plan, 2010 ('YROP 2010') and the York Region Official Plan, 2022 ('YROP 2022') and meets the intent of Vaughan Official Plan ('VOP 2010')

PPS 2024

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 is consistent with PPS 2024. Staff are satisfied that the Development is consistent with the PPS 2024.

PPS 2020

The PPS 2020 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 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 Development is compatible with the existing uses within the area. Additionally, the Subject Lands are located in an area where servicing and infrastructure are available for the Development consistent with the PPS 2020. Staff are satisfied that the Development is consistent with the PPS 2020.

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 is consistent with the policy framework of the Growth Plan as the proposed built form would utilize the Subject Lands more efficiently, make more efficient use of existing infrastructure, and provide housing at a density that is supportive of the Growth Plan objectives and implementing the goals and objectives of the municipal cultural heritage plan. The Development conforms to the Growth Plan.

YROP 2022

York Region Council adopted the YROP 2022 in June 2022. YROP 2022 was approved, as modified, by the Minister of Municipal Affairs and Housing in November 2022, bringing it into full force and effect. Bill 150 (*Planning Statue Law Amendment Act, 2023*) and Bill 162 (*Get It Done Act, 2024*) later rescinded some of those modifications.

On June 6, 2024, Bill 185 (*Cutting Red Tape to Build More Homes Act, 2024*) ('Bill 185') received Royal Assent which includes amendments to the *Planning Act*. In accordance with the amendments to the *Planning Act* implemented through Bill 185, York region became a Region without planning responsibilities effective July 1, 2024.

Pursuant to subsection 70.13(2) of the *Planning Act*, YROP 2022 is deemed to constitute an official plan of the City in respect of any area in the City to which it applies and will remain in effect until the City revokes or amends it.

The YROP 2022 designates the Subject Lands "Urban Area", which permits a wide range of residential, commercial, industrial, and institutional uses. The Subject Lands are located within a "Local Centre" that supports limited intensification where a range of housing is provided with appropriate forms and scale that complements the surrounding community. The Development, which conforms to the YROP 2022, provides for a denser and more intense development on a parcel of the land in the Local Centre.

YROP 2010

The YROP 2022 replaces YROP 2010 with respect to applications not deemed to be complete as of the YROP 2022 date of approval (Transition Policy 7.4.13). As the Applications were deemed complete prior to the approval of YROP 2022, YROP 2010 remains as the in-force Regional Official Plan against which conformity of the Applications is measured.

The YROP 2010 designates the Subject Lands, 'Urban Area', which permits a wide range of residential, commercial, industrial, and institutional uses. The Subject Lands are located within a "Local Centre" that supports limited intensification where a range of housing is provided with appropriate forms and scale that complements the surrounding community. The Development, which conforms to the YROP 2010, provides for a denser and more intense development on a parcel of the land in the Local Centre.

VOP 2010

VOP 2010 sets out the municipality's general planning goals and policies that guide future land use. The Subject Lands are identified in VOP 2010 as follows:

- "Local Centre (Intensification Area)" on Schedule 1 – Urban Structure of VOP 2010
- "Village Residential" and "Natural Areas" by VOP 2010 Volume 2, Area Specific Policy 12.4 – Kleinburg Core
- The "Village Residential" designation permits detached dwelling units at a maximum building height of 9.5 m.

The "Village Residential" and "Natural Areas" designations do not permit townhouse dwellings at a building height of three (3) and four (4) storeys (12 m). The following amendments to VOP 2010 are required to permit the Development as shown on Attachments 3 to 6:

- redesignate a portion of the subject lands from "Natural Areas" to "Village Residential";
- increase the maximum permitted building height from 2 ½ storeys (9.5 m) to four (4) storeys (12 m); and
- permit street townhouse dwellings on a common element road which are not permitted.

The goals and policies in VOP 2010, Volume 2, Section 12.4 – Kleinburg Core state (in part):

- 12.4.1.1 a. General:
- i. Ensure that land use and built form are compatible with the scale and character of the existing community and integrated with the existing and contemplated pattern of development in the surrounding area;

c. Residential Areas/Neighbourhoods:

- i. Provide for predominantly low-density residential development consistent with the character of the existing community;
- ii. Ensure quality urban design and architecture;
- iii. Provide attractive streetscapes through attention to the design of the public realm, built form and the relationship between private development and the public realm; and,
- iv. Ensure that the residential development within the Kleinburg Core Area takes place in accordance with the provisions of the Kleinburg Nashville Heritage Conservation District Plan, adopted by By-law 183-2003 as amended by By-law 268-2003, and remains at a village scale and complements the historic, rural village character and architectural heritage of the community.

d. Heritage:

- iii. Encourage that new development along the historic core areas of Kleinburg be sympathetic in scale, massing and architectural design with the existing 19th and early 20th Century heritage buildings in these historic core areas;
- iv. Ensure that development or redevelopment occurs in accordance with the provisions of the Kleinburg-Nashville Heritage Conservation District Plan adopted by By-law 183-2003 as amended by By-law 268-2003 and designated under Part V of the *Ontario Heritage Act*;

12.4.10.2 New development and redevelopment in the Core Area shall be compatible with, and complementary to, the distinctive and historic character of the building, with particular regard for the scale, setback, spacing, massing, and architectural design. Detailed development standards will be set out in the implementing zoning by-law.

The Development Planning Department can support the proposed amendments to VOP 2010 for the following reasons:

a) Location and Surrounding Lands

The Subject Lands are located on Islington Avenue, a minor collector road, and within a Local Centre as defined by VOP 2010. The Subject Lands abut an open space / valley corridor associated with a tributary of the Humber River to its north and west. The Development is also partially located behind an existing 1-storey Bell Canada utility building and is across the street from the Kleinburg Public Elementary School to the east. To the south is a 3-storey apartment building. The

surrounding open space / valley corridor and buildings help to minimize any impact that the Development could have on of the surrounding community.

b) Permitted Use

The “Village Residential” designation in VOP 2010 permits detached residential dwellings. The VOP 2010, under the Low-Rise Residential policy includes townhouse dwellings as a permitted low-rise which allows for limited intensification which is keeping with the Subject Lands location within a Local Centre.

The redesignation of a portion of the Subject Lands from “Natural Areas” to “Village Residential” is due to the development limits being established by the Toronto and Region Conservation Authority (‘TRCA’) in accordance with Policy 3.3.1.3. of VOP 2010. TRCA, on May 7, 2024, advised that there was no objection to the Applications subject to the Owner obtaining all planning approvals before submitting a permit application to TRCA pursuant to Ontario Regulation 41/24 to facilitate the Development.

c) Building Height and Scale

Policy 12.4.7.b.i. of the Kleinburg Core states, “New development will be compatible with adjacent and neighbouring development by ensuring that the siting and massing of new buildings does not result in negative impacts on adjacent properties, particularly with regard to overlook, shadows, wind and other environmental and compatibility factors.” Policy 12.4.10.2 of the Kleinburg Core further states, “New buildings, additions to buildings or the redevelopment of existing sites in the Core Areas of Kleinburg or Nashville shall generally not exceed a maximum height of 9.5 metres above finished grade.”

The proposed building height of four (4) storeys (12 m) exceeds the maximum building height of 2 ½ storeys (9.5 m) permitted by the “Village Residential” designation in VOP 2010. However, the 4-storey height of the low-rise building form of townhouses is absorbed into the grading of the Subject Lands sloping to the west, and screened by the open space / valley lands, as well as partially screened by the surrounding buildings. The location of the Subject Lands and the siting of the buildings on the Subject Lands minimizes the impact of any shadowing on the adjacent lands and privacy concerns.

The Development is for a 4-storey (12 m) high building. The building height for the Development, as shown on Attachments 5 and 6, is compatible to the building height of the adjacent 3-storey Averton Common (Kleinburg) Inc. residential development to the south at 10360 Islington Avenue. The 4-storey height is due to the buildings providing for roof-top amenity space on the 4th level (rooftop) for Blocks 2 to 5. The townhouse dwellings (Block 1) facing Islington

Avenue are lower in building height at three (3) storeys with the amenity space over the garage.

The Applications maintain the intent of VOP 2010 by contributing to the housing mix and provides a more intense development in the Local Centre in accordance with the Provincial policies. The Development is an appropriate transition in built form within the surrounding land uses, thereby demonstrating compatibility between the existing buildings and proposed building type. For these reasons the Development Planning staff can support the Applications.

The Heritage Vaughan Committee recommended approval of the Development and Vaughan Council ratified the Committee's recommendation

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

Policy 4.4.2 Residential Area of the KNHCD Plan Part 2 states that, "New residential construction in the residential villages shall respect local heritage precedents in scale and massing and shall not predominate over the existing adjacent buildings. It further states that, "New development shall not exceed a building height of 9.5 m." The KNHCD Plan Part 2 also states that, "New development shall not be designed to a greater height or scale than the surrounding buildings, it should fit in with the existing streetscape in terms of rhythm, alignment and spacing."

The design vocabulary for the project is inspired by Georgian architecture, a local precedent style. the proposed development will enhance, rather than detract from the heritage character of the KNHCD as described in the KNHCD Plan. The townhouse dwellings exceed the allowable height for scale and massing within the KNHCD. However, the architectural appearance of the townhouses with a mansard roof and dormers, where the height of the midpoint of the mansard slope is set to 9.47 m, visually respects the policy framework, but actual height to the top of the building is 12 m. The Development has been reviewed in consideration of the policies of the KNHCD Plan and is consistent with the relevant policies and objectives of the KNHCD Plan.

The Heritage Vaughan Committee ('HVC') at its June 11, 2024, meeting considered the Development and recommended approval the Development subject to the following conditions:

- "a) Any significant changes to the proposal by the Owner may require reconsideration by the Heritage Vaughan Committee, which shall be determined at the discretion of the Director of Development Planning and Manager of Urban Design and Cultural Heritage;

- b) That Heritage Vaughan Committee recommendations to Council do not constitute specific support for any development application under the *Planning Act* or permits currently under review or to be submitted in the future by the Owner as it relates to the subject Applications;
- c) That the Owner submit Building Permit stage architectural drawings and building material specifications to the satisfaction of the Vaughan Development Planning Department, Urban Design and Cultural Heritage Division.”

Vaughan Council on September 24, 2024, ratified the recommendations of the HVC.

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

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

Summary of Planning Policies

In consideration of the applicable Provincial policies, and Regional and City Official Plan policies outlined in this report, the Development provides an appropriate residential built form that is compatible, but not identical, with the surrounding community. The Development is an appropriate transition in built form within the surrounding land uses, thereby demonstrating compatibility between the existing and proposed buildings, contributing to the housing mix and provides a more intense development in the Local Centre in accordance with the Provincial policies. The Development is in keeping with the KNHCD Plan, as it will contribute positively to the overall character of the KNHCD. The Development Planning Department is of the opinion that the Development is consistent with the policies of the PPS 2024 and PPS 2020, conforms to the Growth Plan, YROP 2022 and YROP 2010 and maintains the intent of VOP 2010 and the KNHCD Plan.

On October 20, 2021, Council adopted the new Comprehensive Zoning By-law 001-2021

On October 20, 2021, Council adopted the new Comprehensive Zoning By-law 001-2021 (‘CZBL’). The CZBL replaces Zoning By-law 1-88, with the exception of matters of transition pursuant to section 1.6 of the CZBL and areas within the Yonge-Steeles Corridor Secondary Plan area.

The CZBL has been appealed to the Ontario Land Tribunal (‘OLT’) by a number of appellants. The OLT issued an order on December 28, 2022, which was subsequently

corrected on March 28, 2023, bringing into effect sections of the CZBL that have not been appealed.

As the Applications were received by the City on November 6, 2018, and were deemed complete on November 26, 2018, the transition provisions under Section 1.6 of the CZBL apply and therefore the Applications were subject to a review under Zoning By-law 1-88. The Owner appealed the CZBL.

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

Zoning:

- “R1 Residential Zone” and “OS1 Open Space Conservation Zone” by Zoning By-law 1-88
- These zones do not permit the Development.
- The Owner proposes to rezone the Subject Lands to “RT1- Residential Townhouse Zone”, together with the following site-specific zoning exceptions in Table 1 (Attachment 10) to permit the Development shown on Attachments 3 to 6 and “OS1 Open Space Conservation Zone”.

The Development Planning Department can support the zoning exceptions identified in Table 1 on the basis that the proposed site-specific zoning standards identified in Table 1 would facilitate a development that is consistent with the policies of the PPS 2024 and PPS 2020, conforms to the Growth Plan, YROP 2022 and YROP 2010 and maintains the intent of VOP 2010. The site-specific development standards will provide a built form that contributes to the housing mix and provides a more intense development in the Local Centre that is supported in the Local Centre Intensification Area in accordance with the Provincial policies and VOP 2010.

Minor modifications may be made to the zoning exceptions identified in Table 1 (Attachment 10) prior to the enactment of an implementing Zoning By-law, as required, should the Applications be approved.

Financial Impact

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

Operational Impact

The Policy Planning and Special Programs (‘PPSP’) Department supports the Development

The Environmental Impact Statement has identified potential Species at Risk (‘SAR’) within the Subject Lands, which are protected under the *Endangered Species Act (2007)*. All applications regardless of their location are required to abide by the *Endangered Species Act (2007)* regulated by the Ministry of Natural Resources and Forestry (‘MNR’). The Owner is required to complete an information request form and

submit it to the MNRF for confirmation of any potential SAR on the Subject Lands and to address the following:

- a. As per the mapping from the MNRF, this reach of the Humber River is classified as 'occupied habitat' for Redside Dace. The guidance for development activities in Redside Dace protected habitat prepared by the Province, requires a 30 m from meander belt to be protected as Redside Dace habitat. Confirmation is needed from MNRF that this reach of Humber River is or is not expected to meet these regulatory requirements.
- b. There is potential SAR but impacts due to the proposed tree removals. Confirm the extent of the impact.

A condition to this effect is included in the recommendations of this report.

The City will also seek conveyance of the valley lands into public ownership as per Policy 3.2.3.1.d. of VOP 2010.

The Development Engineering ('DE') Department supports the Development, subject to the comments and conditions being addressed at the Draft Plan stage

The DE Department has provided the following comments:

Water Servicing

The Subject Lands are situated within Pressure District Kleinburg-Nashville ('PD-KN'). The existing municipal water infrastructure adjacent to the Subject Lands consists of a 200 mm diameter watermain along the east side of Islington Avenue and a 350 mm diameter watermain on the west side of Islington Avenue. The Functional Servicing and Stormwater Management Report, prepared by Fabian Papa and Partners and dated April 12, 2024, states that with other projects in the area, the static pressure near the Subject Lands is in the order of 70 to 75 psi. The Owner has provided a hydrant flow and pressure test to confirm that the proposed service connection can provide adequate pressures and flows to service the Subject Lands.

Sanitary Servicing

Sanitary infrastructure adjacent to the Subject Lands consists of a 300 mm diameter sewer on Islington Avenue which drains south to Pennon Road, then west to an easement connected to Westridge Drive, ultimately discharging to the Kleinburg Water Pollution Control Plant in the Humber Valley Corridor. The Subject Lands fall within the Kleinburg-Nashville Secondary Plan Area ('KNSPA') for which the City has retained Civica Infrastructure Inc. to prepare a Core Servicing Strategy Study ('CSS Study'). This CSS Study is intended to identify any servicing constraints to accommodate development in the KNSPA. As such, the following comments are provided in

conjunction with the City's Infrastructure Planning and Corporate Asset Management Department comments:

1. On November 8, 2012, the City completed and issued a Notice of Study Completion for the Kleinburg-Nashville Servicing Strategy Master Plan Class Environmental Assessment ('K-N EA'). This K-N EA was initiated as an extension of the Region's water supply storage and wastewater servicing capacity class environmental assessment, and to accommodate approved active development within Kleinburg-Nashville area at the time. There were improvements identified in the K-N EA that were financed and constructed by approved active development within Kleinburg-Nashville area. The Subject Lands' site-specific Applications for a development respecting intensification was not considered in the K-N EA.
2. The City has recently completed a sanitary sewer system optimization study, Focus Area CSS Study for the Kleinburg-Nashville Area. The CSS Study has identified capacity limitations within the local sanitary sewer conveyance system (leading to the Region's Water Resource Recovery Facility). The SS Study has recommended required system improvements to accommodate new growth.
3. The Owner shall provide the City a one-time financial contribution in the amount of \$143,742.43 (Updated). This represents the Owner's proportionate share of the required sanitary sewer system improvements in the Kleinburg-Nashville service area. The calculation is based on sanitary sewer system upgrades identified in the CSS Study.

Storm Servicing

The existing storm infrastructure adjacent to the Subject Lands is limited to a local storm sewer along Islington Avenue which drains southerly towards Pennon Road. Overall drainage from the Subject Lands is currently split such that a portion drains easterly towards Islington Avenue and the balance sheet drains westerly to Humber River. The proposed grading and servicing for the Development will be designed to maintain this drainage pattern. A portion of the Subject Lands will continue to sheet drain directly to Humber River and the balance of the Subject Lands will be collected, controlled, and discharged to the existing storm sewer system on Islington Avenue. The stormwater management system for the Subject Lands will be designed to limit the discharge to the Islington Avenue storm sewer and Humber River to the pre-development levels, or less, to ensure there is no negative impact on the neighboring lands.

Lot Grading

The existing drainage from the Subject Lands is split where a portion drains in an easterly direction towards the street catch basins on Islington Avenue and the balance of the Subject Lands (and the majority) drains westerly towards Humber River. The

allowable drainage from the Subject Lands must not exceed the runoff rate equivalent to the peak runoff rate from the Subject Lands under pre-development conditions for any given storm event. There is external drainage from the adjacent property to the north which discharges onto the Subject Lands. This flow will continue to sheet drain onto the Subject Lands and will be collected by proposed swales along the north limit of the Subject Lands and ultimately be captured in the proposed storm sewer system.

Noise Assessment

The Owner submitted a Noise Study to investigate the potential noise impact from the Subject Lands onto the closest noise-sensitive uses and compared the sound levels with the applicable Ministry of the Environment, Conservation and Parks ('MECP') noise guideline limits. Based on the study the following warning clauses should be registered on title and/or included in all agreements of purchase and sale and/or leases and/or disclosure statements and declarations for the development:

Transportation Noise Sources

MECP Type A - Blocks 2, 3, 4 and 5:

"Purchasers/tenants are advised that sound levels due to increasing road traffic (rail traffic) (air traffic) may occasionally interfere with some activities of the dwelling occupants as the sound level exceed the sound level limits of the Municipality and the Ministry of the Environment, Conservation and Parks."

MECP Type C - Blocks 2, 3, 4 and 5:

"This dwelling unit has been designed with the provision for adding central air conditioning at the occupant's discretion. Installation of central air conditioning by the occupant in low and medium density developments will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound level limits of the Municipality and the Ministry of the Environment, Conservation and Parks."

MECP Type D - Block 1:

"This dwelling unit has been supplied with a central air conditioning system which will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels limits of the Municipality and the Ministry of the Environment, Conservation and Parks."

Road Network

The Development is expected to generate nine (9), two-way trips (two (2) inbound and seven (7) out-bound trips) during the weekday a.m. peak period and 11, two-way trips (seven (7) inbound and four (4) outbound trips) during the p.m. peak period. The Owner's consultant utilized the Institute of Transportation Engineers ('ITE') Trip Generation Guide, an internationally accepted trip calculation guide, to estimate the number of trips that would be generated by the Development.

The Transportation Operations Letter ('Letter') by C.F. Crozier and Associates Inc. and dated January 26, 2024, concludes that the traffic volumes generated by the Development is a small component of total traffic passing through the intersections of study area during the peak hours and therefore is minor factor in intersection operation and determination of improvements. Furthermore, the sight distance analysis as presented in the Letter indicates that proposed driveway meets/exceeds the sightline criteria as identified in the City's Design Criteria and Transportation of Canada Manual. DE concurs with the overall study and methodology and accept its conclusions and recommendations.

Transportation Demand Management

A letter of credit that covers the costs associated with Transportation Demand Management ('TDM') plan might be requested at the Site Plan Application stage.

Environmental Engineering

The Owner submitted a Phase One Environmental Site Assessment ('ESA'), a Phase Two ESA, and a Reliance Letter which have been reviewed to the satisfaction of the Environmental Engineering Division.

Servicing Allocation

The availability of servicing capacity for the Development will be assessed the appropriate time in the Draft Plan stage.

Community Benefits Charge ('CBC') is not applicable for this Development

The criteria for CBC being five (5) or more storeys and 10 or more units. The City passed CBC By-law 201-2022 on September 14, 2022, which is therefore the applicable mechanism used to collect community benefits. This Development does not meet the criteria for both the building height and unit number as the building height is four (4) storeys notwithstanding the Development providing 22 units. Accordingly, the CBC is not applicable to this Development.

City Departments, external agencies and various utilities provided comments or have no objections to the Development

The Development Planning Department, Urban Design and Cultural Heritage Division, Environmental Services (Waste Management) Department, Financial Planning and Development Finance Department, Parks, Forestry and Horticulture Operations Department, Parks Infrastructure Planning and Development Department, and Policy Planning and Special Programs (Environmental Planning) Department at the City of Vaughan, as well as Alectra Utilities have no objections to the Development, subject to their comments and conditions being addressed through the Draft Plan, should the Applications be approved.

By-law and Compliance, Licensing and Permit Services, Financial Services, Fire and Rescue Service, Enbridge Gas, and Rogers Communications have no objections to the Development.

Broader Regional Impacts/Considerations

York Region has advised that this Development does not adversely affect Regional interests and has no objection to its approval

The Applications have been circulated to York Region for the purpose of receiving comments with regard to Regional interests i.e., roads and servicing infrastructure. The Subject Lands are located on the segment of the Islington Avenue road allowance that is under the jurisdiction of the City of Vaughan. York Region advised that this Development does not adversely affect Regional interests and accordingly has no objection to the approval of the Applications.

The TRCA has no objection to the Applications as the limits of development have been delineated

The TRCA has identified that a significant portion of the Subject Lands are located within TRCA's Regulated Area under Ontario Regulation 166/06, as amended, due to a valley corridor (erosion hazard) associated with a tributary of the Humber River Watershed. A permit from TRCA is required for any site alteration or development within TRCA's Regulated Area. TRCA's interests related to the limits of the existing natural hazards, top-of-bank delineation, slope stability requirements, and establishment of setbacks/buffers are to be addressed as part of the detailed design stage. TRCA advised that the limits of development have been delineated and TRCA has no objection to the Applications.

Conclusion

The Development Planning Department is satisfied the Applications are consistent with PPS 2024 and PPS 2020, conforms to the Growth Plan, YROP 2022 and YROP 2010, and meets the intent of VOP 2010, and is 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.

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

Attachments

1. Context and Location Map.
2. Vaughan Official Plan 2010, Volume 2, Map 12.4.A - Kleinburg Core Land Uses.
3. Proposed Zoning and Conceptual Site Plan.

4. Conceptual Landscape Plan.
5. Conceptual Building Elevations - Block 1.
6. Conceptual Building Elevations - Block 2.
7. Proposed Draft Plan of Subdivision File 19T-24V006.
8. March 5, 2019 Public Meeting - Proposed Zoning and Conceptual Site Plan.
9. March 5, 2019 Public Meeting - Conceptual Elevations - Building A.
10. Proposed Site-Specific Exceptions to Zoning By-law 1-88 - Table 1.

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