

## Committee of the Whole (Public Hearing) Report

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**DATE:** Tuesday, July 07, 2020

**WARD(S):** 2

**TITLE: 9630 ISLINGTON INC.**

**ZONING BY-LAW AMENDMENT FILE Z.20.001**

**9630 ISLINGTON AVENUE**

**VICINITY OF ISLINGTON AVENUE AND MAJOR MACKENZIE  
DRIVE**

**FROM:**

Nick Spensieri, Acting Deputy City Manager, Planning and Growth Management

**ACTION:** DECISION

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### **Purpose**

To receive comments from the public and the Committee of the Whole on Zoning By-law Amendment File Z.20.001 (9630 Islington Inc.) for the Subject Lands shown on Attachment 1. The Owner seeks approval to permit the development of a 5-storey residential apartment building with 89 units, a Floor Space Index of 1.75 times the area of the lot, and one level of underground parking, as shown on Attachments 2 to 5.

### **Report Highlights**

- To receive input from the public and Committee of the Whole for a Zoning By-law Amendment application to permit a 5-storey residential apartment building containing 89 units and 104 parking spaces
- Amendments to Zoning By-law 1-88 are required to permit the proposed development
- A technical report will be prepared by the Development Planning Department to be considered at a future Committee of the Whole Meeting

## **Recommendations**

1. THAT the Public Hearing report for Zoning By-law Amendment File Z.20.001 (9630 Islington Inc.) BE RECEIVED; and, that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole.

## **Background**

The subject lands (the 'Subject Lands') are municipally known as 9630 Islington Avenue and are located on the west side of Islington Avenue, north of Napa Valley Avenue. The Subject Lands are 0.69 hectares in size and occupied by a single detached dwelling. The surrounding land uses are shown on Attachment 1.

### ***A Zoning By-law Amendment Application has been submitted to facilitate the proposed development***

9630 Islington Inc. (the 'Owner') has submitted Zoning By-law Amendment File Z.20.001 (the 'Application') to amend City of Vaughan Zoning By-law 1-88, specifically the RM2 Residential Multiple Zone to permit the site-specific zoning exceptions identified in Table 1 of this report. The Application would facilitate a 5-storey residential apartment building containing 89 units, with a Floor Space Index ('FSI') of 1.75 times the area of the lot and 104 parking spaces (the 'Development'). A full movement access is proposed via a private condominium road that terminates in a round-about.

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

- a) Date the Notice of Public Hearing was circulated: June 16, 2020.

The Notice of Public Hearing was also posted on the City's website at [www.vaughan.ca](http://www.vaughan.ca) and a Notice Sign was installed along Islington Avenue and Napa Valley Avenue on the property in accordance with the City's Notice Signs Procedures and Protocols.

- b) Circulation Area: An expanded notification area within 500 metres of the Subject Lands as shown Attachment 1, to the Carrying Place Ratepayers Association, the Greater Woodbridge Ratepayers Association, and those individuals that had requested notice.
- c) Comments Received:

The Development Planning Department received written comments from the following (as of June 16, 2020):

- Carrying Place Ratepayers Association, email dated February 10, 2020
- A. Volpentesta, America Avenue, email dated February 10, 2020

- Carrying Place Ratepayers Association, emailed dated February 12, 2020
- R. and S. Miceli, Water Garden Lane, email dated February 10, 2020
- J. Libonati, email dated April 11, 2020
- L. Iacobucci, Sarno Street, email dated April 14, 2020
- M. Dome, Silver Oaks Boulevard, email dated April 22, 2020
- M. Topalovksi, Via Carmine, emailed dated May 7, 2020
- J. Mora, no address provided, email dated May 11, 2020
- J. Mezzavilla, Silver Oaks Boulevard, email dated May 14, 2020
- M. Dome, Silver Oaks Boulevard, email dated May 15, 2020

The following is a summary of the comments provided in the written correspondence received to date. Resident comments have been organized by theme as follows:

### **Privacy, Shadow and View**

- the building height will cause shadow, privacy impacts and obstruct the view of existing residents on adjacent properties
- a Sun and Shadow study should be required to analyze the impact of the development on adjacent properties
- the height of the fence should be increased along the property line abutting existing residential properties to minimize privacy impacts

### **Access, Traffic, Parking**

- the proposed driveway access will be problematic with the presence of the shopping plaza at 9600 Islington Avenue.
- the traffic study submitted with the Application does not consider the traffic resulting from two future residential buildings for 9681 and 9691 Islington Avenue approved by the Local Planning Appeal Tribunal (Official Plan and Zoning By-law Amendment Files OP.16.010 and Z.16.039)
- the traffic study should be revised to consider: the approved residential buildings mentioned above, existing development within the area and the effects of increased traffic on the nearby intersections such as Napa Valley Avenue and Islington Avenue and Silver Oaks Boulevard and Napa Valley Avenue
- the Development would increase traffic and road congestion in the area, causing noise, air pollution and pedestrian safety concerns
- no new municipal road infrastructure is proposed internal to the site
- only right-in, right-out access should be provided to the Subject Lands
- there is not enough parking proposed on the Subject Lands to accommodate 89 new units

### **Density, Built Form and Building Design**

- the Development includes too many one-bedroom apartment units
- the number of units should be decreased in half to between 20 to 40 units
- a lower density built form would be more suitable for the Subject Lands

- the height of the building should be decreased to 3-stories
- the design of the building is unappealing – it looks like a grey office building with balconies. The design of the building should fit with the character of the existing homes in the area

### **Snow & Waste Removal**

- a snow removal study should be conducted to demonstrate how snow will be removed without impacting the existing properties abutting the Subject Lands
- the proposed location of the waste bins will cause noise, smell and attract rodents, impacting the abutting properties
- appropriate garbage and snow removal times should be enforced for the Development so existing residents are not disturbed
- the garbage facility should be located in the building to decrease the effects on existing residents

### **Construction**

- existing homes in the area should be evaluated before and after construction starts and property owners reimbursed if there is any structural damage to their homes due to vibration during construction
- construction times should be enforced and occur only between 9:00 am to 3:00 pm and no construction should occur on weekends
- construction of the building will result in unacceptable noise and dust pollution

### **Other**

- the Development does not consider the impact it will have on existing development in the area
- the Development will put pressure on existing schools in the area
- the Owner should be required to conduct a psychological study to examine the impact of the Development on existing residents
- a Fire Report should be prepared to demonstrate safety in the case of an emergency, since no secondary vehicular emergency exit is proposed
- a Police Report should be prepared to demonstrate crime prevention analysis
- a proper Noise study should be conducted
- the Owner should be required to submit a Lighting Plan for residents to understand how the proposed lighting may affect neighboring properties and assist in crime prevention
- the Development will provide an expanded choice of residential unit types, allowing persons to downsize within the existing community
- the Development will decrease property values, cause existing residents to move out of the area, and impact wildlife in the area

Any additional written comments received will be forwarded to the Office of the City Clerk to be distributed to the Committee of the Whole as a Communication. All written comments that are received will be reviewed by the Development Planning Department as input in the application review process and will be addressed in a technical report to

be considered at a future Committee of the Whole meeting.

### **Previous Reports/Authority**

Not applicable.

### **Analysis and Options**

#### ***The proposed Development conforms to Vaughan Official Plan 2010***

The Subject Lands are designated “Low-Rise Mixed-Use” with a maximum permitted building height of 5-storeys and density (Floor Space Index (‘FSI’)) of 1.75 by Vaughan Official Plan 2010 (‘VOP 2010’). The Subject Lands are located within a “Community Area” and are not located within an “Intensification Area” as identified on Schedule 1 - Urban Structure. The “Low-Rise Mixed-Use” designation permits residential units within low-rise buildings, in accordance with the policies of VOP 2010. The proposed 5-storey residential building with an FSI of 1.75 conforms to VOP 2010.

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

The Subject Lands are zoned “RM2 Residential Multiple Zone”, as shown on Attachment 1, and subject to site-specific Exception 9(988) by Zoning By-law 1-88. The “RM2 Residential Multiple Zone” permits apartment dwellings, multiple family dwellings, and block townhouse dwellings. The Owner is proposing to maintain the existing “RM2 Residential Multiple Zone, while amending the development standards in site-specific Exception 9(988), as follows:

Table 1:

	<b>Zoning By-law 1-88 Standards</b>	<b>RM2 Residential Multiple Zone, Exception 9(988) Requirements</b>	<b>Proposed Exceptions to RM2 Residential Multiple Zone, Exception 9(988)</b>
a.	Maximum Number of Residential Units	28	89
b.	Maximum Building Height	12 m	18.5 m (to the highest part of the parapet)
c.	Minimum Lot Area	230 m <sup>2</sup> per unit	44 m <sup>2</sup> per unit
d.	Minimum Front Yard Setback	4.5 m	3.2 m (to Islington Avenue)
e.	Minimum Exterior Side Yard Setback	4.5 m	2.2 m (to Napa Valley Avenue)

	<b>Zoning By-law 1-88 Standards</b>	<b>RM2 Residential Multiple Zone, Exception 9(988) Requirements</b>	<b>Proposed Exceptions to RM2 Residential Multiple Zone, Exception 9(988)</b>
f.	Minimum Setback to Underground Garage (Front Yard)	1.8 m	0 m at the daylight triangle
g.	Minimum Amenity Area per Unit	1 Bedroom - 62 units x 20 m <sup>2</sup> = 1240m <sup>2</sup>  2 Bedroom - 27 units x 55 m <sup>2</sup> = 1485m <sup>2</sup>  Total Required = 2,725 m <sup>2</sup>	1 Bedroom - 62 units x 27 m <sup>2</sup> = 1674 m <sup>2</sup>  2 Bedroom - 27 units x 27 m <sup>2</sup> = 729 m <sup>2</sup>  Total Proposed = 2,403 m <sup>2</sup>
h.	Minimum Number of Parking Spaces	89 units @ 1.5 spaces/unit = 134 spaces + 89 units @ 0.25 spaces/unit for visitor parking = 23 spaces  Total Parking Required = 157 spaces	62 (1 Bedroom) units @ 0.9 spaces/unit = 56 spaces + 27 (2 Bedroom) units @ 1.1 spaces/unit = 30 spaces + 89 @ 0.2 spaces/unit for visitor parking = 18 spaces  Total Parking Proposed = 104 spaces
i	Access Driveway Width	5.4 m - 7.5 m	8.5 m
j.	Yard Encroachments (balcony)	A Balcony can extend into a required interior side yard to 0.3 metres, and may extend into a required front, exterior side or rear yard to a maximum of 1.8 m	A Balcony shall be allowed to encroach into the front lot line and exterior lot line setbacks to a maximum of 1.9 m

Additional amendments to Zoning By-law 1-88 may be identified through a detailed review of the Application and will be considered as part of a technical report to a future Committee of the Whole meeting.

**Following a preliminary review of the Application, the Development Planning Department has identified the following matters to be reviewed in greater detail**

	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENTS</b>
a.	Consistency and Conformity with Provincial Policies, York Region and City of Vaughan Official Plan Policies	<ul style="list-style-type: none"> <li>• The Application will be reviewed for consistency and conformity with the Provincial Policy Statement, 2020 (the 'PPS'), A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2019 (the 'Growth Plan'), the policies of the York Region Official Plan ('YROP') and Vaughan Official Plan 2010 ('VOP 2010')</li> </ul>
b.	Appropriateness of the Proposed Site-Specific Exceptions to Zoning By-law 1-88	<ul style="list-style-type: none"> <li>• The appropriateness of the proposed amendments to the Zoning By-law will be reviewed in consideration of the existing and planned surrounding land uses, with consideration given to land use and built form compatibility, and appropriate development standards, including but not limited to:               <ul style="list-style-type: none"> <li>- the scale, massing, built form and compatibility of the proposed building in relation to the surrounding lands</li> <li>- the lot coverage, setbacks, landscaping, parking and outdoor loading areas</li> <li>- the urban design policies of the Official Plan, City-wide urban design guidelines and the Architectural and Urban Design Guidelines for Block 53</li> <li>- the development must include 5 barrier free parking spaces, whereas 4 are proposed</li> <li>- a zoning restriction to prohibit any residential units / uses above the 5<sup>th</sup> floor</li> </ul> </li> </ul>
c.	Studies & Reports	<ul style="list-style-type: none"> <li>• The Owner has submitted the following studies and reports in support of the Application which must be approved to the satisfaction of the City and/or respective public approval authority:</li> </ul>

	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENTS</b>
		<ul style="list-style-type: none"> <li>- Planning Justification Report</li> <li>- Draft Zoning By-law Amendment</li> <li>- Urban Design and Sustainability Brief</li> <li>- Pedestrian and Bicycle Circulation Plan</li> <li>- Stormwater Management Report</li> <li>- Functional Servicing Report</li> <li>- Hydrogeological Report</li> <li>- Geotechnical Report</li> <li>- Sustainability Metrics &amp; Summary Letter</li> <li>- Transportation Study</li> <li>- Site Specific Water Balance</li> <li>- Noise and Vibration Report</li> <li>- Community Services and Facilities Study</li> </ul> <ul style="list-style-type: none"> <li>• These reports are available on the city’s website at <a href="https://maps.vaughan.ca/planit/">https://maps.vaughan.ca/planit/</a> (PLANit Viewer)</li> <li>• Additional studies/reports may be required as part of the development application review process</li> </ul>
d.	Site Development Application	<ul style="list-style-type: none"> <li>• The Owner has submitted related Site Development File DA.20.002, for the proposed Development to be reviewed concurrently with the Application in consideration of, but not be limited to, the following matters: <ul style="list-style-type: none"> <li>- appropriate built form, site design, building elevations and landscaping</li> <li>- appropriate urban and architectural design taking into consideration the City-wide urban design guidelines and Architectural and Urban Design Guidelines for Block 53</li> <li>- appropriate building setbacks to the surrounding land uses, Napa Valley Avenue and Islington Avenue</li> <li>- road widening of Islington Avenue</li> <li>- access location and design</li> <li>- proper vehicular turning movements</li> <li>- the provision of sufficient snow storage areas</li> </ul> </li> </ul>



	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENTS</b>
		<ul style="list-style-type: none"> <li>- appropriate waste collection design standards and loading areas</li> <li>- site servicing and grading, stormwater management and retention measures to ensure any runoff/drainage is properly maintained on site</li> <li>- tree protection and preservation</li> </ul>
e.	Sustainable Development	<ul style="list-style-type: none"> <li>• Should the Application be approved, opportunities for sustainable design, including CEPTD (Crime Prevention Through Environmental Design), LEED (Leadership in Energy and Environmental Design), permeable pavers, bio-swales, drought tolerant landscaping, bicycle racks to promote alternative modes of transportation, energy efficient lighting, reduction in pavement and roof-top treatment to address the “heat island” effect, green roofs, etc., will be reviewed and implemented through the site plan approval process</li> <li>• In accordance with the City of Vaughan Sustainability Metrics Program, the Development must achieve a minimum Bronze Threshold Overall Application Score</li> </ul>
f.	Block 53 Developers’ Group Agreement	<ul style="list-style-type: none"> <li>• The Owner will be required to satisfy all obligations, financial or otherwise, of the Block 53 Developers’ Group Agreement to the satisfaction of the Block 53 Trustee and the City of Vaughan</li> </ul>
g.	Draft Plan of Condominium Application	<ul style="list-style-type: none"> <li>• Should the Zoning By-law Amendment and related Site Development Applications be approved, the Owner shall submit a Draft Plan of Condominium Application to establish the ownership tenure for the Development and must receive approval from Vaughan Council</li> </ul>

	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENTS</b>
h.	Allocation and Servicing	<ul style="list-style-type: none"> <li>• Should the Application be approved, the availability of water and sanitary servicing capacity for the Development must be identified and allocated by Vaughan Council. If servicing allocation is unavailable, the Subject Lands may be zoned with a Holding Symbol “(H)”, which will be removed once servicing capacity is identified and allocated to the lands by Vaughan Council</li> <li>• Should the Application be approved, the Owner may be required to enter into a development agreement with the City of Vaughan Development Engineering department for the installation of any proposed service connections and agree to pay for design and construction of any improvements to the municipal infrastructure, should it be determined that upgrades are required to the infrastructure to support this development</li> <li>• Should the Application be approved, the Owner may be required to enter into agreements with the City of Vaughan Development Engineering department with regards to discharge groundwater, excavation, shoring, encroachment and payment of associated fees, if required</li> </ul>
i.	Parkland Dedication	<ul style="list-style-type: none"> <li>• Should the Application be approved, the Owner will be required to pay to the City of Vaughan, cash in-lieu of the dedication of parkland, prior to the issuance of a Building Permit, in accordance with the <i>Planning Act</i> and the City of Vaughan’s Cash-in-lieu of parkland policy. The dedication will be determined by the Office of Infrastructure Development Department, Real Estate Services.</li> </ul>

## **Financial Impact**

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

## **Broader Regional Impacts/Considerations**

The York Region Community Planning and Development Services Department has provided the following preliminary comments:

- No portion of the building shall encroach within the Regional road right-of-way ('ROW') or the 0.3 m reserve
- All exterior walls of the building shall be setback a minimum of 2 m from the ultimate Regional road ROW to avoid steps, retaining walls or doorways that encroach into the Regional ROW
- The Owner must submit shoring anchor plans, construction fencing plans and/or tie back system plans, certified by a qualified professional engineer
- The approved construction fencing or tie back system located within the Regional ROW, will require an encroachment agreement
- Direct pedestrian/cycling facilities and connections from the Development to boundary roadways shall be provided
- The Owner shall agree to implement all recommendations of the Transportation Study including TDM measures
- The Tree Inventory, Preservation & Removal Plan and landscape must be revised to meet Regional requirements

Should the Application be approved, York Region has requested the Owner provide documentation to confirm water and wastewater services are available to the Development and servicing has been allocated by the City of Vaughan.

The above noted and any additional issues identified through the processing of the application will be addressed when the technical report is considered.

## **Conclusion**

The preliminary issues identified in this report and any other issues identified through the processing of the Application will be considered in the technical review of the Application. Comments from the public and Vaughan Council expressed at the Public Hearing or in writing will be addressed in a comprehensive report to a future Committee of the Whole meeting.

**For more information**, please contact: Rebecca Roach, Planner, Development Planning Department, ext. 8626

## **Attachments**

1. Context and Location Map
2. Site Plan
3. Landscape Plan
4. South and East Building Elevations
5. North and West Building Elevations

## **Prepared by**

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