

## Committee of the Whole (1) Report

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**DATE:** Tuesday, October 5, 2021

**WARD:** 2

**TITLE:** 9630 ISLINGTON INC.

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

**SITE DEVELOPMENT FILE DA.20.002**

**9630 ISLINGTON AVENUE**

**VICINITY OF ISLINGTON AVENUE AND NAPA VALLEY AVENUE**

**FROM:**

Haiqing Xu, Deputy City Manager, Planning and Growth Management

**ACTION:** DECISION

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### **Purpose**

To seek approval from Committee of the Whole for applications to amend the Zoning By-law and for site plan approval on the subject lands shown on Attachment 2 to permit a 5-storey residential apartment building containing 89 units and a Floor Space Index of 1.75 times the area of the lot as shown on Attachments 3 to 6.

### **Report Highlights**

- The Owner seeks approval to amend Zoning By-law 1-88 and for site plan approval to permit a 5-storey residential apartment building containing 89 dwelling units, having a Floor Space Index of 1.75 times the area of the lot.
- Zoning By-law Amendment and Site Development applications are required to permit the development.
- The Development Planning Department supports the approval of the development as it is consistent with the Provincial Policy Statement, 2020, conforms to the Growth Plan for the Greater Golden Horseshoe, 2019, as amended, the York Region Official Plan 2010, Vaughan Official Plan 2010, and is compatible with the existing and planned land uses in the surrounding area.

## **Recommendations**

1. THAT Zoning By-law Amendment File Z.20.001 (9630 Islington Inc.) BE APPROVED to amend Zoning By-law 1-88 to permit site-specific exceptions to the “RM2 Multiple Residential Zone” identified in Table 1 of this report and that a provision be included in the implementing zoning By-law to prohibit any residential dwelling unit above the fifth storey;
2. THAT the Owner be permitted to apply for a Minor Variance Application(s) to the Vaughan Committee of Adjustment, if required, before the second anniversary of the day on which the implementing Zoning By-law for the Subject Lands came into effect, to permit minor adjustments to the implementing Zoning By-law;
3. THAT Site Development File DA.20.002 (9630 Islington Inc.) BE DRAFT APPROVED SUBJECT TO THE CONDITIONS of Site Plan Approval included in Attachment 1, to the satisfaction of the Development Planning Department, to permit a 5-storey residential apartment building with 89 dwelling units having a Floor Space Index of 1.75 times the area of the lot; and
4. THAT Vaughan Council adopt the following resolution for the allocation of water and sewage servicing capacity:

“THAT Site Plan Development File DA.20.002 be allocated servicing capacity from the York Sewage Servicing/ Water Supply System for a total of 89 residential units (197 persons equivalent). The allocation of said capacity may be redistributed (at the discretion of the City) in accordance with the City’s Servicing Capacity Allocation Policy if the development does not proceed to registration and/or building permit issuance within 36 months”.

## **Background**

The subject lands (the ‘Subject Lands’) are municipally known as 9630 Islington Avenue and are located on the northwest corner of Islington Avenue and Napa Valley Avenue. The Subject Lands are 0.69 hectares in size and are currently occupied by a single detached dwelling. The surrounding land uses are shown on Attachment 1.

### **Development Application History**

In 1998, the owner of the Subject Lands, Leo Greco, submitted Zoning By-law Amendment and Draft Plan of Subdivision Files Z.98.135 and 19T-98V18 to permit 5 residential lots fronting onto Silver Oaks Boulevard and one block for a 4-storey residential building with 30 dwelling units and 513 m<sup>2</sup> of ground floor commercial uses. Through the review of the applications, the residential/commercial building was

modified, and the building height and the number of units was reduced to 3-storeys and 28 dwelling units.

The Applications were considered by the Committee of the Whole on February 7, 2000 and were approved by Vaughan Council on February 14, 2000. Council on May 23, 2000, enacted Zoning By-law 185-2000 to rezone the Subject Lands from “A – Agricultural Zone” to “RV4 Residential Urban Village Zone Four” and “RM2 Multiple Residential Zone” (as shown on Attachment 7), which also included site-specific exceptions to permit the development. A total of 10 residents were party to an appeal to the Ontario Municipal Board (OMB), now the Ontario Land Tribunal (OLT) to By-law 185-2000 (OMB File. R000143), however the appeals were dismissed on August 1, 2000, due to the OMB not receiving payment from the appellants.

#### Appeal History

On December 19, 2012, the owner, Anna Greco, submitted a site-specific appeal (Appeal 90) to Vaughan Official Plan 2010 (VOP 2010) to the OLT as it pertains to the Subject Lands. In 2010, the Vaughan Official Plan designated the Subject Lands “Low-Rise Mixed Use” with a height of 4 storeys and a FSI of 1.5. The Owner sought an amendment to the building height to allow for a 5<sup>th</sup> storey to accommodate an amenity area and to permit a mixed-use building that included either residential and commercial uses, or an all-residential development. A settlement with the City was reached on October 28, 2015. The OMB issued an Order dated November 26, 2015, that increased the permitted FSI from 1.5 to 1.75 times the area of the lot and the building height from 4 to 5-storeys for the Subject Lands.

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

9630 Islington Inc. (the ‘Owner’) has submitted the following applications (the ‘Applications’) to permit a 5-storey residential apartment building containing 89 dwelling units with a total Gross Floor Area (GFA) of 6,884.2 m<sup>2</sup> and a ‘FSI of 1.75 times the area of the lot (the ‘Development’):

1. Zoning By-law Amendment File Z.20.001 to maintain the existing “RM2 Multiple Residential Zone” and to amend site-specific Exception 9(988) of Zoning By-law 1-88 for the Subject Lands, to permit the zoning exceptions identified in Table 1 of this report.
2. Site Development File DA.20.002 to facilitate the Development.

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

On June 16, 2020, a Notice of Public Meeting (the 'Notice') was circulated to all property owners within a 500 m expanded notification area and to the Carrying Place and the Greater Woodbridge Ratepayers Associations, and those individuals that requested notice. A copy of the Notice was also posted on the City's website at [www.vaughan.ca](http://www.vaughan.ca) and notice signs were installed along the Islington Avenue and Napa Valley Avenue street frontages, in accordance with the City's Notice Signs Procedures and Protocols.

Vaughan Council on July 15, 2020, ratified the recommendation of the Committee of the Whole to receive the Public Meeting report of July 7, 2020, and to forward a comprehensive report to a future Committee of the Whole meeting.

The following individuals made deputations or written submissions prior to, at and following the Public Meeting as it relates to the Applications:

Deputations:

- Mrs. Nadia Zuccaro, EMC Group, representing the Owner
- John Mora, Chalone Crescent, Woodbridge

Written Submissions:

- Carrying Place Ratepayers Association, email dated February 10, 2020
- R. and S. Miceli, Water Garden Lane, email dated February 10, 2020
- A. Volpentesta, America Avenue, email dated February 10, 2020
- Carrying Place Ratepayers Association, email dated February 11, 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 8, 2020
- J. Mora, Chalone Crescent, email dated May 11, 2020
- J. Mezzavilla, Silver Oaks Boulevard, letter dated May 14, 2020
- M. Dome, Silver Oaks Boulevard, email dated May 15, 2020
- S. Fiorini, La Neve Avenue, letter dated June 23, 2020
- A. Farag, San Vito Drive, email dated June 24, 2020
- G. Franco, Castlepoint Investments, email dated June 25, 2020
- Liae, email dated June 28, 2020
- A. F., email dated June 29, 2020
- R. Stephen and J. Mignogna, email dated July 6, 2020
- J. Cirasella, email dated July 3, 2020
- L. Specialx, email dated July 4, 2020
- J. Aragon, email dated July 6, 2020
- R. Piecuch, email dated July 5, 2020
- J. Mora, Chalone Crescent, email dated July 6, 2020

- F. Lacivita-Lunn, email dated July 6, 2020
- R. Battaglia, email dated July 6, 2020
- A. D'Silva, Chalone Crescent, email dated July 7, 2020
- E. & M. Calvitto, email dated June 29, 2020
- G.Mulji, M. Mulji, B. Mulji and I. Balaria, Silver Oaks Boulevard, email dated July 2, 2020
- Catherine, Woodbridge Art School, emailed dated Nov 24, 2020
- J. Cirasella, email dated April 23, 2021
- T. Tamburro, email dated July 23, 2021

The following is a summary of the comments made at the Public Meeting and provided in the written correspondence received to date as of September 16, 2021. The comments have been organized by theme as follows:

#### Privacy, Shadow and View and Landscaping

- 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 lines abutting existing residential properties to minimize privacy impacts
- consideration should be given to the inclusion of coniferous trees abutting the single detached homes to ensure privacy, view and noise impacts are minimized year round
- the south side of the building is too close to the sidewalk. The building should be rotated 90 degrees counterclockwise, with the majority of the building facing Islington Avenue, otherwise it will look like a towering wall as you walk along Napa Valley Avenue

#### Access, Traffic, Parking

- concerned about traffic flow and safety at the existing stop sign along Napa Valley Avenue that provides entrance to the plaza
- the proposed driveway access will be problematic with the presence of the shopping plaza at 9600 Islington Avenue
- access should be provided via 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 units which will result in parking on Napa Valley Avenue and in the plaza across the street

#### 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 such as townhouses would be more suitable for the Subject Lands
- the height of the building should be decreased to 2 to 3-storeys
- the design of the building is unappealing and 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
- the small size of the units may encourage people to buy for investment purposes which will lead to Airbnb rentals, parties, and noise
- noise generated from the rooftop amenity area and equipment would interfere with the well-being and enjoyment for adjacent property owners

#### Snow and 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
- fire services may have a hard time responding in case of a fire with only one entrance proposed for the building
- 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 provide housing options for younger generations
- the Development will decrease property values, cause existing residents to move out of the area, and impact wildlife in the area

The above comments are addressed throughout this report.

The Development Planning Department on September 28, 2021, emailed a non-statutory courtesy notice of this Committee of the Whole meeting to all individuals who made a deputation before the Committee or submitted written correspondence to the City regarding the Applications.

### **Previous Reports/Authority**

Previous reports relating to the Subject Lands and these Applications are available at the following links:

[July 7, 2020, Committee of the Whole \(Public Hearing\) Report, Report No. 32, Item 4, ratified by Council on July 15, 2020](#)

[February 7, 2000, Committee of the Whole Report, Report No. 25, Item 12, ratified by Council on February 14, 2000](#)

### **Analysis and Options**

#### ***The Development is consistent with the Provincial Policy Statement, 2020***

The Provincial Policy Statement, 2020 (“PPS”) provides policy direction on matters of provincial interest related to land use planning and development. The PPS is applied province-wide and provides for appropriate development while ensuring public health and safety, and the quality of the natural and built environment are protected. The PPS also recognizes that local context and character is important. In accordance with

Section 3(5) of the *Planning Act*, all land use decisions in Ontario “shall be consistent with” the PPS.

The Development is consistent with the following sections of the PPS:

- Section 1.1.3.2 - land use patterns within settlement areas shall be based on densities and a mix of land uses which efficiently use land
- Section 1.1.3.3 - planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment
- Section 1.1.3.4 - appropriate development standards should be promoted which facilitate intensification, redevelopment, and compact form, while avoiding or mitigating risks to public health and safety
- Section 1.4.3 - planning authorities shall provide for an appropriate range and mix of housing types, directed to appropriate levels of infrastructure and public service facilities
- Section 1.6.6 - promoting intensification and redevelopment within settlement areas to optimize the use of services on existing municipal sewage services and municipal water services should be promoted, wherever feasible

The Development is consistent with the PPS as it is located within a Settlement Area and will provide additional housing options for the community. The Development is located within proximity to a York Region Transit (YRT) bus Route 13 that provides service southbound along Islington Avenue with connections to Steeles Avenue. Bus stops exist on the northwest corner of Islington Avenue and Napa Valley Avenue and on the east side of Islington Avenue, opposite the Subject Lands. As the Subject Lands have frontage along Islington Avenue, a regional road with public transportation infrastructure, the Subject Lands are appropriately located to permit transit-supportive development and accommodate additional housing options through intensification and redevelopment.

Appropriate development standards have been applied to the Development to facilitate intensification, redevelopment, and a compact built form compatible with the existing urban environment. The Development represents a compact built form that will intensify the Subject Lands at an appropriate scale, while also ensuring the building type proposed is compatible with the existing urban environment. The Development will connect to existing municipal water and sanitary services, while access to the Development will be provided via the existing municipal road network (Napa Valley Avenue). The Development also conforms to Vaughan Official Plan 2010 (VOP 2010). In consideration of the above, the Development is consistent with the PPS.

***The Development conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended***

The Growth Plan, A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended (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 offering a mix of housing types, access to local amenities and connections to municipal water and wastewater systems.

The Development is consistent with the policy framework of the Growth Plan as the built form would utilize the Subject Lands efficiently, make efficient use of existing infrastructure, and provide housing at a density that is supportive of the Growth Plan objectives, specifically:

- Section 2.2.1.4. a) - achievement of complete communities that feature a diverse mix of land uses, including residential uses and convenient access to local stores, services and public service facilities
- Section 2.2.1.4.c) - provide a diverse range and mix of housing options, including second units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes
- Section 2.2.1.4.e) - provide for a more compact built form
- Section 2.2.6.2 c) - municipalities will support complete communities by considering the range and mix of housing options and densities of the existing housing stock

The Development is located within a Settlement Area and a delineated built-up area contributing to providing a mix of housing densities and unit types within the neighbourhood, in accordance with VOP 2010. Accordingly, the Development conforms to and does not conflict with the Growth Plan.

***The Development conforms to the York Region Official Plan, 2010***

The York Region Official Plan 2010 (YROP) guides economic, environmental and community building decisions across York Region. The Subject Lands are designated "Urban Area" on Map 1 - Regional Structure of the YROP. Section 5.0 of the YROP states that "intensification within the Urban Area will accommodate a significant portion of the planned growth in the Region."

Section 3.5.4 of the YROP requires that "local municipal official plans and zoning by-laws permit a mix and range of housing types, lot sizes, unit sizes, functions, tenures and levels of affordability within each community." The Development will diversify the range of housing types and lot sizes found in the community, in the form of apartment units. The intensity and scale of the Development is appropriate and complements the existing urban environment and conforms to VOP 2010.

Islington Avenue is identified as a regional road on Map 12 - Street Network of YROP with a planned right-of-way width of up to 36 metres. Section 5.3 of the YROP requires that intensification occur in strategic locations in the built-up area to maximize efficiencies in infrastructure delivery, human services provision, and transit ridership. The Development meets these objectives by fronting on a regional road that is serviced by YRT Route 13 (along Islington Avenue).

Section 7.2.53 of the YROP seeks to restrict vehicle access from developments onto Regional streets to maximize the efficiency of the Regional street system. This can be achieved through techniques such as suitable local street access, shared driveways, and interconnected properties. Vehicle access to the Development would be provided from a local municipal street (Napa Valley Avenue) with no additional access from Islington Avenue.

The Development is also within an existing urban environment that will utilize connections to existing municipal water and sanitary systems, therefore making use of pre-existing infrastructure. In consideration of the above, the Development conforms to YROP.

***The Development conforms to the Vaughan Official Plan, 2010***

The Subject Lands are located within a “Community Area” and are designated “Low-Rise Mixed-Use” by VOP 2010. The “Low-Rise Mixed-Use” designation permits a maximum building height of 5-storeys and FSI of 1.75 times the area of the lot. The Owner proposes a 5-storey apartment building with a rooftop amenity space, 89 dwelling units and an FSI of 1.75 times the area of the lot. Residential units located within a low-rise building is a permitted use within the “Low-Rise Mixed Use” designation and the proposed building height and density conforms to VOP 2010.

The Development is consistent with the development criteria for low-rise buildings (Section 9.2.3.4 of VOP 2010) as the Development is 5-storeys in height with a rooftop amenity area that includes private outdoor amenity space. VOP 2010 identifies that in order to provide appropriate privacy and daylight conditions for adjacent house form buildings, low-rise buildings abutting single detached homes shall generally be setback 7.5 m from the property line and contained within the 45-degree angular plane.

The Development would be setback 4.5 m from the rear lot line of two properties on Chalone Crescent and the design includes a minor intrusion of two units into the 45-degree angular plane. The Development Planning Department can support the proposed design as the intent of the policy is to provide privacy and daylight for existing properties which would be maintained through the proposed building design and enhanced landscaping. The Development achieves privacy and prevents onlook through a tiered building design, stepping down to 2-storeys adjacent to the detached homes, permanent planters at the limits of the 3<sup>rd</sup> and 5<sup>th</sup> floor terraces, frosted windows

and spandrel glass (as shown on Attachment 5) for the two units, and planting a variety of mature 100 mm caliper trees including deciduous trees that retain their leaves throughout the winter. In consideration of above, the Development conforms to VOP 2010.

***The Development conforms to the Architectural Control Guidelines and the City-wide Urban Design Guidelines***

The Development has been reviewed in consideration of and is consistent with the Architectural Control Guidelines for the Woodbridge Expansion Area (Sonoma Heights) that were approved by Council on June 8, 1998 and the City-wide Urban Design Guidelines. Accordingly, the Development Planning Department can support the Development as discussed in this report.

***Amendments to Zoning By-law 1-88 are required to permit the proposed modifications to the site-specific Zoning By-law***

The Subject Lands are zoned “RM2 Multiple Residential Zone”, as shown on Attachment 1, and subject to site-specific Exception 9(988) by Zoning By-law 1-88. The “RM2 Multiple Residential Zone” permits apartment dwellings, multiple family dwellings, and block townhouse dwellings. The Owner is proposing to maintain the existing “RM2 Multiple Residential 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 Multiple Residential Zone and Exception 9(988) Requirements</b>	<b>Proposed Exceptions to the RM2 Multiple Residential Zone, Exception 9(988)</b>
a.	Definition of Building Height	Means the vertical distance between the average elevation of the finished grade at the front of the building, in the case of a flat roof, the highest point of the roof surface, exclusive of a mechanical room	Exclude accessory rooftop structures such as a children’s jungle gym from being included in the building height
b.	Mechanical Penthouse	No definition	The mechanical penthouse area shall include elevator shaft, mechanical room,

	<b>Zoning By-law 1-88 Standards</b>	<b>RM2 Multiple Residential Zone and Exception 9(988) Requirements</b>	<b>Proposed Exceptions to the RM2 Multiple Residential Zone, Exception 9(988)</b>
			electrical room, elevator machine room and storage area, stair access to rooftop, and a universal washroom with a total area of 205.53m <sup>2</sup> . This area shall be used only for these purposes and shall not be converted to residential units or other livable space
c.	Definition of Parking Space	Means a rectangular area measuring at least 2.7 m by 6.0 m	Means a rectangular area measuring at least 2.7 m by 5.7 m
d.	Maximum Number of Residential Units	28	89
e.	Maximum Building Height	12 m	17 m
f.	Minimum Lot Area	230 m <sup>2</sup> per unit	44 m <sup>2</sup> per unit
g.	Minimum Front Yard Setback (Islington Avenue)	4.5 m	<ul style="list-style-type: none"> <li>• 2.2 m to main wall of building</li> <li>• 0.6 m to air shaft</li> <li>• 0.8 m to stairwell and stairway exiting underground parking garage</li> <li>• 0.9 m to a planter</li> <li>• 0.8 m abutting a daylight triangle</li> </ul>
h.	Minimum Exterior Side Yard Setback (to Napa Valley Avenue)	4.5 m	<ul style="list-style-type: none"> <li>• 2.3 m to the main wall of the building</li> </ul>

	<b>Zoning By-law 1-88 Standards</b>	<b>RM2 Multiple Residential Zone and Exception 9(988) Requirements</b>	<b>Proposed Exceptions to the RM2 Multiple Residential Zone, Exception 9(988)</b>
			<ul style="list-style-type: none"> <li>• 0.8 m abutting to a daylight triangle</li> <li>• 0.6 m to a balcony or terrace encroachment</li> </ul>
i.	Minimum Setback to Below Grade Structures	1.8 m	0 m
j.	Minimum Amenity Area per Unit	1 Bedroom - 62 units x 20 m <sup>2</sup> = 1,240m <sup>2</sup>  2 Bedroom - 27 units x 55 m <sup>2</sup> = 1,485m <sup>2</sup>  Total Required = 2,725m <sup>2</sup>	A total minimum amenity area of 1,650 m <sup>2</sup>
k.	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	89 units @ 1.0 spaces/unit = 89 spaces + 89 units @ 0.2 spaces/unit for visitor parking = 18 spaces (including 4 accessible parking spaces)  Total Parking Proposed = 107 spaces
l.	Minimum Length of Accessible Parking Space	6 m	5.7 m
m.	Minimum Driveway Width (Section 3.8.g)	7.5 m	6m

	<b>Zoning By-law 1-88 Standards</b>	<b>RM2 Multiple Residential Zone and Exception 9(988) Requirements</b>	<b>Proposed Exceptions to the RM2 Multiple Residential Zone, Exception 9(988)</b>
n.	Landscape Requirements Adjacent to Outdoor Parking Areas (Section 4.1.4.b.i)	A strip of land no less than 2.4 m in width shall be used for no other purpose than landscaping	A strip of land no less than 2.2 m in width shall be used for no other purpose than landscaping
o.	Landscape Requirements Adjacent to Outdoor Parking Areas (Section 4.1.4.b.ii)	Screening shall consist of either a landscaped earthen berm, or an evergreen hedgerow, and shall have a minimum height of 1.2m	Screening shall consist of a solid wood fence and landscaping having a minimum height of 1.2m
p.	Landscape Requirements Adjacent to Street	A strip of land no less than 6 m in width shall be provided along a lot line which abuts a street line and shall be used for no other purpose than landscaping	A strip of land no less than 0.6 m in width along Napa Valley Avenue and Islington Avenue and shall be used for no other purpose than landscaping

The Development Planning Department supports the proposed exceptions to Zoning By-law 1-88, for the following reasons:

- the intent of the “RM2 Multiple Residential Zone” and the “Low-Rise Mixed Use” designation of VOP 2010 is maintained as the proposed use, built form, building height and proposed density conforms to VOP 2010
- The proposed building setbacks and landscape provisions are appropriate, acceptable and achieve a pedestrian oriented development
- The DE Department has confirmed that the proposed parking supply is sufficient to accommodate both residents and visitors

Should the Applications be approved, a clause will be added to the implementing Zoning By-law to ensure that no residential units are permitted above the 5<sup>th</sup> storey of the Development and to conform to the land use policies of “Low-Rise Mixed Use” designation of VOP 2010.

***The Planning Act enables a municipality to pass a resolution to permit the Owner to apply for a future 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 an Owner from applying for a Minor Variance application(s) to the Vaughan Committee of Adjustment before the second anniversary of the day on which the implementing Zoning By-law for the Subject Lands came into effect. However, the *Planning Act* also enables Council to pass a resolution to allow an Owner to apply for a Minor Variance Application(s) to permit minor adjustments to the implementing Zoning By-law, prior to the two-year moratorium.

The Development Planning Department has included a Recommendation to permit the Owner to apply for a Minor Variance application(s) to address refinements to the Development that may arise through the final design and construction process. A condition to this effect is included in the Recommendations of this report.

***The Development Planning Department has no objection to the Development, subject to the conditions in Attachment 1***

Site Plan

The Development consists of a 5-storey residential apartment building with a rooftop amenity space and one level of underground parking, as shown on Attachments 3 to 6. Access to the building is proposed via a 6 m wide private driveway from Napa Valley Avenue that leads to a ramp to the underground parking garage and terminates in a one-way roundabout drop-off area near the main entrance to the building.

A secondary entrance to the building is proposed along Napa Valley Avenue to ensure connectivity. Dwelling units located along Napa Valley Avenue are designed to be walk-up apartments with at grade access. A continuous concrete sidewalk exists along Napa Valley Avenue and Islington Avenue; however, the latter frontage will be upgraded with a 3 m wide multi-use pathway. A walkway is proposed surrounding the development which provides connection to both Napa Valley Avenue and Islington Avenue to facilitate safe pedestrian connectivity.

Parking

A total of 107 parking spaces are proposed for the Development. There are 18 visitor parking spaces proposed at grade including 2 accessible parking spaces, with the remaining 89 parking spaces to be provided in one level of underground parking. A total of 10 bicycle parking spaces are provided at grade.

Amenity Areas

Most units include a private balcony or terrace. Proposed amenities on the rooftop include a children's playground, open table seating area, outdoor exercise area, sundeck, private dining area and an outdoor lounge. Indoor amenities proposed include a multi-purpose party room, exercise room and library/lounge area on the ground floor.

A total of 103 storage lockers, including 36 regular lockers and 38 combo storage lockers, and 29 bicycle storage lockers are located in the underground parking garage.

#### Waste Storage and Pick-Up

A staging pad is proposed in the northwest corner of the Subject Lands to facilitate waste pick-up, only on pick-up days. A garbage storage area is proposed in the underground parking garage and waste is only intended to be stored on the staging pad for a temporary period during the day that waste is picked up from the Subject Lands.

#### Snow Storage

All snow that is accumulated on the Subject Lands during the winter months is proposed to be removed. No snow storage or temporary snow storage is proposed for the Subject Lands.

#### Landscape Plan

The proposed landscape plan is shown on Attachment 4. A total of 6 trees (4 private trees and 2 City trees) are proposed to be retained on the Subject Lands, post development, whereas 22 private trees and 2 City trees are proposed to be removed to accommodate the Development. Should the Applications be approved, the Owner will be required to enter into a Tree Protection Agreement prior to the execution of the Site Plan Agreement. A condition to this effect is included in Attachment 1.

A variety of deciduous and coniferous trees, coniferous shrubs, grasses, and perennials are proposed surrounding the Development. Mature 100 mm caliper deciduous trees that retain their leaves throughout the winter are proposed to be planted along the north and west property lines of the Subject Lands to mitigate any noise, view, or privacy impacts of the Development. The walk-up apartments along Napa Valley Avenue are proposed to include private garden terraces. Planting beds with a variety of shrubs and perennials are also proposed on the Subject Lands.

Light poles and fixtures have been placed along the walkway that surrounds the building, in the surface parking area and leading to the underground parking garage. The Development achieves 0.0 lux (no light spillage at the property line) along the boundaries of the Subject Lands, however the Development Planning Department recommends that 2.0 lux be achieved along the pedestrian walkway leading to Islington Avenue and at the unit entrances along Napa Valley Avenue to promote enhanced pedestrian safety.

A retaining wall is proposed abutting the visitor parking area and the underground parking garage to level the grading and provide proper drainage for the Subject Lands along the northern boundary. There is an existing retaining wall that varies in height between 0 to 0.9 m along the north property line and the homes located along Silver Oaks Boulevard and Chalone Crescent have an existing 1.8 m high wooden privacy fence along the rear property lines (northern and western limits of the Subject Lands). A 1.5 m height decorative iron fence is proposed in proximity to the north boundary of

the Subject Lands to separate the Development from the proposed landscaped area. No additional fencing is proposed for the Development. The proposed fencing conforms to the Architectural Control Guidelines and the City-wide Urban Design guidelines.

#### Building Elevations

The building elevations are shown on Attachments 5 to 6. The Development is proposed to be 5-storeys in height (17 m) with a mechanical penthouse and elevator and stairwell leading to a rooftop amenity space. The facades of the Development are proposed to be constructed with precast concrete with inlaid brick and stone, slab edge cap iron ore, spandrel glass with warm grey, a stone cap and frosted/fritted bird friendly window and balcony glazing.

In addition, a long board soffit sign is proposed on the south elevation that is visible from Napa Valley Avenue. A landscape screen is also proposed for the east elevation to screen the surface parking area from Islington Avenue. The proposed building materials as shown on Attachments 5 and 6 conform to the Architectural Control Guidelines, the City-wide Urban Design Guidelines and complement the character of the development within the surrounding area.

The City's Terms of Reference requires sun and shadow studies to be submitted for developments that are 10-storeys or 32 m. As the Development is 5-storeys and 17 m, a sun and shadow study was not required to assess the development.

#### Sustainability Performance Metrics

The Development achieves an overall Sustainability Performance Metrics application score of 38 points (bronze level) which meets the City's minimum threshold requirement.

Prior to the execution of the Site Plan Agreement, the Development Planning Department shall approve the final arborist report, site plan, landscape plan, landscape details, landscape cost estimate, building elevations, architectural materials and sustainability metrics.

#### ***The Development Engineering Department has no objection to the Development subject to the Conditions of Approval***

The Development Engineering ("DE") Department has provided the following comments:

#### Water Servicing

The Subject Lands are serviced by a relocated water service connecting to an existing municipal watermain on Napa Valley Avenue. The Development is located within the City of Vaughan's Pressure District 6. A fire line and domestic water line has been provided to the Subject Lands to supply the domestic demands and provide adequate fire protection. The Development proposes that the existing 50 mm diameter domestic

service be replaced with a 100mm diameter PVC domestic service. The water servicing strategy is acceptable to the DE Department.

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#### Sanitary Sewer

The Subject Lands will be serviced by a relocated sanitary service connection to the existing sanitary sewer located on Napa Valley Avenue. An analysis of sanitary design sheets based on pre-development and post-development conditions was conducted on the existing downstream sanitary sewers, from the Subject Lands to the trunk sewer on Sonoma Boulevard. The analyses indicated that the existing downstream sewer will not surcharge under both pre- and post-development scenarios. Therefore, no future improvements will be required for downstream sanitary sewers. The sanitary servicing strategy is acceptable to DE.

#### Storm Servicing and Storm Water Management

The Functional Servicing and Stormwater Management Report prepared by Valdor Engineering Inc., dated June 2021, demonstrates that post-development runoff will be controlled to the existing rate by proposed underground storage and an orifice tube at the proposed control manhole. The proposed control manhole provides the site with a connection to the storm sewer along Napa Valley Avenue. The existing storm sewers were sized to convey the peak flow of the 5-year storm event as per City of Vaughan Standards. The storm servicing and drainage strategy is acceptable to the DE Department.

Based on the Hydrogeological Study prepared by Soils Engineers Ltd., dated December 2019, the Owner has demonstrated how groundwater flows will be managed and discharged through the proposed stormwater management system. Discharging of groundwater into a City storm sewer is subject to the previous City of Vaughan Sewer Use By-law. As such, prior to the execution of the Site Plan Agreement, the Owner shall enter into an agreement and/or permit for any temporary and/ or permanent dewatering, to the satisfaction of Environmental Services, if required. A condition to this effect has been included in Attachment 1.

#### Sewage and Water Allocation

Vaughan Council on December 15, 2020, endorsed its Allocation of Servicing Capacity Annual Distribution and Update and Allocation of Servicing Capacity Policy. Accordingly, servicing capacity for the Development is available and unrestricted. Servicing capacity shall be reserved for 89 dwelling units (187 persons equivalent). A

resolution to allocate servicing capacity is included in the Recommendations of this report.

#### Access, Traffic and Parking

A total of 107 parking spaces are proposed for the Development. A Traffic Impact and Parking Study prepared by CGE, dated June 2021 was submitted in support of the development Applications. The study was revised to take into consideration the traffic counts as it relates to the two future residential buildings at 9681 and 9691 Islington Avenue. The DE Department concurs with the findings of the study and agree the Development will introduce an acceptable traffic impact. The DE Department is satisfied that the proposed entrance to the Development will not conflict with the existing road network, including that of the entrance to the commercial plaza on the south side of Napa Valley Avenue.

The DE Department advises that a 0.3 m reserve (Registered Plan 65M-3467) exists along the proposed driveway access. As such, the DE Department requires that a reference plan be prepared and registered and a dedication by-law application be submitted to the City of Vaughan to lift the reserve. The DE Department has no objection to the Development, subject to their conditions as identified in Attachment 1.

In accordance with the Pedestrian and Bicycle Master Plan, separated active transportation facilities in the form of a sidewalk and cycle track are to be accommodated on arterial roads through new development. A multi-use pathway exists on Islington Avenue north of the Subject Lands, and the DE Department recommends that the multi-use pathway be extended along the frontage of the Development to Napa Valley Avenue to accommodate pedestrians and cyclists. The Owner will be required to construct the multi-use path along the frontage of the Development and provide a landscape cost estimate of the works to the satisfaction of the DE Department. A condition to this effect will be included as a condition in the Site Plan Agreement as identified in Attachment 1.

#### Environmental

The Owner submitted a Site Screening Questionnaire in support of the Applications. No land is proposed to be conveyed to the City therefore, the DE Department is satisfied with the Site Screening Questionnaire and has no further comments as it concerns environmental engineering.

#### Noise Feasibility Study

A Noise Feasibility Study prepared by HGC Engineering., dated December 20, 2019, and an addendum letter dated June 16, 2021, were submitted in support of the Applications. The study concludes the Development is feasible from a noise perspective, which is acceptable to the DE Department. However, as an extra

precaution, warning clauses were recommended and will be added to the Site Plan Agreement. A condition to this effect is included in Attachment 1.

Prior to execution of the Site Plan Agreement, the DE Department shall approve the final site servicing, erosion sediment control and site grading drawings to the satisfaction of the DE Department. A condition to this effect is included in Attachment 1 of this report.

***Should the Applications be approved, the Owner will be required to submit and receive approval for a Draft Plan of Condominium Application***

Should the Applications be approved, the Owner will be required to submit a Draft Plan of Condominium Application and receive approval from Council to establish the condominium tenure for the Development.

***The Financial Planning and Development Finance Department have no objection to the Development, subject to development charges being paid***

The Financial Planning and Development Finance Department have no objection to the Development, subject to the Owner paying any applicable Development Charges in accordance with the Development Charges By-law of the City of Vaughan, Region of York, York Region District School Board and York Catholic District School Boards, prior to the issuance of a building permit. A standard condition to this effect will be included in the Site Plan Agreement.

***The Owner shall fulfill all cost sharing obligations of the Woodbridge Expansion Area Landowner's Group***

The Subject Lands are located within the Woodbridge Expansion Area Block Plan for Block 53. Prior to the execution of the Site Plan Agreement, the Owner is required to provide the City with a letter from the Trustee of the Woodbridge Expansion Area Landowners Group demonstrating that the Owner has fulfilled all cost sharing and any other obligations of the Woodbridge Expansion Area Landowners Group Cost Sharing Agreement. A condition to this effect has been included in the Attachment 1.

***Fire and Rescue Services has no objection to the Development***

Vaughan Fire and Rescue Service has no objection to the Development subject to the Owner satisfying all Building Code requirements and providing a minimum level of fire safety and protection at the building construction stage of development.

***The Environmental Services Department, Solid Waste Management Division, has no objection to the Development, subject to conditions***

The Solid Waste Management division has no objection to the waste management system proposed for the Development subject to the following being provided to their satisfaction: revised floor plans that identify a bulky item room for the purpose of storing large items and a three-stream waste chute system, a letter from a certified engineering stating that the proposed structure can safely support a collection vehicle of 35,000 kg and a revised site plan demonstrating the footprint of the waste bins on the staging pad.

The Owner shall satisfy all requirements of the Environmental Services Department, Solid Waste Management Division. A condition to this effect has been included in Attachment 1.

***The Policy Planning and Environmental Sustainability Department has no objection to the Development***

The Policy Planning and Environmental Sustainability Department have no objection to the Development as the Subject Lands are not located in proximity to any natural features and/or hazards.

***The By-law & Compliance, Licensing & Permit Services have no objection to the Development, subject to lighting standards being complied with***

The By-law & Compliance, Licensing & Permit Services have no objection to the Development, subject to any outdoor floodlighting or exterior lighting fixtures being directed inward and downward, or in such a manner so as to prevent the light source from shining directly onto abutting properties. Additionally, the Owner will be required to follow construction protocols in accordance with City of Vaughan by-laws.

***The Cultural Heritage Division of the Development Planning Department has no objection to the Development***

The Cultural Heritage Division of the Development Planning Department has no objection to the Development as the Subject Lands are not located within a Heritage Conservation District and no archaeological potential was identified, however standard archaeological clauses will be included in the Site Plan Agreement as identified in Attachment 1.

***The Parks Planning Department and Office of Infrastructure Development Real Estate Services have no objection to the Development, subject to parkland being dedicated or cash-in-lieu of parkland being satisfied***

The Parks Planning Department and the Office of Infrastructure Development, Real Estate Services have no objection to the Development, providing the Owner conveys land at the rate of 1 ha per 300 units and/or pay to Vaughan by way of a certified cheque(s), cash-in-lieu of the dedication of parkland at a rate of 1 ha per 500 units or at a fixed unit rate, prior to the issuance of a building permit, in accordance with the *Planning Act* and the City's Cash-in-lieu of Parkland Policy. A condition to this effect will be included as a condition in the Site Plan Agreement, as identified on Attachment 1.

***The School Boards have no objection to the Development***

The York Region District School Board and York Region Catholic School Board have no comments or concerns with respect to the Development. No comments were received from the Conseil Scolaire de District Catholique Centre Sud.

***Canada Post has no objection to the Development, subject to the Owner providing a centralized mail receiving facility***

Canada Post has no objection to the Development, subject to the Owner providing the building with its own centralized mail receiving facility.

***Bell Canada has no objection to the Development, subject to conditions***

Bell Canada has no objection to the Development, subject to the Owner granting Bell Canada any easements that may be required. A condition to this effect will be included in the Site Plan Agreement and has been included in Attachment 1.

***The other utility providers have no objection to the Development***

The other utility providers including HydroOne, Rogers Communication Inc., Enbridge Gas Distribution and Alectra Utilities Corporation have no objection to the Development, subject to the Owner providing any easements for the Development at no cost to the utility provider, if required. A condition to this will be included in the Site Plan Agreement and has been included in Attachment 1.

**Financial Impact**

Not applicable.

**Broader Regional Impacts/Considerations**

York Region has reviewed the Zoning By-law Amendment and Site Development Applications and has no objection. The Owner is required to satisfy all requirements of York Region. A condition to this effect is included in Attachment 1.

**Conclusion**

The Development Planning Department is of the opinion that the Development is appropriate and compatible with the existing and permitted uses of the surrounding area. The Applications would facilitate development that is consistent with the PPS, the Growth Plan, the York Region Official Plan and the Development conforms to VOP 2010. On this basis, the Development Planning Department can support the approval of the Applications subject to the Recommendations in this report, and the Conditions as set out in Attachment 1.

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

**Attachments**

1. Conditions of Approval
2. Context and Location Map
3. Site Plan
4. Landscape Plan

5. Building Elevations – North and South
6. Building Elevations – East and West
7. Existing Zoning By-law Amendment Schedule Exception 9(988)

**Prepared by**

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