

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

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