

Committee of the Whole (1) Report

DATE: Wednesday, June 4, 2025

WARD: 1

TITLE: 2081447 ONTARIO INC. -
OFFICIAL PLAN AMENDMENT FILE OP.17.012,
ZONING BY-LAW AMENDMENT FILE Z.17.033,
SITE DEVELOPMENT FILE DA.17.071
10489 ISLINGTON AVE.,
VICINITY OF ISLINGTON AVENUE AND NASHVILLE ROAD

FROM:

Vince Musacchio, Interim Deputy City Manager, Planning, Growth Management and Housing Delivery

ACTION: DECISION

Purpose

To seek approval to permit a mixed-use development on the subject lands shown on Attachment 1, consisting of a three-storey building addition to an existing two-storey heritage building, containing five residential rental apartment units and 337.27 square metres (154.22 square metres existing and 183.05 square metres proposed) of at-grade commercial use, with a Floor Space Index of 1.09 times the area of the lot, as shown on Attachments 3 to 5.

Report Highlights

- Official Plan and Zoning By-law Amendment, and Site Development Applications are required to permit the development.
- The proposed modifications to the building are compatible with the heritage architecture and streetscape policies and guidelines of the Kleinburg-Nashville Heritage Conservation District Study and Plan.
- The Development and Parks Planning Department supports the development subject to the recommendations and conditions outlined in this report.

Recommendations

1. THAT Official Plan Amendment File OP.17.012 (2081447 Ontario Inc.) BE APPROVED, to amend the policies of Vaughan Official Plan, 2010, Volume 2, specifically Area Specific Policy 12.4 - Kleinburg Core, respecting the policies of the “Mainstreet Commercial” designation for the subject lands shown on Attachment 1 as follows:
 - a) to permit a maximum building height of three storeys (10.62 metres) and a maximum Floor Space Index of 1.09 times the area of the lot instead of a maximum building height of 2 ½ storeys (9.5 metres) and a maximum Floor Space Index of one times the area of the lot as shown on Attachment 2; and
 - b) to permit a residential component (apartment dwelling units) on the upper floors (second and third floors) instead of on the upper floor (second floor) only;
2. THAT Zoning By-law Amendment File Z.17.033 (2081447 Ontario Inc.) BE APPROVED, to amend the zoning requirements of the “KMS, Main Street Mixed-Use - Kleinburg Zone”, in Zoning By-law 001-2021 in the manner shown on Attachment 3, together with the site-specific zoning exceptions identified in Table 1 (Attachment 9) of this report;
3. THAT Site Development File DA.17.071 (2081447 Ontario Inc.) BE APPROVED, as shown on Attachments 3 to 5, SUBJECT TO THE CONDITIONS OF APPROVAL in Attachment 10;
4. THAT Vaughan Council adopt the following resolution for the allocation of water and sewage servicing capacity:

“THAT Site Development File DA.17.071 be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of five residential apartment units (10 persons equivalent). The allocation of said capacity may be redistributed (at the discretion of the City) in accordance with the City’s Servicing Capacity Allocation Policy if the Development does not proceed to registration and/or building permit issuance within 36 months”;
5. THAT the City enter into an agreement for cash-in-lieu of parking for two commercial parking spaces with the owner of 10489 Islington Ave. (2081447 Ontario Inc.), which agreement and any amendments, renewals or terminations thereof shall be to the satisfaction of the Deputy City Manager, Planning, Growth Management and Housing Delivery, and the Mayor and City Clerk shall be authorized to execute the agreement(s); and
6. THAT By-Law and Compliance, Licensing and Permit Services prepare the by-law instrument to amend the City’s Parking By-law 64-2019, as amended, to permit the one lay-by parking space on the south side of Kellam Street for Vaughan Council’s approval.

Background

Location: 10489 Islington Ave. (the 'Subject Lands'). The Subject Lands and the surrounding land uses are shown on Attachment 1.

Official Plan Amendment, Zoning By-law Amendment and Site Development Applications have been submitted to permit the Development.

2081447 Ontario Inc., (the 'Owner') submitted Official Plan and Zoning By-law Amendment Files OP.17.012 and Z.17.033, and Site Development File DA.17.071 (the 'Applications') for the Subject Lands to permit a mixed-use development consisting of a three-storey (10.62 metres) building addition to an existing two-storey heritage building, containing five residential rental units and 337.27 square metres (154.22 square metres existing and 183.05 square metres proposed) of commercial use, with a Floor Space Index of 1.09 times the area of the lot, as shown on Attachments 3 to 5 (the 'Development'). The Development of 925.48 square metres, which includes the existing building and addition, provides:

- five residential apartment units with a total gross floor area of 588.21 square metres
- commercial and offices uses with a total gross floor area of 337.28 square metres
- 12 parking spaces comprised of five residential spaces, two visitor spaces and five commercial spaces, of which two spaces (spaces six and seven, shown on Attachment 3) are accommodated within the loading area, during the times when it is not being used as a loading area

A Site Plan Agreement was registered on July 11, 1985, for a commercial development on the Subject Lands.

A Site Development Application (File DA.34.84) was submitted on the Subject Lands for a rear 149.48 square metre addition, 10 parking spaces and driveway graded to connect with the lands to the south, should they develop to facilitate commercial, and office uses. The Site Plan Agreement was registered on July 11, 1985. The City currently holds the \$15,000 Letter of the Credit required as part of the Site Plan Agreement as not all the approved works were undertaken.

Public Notice was provided in accordance with the Planning Act and Council's Notification Protocol for the May 8, 2018, Public Meeting.

- Notice: April 13, 2018 (Circulated 150 metres from the Subject Lands, 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 Signs: along Islington Avenue and Kellam Street frontages
- Date of Public Meeting: May 8, 2018, date ratified by Council: May 23, 2018

A Second Public Meeting was required, and Public Notice was provided in accordance with the Planning Act and Council's Notification Protocol for the Nov. 6, 2024, Public Meeting.

A second public meeting was required as over two years had passed since the May 8, 2018, Public Meeting and a decision from Council had not occurred, in accordance with Policy 10.1.4.1. of Vaughan Official Plan, 2010.

- Notice: Nov. 8, 2024 (Circulated 150 metres from the Subject Lands, 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: along Islington Avenue frontage
- Date of Public Meeting: Dec. 3, 2024, date ratified by Council: Dec. 17, 2024
- Date Committee of the Whole Courtesy Notice was sent to those requesting to be notified: May 16, 2025.

The Owner has undertaken the following modifications to the Development since the first Public Meeting to address comments from City departments:

	May 8, 2018 Public Meeting (Attachments 7 and 8)	Dec. 3, 2024 Public Meeting (Attachment 6) / June 4, 2025, Committee of the Whole Meeting (Attachments 3 and 4)	Modifications
Proposal	Three-storey (10.62 metres) mixed-use building containing five residential units and 400.72 square metres of commercial and office use	Three-storey (10.62 metres) mixed-use building containing five residential units and 337.27 square metres of commercial and office use	Reduction of commercial and office use from 400.72 square metres to 337.27 square metres
Driveway Location/ Parking Configuration	Driveway located six metres from the rear lot line and the parking is oriented in an east-west direction	Driveway located 0.70 metres from the rear lot line and the parking is oriented in a north-south direction	Modifications to the driveway location and parking layout are to accommodate an Alectra Utilities transformer to be located at the southeast corner of the Subject Lands

Public Comments were received on the Applications.

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

Density, Built Form and Building Design

- the scale and character of the Development in the Kleinburg-Nashville Heritage Conservation District is not compatible with the low-rise buildings in the surrounding area with respect to density, height, setbacks, and heritage architecture/character
- the Owner should work with the existing two-storey built form and footprint
- insufficient setbacks from the streets, especially Kellam Street

Parking and Traffic

- insufficient amount of parking spaces will be provided for the commercial and residential users of the Development
- will cause illegal parking of vehicles and commercial trucks on Kellam Street and blocking of the Islington Avenue and Kellam Street intersection
- traffic and on-street parking create safety concerns for pedestrians
- private parking is being provided to the rear of the building to accommodate the residents and commercial users

Landscaping and Tree Removal

- the proposed landscaping is not in keeping with the Kleinburg-Nashville Heritage Conservation District character
- the removal of three existing trees along the south lot line is not appropriate

Encroachment on City's Islington Avenue Streetscape

- the extent to which the Development encroaches onto the Kellam Street and Islington Avenue needs to be addressed

These comments are addressed throughout this report.

Previous Reports/Authority

The following links are to previous reports regarding the Subject Lands:

Files OP.17.012 and Z.17.033 – First Public Meeting Report:

[May 8, 2018, Committee of the Whole Public Meeting \(Item 1, Report No. 19\)](#)

Files OP.17.012 and Z.17.033 – Second Public Meeting Report:

[Dec. 3, 2024, Committee of the Whole Public Meeting \(Item 2, Report 42\)](#)

Files OP.17.012 and Z.17.033 – Heritage Vaughan Committee Report:

[Sept. 26, 2024, Heritage Vaughan Meeting \(Item 2\)](#)

Files OP.17.012 and Z.17.033 – Committee of the Whole (Heritage Vaughan Committee) Transmittal Report:

[Oct. 22, 2024, Committee of the Whole, Heritage Vaughan Transmittal \(Item 17, Report No. 35\)](#)

Analysis and Options

The Development is consistent with the Provincial Planning Statement, 2024 and conforms to York Region Official Plan, 2022.

Provincial Planning Statement, 2024

The Provincial Planning Statement, 2024 provides direction on matters of Provincial interest related to land use planning and development and includes 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 where the focus of growth and development is to be focused (Policy 2.3.1.1). The Development facilitates intensification through the conversion of an existing commercial building to provide a mixed-use residential and commercial development in the City's established Settlement Area where full municipal services exist (Policy 2.3.1.3). The Development provides for the conservation of a protected heritage property included in an area designated as a heritage conservation district under Part V of the *Ontario Heritage Act* (Policy 4.6.1). The Development is consistent with the Provincial Planning Statement, 2024.

York Region Official Plan, 2022

York Region Council adopted the York Region Official Plan, 2022 in June 2022. York Region Official Plan, 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 Statute 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*, York Region Official Plan, 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 York Region Official Plan, 2022 Map 1 - Urban Structure, identifies the Subject Lands as "Urban Area" and York Region Official Plan, 2022 Map 1A - Land Use Designation designates the Subject Lands "Urban Systems - Community Area" which permits a wide range of residential, commercial, industrial, and institutional uses. The Development conforms to York Region Official Plan, 2022.

The Development requires an amendment to Vaughan Official Plan, 2010.

The Vaughan Official Plan, 2010 sets out the municipality's general planning goals and policies that guide future land use.

Vaughan Official Plan, 2010, Volumes 1 and 2

The Subject Lands are identified as follows:

- “Intensification Area - Local Centre” on Schedule 1 - Urban Structure of Vaughan Official Plan, 2010, Volume 1
- Abuts a “Minor Collector” (Islington Avenue) on Schedule 9 - Future Transportation Network of Vaughan Official Plan, 2010, Volume 1
- Designated “Mainstreet Commercial” with a maximum building height of 2 ½ storeys (9.5 metres) with an upper floor residential component and a maximum Floor Space Index of one times the area of the lot on Map 12.4.A - Kleinburg Core Land Uses of Vaughan Official Plan, 2010, Volume 2, Area Specific Policy 12.4 - Kleinburg Core
- This designation permits small scale mixed-use developments with at-grade commercial uses and an upper floor residential component at a building height of 2 ½ storeys (9.5 metres) and a maximum Floor Space Index one time the area of the lot.

An amendment to Vaughan Official Plan, 2010, is required to permit a maximum building height of three storeys (10.62 metres) and a maximum Floor Space Index of 1.09 times the area of the lot and to permit a residential component on the third floor.

The goals and policies in Vaughan Official Plan, 2010, Volume 2, Section 12.4.1.1. “Kleinburg Core” state (in part):

- a. General:
 - 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
 - Promote pedestrian-oriented development patterns
 - Ensure, to the fullest extent possible, that the heritage resources, both built and natural, of the Kleinburg Core area are protected in accordance with the Kleinburg-Nashville Conservation District Study and Plan
- b. Commercial Growth:
 - Encourage mixed-use in the core area at a modest scale
 - Ensure that commercial development takes place in accordance with the provisions of the Kleinburg-Nashville Heritage Conservation District Plan, ensure it remains at a village scale and ensure it complements the historic, rural village character and architectural heritage of the community
- d. Heritage:
 - Encourage the retention and incorporation of existing heritage resources including buildings and other structures in the redevelopment of heritage property
 - 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 No. 268-2003 and designated under Part V of the *Ontario Heritage Act*

The goals and policies in Vaughan Official Plan, 2010, Volume 2, Section 12.4.10.2 “Kleinburg Core” also states:

- 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 and Parks Planning Department can support the proposed amendments to Vaughan Official Plan, 2010, for the following reasons:

Building Height and Floor Space Index

The Subject Lands are located on Islington Avenue, a minor collector road, and are within a Local Centre as defined by Vaughan Official Plan, 2010. The “Mainstreet Commercial” designation provides development standards for properties such as the Subject Lands that are located within the Kleinburg-Nashville Heritage Conservation District as follows:

“Policy 12.4.7.b.i. of the Kleinburg Core for the “Mainstreet Commercial” designation requires buildings to “generally not exceed a maximum building height of 2 ½ storeys (9.5 metres) above the finished grade.

Policy 12.4.7.b.ii. have a maximum achievable Floor Space Index within the range of 0.2 to 1.0, depending upon the lot frontage, depth, proposed use, site constraints and standards established by the Zoning By-law;”

The proposed building height of three storeys (10.62 metres) and Floor Space Index of 1.09 times the area of the lot for the Development exceeds the maximums identified above. These exceptions are in keeping with approvals within the “Mainstreet Commercial” designation of the Kleinburg Core Area, specifically for the following properties in the vicinity of the Subject Lands shown on Attachment 1:

10422 and 10432 Islington Ave. (Files OP.16.002, Z.15.038 and DA.15.091):

- a maximum building height of 12 metres (three-storeys)
- a maximum Floor Space Index of 1.27 times the area of the lot, and
- a residential component (apartment dwelling units) on the ground floor and upper floors (second and third floors).

10568 Islington Ave. (Files OP.18.021, Z.17.018 and DA.17.042):

- a maximum building height of 12 metres (three-storeys), and
- a residential component (apartment dwelling units) on the upper floors (second and third floors).

The building height for the Development, as shown on Attachments 3 to 5, is comparable to the building height and scale of surrounding mixed-use commercial and

residential developments. The Development is compatible with the approved developments and the surrounding land uses.

Permitted Uses

The “Mainstreet Commercial” designation in Vaughan Official Plan, 2010, permits small-scale mixed-use developments with at-grade commercial uses and one upper floor residential component. The Applications maintain the intent of Vaughan Official Plan, 2010, by providing a viable mixed-use commercial and residential development.

Official Plan Amendment Summary

The Development shown on Attachments 3 to 5 represents intensification within a Local Centre as defined by Vaughan Official Plan, 2010. The Development facilitates a compact urban form through the intensification of underutilized commercial lands in the City’s established Settlement Area where full municipal services exist. The Development provides for the retention and incorporation of existing heritage resources in the redevelopment of a heritage property in accordance with the Kleinburg-Nashville Conservation District Plan. On this basis, the Development and Parks Planning Department is of the opinion that the Development is consistent with the policies of the Provincial Planning Statement, 2024, and conforms to the York Region Official Plan, 2022. The Applications maintain the intent of Vaughan Official Plan, 2010 and can be supported.

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

The Subject Lands are located within the Kleinburg-Nashville Conservation District 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 Kleinburg-Nashville Conservation District Plan.

The existing building was originally a residence in the design of an Edwardian Classicism residence and has contextual value as a contributing structure to the Nashville-Kleinburg Heritage Conservation District. Also, the Subject Lands includes a small early 20th century shop with characteristic boomtown front and historical association with the Group of Seven painter, A.J. Casson, who painted a street scene including the building in 1929, which will be partially demolished to accommodate the proposed addition.

The Heritage Vaughan Committee on Sept. 26, 2024, approved the Development at its meeting subject to the following recommendation and conditions:

“Recommendation (in part):

That all the windows facing Islington Avenue are of the same material and have the same look as per the Kleinburg-Nashville Heritage Conservation District Plan Guidelines, to be approved by Urban Design and Cultural Heritage staff.

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 Ontario *Planning Act* or permits currently under review or to be submitted in the future by the Owner as it relates to the subject application;
- c) That prior to issuance of a Heritage Permit, the applicant enters into a letter of undertaking for the purpose of completion of all landscaping in accordance with the approved plans to the satisfaction of the City;
- d) That prior to issuance of a Heritage Permit, the applicant applies for a Private Tree Removal to the satisfaction of the City; and
- e) That the applicant submits 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 Oct. 29, 2024, approved the recommendation from the Heritage Vaughan Committee to approve the Development subject to its recommendation and conditions, which are included in the Conditions of Approval in Attachment 10.

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

Zoning:

- “KMS, Mainstreet Mixed-Use - Kleinburg Zone”, by Zoning By-law 001-2021, as amended
- This Zone does not permit the Development.
- The Owner proposes site-specific zoning exceptions to the existing “KMS, Mainstreet Mixed-Use - Kleinburg Zone” as identified in Table 1 (Attachment 9), to permit the Development on the Subject Lands.

Zoning By-law Amendment Summary

The Development and Parks Planning Department can support the site-specific zoning exceptions identified in Table 1 (Attachment 9) on the basis that these standards would facilitate a Development that implements site-specific development standards to support a compact built form and retention and incorporation of existing heritage resources in the redevelopment of heritage property in accordance with the Kleinburg-Nashville Conservation District Plan.

Minor modifications may be made to the zoning exceptions identified in Table 1 (Attachment 9) prior to the enactment of the implementing Zoning By-law, as required,

should the Applications be approved, to facilitate the Development as shown on Attachments 3 to 5.

The Development and Parks Planning Department supports the Development, subject to conditions.

The Development and Parks Planning Department recommends approval of the Development shown on Attachments 3 to 5, subject to the Conditions of Approval in Attachment 10.

Site Plan and Design

The Development proposes the demolition of a portion of the building and a three-storey addition onto the existing commercial building to facilitate a mixed-use residential commercial for five residential rental apartment units and 337.27 square metres (154.22 square metres existing and 183.05 square metres proposed) of commercial use, as shown on Attachments 3 to 5.

The residential main access to the building will be from Kellam Street with a secondary access from the south side of the building for the residential use. The building access for the commercial use will be from Islington Avenue, Kellam Street and the south side of the building. Residential and commercial accesses are separate from each other.

Vehicular access is from Kellam Street to an at-grade parking area for 12 parking spaces for the residential and commercial uses of which two parking spaces are located within the refuse/recycling loading area.

The front portion (west elevation) of the existing heritage building's porch and stairs encroaches onto the City's right-of-way on Islington Avenue.

Kleinburg Islington Streetscape Improvement Plan/Landscaping

The Kleinburg streetscape is currently being reconstructed as part of the Kleinburg Islington Streetscape Improvement Plan to improve accessibility and enhance the streetscape on City-owned lands. A key goal of the Kleinburg streetscape design and construction work is to improve road safety especially for vulnerable users including cyclists and pedestrians. An important step taken to address this was to create dedicated on-street lay-by parking and eliminate mountable curbs so that there are no conflicts between on-street parking and sidewalks within the boulevard. Additionally, as part of the Safety Directives from the recent Council approved Vaughan Complete Streets Guide (March 2024), planters are recommended to buffer vehicle travel way and the sidewalks to minimize exposure risk for vulnerable users, especially at intersections. As such, there has been much consideration taken for the placement of the planter to ensure better safety for all road users.

The Kleinburg streetscape plan's design provided for a planter on the City-owned Islington Avenue streetscape in front of the Owner's Development. The Owner raised concerns that the size and location of the proposed planter would impact the use of the commercial business with people not being able to access the building and from tenants

using the City's street area for their events. The Owner and the City worked to address the concerns regarding the planter to establish an option that is satisfactory to both parties. The Owner shall coordinate the Development's landscaping with the City's Kleinburg Islington Streetscape Improvement Plan and provide updated site plan and landscaping drawings and details, and any other required drawing and details to address the landscaping and pay for any costs that are beyond the costs in the Kleinburg Islington Streetscape Improvement Plan to the satisfaction of the Development and Parks Planning Department. A condition to this effect is included as a condition of approval in Attachment 10.

Encroachment Permit/Agreement

The Owner currently has an Encroachment Permit/Agreement issued on Nov. 13, 2014, that allows for the encroachment of the entrance stairs on Islington Avenue. The submission of the Applications for the Development results in the termination of this Encroachment Permit/Agreement in accordance with the provisions contained within the Encroachment Permit/Agreement. Should the Applications be approved, the Owner shall be required to execute a new encroachment permit/agreement for the stairs and porch with the City and shall be responsible for all costs to the satisfaction of the City. A condition to this effect is included as a condition of approval in Attachment 10.

Kellam Street Lay-by Parking Spaces

In 2015, as part of the Kleinburg Village Improvement Project capital infrastructure rehabilitation works, two lay-by parking spaces were located on the south side of Kellam Street abutting the Subject Lands. It was determined that the lay-by parking spaces were inadvertently placed on Kellam Street. The lay-by parking spaces are in contravention of the City's Parking By-law 64-2019, as amended, which prohibits parking on Kellam Street. As part of the 2024 Kleinburg Village Improvement Project works, the two lay-by parking spaces would be removed as they are prohibited. New lay-by parking spaces are proposed to be located on Islington Avenue and Nashville Road which would compensate for the loss of the Kellam Street lay-by parking spaces. Also, a sidewalk would be constructed along the south side of Kellam Street as part of the 2024 Kleinburg Village Improvement Project works.

The Dec. 3, 2024 Public Meeting report indicated that the Infrastructure Delivery Department in response to direction from Council, would not remove the two lay-by parking spaces on Kellam Street as part of the 2024 Kleinburg Village Improvement Project.

The Owner expressed concerns with the impact the two lay-by parking spaces will have on the driveway location for the Development. It was determined that one lay-by parking space would be maintained on Kellam Street. As a recommendation of this report, the By-Law and Compliance, Licensing and Permit Services is required to amend the City's Parking By-law 64-2019, as amended to permit the one lay-by parking space on the south side of Kellam Street, whereas no parking spaces are currently permitted.

Archaeology

The Development and Parks Planning Department, Cultural Heritage Division advised that the Subject Lands lies in an area identified as a being of high archaeological potential. An Archaeological Assessment will not be required for the Development. However, standard warning clauses apply regarding any archaeological resources or human remains being located during construction. Warning clauses in this regard are included as conditions of approval in Attachment 10.

Financial Impact

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

Operational Impact

The Policy Planning and Special Programs Department supports the Development, subject to conditions.

The Policy Planning and Special Programs Department has advised there are no natural heritage features on the Subject Lands and therefore, has no further concerns respecting these Applications. However, all applications regardless of their location are required to abide by the *Endangered Species Act (2007)* regulated by the Ministry of the Environment, Conservation and Parks. The Owner is required to complete an information request form and submit it to the Ministry of the Environment, Conservation and Parks for confirmation of any potential Species at Risk on the Subject Lands. A condition to this effect is included in the Conditions of Approval in Attachment 10.

The Development was submitted and deemed complete prior to the Sustainability Performance Metrics.

The Applications were submitted on Nov. 29, 2017, and deemed complete on Dec. 20, 2017, prior to the May 23, 2018 Council adoption of the Sustainability Performance Metrics program. Therefore, the Development is not subject to the Sustainability Performance Metrics program.

The Development Engineering Department supports the Development, subject to the conditions in this report.

The Development Engineering Department has provided the following comments:

Water Distribution

The Development Engineering Department advised that a fire main is not required and the 50-millimetre connection is sufficient for the existing building. The Development Engineering Department confirms the Owner has completed a hydrant flow test and provided supporting calculations and test results accordingly within the Functional Servicing Report by Candevcon and revised to February 2024, as required to confirm domestic and fire flow availability for the Development.

Storm Drainage

Stormwater servicing to the Subject Lands is proposed via a new 300-millimetre diameter concrete storm sewer extension from the existing stub along Kellam Street east towards the proposed entrance complete with a proposed storm maintenance hole

within the municipal right-of-way storm service connection complete with a storm control maintenance hole into the Subject Lands to service internal stormwater management requirements, sewers, catch basins, etc.

As per the Geotechnical Addendum Letter by Geomape Geotechnics Inc. and dated Feb. 26, 2024, there will be a daily discharge of 10 cubic metres of groundwater during the excavation and post-development phases. Prior to discharging any water originating from sources other than Vaughan's water supply, including groundwater collected on private lands (referred to as Private Groundwater Discharge), the Owner must obtain a Discharge Approval for groundwater from Vaughan. It is incumbent upon the Owner to ensure that the Discharge Approval remains valid and that the Discharge and related works operate in compliance with the terms and conditions stipulated in the Discharge Approval, to the satisfaction of Vaughan.

Sanitary Servicing

Sanitary servicing is existing to the Subject Lands via a single 150-millimetre diameter sanitary service connection from the existing 200-millimetre diameter sanitary sewer along Kellam Street to the existing building. The Development Engineering Department has reviewed the submitted site servicing drawing by Candevcon and has no comments.

Functional Servicing Report

The Development Engineering Department has reviewed the submitted Functional Servicing Report by Candevcon and revised to February 2024 and has no further comments.

Sanitary Sewer Capacity

The City's Servicing Strategy for Vaughan New Community Areas study for the Kleinburg-Nashville service area, finalized in October 2021, identified capacity limitations within the local sanitary sewer conveyance system along Islington Avenue leading to the Region's Water Pollution Control Plant. The Subject Lands are tributary to the Islington Avenue sanitary sewer. It is expected that the sanitary servicing strategy will include improvements and associated costs, as such the following condition shall be included in the Site Plan Agreement:

"The Owner shall be responsible to finance and implement and/or contribute to sanitary system improvements in the Kleinburg-Nashville service area based on the conclusions and recommendations of the City's Interim Servicing Strategy for Vaughan's New Community Areas study to the satisfaction of the City of Vaughan."

Grading Plan

The Development Engineering Department has reviewed the submitted Site Servicing and Grading Plan by Candevcon dated Feb. 28, 2024, and has no concern about the grading.

Erosion and Sediment Control

Albeit a variety of erosion control best management practice manuals are available, the Erosion and Sediment Control Guidelines for Urban Construction (2019) guideline was created as a consolidated document that best suits jurisdictions within the Greater Golden Horseshoe Area Conservation Authorities for common usage in land development, construction, and water management. Erosion and sediment control mitigation measures are to be implemented during construction to minimize silt laden runoff discharge from the Subject Lands in accordance with the Erosion and Sediment Control Guidelines for Urban Construction (2019).

Environmental Engineering

The Owner has provided a Site Screening Questionnaire which was reviewed by the Development Engineering Department and was found to be satisfactory. Environmental Engineering has no objections to the Applications.

Environmental Noise

The Development Engineering Department received an updated Environmental Noise Report by Candevcon and dated March 29, 2023, and the report provides the following comments listed below which shall be included as conditions of approval in Attachment 10:

1. The Owner shall satisfy all requirements with respect to noise attenuation and ensure all recommendations are implemented in accordance with the Environmental Noise Report.
2. Forced air heating with provisions for future air conditioning units are required for unit(s) facing Islington Avenue.
3. The following warning clause shall be included in the Agreements of Purchase and Sale for the units facing Islington Avenue and in all relevant development agreements:

“Purchasers and tenants are advised that the dwelling units facing Islington Avenue have 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.”

Transportation – Loading and Snow Removal

The Owner should provide assurance that parking spaces six and seven shown on Attachment 3, would remain available/vacant during waste collections operation, and that these spaces be utilized for the commercial use. Furthermore, the site plan should include appropriate instructions regrading snow removal (e.g., snow to be removed off-site) due to the site constraints of the Subject Lands. Conditions to this effect are included in the Conditions of Approval in Attachment 10.

Development Agreement

The Owner shall enter into a Development Agreement with the City of Vaughan for all external works within municipal lands required to support the Development including the proposed storm sewer extension and service connection along Kellam Street and anything else deemed necessary by Development Engineering Department. The Agreement shall be registered against the lands to which it applies and, upon execution, shall satisfy all conditions of the City, financial or otherwise. This shall be a condition of approval in Attachment 10.

The Development Engineering Department has no objections to the Applications subject to the recommendation in the report, and conditions of approval in Attachment 10.

Cash-in-Lieu of Parking is required for the Development.

The Cash-in-Lieu of Parking Policy in the Community of Kleinburg By-law 159-2006, as amended by By-law 151-2021, applies to the Applications.

The submitted Parking Justification and Access Study by Candevcon and dated Nov. 13, 2020, indicated that the Development requires 14 parking spaces. The proposed parking supply is based on the following studies:

- Detailed parking utilization study at the existing facility (i.e., existing ambience in a retail store at the ground floor and existing commercial/office facility at the second floor)
- Detailed parking survey of a similar type of existing facility located at 10504 and 10522 Islington Ave., City of Vaughan
- City of Vaughan's Draft Parking Standard Review by IBI Group Inc.

In principle, the Development Engineering Department has no major concerns with the Parking Justification and Access Study. The parking space estimation for the Development requires 14 parking spaces, whereas the Development proposes 12 parking spaces. However, two of the parking spaces, being parking spaces six and seven shown on Attachment 3, cannot be included in the required parking calculations in accordance with Zoning By-law 001-2021 (Policy 6.1.3) as these parking spaces are located within the refuse/recycling loading area. However, the Development Engineering Department finds parking spaces six and seven acceptable for commercial parking use most of the time when there is no refuse/recycling collection. Accordingly, the actual number of parking spaces that can be contributed to the required parking in accordance with Zoning By-law 001-2021 (Policy 6.1.3) for the Development is 10 parking spaces.

The Owner shall be required to pay cash-in-lieu of two commercial parking spaces as per the Cash-in-Lieu of Parking Policy in the Community of Kleinburg By-law 159-2006, as amended by By-law 151-2021. The Owner shall prepare an Appraisal Report, for review and approval by the City, to establish the appraised value of the Subject Lands to determine the required cash-in-lieu of parking.

The Cash-in-Lieu of Parking Policy in the Community of Kleinburg By-law 159-2006, as amended by By-law 151-2021 provides the following:

“WHEREAS Section 40 of the *Planning Act*, RSO, 1990, c P.13 provides that where an owner or occupant of a building is required under a By-law of a local municipality to provide and maintain parking facilities on land that is not part of a highway, the council of the municipality and such owner or occupant may enter into an agreement exempting the owner or occupant, to the extent specified in the agreement, from the requirement of providing or maintaining the parking facilities, and the agreement shall provide for the making of one or more payments of money to the municipality as consideration for the granting of the exemption and shall set forth the basis upon which such payment is calculated.”

The Owner shall be required to enter into an agreement with the City to pay cash-in-lieu of two commercial parking spaces as per the Cash-in-Lieu of Parking Policy in the Community of Kleinburg By-law 159-2006, as amended by By-law 151-2021. The Owner shall also prepare an Appraisal Report, for review and approval by the City, to establish the appraised value of the Subject Lands to determine the required cash-in-lieu of parking. The agreement will include the conditions requiring that only parking for the commercial use shall be permitted in the refuse/recycling loading area.

Prior to the issuance of any Building Permit, should the Applications be approved, the Owner shall pay the required cash-in-lieu of parking to the City. This will be a recommendation in this report and a condition of approval in Attachment 10.

Servicing Allocation is available for the Development.

Vaughan Council on March 25, 2025, endorsed its Allocation of Servicing Capacity Annual Distribution and Update and Allocation of Servicing Capacity Policy.

Accordingly, servicing capacity to Site Development File DA.17.0701 is available and unrestricted. Therefore, the following resolution to allocate capacity to the Subject Lands may be recommended for Council approval:

“THAT Site Development File DA.17.071 be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of five residential apartment units (10 persons equivalent). The allocation of said capacity may be redistributed (at the discretion of the City) in accordance with the City’s Servicing Capacity Allocation Policy if the Development does not proceed to registration and/or building permit issuance within 36 months.”

A resolution to this effect is included in the Recommendations of this report.

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

The Owner shall, prior to the issuance of a Building Permit, cash-in-lieu of the dedication of parkland at the rate of one ha per 1000 net residential units, or at a fixed unit rate, at Vaughan’s discretion, in accordance with the *Planning Act* and the City of

Vaughan Parkland Dedication By-law for the residential component. Notwithstanding, such parkland contribution, the cash-in-lieu as determined by the City, shall be subject to a cap of (i) 10 percent of the Subject Lands or value of the Lands if the Lands are five hectares or less; or (ii) 15 percent of the Subject Lands or value of the Lands if the Lands are greater than five hectares.

The Owner shall, prior to issuance of a Building Permit, pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to two percent of the value of the Subject Lands, for the commercial component, in accordance with the *Planning Act* and the City of Vaughan Parkland Dedication By-law. The Owner shall submit an appraisal of the Subject Lands, in accordance with the *Planning Act* and the City of Vaughan Parkland Dedication By-law, prepared by an accredited appraiser for approval by the Vaughan Real Estate Department, and the approved appraisal shall form the basis of the calculation of the cash-in-lieu payment. A condition for the cash-in-lieu of parkland is included as a condition of approval in Attachment 10.

Refuse/recycling collection shall be privately administered.

The Environmental Services, Waste Management Division advised that the Owner shall have the refuse/recycling collection be privately administered as the refuse/recycling is in a combined room for both the residential and commercial use.

City Departments have no objection to the Development.

Real Estate, Financial Planning and Development Finance, By-Law and Compliance, Licensing and Permit Services, Environmental Services, Waste Management Division, Fire and Rescue Services, and Parks, Forestry and Horticulture Operations Departments have no objection to the Development subject to the Owner addressing their requirements at the Site Development Application approval stage and/or building permit stage.

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

Canada Post, Toronto and Region Conservation Authority, Hydro One, Alectra Utilities, Enbridge Gas Inc., Bell Canada and Rogers Communications, have no objection to the Development subject to the Owner coordinating servicing connections, easements and locates prior to the commencement of any site works as provided for as conditions of approval in Attachment 10.

The School Boards have no objection to the Development.

No comments were received from the York Region District School Board, York Catholic District School Board and the Development Conseil Scolaire de District Catholique Centre-Sud.

Broader Regional Impacts/Considerations

York Region has no objections and no conditions of approval.

The Applications have been circulated to York Region for the purpose of receiving comments on matters of Regional interest i.e., roads and servicing infrastructure. As

this stretch of Islington Avenue is under the jurisdiction of the City of Vaughan, York Region has no objection to the approval of the Applications and has no conditions.

The Toronto and Region Conservation Authority has provided conditions of approval.

The Toronto and Region Conservation Authority has no objections, subject to their Conditions of Approval in Attachment 10.

Conclusion

The Development and Parks Planning Department is satisfied the Applications are consistent with Provincial Planning Statement, 2024 and conforms to York Region Official Plan, 2022. The Development is considered appropriate and compatible with existing and planned surrounding land uses and provides for the retention and incorporation of existing heritage resources in the redevelopment of heritage property in accordance with the Kleinburg-Nashville Conservation District Plan. Accordingly, the Development and Parks Planning Department can recommend approval of the Applications, subject to the Recommendations in this report and Conditions of Approval in Attachment 10.

For more information, please contact: Judy Jeffers, Planner, Development and Parks 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. Existing Zoning and Proposed Site Plan
4. Proposed Building Elevations
5. Proposed Landscape Plan
6. Dec. 3, 2024 Public Meeting - Existing Zoning and Proposed Site Plan
7. May 8, 2018 Public Meeting - Proposed Site Plan
8. May 8, 2018 Public Meeting - Proposed Building Elevations
9. Proposed Site-Specific Exceptions to Zoning By-law 001-2021 - Table 1
10. Conditions of Approval - Site Development File DA.17.071

Prepared by

Judy Jeffers, Planner, ext. 8645

Letizia D'Addario, Senior Planner, ext. 8213

Carmela Marrelli, Senior Manager of Development Planning, ext. 8791

Nancy Tuckett, Director of Development and Parks Planning, ext. 8529