

Committee of the Whole (Public Meeting) Report

DATE: Tuesday, June 1, 2021

WARD: 2

TITLE: DCFM DEVELOPMENTS LTD.
OFFICIAL PLAN AMENDMENT FILE OP.21.002
ZONING BY-LAW AMENDMENT FILE Z.21.003
8265 AND 8277 ISLINGTON AVENUE
VICINITY OF ISLINGTON AVENUE AND HARTMAN AVENUE

FROM:

Jim Harnum, City Manager

ACTION: DECISION

Purpose

To receive comments from the public and the Committee of the Whole on applications to permit a 6-storey residential apartment building (86 residential dwelling units) on the subject lands, as shown on Attachments 2 to 5, as follows:

- amend Vaughan Official Plan 2010, Volume 2, Section 11.11 - Woodbridge Centre Secondary Plan to increase the maximum building height and density on the north portion of the subject lands (8277 Islington Avenue) and to permit site-specific exceptions consistent with the LPAT approvals granted for the south portion of the subject lands (8265 Islington Avenue)
- rezone the north portion of the subject lands (8277 Islington Avenue) from “R2 Residential Zone” to “RA3 Apartment Residential Zone” and “OS1 - Open Space Conservation Zone” and to permit site-specific zoning exceptions
- to amend the LPAT approved site-specific zoning exceptions on the south portion of the subject lands (8265 Islington Avenue) to reflect the development proposal

Report Highlights

- The Owner proposes a 6-storey residential apartment building with 86 residential dwelling units
- Official Plan and Zoning By-law Amendments are required to permit the proposed development on the subject lands
- This report identifies preliminary issues to be considered in a comprehensive report to be prepared by the Development Planning Department at a future Committee of the Whole meeting

Recommendations

1. THAT the Public Meeting report for Official Plan and Zoning By-law Amendment Files OP.21.002 and Z.21.003 (DCFM Developments Ltd.) 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

Location: 8265 and 8277 Islington Avenue (the 'Subject Lands'). The Subject Lands and the surrounding land uses are shown on Attachment 1.

Date of Pre-Application Consultation Meeting: July 20, 2020

Date applications were deemed complete: February 26, 2021

Previous Development Applications for 8265 Islington Avenue were approved by the Local Planning Appeal Tribunal

- Official Plan and Zoning By-law Amendment applications (Files OP.13.002 and Z.13.004 (Amicorp Development Inc. and 1525233 Ontario Inc.)) (the 'Previous Development Applications') were submitted for 8265 Islington Avenue, on February 7, 2013
- The Previous Development Applications sought permission for a 9-storey, residential apartment building containing 88 residential dwelling units
- A portion of 8265 Islington Avenue is located partially within the Woodbridge Special Policy Area ('SPA')
- The Previous Development Applications were appealed on May 12, 2017, to the former Ontario Municipal Board, now the Local Planning Appeal Tribunal ('LPAT'), for non-decision by the City based on the timelines prescribed by the *Planning Act*
- A settlement hearing was held on August 13, 2018. The LPAT on September 13, 2018, issued its Order approving an Official Plan Amendment (OPA 23) to VOP 2010 for 8265 Islington Avenue to increase the maximum building height and density and amendments to Zoning By-law 1-88 (By-law 200-2018) to rezone the lands to "RA3 Residential Apartment Zone" with the Holding Symbol "(H)" and "OS1 Open Space Conservation Zone", to permit the following, as shown on Attachment 6:
 - a residential apartment building with a maximum building height of 6-storeys;
 - a maximum Floor Space Index (FSI) of 2.5 times the area of the lot; and

- permitted driveway access to the building (with no habitable area) within the SPA.

The Owner purchased 8265 Islington Avenue and also purchased 8277 Islington Avenue for development

DCFM Developments Ltd. (the 'Owner') purchased both 8265 and 8277 Islington Avenue on July 28, 2020 and are seeking approval of a consolidated development on both parcels.

Official Plan Amendment and Zoning Amendment Applications have been submitted to permit the proposed development

The Owner has submitted the following applications (the 'Applications') for the Subject Lands to permit the proposed development (the 'Development'), as shown on Attachments 2 to 5:

1. Official Plan Amendment File OP.21.002 to amend Vaughan Official Plan 2010 ('VOP 2010'), Volume 2, Section 11.11 - Woodbridge Centre Secondary Plan ('WCSP') to permit a maximum building height of 6-storeys and a maximum FSI of 2.5 times the area of the lot, for the north portion of the Subject Lands (8277 Islington Avenue), consistent with the height and density permissions approved by the LPAT for the south portion of the Subject Lands (8265 Islington Avenue)
2. Zoning By-law Amendment File Z.21.003 to amend Zoning By-law 1-88 as follows:
 - to rezone the north portion of the Subject Lands (8277 Islington Avenue) from "R2 Residential Zone" subject to site-specific Exception 9(656) to "RA3 Apartment Residential Zone" and "OS1 - Open Space Conservation Zone" to permit the site-specific zoning exceptions for the entire Subject Lands identified in Table 1 of this Report
 - to amend the site-specific Exception 9(1471) for the south portion of the Subject Lands (8625 Islington Avenue) as shown on Attachment 2, to permit the site-specific zoning exceptions for the entire Subject Lands identified in Table 1 of this Report

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

- a) Date the Notice of Public Meeting was circulated: May 7, 2021.

The Notice of Public Meeting was also posted on the City's web-site at www.vaughan.ca and a Notice Sign was installed along Islington Avenue in accordance with the City's Notice Signs Procedures and Protocols.

- b) Circulation Area: To all property owners within 150 m of the Subject Lands, to the Village of Woodbridge Ratepayers' Association and the Greater Woodbridge Ratepayers' group and to anyone on file with the Office of the City Clerk having

requested notice.

- c) No comments have been received as of May 11, 2021 by the Development Planning Department.

Any 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 and be reviewed and addressed by the Development Planning Department in a future comprehensive report to the Committee of the Whole.

Previous Reports/Authority

The following is a link to previous reports with respect to 8265 Islington Avenue:
[June 11, 2013, Committee of the Whole Public Meeting \(Item 2, Report 30\)](#)
[September 13, 2018 LPAT Order Approving OPA 23 to VOP 2010](#)
[September 13, 2018 LPAT Order Approving Zoning By-law 200-2018](#)

Analysis and Options

An amendment to Vaughan Official Plan 2010 is required to permit the Development

Official Plan Designation:

- “Community Area” on Schedule 1 – Urban Structure by VOP 2010
- 8265 Islington Avenue is designated “Low Rise Residential” and “Low-Rise Residential (2)” on Schedule 2 – Land Use Plan of the WCSP, subject to Section 4.2.2 g), with a maximum permitted FSI of 2.5 times the area of the lot (Schedule 3 – Density Plan) and a maximum building height of 6-storeys (Schedule 4 – Building Height Maximums)
- The majority of 8277 Islington Avenue is designated “Low-Rise Residential (2)” on Schedule 2 - Land Use Plan of the WCSP, which permits low-rise residential units, with a maximum permitted FSI of 0.5 times the area of the lot (Schedule 3 - Density Plan) and a maximum building height of 3.5-storeys (Schedule 4 - Building Height Maximums) and a small portion of the rear of the lot is designated “Low Rise Residential”
- The Subject Lands are within the “Islington Avenue Corridor” on Schedule 5 - Distinct Character Areas of the WCSP
- The east and south portions of the Subject Lands are within the “Special Policy Area” on Schedule 9 - Special Policy Area of the WCSP, as shown on Attachment 2
- An amendment to the WCSP of VOP 2010 is required to permit the Development

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

Zoning:

- 8265 Islington Avenue is zoned “RA3(H) Apartment Residential Zone” with the Holding Symbol “(H)” and “OS1 – Open Space Conservation Zone” by Zoning By-law 1-88, subject to site-specific Exception 9(1471)
- 8277 Islington Avenue is zoned “R2 Residential Zone” by Zoning By-law 1-88, subject to site-specific Exception 9(656) and does not permit the Development
- The Owner proposes to rezone the north portion of the Subject Lands (8277 Islington Avenue) to “RA3 Apartment Residential Zone” and “OS1 - Open Space

Conservation Zone” and amend the site-specific Exception 9(1471) for the south portion of the Subject Lands (8265 Islington Avenue) together with the following site-specific zoning exceptions for the entire Subject Lands identified in Table 1 to permit the Development shown on Attachments 2 to 5, as follows:

Table 1:

	Zoning By-law 1-88 Standard	RA3 Apartment Residential Zone Requirements	Proposed Exceptions to the RA3 Apartment Residential Zone Requirements
a.	Minimum Front Yard (Islington Avenue)	7.5 m	6 m
b.	Minimum Front Yard Setback (Islington Avenue) to Unenclosed Stairs and raised terrace	7.5 m	- 4.1 m encroachment into front yard for stairs to underground parking - 3.9 m to raised terrace
c.	Minimum Rear Yard (east lot line)	7.5 m	1.6 m
d.	Minimum Interior Side Yard Setback (north lot line)	4.5 m	3.5 m to building 2.8 m to balconies
e.	Minimum Setback to Underground Garage	1.8 m	0 m (all lot lines)
f.	Minimum Setback from a Retaining Wall to Property Line	1.2 m (north property line) 1.45 m (south property line)	0.03 m (north and south property lines)
g.	Minimum Lot Area per Unit	67 m ² based on 3,838 m ² of developable lot area	40 m ² based on 3,838 m ² of developable lot area
h.	Minimum Parking Requirements	Residential 1.5 spaces/unit x 86 units = 129 spaces Visitor 0.25 spaces/unit x 86 units = 22 spaces Total Parking Required = 151 spaces	Residential 1.46 space/unit x 86 units = 126 spaces Visitor 0.22 spaces/unit x 86 units = 19 spaces Total Parking Proposed =145 spaces

	Zoning By-law 1-88 Standard	RA3 Apartment Residential Zone Requirements	Proposed Exceptions to the RA3 Apartment Residential Zone Requirements
i.	Minimum Amenity Area	38 One Bedroom Units x 20m ² /unit = 760 m ² 43 Two Bedroom Units x 55m ² /unit = 2,365 m ² 5 Three Bedroom Units x 90m ² /unit = 450 m ² Total required amenity area = 3,575 m ²	38 One Bedroom Units x 2.3 m ² indoors x 1.4 m ² outdoors 43 Two Bedroom Units x 2.3 m ² indoors x 1.4m ² outdoors 5 Three Bedroom Units x 2.3 m ² indoors x 1.4 m ² outdoors Total provided amenity area = 1,154 m ²

Additional zoning exceptions may be identified through the detailed review of the Applications and will be considered in a comprehensive report to a future Committee of the Whole meeting

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

	MATTERS TO BE REVIEWED	COMMENTS
a.	Conformity and Consistency with Provincial Policies, York Region and City Official Plan Policies	<ul style="list-style-type: none"> ▪ The Applications will be reviewed for conformity and consistency with the Provincial Policy Statement, 2020 (the 'PPS'), A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended (the 'Growth Plan') and the policies of the York Region Official Plan, 2010 ('YROP') and VOP 2010
b.	Appropriateness of Amendments to VOP 2010 and Zoning By-law 1-88	<ul style="list-style-type: none"> ▪ The Subject Lands are located in the Islington Corridor, District Character Area in the WCSP. The Development will be reviewed in consideration of the policies and the appropriateness of the proposed amendments to the WCSP ▪ A portion of the Subject Lands are located within the Woodbridge Special Policy Area (SPA). The proposal will be reviewed in consideration of the SPA policies

	MATTERS TO BE REVIEWED	COMMENTS
		<ul style="list-style-type: none"> ▪ The Application will be reviewed in accordance with the LPAT Order issued September 13, 2018, for the south portion of the Subject Lands (8265 Islington Avenue) ▪ The appropriateness of the rezoning, including lands to be rezoned Open Space and the site-specific exceptions will be reviewed in consideration of the existing and planned surrounding land uses
c.	Studies and Reports	<ul style="list-style-type: none"> ▪ The Owner submitted studies and reports in support of the Applications which are available on the city’s website at https://maps.vaughan.ca/planit/ (PLANit Viewer) and must be approved to the satisfaction of the City or respective approval authority. Additional studies and/or reports may be required as part of the application review process
d.	Allocation and Servicing	<ul style="list-style-type: none"> ▪ The availability of water and sanitary servicing capacity for the Development must be identified and allocated by Vaughan Council, if the Applications are approved. If servicing allocation is unavailable, the lands will be zoned with a Holding Symbol “(H)”, which will be removed once Vaughan Council identifies allocates servicing capacity
e.	Urban Design Guidelines	<ul style="list-style-type: none"> ▪ The Development will be reviewed in consideration of the City of Vaughan City-wide Urban Design Guidelines and the Woodbridge Heritage District Urban Design and Streetscape Study
f.	Public Agency/Municipal Review	<ul style="list-style-type: none"> ▪ The Applications must be reviewed by external public agencies and utilities and the Public, Separate, and French School Boards
g.	Sustainable Development	<ul style="list-style-type: none"> ▪ The Development will be reviewed in consideration of the VOP 2010 Policies and Sustainability Performance Metrics Program, through a future Site Development application
h.	Tree Protection and Removals	<ul style="list-style-type: none"> ▪ The Applications will be reviewed in consideration of the City of Vaughan’s Tree Protection and Preservation By-law. The City will review and approve of all private property tree removals should these Applications be approved. A Tree Preservation Plan and tree compensation for replacement trees may be required and must be in accordance with the City’s Tree Protection and Preservation By-law

	MATTERS TO BE REVIEWED	COMMENTS
i.	Parkland Dedication and Vaughan Super Trail	<ul style="list-style-type: none"> ▪ The Applications will be reviewed in consideration of the requirements of the <i>Planning Act</i> and the City of Vaughan’s Parkland Dedication Policy ▪ The Trail Feasibility Report for the Applications will be reviewed in consultation with the Toronto and Region Conservation Authority, in consideration of the location of the City of Vaughan Super Trail from Pine Grove to Willis Road to determine the appropriate location of a dedicated and protected multi-use trail along the Islington Avenue Corridor
j.	Section 37 of the <i>Planning Act</i> , VOP 2010 and City Guidelines (Bonusing for Increases in Height or Density)	<ul style="list-style-type: none"> ▪ The Applications will be subject to and will be reviewed in consideration of the City’s bonusing for increases in building height and/or density (Section 37 of the <i>Planning Act</i>) as it read on September 17, 2020), policies of VOP 2010, and the City’s Guidelines for the Implementation of Section 37 of the <i>Planning Act</i>, whereby Council may authorize an increase in building height and/or density in return for community benefits ▪ As of the date of this report the City can continue to apply the version of the Section 37 provisions in the <i>Planning Act</i> in effect as of September 17, 2020. By way of background, Bill 197, the <i>COVID-19 Economic Recovery Act, 2020</i>; received royal assent on July 21, 2020, and the Bill 197 provisions related to Section 37 were proclaimed to come into effect on September 18, 2020. Bill 197 repeals and replaces the Section 37 policy regime, as it read on September 17, 2020, with a new regime known as a Community Benefit Charge (‘CBC’), which charge shall not exceed an amount equal to the prescribed percentage of the value of the land ▪ Transitional provisions in the <i>Planning Act</i> permit municipalities to continue to apply the Section 37 provisions of the <i>Planning Act</i> as it read on September 17, 2020 until the earlier of the City’s passage of a CBC By-law or September 18, 2022 (the date the transition ends). Should the approval and enactment of any Zoning By-law Amendment for the Subject Lands occur after the earlier of the City’s passage of the SBS By-law or September 18, 2022, the City will not be permitted to collection community benefits through Section 37 of the <i>Planning Act</i>, as it read on

	MATTERS TO BE REVIEWED	COMMENTS
		September 17, 2020. If the CBC By-law is in place at that time, the City will be permitted to collect community benefits pursuant to that instrument
k.	Affordable Housing	<ul style="list-style-type: none"> ▪ The Applications will be reviewed in consideration of Provincial, Regional and City polices to ensure that the Development includes an appropriate level, range and mix of unit sizes and types to meet the City’s affordable housing goals
l.	Required Applications	<ul style="list-style-type: none"> ▪ The Owner is required to submit a future Site Development Application and a Draft Plan of Condominium Application for the proposed Development, should these Applications be approved
m.	Toronto and Region Conservation Authority (TRCA)	<ul style="list-style-type: none"> ▪ The Subject Lands are located entirely within TRCA’s Regulated Area and in a valley corridor associated with the Humber River ▪ A portion of the Subject Lands are located within the Regional Storm Flood Plain and a TRCA Development or Site Alteration Permit is required under Ontario Regulation 166/06 ▪ The development limits (top of bank) of the valley lands along the Humber River, slope stability and any required buffers and structural building setbacks must be established to the satisfaction of the TRCA and the City of Vaughan
n.	Road Widening, Access, Traffic and Parking	<ul style="list-style-type: none"> ▪ The Subject Lands will have access from Islington Avenue, a York Region road with a planned right-of-way of up to 30 m ▪ York Region will review the location and design of the proposed access from Islington Avenue and identify all required land conveyances and/or road dedications

Financial Impact

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

Broader Regional Impacts/Considerations

The Applications have been circulated to the York Region Community Planning and Development Services Department for review and comment. The Owner has requested exemption from Regional approval for Official Plan Amendment File OP.20.011 ('OPA application'). York Region on April 22, 2021, determined the OPA application cannot be exempted from Regional approval as the OPA application does not satisfy all the criteria for exemption of Regional approval by the YROP (Section 8.3.8). The Development is located within the Regional Greenlands System and the TRCA requires further information to address comments and requirements. York Region Staff are prepared to revisit a future request for exemption from Regional approval of the OPA application should TRCA's comments be resolved and their requirements have been satisfied.

Conclusion

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

For more information, please contact Laura Janotta, Planner, Development Planning Department, ext. 8634.

Attachments

1. Context and Location Map
2. Proposed Zoning and Site Plan
3. Landscape Plan
4. Building Elevations - West and South
5. Building Elevations - East and North
6. Previous LPAT Approved Development - September 13, 2018 (8265 Islington Avenue)

Prepared by

Laura Janotta Planner, ext. 8634

Mary Caputo, Senior Planner, ext. 8635

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

Bill Kiru, Acting Director of Development Planning, ext. 8633

Approved by



Mauro Peverini, Chief Planning Official

Reviewed by



Jim Harnum, City Manager