

C7
Communication
CW (1) – December 1, 2020
Item # - 3

From: Clerks@vaughan.ca
To: Bellisario, Adelina
Subject: FW: 10432 Islington Avenue and 10568 Islington Avenue
Date: November-30-20 9:05:33 AM
Attachments: [10568 Islington Avenue.docx](#)
[10432 Islington Ave.docx](#)

From: Kathryn Angus <[REDACTED]>

Sent: Monday, November 30, 2020 4:12 AM

To: Council@vaughan.ca; Bevilacqua, Maurizio <Maurizio.Bevilacqua@vaughan.ca>; Ferri, Mario <Mario.Ferri@vaughan.ca>; Rosati, Gino <Gino.Rosati@vaughan.ca>; Jackson, Linda <Linda.Jackson@vaughan.ca>; Iafrate, Marilyn <Marilyn.Iafrate@vaughan.ca>; Carella, Tony <Tony.Carella@vaughan.ca>; Shefman, Alan <Alan.Shefman@vaughan.ca>; DeFrancesca, Rosanna <Rosanna.DeFrancesca@vaughan.ca>; Clerks@vaughan.ca; Jeffers, Judy <Judy.Jeffers@vaughan.ca>

Subject: [External] 10432 Islington Avenue and 10568 Islington Avenue

Good morning Honourable Mayor, Council and City Planners: please find attached two letters to the City with regards to the above-noted proposed developments for the Village of Kleinburg. In both instances we are raising serious concerns that we hope will be appreciated and respected.

Regards

Kathryn Angus, President,

Kleinburg & Area Ratepayers Association

November 28, 2020

Honourable Mayor, Council and City of Vaughan Planners

2141 Major Mackenzie Drive,

Vaughan, Ontario L6A 1T1

Dear Mayor, Members of Council and City Planners:

Re: Portside Development (Kleinburg) Ltd.

10568 Islington Avenue

File # Z.17.018 and related files DA.17.042

The Kleinburg and Area Ratepayers Association (K.A.R.A.) does not support the above-noted application for an Official Plan Amendment and Zoning By-Law Amendment as it falls short on a number of items which are well represented in the Vaughan Official Plan and the K.N.H.C.D.

1. The height of the building exceeds the 9.5 metres allowed and at three-storeys, this would be a significant deviation from the Official Plan requirement, setting an irreversible precedent in the village.
2. All by-law setbacks should be adhered to and this application does not meet the requirements.
3. This proposal calls for the clear cutting of 57 mature trees, an irreversible and irresponsible violation of Official Planning Objective 12.4.1.1 xv: "to encourage protection of significant trees."
4. We must maintain the FSI of A 0.6 and recognize the traditional pattern of development in every adjacent property, that being a single-detached building much less than the maximum FSI of 0.6.
5. The excavation of 90% of this site and entire grade fails to 'recognize the unique environment features which give the Village its Special Character.

To summarize KARA would like to go on record that it does not support this proposal as it falls short on items which are well represented in the official planning, and does not preserve the built and natural

heritage of the village. The following of Official Plan goals is most critical and we request Council to manage and preserve these important goals which are clearly outlined in the relevant documents.

In closing, K.A.R.A. represents a significant number of ratepayers who seek to uphold and maintain the goals of our Official Plan and significant by-laws that help to ensure, to the fullest extent possible, that the heritage resources of the Kleinburg core are protected in accordance with the K.N.H.C.D...

Sincerely,

Kathryn Angus, President,

Kleinburg & Area Ratepayers Association

Honourable Mayor, Council and City of Vaughan Planners
2141 Major Mackenzie Drive,
Vaughan, Ontario
L6A 1T1

Dear Mayor, Members of Council and City Planners:

Re: 10432 Islington Avenue

I am writing to advise you of areas of concern the Kleinburg & Area Ratepayers have regarding this proposal. We are concerned regarding the proposed amendment to the height restriction (9.5 metres), if 12 metres is allowed here, then 12 metres will be the new standard for the Kleinburg Village and the envelope will continue to be pushed beyond 12 metres. The three main concerns are: FSI, 1.15 vs 0.6; rear set back of 15.00M vs 9.79M; and height 9.71M vs 9.5M. If the rear set back is indeed allowed as there is no adjacent neighbour then this should be stated as such and that it is an isolated exception otherwise this will set a negative precedent when developers back to a resident.

The site is technically still a gas station and the previous operators of this gas station did not practice disposal practices the current gas station / mechanics are legally required to practice today. We believe that hazardous material was usually dumped in the back of the land or in illegal dumping grounds. As such, redevelopment of this property to more sensitive uses such as residential / commercial / office use will require an approved RSC (Record of Site Condition) by the M.O.E.. Our understanding is that this is a proponent driven process and when we last checked there does not appear to be any site submissions for an RSC for this site. An RSC must be contracted to a "Qualified Person", the property owner cannot act as the "qualified person" to provide an environmental report. Given that the land borders on TRCA land / Humber River, seepage from the gas station into drinking water must be addressed and remediated before any new construction is approved / undertaken. There have in the past been other parties that were interested in this property but ultimately decided against because of the remediation costs associated with the site.

With underground storage fuel tanks the TSSA should be involved / contacted. The TSSA (Technical Standards & Safety Authority) regulate the transportation, storage, handling and use of fuels in Ontario. During the last year the front part of the property was paved; however at that time KARA did not see if the fuel tanks had been removed. The TSSA would be the lead agency responsible and we would suggest that they be contacted (by the City) to inquire about the possibility of there still being fuel tanks underground.

There are ministry files related to this property including an Environmental Site Assessment and a Hydrogeological Study conducted in 2001. The city may have copies of these reports but if not they would have to be accessed through a Freedom of Information (FOI) request which can be submitted via this link <https://www.ontario.ca/government/how-make-freedom-information-request>

As much as KARA would like to see this eyesore removed, we do not think it would be appropriate to allow future residents to live over a site that is likely contaminated. Now would be the time to address any seepage into the Humber River. Given some of our experience with other contaminated sites in Vaughan, we should not assume or trust that all of this (RSC / TSSA / Environmental Assessment) will just happen. All parties need to ensure that the processes outlined above do happen and that the

proposed development has a number of merits and would replace an eyesore in the village core but the environmental issues that are tabled have to be paramount.

To summarize the above points:

1. **Building Height:** Current Application is beyond the 9.5M Height Restriction
2. **FSI:** Current Application is beyond FSI of 0.6
3. **Setbacks:** Rear setback exceeds 15M at 9.79M (this would be an unfair precedent in cases where there are neighboring properties to the rear)
4. ***Land Contamination:** (KARA requests proper remediation methods and records be conducted, maintained and provided – KARA also request that all jurisdictions having authority in this matter (i.e. RSC,TSSA) be involved in the remediation process).

Finally KARA recognizes the potential of this as a gateway site, and maintains that this project will carry significance on the Village feel. We kindly request that staff and Council conduct a diligent review process that carries the goals and potential of the Kleinberg Nashville Heritage Conservation District Plan, while maintaining proper environmental protocol.

Sincerely

Kathryn Angus, President
Kleinburg & Area Ratepayers Association