

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 11, 2020

Item 9, Report No. 11, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 11, 2020.

9. GRAZIO DIVITTORIS AND 2561074 ONTARIO INC. ZONING BY-LAW AMENDMENT FILE Z.18.005 SITE DEVELOPMENT FILE DA.17.113 VICINITY OF ISLINGTON AVENUE AND NASHVILLE ROAD

The Committee of the Whole recommends approval of the recommendations contained in the following report of the Acting Deputy City Manager, Planning and Growth Management dated March 9, 2020:

Recommendations

1. THAT Zoning By-law Amendment File Z.18.005 (Grazio Divittoris and 2561074 Ontario Inc.) BE APPROVED to amend Zoning By-Law 1-88 for the subject lands to permit a 2-storey, mixed-use building with retail uses on the ground floor and 3 residential rental units on the second floor, together with the site-specific zoning exceptions identified in Table 1 of this report.
2. THAT the Owner be permitted to apply for a Minor Variance Application(s) from the Committee of Adjustment if required, to permit minor adjustments to the in-effect Vaughan Zoning By-law before the second anniversary of the day on which the implementing Zoning By-law for the Subject Land comes into full force and effect.
3. THAT Site Development File DA.17.113 (Grazio Divittoris and 2561074 Ontario Inc.) BE DRAFT APPROVED SUBJECT TO CONDITIONS and warning clauses included on Attachment 1, to the satisfaction of the Development Planning Department, to permit a 2-storey mixed-use building with a retail use (185.25 m² bakery with a 91.38 m² take-out eating establishment/hot table component) on the ground floor and 3 residential rental units on the second floor served by 13 parking spaces and with a shared access from Islington Avenue as shown on Attachments 3 to 6.
4. That the Owner be permitted, to remove two (2) existing municipal street parking spaces east and west of the subject lands to enhance the sight line and traffic safety for the shared driveway access at the public road to the satisfaction of the City.
5. That Vaughan Council adopt the following resolution for the allocation of water and sewage capacity:

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 11, 2020

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“THAT Site Development File DA 17.113 (Grazio Divittoris and 2561074 Ontario Inc.) be allocated servicing capacity for a total of 3 residential units (7 persons equivalent). The allocation of said capacity may be revoked by Council resolution and/or in accordance with the City’s Allocation of Servicing Capacity Policy in the event that (at the discretion of the City) the development does not proceed to registration within a reasonable timeframe.”

Committee of the Whole (2) Report

DATE: Monday, March 09, 2020

WARD(S): 1

**TITLE: GRAZIO DIVITTORIS AND 2561074 ONTARIO INC.
ZONING BY-LAW AMENDMENT FILE Z.18.005
SITE DEVELOPMENT FILE DA.17.113
VICINITY OF ISLINGTON AVENUE AND NASHVILLE ROAD**

FROM:

Bill Kiru, Acting Deputy City Manager, Planning and Growth Management

ACTION: DECISION

Purpose

To seek approval from the Committee of the Whole for Zoning By-law Amendment File Z.18.005 and Site Development Application File DA.17.113 for the subject lands shown on Attachment 2, to permit the development of a 2-storey mixed-use building with a retail uses on the ground floor and 3 residential rental units on the second floor, served by 13 parking spaces as shown on Attachments 3 to 6.

Report Highlights

- The Owner proposes to construct a 2-storey mixed-use building with ground floor retail uses and 3 residential rental units on the second floor served by 13 parking spaces
- An amendment to Zoning By-law 1-88, to permit exceptions to the zone requirements for the C11 Commercial Zone, and Site Development approval are required to facilitate the proposed development
- The Development Planning Department supports the approval of the Zoning By-law Amendment and Site Development applications as the development is consistent with the Provincial Policy Statement 2014, conforms to the Growth Plan 2019, York Region Official Plan and Vaughan Official Plan 2010 and is compatible with the existing and planned uses in the surrounding area

Recommendations

1. THAT Zoning By-law Amendment File Z.18.005 (Grazio Divittoris and 2561074 Ontario Inc.) BE APPROVED to amend Zoning By-Law 1-88 for the subject lands to permit a 2-storey, mixed-use building with retail uses on the ground floor and 3

residential rental units on the second floor, together with the site-specific zoning exceptions identified in Table1 of this report.

2. THAT the Owner be permitted to apply for a Minor Variance Application(s) from the Committee of Adjustment if required, to permit minor adjustments to the in-effect Vaughan Zoning By-law before the second anniversary of the day on which the implementing Zoning By-law for the Subject Land comes into full force and effect.
3. THAT Site Development File DA.17.113 (Grazio Divittoris and 2561074 Ontario Inc.) BE DRAFT APPROVED SUBJECT TO CONDITIONS and warning clauses included on Attachment 1, to the satisfaction of the Development Planning Department, to permit a 2-storey mixed-use building with a retail use (185.25 m² bakery with a 91.38 m² take-out eating establishment/hot table component) on the ground floor and 3 residential rental units on the second floor served by 13 parking spaces and with a shared access from Islington Avenue as shown on Attachments 3 to 6.
4. That the Owner be permitted, to remove two (2) existing municipal street parking spaces east and west of the subject lands to enhance the sight line and traffic safety for the shared driveway access at the public road to the satisfaction of the City.
5. That Vaughan Council adopt the following resolution for the allocation of water and sewage capacity:

“THAT Site Development File DA 17.113 (Grazio Divittoris and 2561074 Ontario Inc.) be allocated servicing capacity for a total of 3 residential units (7 persons equivalent). The allocation of said capacity may be revoked by Council resolution and/or in accordance with the City’s Allocation of Servicing Capacity Policy in the event that (at the discretion of the City) the development does not proceed to registration within a reasonable timeframe.”

Background

The subject lands (the ‘Subject Lands’) are located on the east side of Islington Avenue between Kellam Street and John Street and are municipally known as 10513 Islington Avenue, as shown on Attachment 2. The Subject Lands are developed with an existing building that is currently vacant and has been boarded up, which is planned for demolition. The surrounding land use is shown on Attachment 2.

Zoning By-law Amendment and Site Development Applications have been submitted to permit the development

The Owner has submitted the following applications (the ‘Applications’) for the Subject Lands to permit the construction of a 2-storey mixed-use building with a retail use (bakery and a 91.38 m² take-out eating establishment/hot table component) on the

ground floor and 3 residential rental units on the second floor. The proposed development would be served by 13 parking spaces and with shared access from Islington Avenue as shown on Attachments 3 to 6:

1. Zoning By-law Amendment File Z.18.005 (Grazio Devittoris and 2561074 Ontario Inc.) to amend the zoning requirements for the “C11 Commercial Zone” with the site-specific exceptions identified in Table 1 to permit the Development.
2. Site Development File DA.17.113 (Grazio Devittoris and 2561074 Ontario Inc.) to facilitate the Development.

A Committee of the Whole (Public Hearing) for the Zoning By-law Amendment Application was held on April 4, 2018

On March 9, 2018, a Notice of Public Hearing was circulated to all property owners within 150 metres of the Subject Lands and to the Kleinburg Area Ratepayers' Association. A copy of the notice of Public Hearing was also posted on the City's website at www.vaughan.ca and a Notice Sign was also installed on the Subject Lands in accordance with the City's Notice Sign Procedures and Protocols.

A Committee of the Whole (Public Hearing) was held on April 4, 2018, to receive comments from the public, and the Committee of the Whole. Vaughan Council on April 11, 2018, ratified the Recommendation of the Committee of the Whole to receive the Public Hearing Report of April 4, 2018.

The following deputations were received by the Committee of the Whole at the April 4, 2018 meeting:

- A. Grossi, Humphries Planning Group, representing the Owner
- Mr. Richard Lorello, Treelawn Boulevard, Kleinburg
- Mr. Eric Laichter, Kleinburg BIA, Nashville Road, Kleinburg
- Mr. Ken Schwenger, Coldsprings Road, Kleinburg
- Mr. Frank Fallico, Kellam Street, Kleinburg
- April 2, 2018, Communication C3 was received by the City from Ms. Kathryn Angus, Kleinburg & Area Ratepayers Association

The following summary outlines the comments made at the April 4, 2018 Public Hearing meeting and the written submissions received on the Applications. The Development Planning Department responses are also provided below and in the relevant sections of this report.

i) Parking Deficiency and request for a Parking Study in the Kleinburg Core

The parking deficiency proposed by this development is not acceptable and will worsen an already bad situation. The cash-in-lieu of parking policy is not a solution as to-date,

nothing has been implemented to help conditions. A Parking Study for the area is required.

Staff Response

At the time of the Public Hearing meeting, the proposal included an eating establishment use on the main level along with 3 residential rental units on the second floor, requiring a total of 50 parking spaces. A total of 18 parking spaces were proposed, resulting in a parking space deficiency of 32 spaces. The proposed number of parking spaces did not comply with the Council endorsed IBI Draft Parking Report (the '2010 IBI Report').

Since the Public Hearing meeting the Owner has revised the Applications to permit a mixed-use, 2-storey building with a gross floor area of 553.26 m² consisting of a retail use (185.25 m² bakery and a 91.38 m² take-out eating establishment/hot table component) on the ground floor, and 3 residential rental units on the second floor (276.63 m²). The current proposal requires 27 parking spaces, whereas 13 spaces are proposed, resulting in a parking shortage of 14 spaces under the City's Zoning By-law 1-88. The revised proposal would result in a parking supply that would comply with the Council endorsed 2010 IBI Report. As such, the amount of parking spaces being proposed is supported by the Development Engineering Department.

In response to the continued parking issues within the Kleinburg core expressed by residents, visitors and business owners, including pressures from redevelopment on the publicly available parking supply, the City in August 2019 retained McIntosh Perry to undertake the Kleinburg Parking Strategy (the 'Strategy'). The Strategy will investigate the parking needs in the Village, including future parking requirements for development and options for accommodating redevelopment moving forward. It will also address potential solutions and recommendations to deal with the range of existing parking concerns to ensure that the Village's parking supply is balanced, accessible, and can accommodate additional development in the future.

The Strategy is in progress and the review of the existing conditions (Phase 1) is nearing completion. Additional information can be obtained from the project website at: http://www.vaughan.ca/services/residential/dev_eng/kps/Pages/default.aspx

ii) The proposed 0 m setbacks are not appropriate

The proposed 0 m setbacks for the new building are not appropriate and would negatively impact the surrounding built form.

Staff Response

The proposed building is subject to the Kleinburg-Nashville Heritage Conservation District Plan (the 'KNHCDP') which includes policies respecting appropriate architectural style, building heights and architectural heritage material to ensure that new

construction is respectful of existing heritage buildings. The new building is proposed to be sited in the same location as the existing structure having similar setbacks, height, and architectural material. In addition, similar zoning exceptions are being requested that have been previously approved for other developments in the Kleinburg Core.

The Development Planning Department on February 25, 2020 mailed a non-statutory courtesy notice of this Committee meeting to those individuals that made deputations at the Public Hearing meeting, submitted written correspondence or requested notice of Council's further consideration of these Applications to the Committee of the Whole.

Previous Reports/Authority

[April 11, 2018, Committee of the Whole Public Hearing \(Item 5, Report No.15\)](#)

Analysis and Options

The Applications are consistent with the Provincial Policy Statement 2014

In accordance with Section 3 of the *Planning Act*, all land use decisions in Ontario "shall be consistent" with the Provincial Policy Statement 2014 (the 'PPS'). The PPS provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong, healthy communities; the wise use and management of resources; and protecting public health and safety.

The *Planning Act* requires that Vaughan Council's planning decisions be consistent with the PPS. The Development Planning Department is of the opinion that the Development is consistent with the policies of the PPS, specifically:

- Section 1.1.1 - to accommodate an appropriate range of residential, employment, institutional, recreation, park and open space uses
- Section 1.1.3 - settlement areas being the focus of development based on densities and land uses which efficiently use land
- Section 1.4.3 - planning to provide for appropriate range and mix of housing types, which is affordable to low and moderate incomes by permitting all form of residential intensification including secondary units
- Section 1.7 - encouraging a sense of place, by promoting well-designed built form, cultural planning, and by conserving features that help define character, including built heritage resources and where possible enhancing the vitality and viability of mainstreets

The Development represents a mixed-use development consisting of retail uses on the ground floor and residential rental units on the second floor that efficiently utilizes existing and planned infrastructure and protects heritage resources while enhancing the vitality and viability of the Kleinburg Core.

The Applications conform to A Place to Grow: The Growth Plan for the Greater Golden Horseshoe 2019

A Place to Grow: Growth Plan for the Greater Golden Horseshoe Growth Plan 2019 (the 'Growth Plan') is intended to guide decision making on the development of land by encouraging a compact built-form, transit supportive communities, diverse land uses, and a range of mix of housing types. The Growth Plan encourages the concentration of population and employment growth within the settlement areas and promotes the development of complete communities that offer a mix of housing types, access to local amenities and connections to municipal water and wastewater systems.

Section 2.2.1 Managing Growth directs growth to built-up areas and locations with existing or planned transit and in locations to achieve complete communities that provide a diverse range and mix of housing options, support retail and promote compact built form that encourage the integration of those uses with other land uses to support complete communities. The Applications conform to the policy framework of the Growth Plan as follows:

- a) Section 2.2.5.15 by supporting retail by promoting compact built form and intensification of retail and service uses and areas and encouraging the integration of those uses with other land uses to support the achievement of complete communities.
- b) Section 2.2.6 Housing and specifically, Section 2.2.6.1 a) states (in part) that municipalities, the Province, and other appropriate stakeholders, will each develop a housing strategy that support housing choice through the achievement of the minimum intensification and density targets in this plan, as well as the other policies of this Plan by:
 - identifying a diverse range and mix of housing options and densities, including second units and affordable housing to meet projected needs of current and future residents; and
 - establishing targets for affordable ownership housing and rental housing.

The Development conforms to the Growth Plan as it utilizes a compact building form within a built-up area and introduces an affordable housing option (rental) which is integrated with a retail use that adds to the diversity and mix of housing which is important in achieving a complete community.

The Applications conform to the York Region Official Plan

The Subject Lands are designated "Urban Area" on Map 1, "Regional Structure" by the York Region Official Plan (the 'YROP'), which permits a range of residential, industrial, commercial and institutional uses. The YROP encourages intensification within the Urban Area and throughout York Region and encourages a mix and range of housing

types, lot sizes, unit sizes, functions, tenures and levels of affordability including rental units within each community.

Sections 3.5.20 and 3.5.21 of the YROP encourages the construction of new rental units with a full mix and range of unit sizes.

Section 5.0 Building Cities and Complete Communities and more specifically Section 5.2.6 encourages development to incorporate live-work opportunities through the combination of flexible zoning permissions and accommodations for combined residential and business or personal services, office uses and home occupations.

The proposed Development represents a compact built-form which utilizes existing services and infrastructure. The Development introduces density on an underutilized lot and expands the range of housing tenure by providing a needed housing option in the form of rental units integrated with a commercial component for current and future residents within the community.

The Development conforms to Vaughan Official Plan 2010

The Subject Lands are designated “Mainstreet Commercial” by Vaughan Official Plan 2010 (VOP 2010) specifically Volume 2, Section 12.4 – Kleinburg Core Secondary Plan (“KCSP”) and are located within a “Local Centre” as identified on Schedule 1 - Urban Structure of VOP 2010. The existing land use designation permits the Development, as shown on Attachments 3 to 6 on the Subject Lands.

- a) VOP 2010, Schedule 1 - Urban Structure, identifies the planned Urban Structure of the City of Vaughan and establishes a hierarchy of Intensification Areas, including Local Centres.

Section 2.2.5.7 in VOP 2010 (Volume 1) states (in part) that Local Centres shall be planned to:

- i) develop with a mix of housing types and tenures, including housing suitable for seniors and families with children and affordable housing;
- ii) be predominantly residential in character but include a mix of uses including retail office and community facilities intended to serve the local population and attract activity throughout the day; and
- iii) develop at densities supportive of planned or potential public transit, taking into account the local urban fabric of each Local Centre.

VOP 2010 Section 7.5 Housing Options, specifically Section 7.5.1.1, (in part) encourages and supports the provision of a full range of housing options including rental housing, to meet the needs of Vaughan’s diverse population.

- b) The Kleinburg Core Secondary Plan KCSP was developed based (in part) on the following goals: to ensure that land use and built form are compatible with the scale and character of the existing community, promote pedestrian-oriented development patterns, ensure that the heritage resources of the Kleinburg Core area are protected and to encourage mixed-use development at a modest scale so that the Kleinburg Core area remains vibrant.

The Subject lands are designated “Mainstreet Commercial” by VOP 2010, Volume 2, Section 12.4 - Kleinburg Core Secondary Plan, which permits the proposed Development consisting of a 2-storey building with a Floor Space Index (FSI) of .57 times the area of the lot, as shown on Attachments 3 to 6.

The Development Planning Department supports the Development as it conforms to VOP 2010 by providing a mix of uses in a compatible built form, expands the range of housing types and tenures while maintaining a commercial component that supports the prosperity of the mainstreet commercial core area.

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

The Subject Lands are zoned “C11 Mainstreet Commercial Zone” by Zoning By-law 1-88, which permits the proposed retail use (bakery with take-out eating establishment/hot table component) and residential uses. The following site-specific zoning exceptions in Table 1 are required to permit the Development:

Table 1

	Zoning By-law 1-88 Standard	C11 Mainstreet Commercial Zone Requirements	Proposed Exceptions to C11 Mainstreet Commercial Zone Requirements
a.	Minimum Dimensions for an Accessible Parking Space	6 m x 3.4 m with an access measuring 1.5 m in width	5.8 m x 3.4 m with a 1.83 m access width
b.	Use of Basement/ Cellars	Cellar or a basement shall be used for no other purpose than storage, mechanical and/or laundry facilities or parking	Permit washrooms in the basement/cellar in addition to storage and laundry facilities and mechanical with no parking requirement
c.	Minimum Landscape Strip abutting an R1 Residential Zone (East lot line)	2.4 m	0 m

	Zoning By-law 1-88 Standard	C11 Mainstreet Commercial Zone Requirements	Proposed Exceptions to C11 Mainstreet Commercial Zone Requirements
d.	Minimum Front Yard Setback (Islington Avenue)	2.0 m	0.28 m to the porch
e.	Minimum Landscape Strip abutting a Zone other than Open Space or Residential	1.8 m	0 m (north and south lot lines)
f.	Site Access	Access to be provided on the lot	Shared access to be permitted on the adjacent lot to the south
g.	Minimum Interior Side Yard Setback (North)	1.8 m	1.0 m
h.	Minimum Parking Requirements	<p>Residential Parking: 3 units @ 1.5 spaces/unit = 5 spaces + 3 units @ .25 spaces/unit for visitor parking = 1 space Residential Parking Required = 6 spaces</p> <p>Commercial Parking: Bakery 185.25 m² @ 6 spaces/100 m²= 11 spaces + Eating Establishment/Take- out/Hot table component 91.38 m² @ 10 spaces /100 m² = 10 spaces Commercial Parking Required = 21spaces</p> <p>Total parking required = 27 spaces</p>	13 parking spaces
i.	Minimum Parking Space Size	2.7 m x 6 m	2.6 m x 5.8 m

	Zoning By-law 1-88 Standard	C11 Mainstreet Commercial Zone Requirements	Proposed Exceptions to C11 Mainstreet Commercial Zone Requirements
j.	Minimum Landscape Coverage	10%	6%
k.	Minimum Width for a shared Access Driveway	7.5 m	6 m
l.	Minimum Landscape Strip abutting Islington Avenue	2 m	0 m

The Development Planning Department can support the zoning exceptions in Table 1 on the following basis:

Parking Deficiency and Parking Space Size

A Parking Study (the 'Study') prepared by JD Northcote Engineering (revised January 7, 2019) and submitted in support of the proposed development concludes that the proposed 13 parking spaces are sufficient for the proposed mixed-use building. The Development Engineering ('DE') Department accepts the findings of the Study and has indicated that the proposed parking for this site has been provided in accordance with the City's endorsed 2010 IBI Report, consistent with other developments in the City. The Engineering Department relies on the Council endorsed 2010 IBI Report when determining the adequacy of on-site parking and have indicated that there is no parking deficiency or cash-in-lieu of parking required for the Subject Lands. The size of the standard parking spaces has been approved previously for other developments and is also supported by the DE Department.

Minimum building setbacks and exceptions identified in Table 1

The Development Planning Department can support the proposed site-specific zoning exceptions as they are consistent with similar exceptions approved for other developments within the Kleinburg Core. The exceptions are also consistent with the front yard setbacks of other existing buildings in the KNHCDP and will facilitate a pedestrian friendly, mixed-use development that is compatible with the adjacent existing built form, expands the range of housing types and tenures within the community and supports the mainstreet commercial core.

Shared Access with adjacent property to the south (10503 Islington Avenue)

The Owner of the Subject Lands and the Owner of the property municipally known as 10503 Islington Avenue (Attachments 2 and 3) have prepared and submitted a Mutual Drive Agreement for the purpose of a joint access mutual driveway between the two properties, providing shared vehicle access for the two properties to assist with the overall traffic operations for the site and for any surface drainage/runoff. This is supported by the DE Department.

The Owner, if required shall obtain approval of a Consent Application from the City of Vaughan Committee of Adjustment for the mutual drive access and for any surface drainage/runoff easements. An agreement recognizing the shared access is required for this Development and adjacent property to the satisfaction of the DE Department, and must be registered on the title of both properties. A condition to this effect has been included in Attachment 1 - Conditions of Site Plan Approval.

The Planning Act permits Vaughan Council to pass a resolution to permit the Owner to apply for a Minor Variance application(s), if required, within 2 years of a Zoning By-law coming into full force and effect

Section 45 (1.3) of the *Planning Act* restricts a landowner from applying for a Minor Variance Application(s) to the Committee of Adjustment within two years of the day on which a Zoning By-law was amended. The *Planning Act* also permits Council to pass a resolution to allow an Owner to apply for a Minor Variance application(s) within 2 years of the passing of the zoning by-law amendment.

Should Council approve Zoning By-Law Amendment File Z.18.005, the Development Planning Department has included a Recommendation to permit the Owner to apply for minor Variance application(s), if required, in advance of the two-year moratorium in order to address minor zoning deficiencies that may arise through the finalization and construction of the Development.

The Heritage Vaughan Committee recommended approval of the Development on February 19, 2020

The Heritage Vaughan Committee on February 19, 2020, considered the Development, which is located in the Kleinburg-Nashville Heritage Conservation District Plan (KNHCDP) and recommended that Council approve the proposed Development.

The Development Planning Department supports the Development, subject to the comments and Recommendations of this report

a) Site Plan

The Development includes a 553.26 m² 2-storey mixed-use building consisting of: a 185 m² bakery with a 91.38 m² take-out eating establishment/hot table component on the ground floor; and 3 residential rental units on the second floor. The basement will be used mainly for storage purposes and will contain washroom facilities.

Access to this site is from Islington Avenue and is shared with the neighbouring property as shown on Attachment 3. A total of 13 parking spaces are proposed to serve this development and are located at the rear of the site behind the proposed building as shown on Attachment 3.

b) Building Elevations

The proposed building elevations shown on Attachments 5 and 6 consist of a charcoal smooth hardie plank siding and trim and glazing as the main cladding materials. The front (south) elevation on Islington Avenue (Attachment 5) contains the main entrance to the building and is defined with a large covered porch supported by architectural columns and covered with a shaker board shingle roof. The east elevation contains a large entry feature defined by a two-storey covered porch supported by tall columns with a centered gable. The north and west elevations are simple in appearance and are shown on Attachment 6. Additional architectural treatment has been requested for the west elevation. The garbage area is located along the east elevation, located within the building and accessed through double steel doors.

c) Landscape Plan

The landscape plan (Attachment 4) identifies planter boxes along the south elevation on Islington Avenue and along the eastern elevation next to the entrance, consisting of perennials and ornamental grasses. A larger landscape island is located at the rear concealing the parking area. Hard landscaping in the form of decorative unit pavers is proposed along Islington Avenue and around the entire building. A 1.8 m high wood privacy fence is proposed around the parking area.

The final site plan, building elevations, landscape plan and cost estimate must be approved by the Development Planning Department.

The Public Works, Solid Waste Management Division has no objection or comments to the proposed Development

The Public Works, Solid Waste Management Division has no objection to the Development and have indicated that all waste collection services shall be privately administered and the responsibility of the Owner.

The Development Engineering Department has no objection to the Development, subject to the Recommendations of this report

The Development Engineering Department (the 'DE') has no objection to the Development, subject to the conditions in the Recommendations of this report. The DE Department has provided the following comments:

a) Municipal Servicing (Sanitary and Servicing, Water Distribution and Storm Drainage)

Sanitary and water servicing is available to the Subject Lands from the existing single sanitary and water service connections from the existing sewer and watermain along Islington Avenue. There is no existing stormwater management controls for quantity or quality measures (ie. entire lands drain overland towards the municipal stormwater system on Islington Avenue). The existing roof drain for the existing building is currently

draining into the existing sanitary system and therefore will be disconnected to eliminate these flows from the sanitary sewer.

b) Erosion and Sediment Control Erosion

Erosion and sediment control mitigation measures are to be implemented during construction to minimize silt laden runoff discharge from the subject site in accordance with the Erosion & Sediment Control Guidelines for Urban Construction (December 2006).

c) Environmental Noise Assessment

Noise Report/Brief from a qualified noise consultant shall be provided if required, to confirm any potential noise impacts and/or requirements from external sources on the three (3) proposed residential units.

d) Transportation

i) Parking

The Owner proposes a retail use on the ground floor comprised of a 185.25 m² bakery with a 91.38 m² take-out eating establishment/hot table component, supported with 13 parking spaces. The Parking Study (the 'Study') prepared on behalf of the Owner states that 13 parking spaces is sufficient to serve the Development. The Study's findings have been reviewed and accepted by the Development Engineering Department. The proposal is consistent with the Council endorsed 2010 IBI Report. As there is no deficit from the recommended standards of the 2010 IBI Report, cash-in-lieu of parking is not required. DE also supports the traffic signage plan proposed through the Parking Study.

ii) Site Access

Site Access for the Development is proposed from a reconstructed 'mutual access' driveway between the Owners of the Subject Lands and 10503 Islington Avenue. Mutual access shall be established by consent through an application to the City of Vaughan Committee of Adjustment for the creation of access easements. The private mutual access agreement shall be executed and registered on the title of both the properties, should the Applications be approved.

iii) Removal of two public street spaces

The Parking Study provided a sight analysis which recommended that two (2) existing on-street parking spaces, east and west of the Subject Lands, should be removed to enhance sightline's and traffic safety at the intersection of the driveway and the public road. The DE Department, Transportation Division supports the removal of 2 parking spaces for this Development.

The Kleinburg Parking Strategy (the 'Strategy') currently being conducted by the DE Department, will in addition to providing a series of recommendations for parking deficiencies, include the review of all on-street parking spaces on Islington Avenue to ensure safe operations for the core area. However, until the completion of the Strategy, safety is a priority and the removal of these 2 spaces will achieve the minimum 65 metre

sightline distance required by the DE Department. Prior to the removal of the parking spaces, the Owner will be required to prepare a signage plan and provide and implement appropriate signage as part of the plan to remove the parking spaces. A condition to this effect has been included in the Recommendation section of this report for Council approval and on Attachment 1 - Conditions of Site Plan Approval.

The Infrastructure Planning and Corporate Asset Management Department has no objection to the Development

The Infrastructure Planning and Corporate Asset Management Department has no objection to the Development but have indicated that the City is nearing completion of its Interim Servicing Strategy Study (the 'Servicing Study') for the Kleinburg-Nashville service area. It is expected that the Servicing Study will include improvements and associated cost estimates which may require the Owner to contribute to the sanitary improvements for this area. A condition to this effect has been included in Attachment 1 - Conditions of Site Plan Approval.

The Urban Design and Cultural Heritage Division of the Development Planning Department have no objection to the Development

The Urban Design Staff have reviewed the site plan and elevations and support the building design, siting and materials but will require the owner to provide additional architectural elements along the west elevation. The final site plan and elevations shall be approved by Urban Design Staff.

The Development conforms to the Kleinburg-Nashville Heritage Conservation District Plan

The Subject Lands are located within the Nashville-Kleinburg Heritage Conservation District Plan (the 'KNHCDP'). The Cultural Heritage Division is satisfied that the proposed Development conforms to the policies and guidelines within the KNHCDP. Accordingly, the Development Planning Department supports the Heritage Vaughan Committee review of the proposed demolition of the existing two-storey building and construction of an architectural replica two-storey building on the Subject Lands under the Ontario Heritage Act.

Canada Post has no objection to the Development

Canada Post has reviewed the Development and have indicated that they have no objection as mail delivery will remain as it is currently.

The Transportation Services, Parks and Forestry Operations have no objection to the approval of the Applications, subject to their comments and conditions

The Transportation Services, Parks and Forestry Operations (the 'TSPFO') has reviewed the Applications and supporting Arborist Report and has no objection to the Development, subject to the conditions continued in Attachment 1 - Conditions of Site Plan Approval.

Alectra Corporation, Enbridge Distribution Inc. and Bell Canada have no objection to the Development, subject to the recommendations of this report.

The above noted utilities have reviewed the Applications and have no objection to the Development, subject to the conditions continued in Attachment 1 - Conditions of Site Plan Approval.

The Financial Planning and Development Finance Department advises development charges are applicable

The Owner will be required to pay Development Charges in accordance with the Development Charges By-laws of the City of Vaughan, York Region, the York Region District School Board and the York Catholic District School Board. A condition to this effect is included in Attachment 1 - Conditions of Site Plan Approval.

Cash-in-lieu of the dedication of Parkland is required for the Development

The Infrastructure Development Department, Real Estate Division has advised that the Owner shall pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 1 hectare per 300 units or 5% of the value of the Subject Lands, whichever is higher prior to the issuance of a building permit. For the commercial component the Owner shall pay to the City of Vaughan cash-in-lieu equivalent to 2% of the value of the subject lands prior to the issuance of a building permit, in accordance with Section 42 of the *Planning Act* and the City's Cash-In-Lieu Policy.

The Owner shall submit an appraisal of the subject lands prepared by an accredited appraiser for approval by the Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu of the deduction of parkland payment. A condition to this effect is included in Attachment 1 - Conditions of Site Plan Approval.

Financial Impact

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

Broader Regional Impacts/Considerations

York Region has reviewed the proposed Development and have indicated that they have no objections, comments or conditions of approval.

Conclusion

The Development Planning Department has reviewed Zoning By-law Amendment File Z.18.005 and Site Development File DA.17.113 in consideration of the Provincial Policies, Regional and City Official Plan policies, the requirements of Zoning By-law 1-88, the comments received from the City Departments and external public agencies, and the surrounding existing and planned area context.

The Development Planning Department is satisfied that the Applications to permit a mixed-use development on the Subject Lands are consistent with the PPS, conforms to the Growth Plan, the York Region Official Plan, and VOP 2010. The Development utilizes a compact built form, is located within a built-up area and is located close to existing and planned transit facilities. The Development also introduces an affordable rental housing option and a commercial component that contributes to achieving a complete community. On this basis, the Development Planning Department can support the approval of the Applications, subject to the Recommendations of this report, and the Conditions of Approval set out in Attachment 1.

For more information, please contact: Eugene Fera, Senior Planner, Extension 8003

Attachments

1. Conditions of Site Plan Approval
2. Location Map and Existing Zoning
3. Site Plan
4. Landscape Plan
5. Elevations - South & East
6. Elevations - North & West

Prepared by

Eugene Fera, Senior Planner, ext. 8003

Carmela Marrelli, Senior Manager of Development Planning ext. 8791

Christina Bruce, Acting Director of Development Planning, ext. 8231

/MP

Attachment 1 – Conditions of Site Plan Approval
Site Development File DA.17.113 (Grazio Divittoris, 2561074 Ontario Inc.)

- 1) THAT prior to the execution of the Site Plan Agreement:
 - a) The Development Planning Department shall approve the final site plan, landscape plan and cost estimate, arborist report, building elevations, signage details and lighting plan;
 - b) The Development Engineering Department shall approve the final Functional Servicing Brief, Noise Report/Brief, grading, site servicing and erosion sediment control plans, and parking study;
 - c) The Owner shall remove, two (2) existing municipal on street parking spaces east and west of the subject lands to enhance sight lines and traffic safety for the Development and submit a signage plan and provide and implement the appropriate signage to facilitate the removal of the parking spaces to the satisfaction of the City of Vaughan;
 - d) The Owner shall obtain approval and final and binding of a Consent Application from the City of Vaughan Committee of Adjustment easements for mutual access and surface drainage between the Owner of the Subject Lands and the Owner to the east 10503 Islington Avenue. The agreements shall be to the satisfaction of the Development Engineering Department;
 - e) The Owner, shall register a Mutual Shared Driveway Agreement and reference plan delineating the easements for access and drainage on the title of the Subject Lands and on the title of the lands municipally known as 10503 Islington Avenue to the satisfaction of the City of Vaughan; and
 - f) The Owner shall pay the Development Engineering Simple Complex Site Plan Review Fee per the Fees and Charges By-law, as amended.
- 2) THAT the Site Plan Agreement shall include the following conditions and warning clauses, to the satisfaction of the City:

Conditions

- a) The Owner shall agree that water servicing requirements shall meet minimum Industrial-Commercial-Institutional (ICI) requirements as required by the City's Design Criteria. If required a Servicing Plan shall be provided to indicate upgrades required to the existing water service connection.

- b) The Owner must pay all applicable development charges in accordance with the development charges by-laws of the City of Vaughan, York Region, York Region District School Board and York Catholic District School Board.
- c) The Owner shall pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 1 hectare per 300 units or 5% of the value of the Subject Lands, whichever is higher prior to the issuance of a Building Permit.

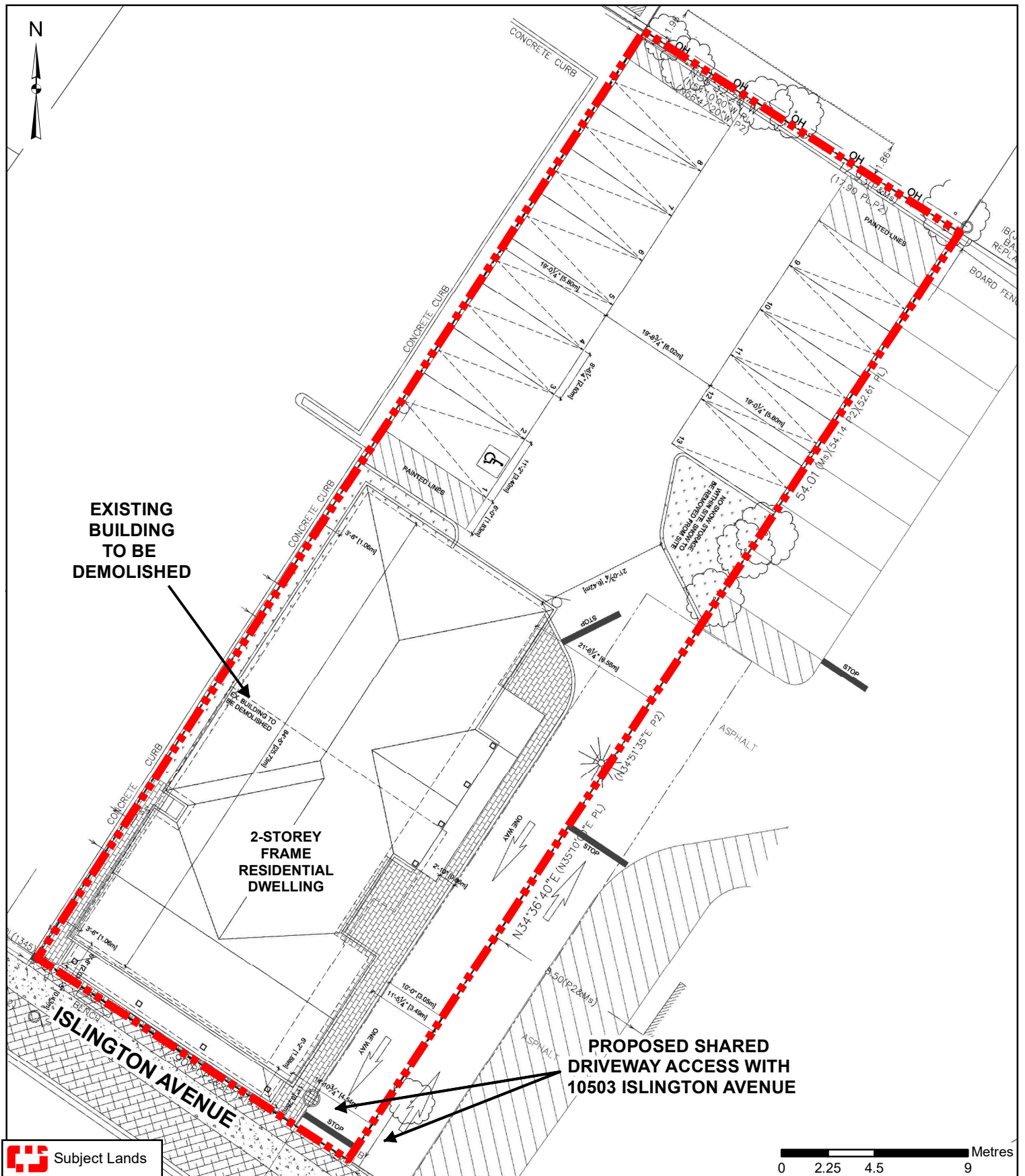
The owner shall pay to the City of Vaughan cash-in-lieu of the deduction of parkland equivalent to 2% of the value of the subject lands prior to the issuance of a Building Permit, in accordance with Section 42 of the *Planning Act* and the City's Cash-In-Lieu Policy. The Owner shall submit and appraisal of the subject lands prepared by an accredited appraiser for approval by the Vaughan Real Estate Department, and the approved appraisal shall form the basis of the cash-in-lieu payment.

- d) The Owner shall obtain final Clearance from Alectra Utilities Corporation, Bell Canada and from Enbridge Distribution Inc.
- e) The Owner, shall submit a Noise Report/Brief to confirm any potential noise impacts on the residential units, and include all necessary warning statements on all agreements to rent or lease the individual units to the satisfaction of the City;
- f) The Owner shall install all Tree Protection Fencing in accordance with the Tree Protection By-law 052-2018 and to the satisfaction and approval of the Vaughan Parks, Forestry and Horticulture Operations;
- g) The Owner shall, during construction implement the recommendations outlined in the Arborist report prepared by Davey Resource Group to the satisfaction of Vaughan Parks, Forestry and Horticulture Operations.
- h) The Owner shall fulfill the conditions of the Committee of Adjustment Consent application for the easements related to the shared mutual driveway and for surface drainage to the satisfaction of the City.

Warning Clauses

- Should archaeological resources be found on the Subject Lands during construction activities, the Owner must immediately cease all construction activities and immediately notify the Ontario Ministry of Tourism, Culture and Sport and the Development Planning Department, Urban Design and Cultural Heritage Division.

- In the event that human remains are encountered during construction activities, the Owner must immediately cease all construction activities. The Owner shall contact the York Regional Police Department, the Regional Coroner, the Registrar of the Cemeteries and Crematoriums Regulation Unit of the Ministry of Government and Consumer Services, and the City of Vaughan Development Planning Department, Urban Design and Cultural Heritage Division.



Site Plan

Location:
Part of Lot 24, Concession 8

Applicant: Grazio Divittoris and
2561074 Ontario Inc.

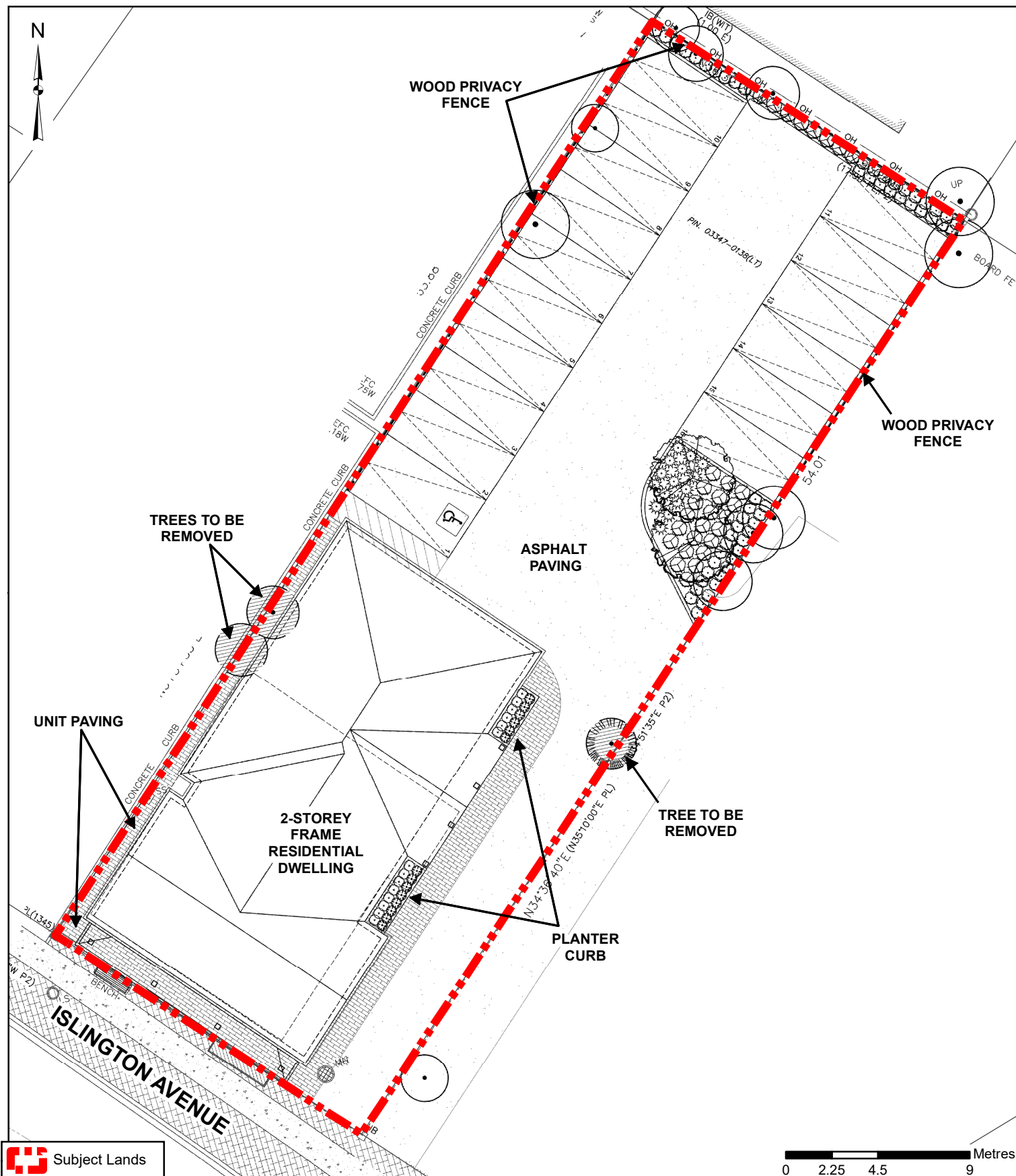


Attachment

FILES:
Z.18.005 & DA.17.113

DATE:
January 22, 2020

3



Landscape Plan

Location:
Part of Lot 24, Concession 8

Applicant: Grazio Divittoris and
2561074 Ontario Inc.



Attachment

FILES:
Z.18.005 & DA.17.113

DATE:
January 22, 2020

4



SOUTH ELEVATION - FACING ISLINGTON AVENUE



EAST ELEVATION

BOARD COLUMNS
AND PORTICO

Not to Scale

Elevations - South & East

LOCATION:
Part of Lot 24, Concession 8

APPLICANT: Grazio Divittoris and
2561074 Ontario Inc.

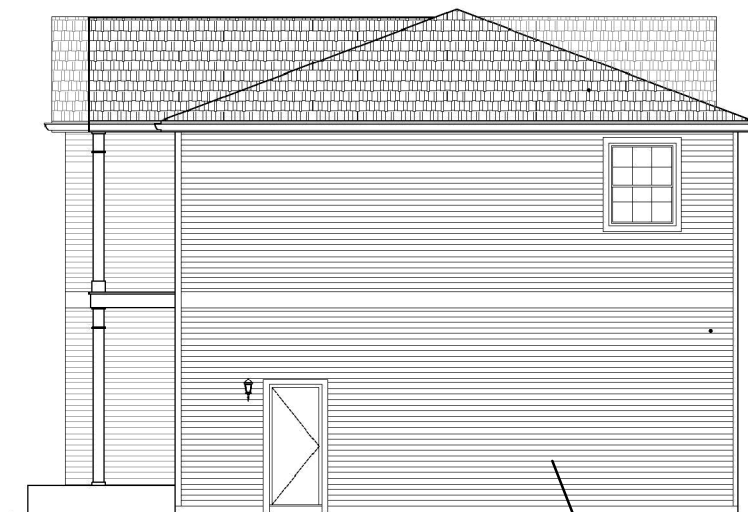


Attachment

FILES:
Z.18.005 & DA.17.113

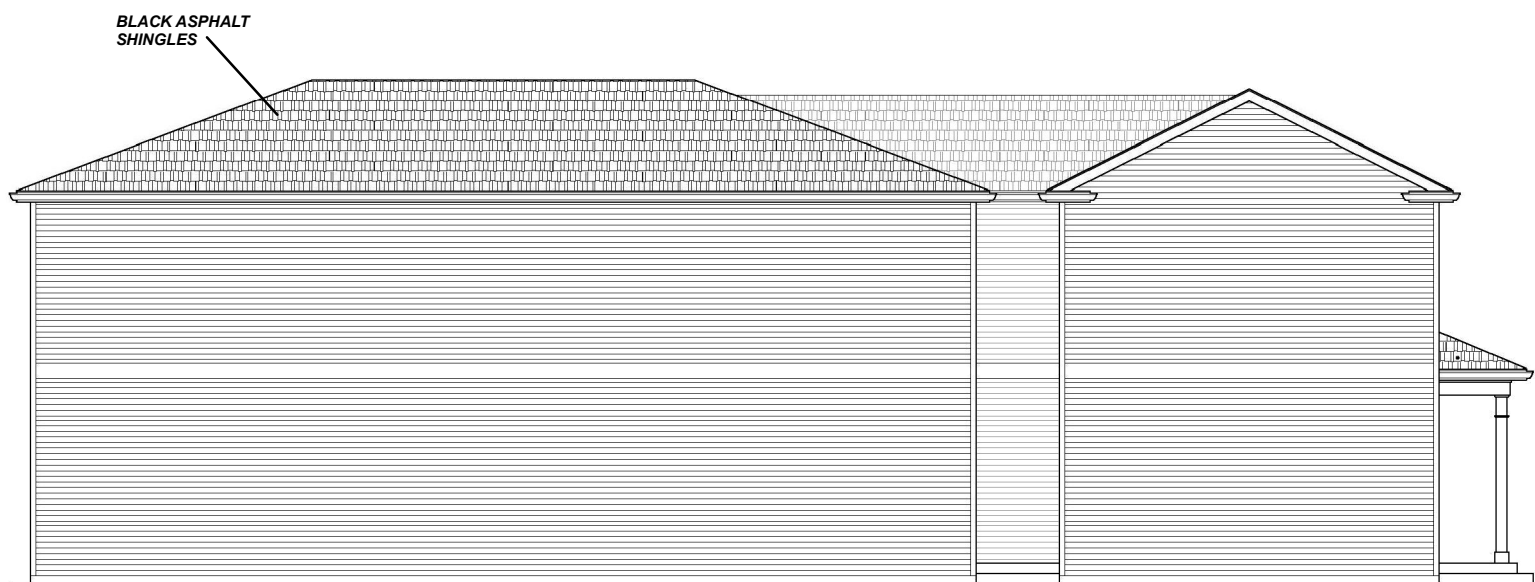
DATE:
January 22, 2020

5



NORTH ELEVATION

*HARDIE PLANK
SMOOTH SIDING*



WEST ELEVATION

Not to Scale

Elevations - North & West

LOCATION:
Part of Lot 24, Concession 8

APPLICANT: Grazio Divittoris and
2561074 Ontario Inc.



Attachment

FILES:
Z.18.005 & DA.17.113

DATE:
January 22, 2020

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