

## Committee of the Whole (2) Report

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**DATE:** Tuesday, June 17, 2025

**WARD(S):** 1

**TITLE:** KENTVIEW ESTATES INC.

**DRAFT PLAN OF SUBDIVISION FILE 19T-24V006**

**10398 AND 10402 ISLINGTON AVE.**

**VICINITY OF ISLINGTON AVENUE AND NASHVILLE ROAD**

**FROM:**

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

**ACTION:** DECISION

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### **Purpose**

To seek approval for Draft Plan of Subdivision File 19T-16V004 on the Subject Lands shown on Attachment 1, for a development consisting of a residential block with 22 three-storey and four-storey street townhouse dwelling units on a private (common element condominium) road and a landscape buffer, an open space block to be conveyed to the Toronto and Region Conservation Authority (TRCA), and one block to be conveyed to the City of Vaughan for a road widening, as shown on Attachment 2.

### **Report Highlights**

- The Owner proposes a Draft Plan of Subdivision to permit a residential block with 22 three-storey and four-storey street townhouse dwelling units on a private (common element condominium) road and a landscape buffer, an open space block to be conveyed to the Toronto and Region Conservation Authority, and one block to be conveyed to the City of Vaughan for a road widening, as shown on Attachment 2.
- The Development and Parks Planning Department supports the proposed development subject to the Conditions of Approval in Attachment 4 of this report.

## **Recommendations**

1. THAT Draft Plan of Subdivision File 19T-24V006 (Kentview Estates Inc.) as shown on Attachment 2, BE APPROVED, AS REDLINED, SUBJECT TO THE CONDITIONS OF DRAFT PLAN OF SUBDIVISION APPROVAL set out in Attachment 4, to permit a residential block with 22 three-storey and four-storey street townhouse dwelling units on a private (common element condominium) road and a landscape buffer, an open space block to be conveyed to the Toronto and Region Conservation Authority, and one block to be conveyed to the City of Vaughan for a road widening, as shown on Attachment 2;
2. THAT Council's approval of Draft Plan of Subdivision File 19T-24V006, subject to the conditions set out in Attachment 4, be for a period of three years from the date on which approval was given, and the approval shall lapse at the expiration of that time period; and
3. THAT Vaughan Council adopt the following resolution for the allocation of water and sewage servicing capacity:  
  
"THAT Draft Plan of Subdivision File 19T-24V006 be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 22 residential townhouse units (67 persons equivalent). The allocation of said capacity may be redistributed (at the discretion of the City of Vaughan) 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."

## **Background**

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

### ***A Draft Plan of Subdivision Application has been submitted to facilitate the proposed development.***

Kentview Estates Inc. (the 'Owner') has submitted a Draft Plan of Subdivision Application (the 'Application') for the Subject Lands, which has been redlined by Development and Parks Planning staff, as shown on Attachment 2, for a development consisting of the following:

<b>Block Number</b>	<b>Land Use</b>	<b>Area (hectares)</b>
Block 1	Open Space	1.6867 ha
Block 2	Residential (22 street townhouse units)	0.5023 ha
Block 3	Road Widening (may include daylight triangle)	0.0115 ha
<b>Total Area</b>		<b>2.2005 ha</b>

***Official Plan and Zoning By-Law Amendment Applications were previously approved for the Subject Lands.***

Vaughan Council on Nov. 19, 2022, approved Official Plan and Zoning By-law Amendment Files OP.18.022 and Z.18.035 for the Subject Lands to permit the development of 22, three-storey and four-storey street townhouse dwelling units within five townhouse blocks, each containing between three to six street townhouse dwelling units, with a total residential gross floor area of 4,125.40 square metres on a private (common element condominium) road with access onto Islington Avenue (the 'Development'), as shown on Attachments 2 and 3.

The Application is consistent with the approved Official Plan and Zoning By-law amendments; however, the Development and Parks Planning Department has redlined the Residential Block (Block 2) of the Draft Plan of Subdivision, as shown on Attachment 2, so that it is consistent with how other similar developments proposing a common element condominium in Vaughan have shown residential blocks on Draft Plans of Subdivision.

***Site Development Application approval is required for the Development.***

Section 41(1.2) of the *Planning Act* respecting site plan control requirements for developments, states that,

“The definition of “development” in subsection 41(1) of the *Planning Act* does not include the construction, erection or placing of a building or structure for residential purposes on a parcel of land if that parcel of land will contain no more than 10 residential units, unless the parcel of land includes any land in a prescribed area.”

The Subject Lands are considered a prescribed area under Section 1.2.iv of Ontario Regulation 254/23 as the proposed 22 street townhouse units are located within 120 metres from a Long-Term Stable Top of Slope to the west. The Long-Term Stable Top of Slope limits are defined as “river or stream valleys” in Section 2 of Ontario Regulation 41/24. On this basis, the Development is determined to be located within a prescribed area, and therefore a Site Development Application is required to permit the Development, in accordance with Section 41(1.2) of the *Planning Act*.

**Previous Reports/Authority**

Previous reports related to the Application and Subject Lands can be found at the following links:

Files OP.18.022 and Z.18.035, Committee of the Whole (Public Hearing) Report [Mar. 5, 2019, Committee of the Whole Public Meeting \(Item 1, Report 12\)](#)

Files OP.18.022 and Z.18.035, Committee of the Whole (Public Meeting) Report [Nov. 28, 2023, Committee of the Whole Public Meeting \(Item 3, Report 49\)](#)

Files OP.18.022 and Z.18.035, Committee of the Whole (1) Report [Nov. 5, 2024, Committee of the Whole Report \(Item 5, Report 37\)](#)

Heritage Vaughan Committee Report

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

Committee of the Whole (1) Report (Transmittal Report)

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

## **Analysis and Options**

***The Development is consistent with the Provincial Planning Statement 2024 and conforms to York Region Official Plan 2022 and Vaughan Official Plan 2010.***

### **Provincial Planning Statement, 2024**

The Provincial Planning Statement, 2024 is a policy statement issued pursuant to section 3 of the *Planning Act* and came into effect on Oct. 20, 2024. It replaced the Provincial Policy Statement, 2020 and A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended. All decisions made on or after Oct. 20, 2024, in respect of the exercise of any authority that affects a planning matter shall be consistent with this policy statement.

The Provincial Planning Statement 2024 provides direction on matters of Provincial interest related to land use planning and development province-wide, helping achieve the provincial goal of meeting the needs of a fast-growing province while enhancing the quality of life for all Ontarians.

The Subject Lands are within a Settlement Area and the Delineated Built-Up Area of the Built Boundary of York Region. The Application 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 the Provincial Planning Statement, 2024. Staff are satisfied that 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. The 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*, the 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.

Since the Application was deemed complete on Dec. 23, 2024, which was after the approval of York Region Official Plan 2022, the York Region Official Plan 2022 is the in-force Regional Official Plan against which conformity of the Applications is measured, in accordance with Transition Policy 7.4.13, rather than York Region Official Plan, 2010.

The York Region Official Plan 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 complement the surrounding community. The Development, which conforms to the York Region Official Plan, 2022, provides for a denser and more intense development on a parcel of the land in the Local Centre.

#### Vaughan Official Plan 2010

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

- “Local Centre (Intensification Area)” on Schedule 1 – Urban Structure of Vaughan Official Plan 2010
- “Village Residential” and “Natural Areas” by Vaughan Official Plan 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 metres.

On Nov. 19, 2024, Vaughan Council approved the following amendments to Vaughan Official Plan 2010 to permit the Development on the Subject Lands:

- a) redesignate a portion of the Subject Lands from “Natural Areas” to “Village Residential”
- b) increase the maximum permitted building height from 2½ storeys (9.5 metres) to four storeys (12 metres); and
- c) permit street townhouse dwellings on a common element road which are not permitted

The implementing by-law for the above-noted amendments to the Vaughan Official Plan is scheduled to be considered by Vaughan Council at the June 24, 2025, Council meeting.

On this basis, the Development conforms to Vaughan Official Plan 2010.

***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 Heritage 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 Heritage Conservation District 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 Kleinburg-Nashville Heritage Conservation District Plan.

The Heritage Vaughan Committee at its June 11, 2024, meeting considered and recommended approval of the Development subject to conditions.

Vaughan Council on Sept. 24, 2024, ratified the recommendations of the Heritage Vaughan Committee.

***Council enacted Zoning By-law 001-2021 as the new Vaughan Comprehensive Zoning By-law.***

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

The Comprehensive Zoning By-law 001-2021 has been appealed to the Ontario Land Tribunal (OLT) by a number of Appellants, including the Owner.

The Ontario Land Tribunal issued an order on Dec. 28, 2022, which was subsequently corrected on March 28, 2023, bringing into effect sections of the Comprehensive Zoning By-law 001-2021 that have not been appealed.

This Application has been determined to be transitioned in accordance with Subsection 1.6.3.3.1 as it is related to Official Plan and Zoning By-Law Amendment Applications OP.18.022 and Z.18.035 which were submitted before Oct. 20, 2021, and therefore is subject to Zoning By-law 1-88, as amended, only.

***The Development complies with Zoning By-law 1-88.***

***Zoning:***

- “R1 Residential Zone” and “OS1 Open Space Conservation Zone” by Zoning By-law 1-88.

On Nov. 19, 2024, Vaughan Council approved Zoning By-Law Amendment File Z.18.035 to amend Zoning By-law 1-88, to rezone the Subject Lands. The implementing By-Law will rezone the Subject Lands from “R1 Residential Zone” to “RT1- Residential Townhouse Zone”, “OS1 Open Space Conservation Zone” and “OS2 – Open Space Park Zone” subject to site-specific zoning exceptions. The implementing zoning by-law for the above-noted amendments to Zoning By-law 1-88 is scheduled to be considered by Vaughan Council at the June 24, 2025, Council meeting.

***A Draft Plan of Condominium and Part Lot Control Exemption applications are required to implement the Development.***

Should the Application be approved, the Owner is required to submit a Draft Plan of Condominium (Common Element) application to establish the proposed condominium tenure and common elements of the Development, and to secure appropriate conditions of Draft Plan of Condominium approval. A Part Lot Control Exemption application will also be required to create the individual lots tied to the common element condominium (i.e. Parcels of Tied Land – ‘POTLS’) for future ownership.

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

**Subdivision Design**

The redlined Draft Plan of Subdivision shown on Attachment 2 consists of a residential block (with 22 three-storey and four-storey street townhouse dwelling units on a private (common element condominium) road and a landscape buffer, an open space block to be conveyed to the Toronto and Region Conservation Authority, and one block to be conveyed to the City of Vaughan to allow for a road widening of Islington Avenue (which may also include separate blocks for a daylight triangle, if required).

The Development and Parks Planning Department is satisfied with the proposed Draft Plan of Subdivision design as shown on Attachment 2, subject to the Conditions of Approval in Attachment 4 of this report.

**Development Limits**

Development limits were established by the Toronto and Region Conservation Authority (TRCA) in accordance with Policy 3.3.1.3. of Vaughan Official Plan 2010. The Toronto and Region Conservation Authority, 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 Toronto and Region Conservation Authority pursuant to Ontario Regulation 41/24 to facilitate the Development.

**Urban Design**

The Urban Design division of the Development and Parks Planning Department has no objections to the Draft Plan of Subdivision and has provided conditions of approval which are included in Attachment 4.

**Tree Protection Agreement**

The Owner shall provide a detailed Tree Preservation Study to the satisfaction of the City of Vaughan. The study shall include an inventory of all existing trees, assessment of significant trees to be preserved and proposed methods of tree preservation based on the arborist report recommendations. The Owner shall enter into a tree protection agreement in accordance with City Council enacted Tree By-Law 052-2018. A condition to this effect is included in the Conditions of Approval in Attachment 4.

**Financial Impact**

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

## **Operational Impact**

### ***The Policy Planning and Special Programs Department – Environmental Planning supports the Application, subject to the Conditions of Approval.***

The Policy Planning and Special Programs Department has advised that the Subject Lands are identified as “Urban Area” on Schedule 1A – Urban Area and as “Natural Areas and Countryside” on Schedule 1 – Urban Structure of Vaughan Official Plan 2010. Schedule 2 – Natural Heritage Network of VOP 2010, identifies "Core Features" (i.e. Valley Corridor associated with the Humber River, wetland, watercourse and significant woodland) on the west part of the Subject Lands. "Core Features" are subject to the relevant policies in Chapter 3 of Vaughan Official Plan 2010. Environmental Planning staff supports the Application, subject to Conditions of Approval in Attachment 4.

### ***The Development achieves a Bronze Sustainability Threshold Score.***

The Development achieves an overall Sustainability Performance Metrics application score of 48 (bronze level). This score meets the minimum threshold requirements.

### ***The Development Engineering Department supports the Application, subject to the Conditions of Approval.***

The Development Engineering Department has provided the following comments:

#### **Water Servicing**

The Subject Lands are located within Pressure District Zone 6 Kleinburg-Nashville (PD-KN). The existing municipal water infrastructure adjacent to the property includes a 200-millimetre diameter watermain on the east side of Islington Avenue, which has been abandoned, and a 350-millimetre diameter watermain on the west side of Islington Avenue, from which the applicant proposes to obtain water services. There are currently two existing water services to the Subject Lands, both of which will be decommissioned in accordance with City standards. A new 300-millimetre water service connection is proposed to connect to the local 350-millimetre watermain on Islington Avenue. The Owner has provided a Hydrant Flow and Pressure Test to confirm that the proposed service connection will deliver adequate pressures and flows to service the Subject Lands.

#### **Sanitary Servicing**

Sanitary infrastructure adjacent to the site consists of a 300-millimetre 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 Plan in the Humber Valley Corridor. The Subject Lands falls within the Kleinburg-Nashville Secondary Plan Area for which the City of Vaughan has retained Civica Infrastructure Inc. to prepare a Core Servicing Strategy. This study is intended to identify any servicing constraints to accommodate development in the Kleinburg-Nashville Secondary Plan Area . As such, please note the following comments provided in conjunction with the City’s Infrastructure Planning and Corporate Asset Management:



1. On Nov. 8, 2012, the City of Vaughan completed and issued a Notice of Study Completion for the Kleinburg-Nashville Servicing Strategy Master Plan Class Environmental Assessment (EA). This master plan was initiated as an extension of the Region's water supply storage and wastewater servicing capacity Class EA study, and to accommodate approved active development within K-N at the time. There were improvements identified in the Environmental Assessment that were financed and constructed by approved active development within Kleinburg-Nashville. This site-specific Official Plan/intensification development was not considered in the EA.
2. The City of Vaughan has recently completed a sanitary sewer system optimization study (Focus Area Core Servicing Strategy) for the Kleinburg – Nashville Area (See attached Figure 4 Study Area 'D'). The study has identified capacity limitations within the local sanitary sewer conveyance system (leading to the Region's Water Resource Recovery Facility). The Study has recommended required system improvements to accommodate new growth. The City of Vaughan is currently working on a sanitary servicing strategy for Kleinburg-Nashville. The Owner will be required to construct and/or contribute to the required upgrades (if necessary) at the appropriate time.

#### Storm Servicing

The existing storm infrastructure adjacent to the site is limited to a local storm sewer along Islington Avenue which drains southerly towards Pennon Road. Overall drainage from the site is currently split such that a portion drains easterly towards Islington Avenue and the balance sheet drains westerly to Humber Creek. The proposed grading and servicing for the development will be designed to maintain this drainage pattern; a portion of the site will continue to sheet drain directly to Humber Creek and the balance of the site will be collected, controlled and discharged to the existing storm sewer system on Islington Avenue. The report notes that the stormwater management system for the site will be designed to limit the discharge to the Islington Avenue storm sewer and Humber Creek 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 site (and the majority) drains westerly towards Humber Creek. The allowable drainage from the site must not exceed the runoff rate equivalent to the peak runoff rate from the site under pre-development conditions for any given storm event. We note that there is external drainage from the adjacent property to the north which discharges to onto the subject site. This flow will continue to sheet drain onto the development lands and will be collected by proposed swales along the north limit of the site and ultimately captured in the proposed storm sewer system.

### Noise Impact Study

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 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.

### Road Network

The Development is expected to generate nine, two-way trips (two inbound and seven out-bound trips) during the weekday a.m. peak period and 11, two-way trips (seven inbound and four 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 June 21, 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. Development Engineering staff concurs with the overall study and methodology and accept its conclusions and recommendations.

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

The Owner is required to pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of the parkland, in accordance with the *Planning Act* and the City's cash-in-lieu Policy. A condition to this effect is included in Attachment 4

### ***Other City Departments, external agencies and various utilities have no objection to the Application.***

The following City Departments have no objection to the Application, subject to their comments and conditions being addressed through the Draft Plan of Subdivision, should the Applications be approved:

- Development and Parks 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
- Policy Planning and Special Programs (Environmental Planning) Department
- Fire and Rescue Service Department
- Real Estate Department

The following external agencies and various utility companies have no objection to the Application, subject to their comments and conditions being addressed through the Draft Plan, should the Applications be approved:

- Alectra Utilities
- Rogers Communications
- Enbridge Gas Distribution
- Bell Canada
- Canada Post
- Hydro One Networks Inc.

### **Broader Regional Impacts/Considerations**

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

The Application has been circulated to York Region for the purpose of receiving comments on matters of Regional interest i.e. roads and servicing infrastructure. York Region has no objection to their approval. The Owner is required to satisfy all York Region requirements, subject to the comments and Conditions of Approval in Attachment 4.

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

The Toronto and Region Conservation Authority has identified that a significant portion of the Subject Lands are located within their Regulated Area under Ontario Regulation 41/24, as amended, due to a valley corridor (erosion hazard) associated with a tributary of the Humber River Watershed. Toronto and Region Conservation Authority staff have no objection to the approval of the Application, subject to the Conditions of Approval identified in Attachment 4.

### **Conclusion**

The Development and Parks Planning Department is satisfied the Draft Plan of Subdivision is consistent with the Provincial Planning Statement, 2024, conforms to the Greenbelt Plan, 2017, the York Region Official Plan, 2022 and Vaughan Official Plan, 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 and Parks Planning Department can recommend approval of the Applications, subject to the recommendations in this report and Conditions of Approval in Attachment 4.

**For more information**, please contact Kevin Ayala Diaz, Planner, at extension 8882.

### **Attachments**

1. Context Location Map
2. Redlined Revised Draft Plan of Subdivision June 17, 2025
3. Proposed Site Plan
4. Conditions of Draft Plan of Subdivision Approval

**Prepared by**

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