

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 23, 2018

Item 4, Report No. 18, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on May 23, 2018, as follows:

By receiving communication C6, from Mr. Michael Melling, Davies Howe, Adelaide Street West, Toronto, dated May 8, 2018.

4 OFFICIAL PLAN AMENDMENT FILE OP.16.010 ZONING BY-LAW AMENDMENT FILE Z.16.039 GATEHOLLOW ESTATES INC. VICINITY OF ISLINGTON AVENUE AND NAPA VALLEY AVENUE

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Deputy City Manager, Planning and Growth Management, dated May 8, 2018, be approved;
- 2) That the following be approved in accordance with Communication C5, Memorandum from the City Solicitor and the Chief Financial Officer & City Treasurer, dated May 3, 2018:
 1. That the request from the Carrying Place Ratepayers' Association for financial grant from the City to fund its case in opposition to Gatehollow Estates Inc.'s development proposal before the LPAT be refused; and
- 3) That the deputation by Mr. Tony Alati, Carrying Place Ratepayers' Association, Golden Gate Circle, Woodbridge, be received.

Recommendations

1. THAT Official Plan and Zoning By-law Amendment Files OP.16.010 and Z.16.039 (Gatehollow Estates Inc.) to amend the policies of Vaughan Official Plan 2010 to redesignate the portion of the Subject Lands designated "Low-Rise Residential" to "Mid-Rise Residential", and to rezone the Subject Lands from A Agricultural Zone to RA3 Apartment Residential Zone and OS1 Open Space Conservation Zone, BE REFUSED.
2. THAT City of Vaughan staff and external consultants, as required, be directed to attend the Local Planning Appeal Tribunal hearing in support of the recommendations contained in this report with regard to Official Plan and Zoning By-law Amendment Files OP.16.010 & Z.16.039.

(A copy of the attachments referred to in the following report have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)

Item:



Committee of the Whole Report

DATE: Tuesday, May 08, 2018

WARD: 2

**TITLE: OFFICIAL PLAN AMENDMENT FILE OP.16.010
ZONING BY-LAW AMENDMENT FILE Z.16.039
GATEHOLLOW ESTATES INC.
VICINITY OF ISLINGTON AVENUE AND NAPA VALLEY
AVENUE**

FROM:

Jason Schmidt-Shoukri, Deputy City Manager, Planning and Growth Management

ACTION: DECISION

Purpose

To seek the endorsement from the Committee of the Whole of the recommendation to refuse Official Plan and Zoning By-law Amendment Files OP.16.010 and Z.16.039 (Gatehollow Estates Inc.) respecting the Subject Lands shown on Attachments #1 and #2.

Report Highlights

- The Owner is proposing to develop the Subject Lands with a 6-storey apartment building and an 8-storey apartment building and a total of 247 apartment units.
- The Owner has appealed the Applications to the Local Planning Appeal Tribunal.
- Official Plan and Zoning By-law Amendment Files OP.16.010 and Z.16.039 are not consistent with the Provincial Policy Statement, do not conform with the Growth Plan and do not conform with the York Region Official Plan and Vaughan Official Plan 2010 policies.
- Staff seek the endorsement from the Committee of the Whole of the recommendation to refuse the Applications.

Recommendations

1. THAT Official Plan and Zoning By-law Amendment Files OP.16.010 and Z.16.039 (Gatehollow Estates Inc.) to amend the policies of Vaughan Official Plan 2010 to redesignate the portion of the Subject Lands designated “Low-Rise Residential” to “Mid-Rise Residential”, and to rezone the Subject Lands from A Agricultural Zone to RA3 Apartment Residential Zone and OS1 Open Space Conservation Zone, BE REFUSED.
2. THAT City of Vaughan staff and external consultants, as required, be directed to attend the Local Planning Appeal Tribunal hearing in support of the recommendations contained in this report with regard to Official Plan and Zoning By-law Amendment Files OP.16.010 & Z.16.039.

Background

Location

The Subject Lands (the “Subject Lands”) are located on the east side of Islington Avenue, south of Major Mackenzie Drive, and are municipally known as 9681 and 9691 Islington Avenue, as shown on Attachments #1 and #2. The surrounding land uses are shown on Attachment #2.

The Applications

The Owner has submitted Official Plan and Zoning By-law Amendment Files OP.16.010 and Z.16.039 (the “Applications”) to permit a development proposal (the “Development”) for the Subject Lands that includes two apartment buildings: Building “A” (Phase 1) is 6-stories in height; and Building “B” (Phase 2) is 8-stories in height.

The Development includes a total of 247 residential apartment units, including 27 two-level ground floor residential apartment units, and yields a Floor Space Index (“FSI”) of 3.46 times the area of the lot, based on net developable area (i.e. area of the Subject Lands excluding the lands to be conveyed for public purposes). A total of 433 underground parking spaces are proposed in four levels of underground parking with driveway access from Islington Avenue. The site plan, landscape plan, and building elevations are shown on Attachments #4 to #6.

Public Notice was provided in accordance with the Planning Act and Council’s Notification Protocol. Deputations were received at the Public Hearing, and written submissions have been submitted to the Development Planning Department

On January 13, 2017, a Notice of Public Hearing was circulated to an Expanded Notification Area beyond 150 m, as shown on Attachment #2, and to the Carrying Place Ratepayers’ Association. The Notice of Public Hearing was also posted on the City’s

website at www.vaughan.ca and a Notice Sign was installed on the property in accordance with the City's Notice Signs Procedures and Protocols.

On February 7, 2017, a Public Hearing was held for the Applications. At the Public Hearing, deputations and written submissions were received from the following regarding the Applications:

Deputations

- Mr. David Butterworth, Kirkor Architects, Martin Ross Avenue, Toronto, on behalf of the Owner;
- Mr. Tony Alati, Carrying Place Ratepayers' Association, Golden Gate Circle, Woodbridge, including a petition with 578 signatures objecting to the proposal;
- Mr. Adriano Volpentesta, America Avenue, Vaughan;
- Mr. Marlon D'Addio, Tuscan Woods Trail, Woodbridge;
- Mr. Joseph Talotta, Tuscan Woods Trail, Woodbridge;
- Mr. Tony Zuccaro, Humber Forest Court, Vaughan;
- Mr. Richard Lorello, Treelawn Boulevard, Kleinburg
- Ms. Laura Meli, Silver Oaks Boulevard, Woodbridge;
- Ms. Alexandra Hatfield, Camlaren Crescent, Kleinburg; and
- Mr. Mario Mongur, Chalone Crescent, Woodbridge.

Written Submissions

- Mr. Marlon D'Addio, dated January 14, 2017;
- Mr. Tony Ciufio, dated January 15, 2017;
- Ms. Filomena Grossi, Casa Nova Drive, Vaughan, dated January 16, 2017;
- Mr. Tony Zuccaro, Humber Forest Court, Vaughan, dated January 16, 2017 and January 27, 2017;
- Mirella and Charlie Spano, dated January 16, 2017;
- Ms. Pina Lancia, Humber Forest Court, Vaughan, dated January 17, 2017;
- Ms. Silvia Scavuzzo, dated January 18, 2017;
- Anna, Henry and Alessia Fedrigoni, dated January 20, 2017;
- Mr. Sam Mercuri, Humber Forest Court, Vaughan, dated January 20, 2017;
- Mr. Walter Antonel, Water Garden Lane, Woodbridge, dated January 22, 2017;
- Mr. Fabrizio Tenaglia, dated January 21, 2017;
- Ms. Susan Tham, dated January 24, 2017;
- Mr. Rocco Carlucci, dated January 24, 2017;
- Ms. Amanda Perruzza, dated January 24, 2017;
- Ms. Ingrid Punwani, dated January 23, 2017;
- Mr. Mimmo Barci, dated January 24, 2017;
- Ms. Marianna Arrizza, dated January 23, 2017;
- Mr. Tony Alati, Carrying Place Ratepayers' Association, Golden Gate Circle, Woodbridge, dated October 2, 2016 and February 7, 2017;
- Mr. Steve Rea, dated January 25, 2017;

- Ms. Norina Marcucci, Silverado Trail, Vaughan, dated January 25, 2017;
- Lino and Mara Callisto, dated January 26, 2017;
- Mr. Ryan Milanese, dated January 23, 2017;
- Ed and Ann Spandlick, Julia Valentina Avenue, Vaughan, dated January 29, 2017;
- Mr. Charlie Muscat, dated January 28, 2017;
- Ms. Marina Serratore, dated January 26, 2017;
- Ms. Jen Hong, dated January 27, 2017;
- Ms. Rose Barrasso, dated January 27, 2017;
- Helen, An and Thanh, dated January 30, 2017;
- Mr. Domenic Suppa, dated January 27, 2017;
- Ms. Nancy T., dated February 2, 2017;
- Ms. Lubna Kakish, dated February 2, 2017;
- Ms. Cynthia Crispino, Water Garden Lane, Woodbridge, dated February 2, 2017;
- Mr. Michael Marcucci, Polo Crescent, Vaughan, dated February 2, 2017;
- Ms. Teresa Kakish, dated February 2, 2017;
- Mr. Frank Silla, dated February 7, 2017;
- Ms. Leanne Henwood-Adam, dated February 6, 2017;
- Helen, dated February 6, 2017;
- Mr. Phil Abatecola, Sonoma Boulevard, Woodbridge, dated February 7, 2017;
- Mr. John Giordano, dated February 6, 2017;
- Ms. Rose Marcello, dated February 7, 2017;
- Ms. Mara Buttarazzi, dated February 7, 2017;
- Mr. Remy Giancola, dated February 7, 2017;
- Ms. Irina Szabo, Golden Gate Circle, Vaughan, dated February 7, 2017;
- Mr. Michael John Antczak, dated February 7, 2017;
- Ms. Doreen Smith, Wallace Street, Woodbridge, dated February 7, 2017;
- T. Tran, Sunset Ridge, Woodbridge, dated February 7, 2017;
- Mr. Adrian Mancinelli, dated February 7, 2017; and
- Ms. Sandra Mandarano, dated February 7, 2017.

Additional written correspondence was received following the Public Hearing from Cristina Fazio, dated February 8, 2017, and Al D'Silva, Chalone Crescent, Woodbridge, dated February 15, 2017.

Summary of comments received regarding the Development

The following is a general summary of the comments received at the Public Hearing on February 7, 2017, and in the written submissions:

- a) The Subject Lands are inappropriate for intensification and are not identified as an Intensification Area in VOP 2010. Intensification should be directed to Regional Road 7, where there is public transit available to support the density;

- b) The Development will increase vehicular and pedestrian traffic, create more pollution and noise, and cause parking issues;
- c) An emergency exit should be provided in case the intersection of Islington Avenue and Napa Valley Avenue is blocked for any reason;
- d) The Development will result in the loss of mature trees, have an impact on wildlife habitat and the quality/standard of life for existing residents, and will block the view of the conservation area (i.e. Greenbelt) to the east of the Subject Lands;
- e) The existing character of the community is considered a prestigious area by residents and will be impacted by the Development;
- f) The Owners of the residential lots to the north of the Subject Lands will experience a loss of privacy, due to the height, size and placement of the buildings;
- g) VOP 2010 policies should be adhered to with respect to the land use designation of the Subject Lands (millions of taxpayer dollars were spent on VOP 2010);
- h) The proposed Development will depreciate the values of the existing houses in the area;
- i) The proposed Development will result in adverse shadow impacts; and
- j) There is a lack of proper public transit infrastructure in the area to support the proposed density.

The concerns raised by the community are addressed in the content of this report.

The recommendation of the Committee of the Whole (the “Committee”) to receive the Public Hearing report of February 7, 2017, and to forward a comprehensive report to a future Committee of the Whole meeting was ratified by Vaughan Council (“Council”) on February 21, 2017.

On September 14, 2017, Council adopted a resolution that the appropriate staff be directed to attend a future meeting with area residents to discuss their concerns, to be convened by the Local Councillor. To date, this meeting has not occurred.

The Vaughan Development Planning Department, on April 27, 2018, mailed a non-statutory courtesy notice of this Committee of the Whole meeting to those individuals requesting notice of further consideration of the Applications.

Previous Reports/Authority

[Feb. 7, 2017, Committee of the Whole \(Public Hearing\) \(Item 3, Report No. 7, Recommendation 1 to 4\)](#)

Analysis and Options

The Owner has appealed the Applications to the Local Planning Appeal Tribunal (the “LPAT”), formerly the Ontario Municipal Board (the “OMB”)

The Owner submitted the Applications to the City of Vaughan on September 8, 2016. The City issued a Notice of Complete Application to the Owner on September 26, 2016, and to the public on September 28, 2016. The original development, upon submission of the Applications, included two buildings: Building “A” (Phase 1) 4 to 7-storeys; and Building “B” (Phase 2) 3 to 10-storeys, including mechanical penthouses in the 7th and 10th storeys, and a total of 228 apartment units and 232 m² of ground floor retail area.

On July 25, 2017, the Owner appealed the Applications to the Local Planning Tribunal (the “LPAT”), formerly the Ontario Municipal Board (the “OMB”), pursuant to Sections 22(7) and 34(11), respectively, of the *Planning Act*. An OMB Prehearing regarding the appeals took place on January 17, 2018. The following is a brief summary of the Prehearing:

Counsel for the Appellant (Owner) advised the OMB that the Owner has been working to respond to the issues identified with the Applications, and that the Owner intends to file a revised Development with the City. Following the Prehearing, a revised Development was filed with the City on January 19, 2018. This report is based on the revised Development for two buildings: Building “A” (Phase 1), 6-storeys and Building “B” (Phase 2), 8-storeys, without mechanical penthouses, and a total of 247 residential apartment units, including 27 two-level ground floor residential apartment units.

The Toronto and Region Conservation Authority (“TRCA”) requested and was granted party status for the Prehearing on consent. Two local residents attended the Prehearing, and requested and obtained party status on consent as placeholders on behalf of the Greater Woodbridge Ratepayers Association and the Carrying Place Ratepayers Association (both Ratepayers’ Associations are required to be incorporated before they can be granted party status in the proceedings). Two local residents were also granted participant status.

The City and the Owner jointly requested that the OMB schedule a further Prehearing regarding the appeal to allow the Appellant time to submit the revised Development, and the City time to review the revised Development before taking a position and identifying issues for the full hearing. The next Prehearing has been scheduled for June 26, 2018.

The Development Planning Department does not support the Applications based on the following planning considerations

The Surrounding Built Land Use Context is primarily Low-Density Residential in a Low-Rise Built Form

The Subject Lands have frontage on the east side of Islington Avenue which is identified as a major arterial road in Vaughan Official Plan 2010 ("VOP 2010"), with a Regional Planned Street Width of up to 36 m in York Region Official Plan 2010 ("YROP"), and on the west side of Canada Company Avenue, which is identified as a local road by VOP 2010, and is currently designed and constructed to a rural standard. The lands located immediately north of the Subject Lands are designated "Natural Areas" by VOP 2010, and contain a watercourse with associated woodlands and wetlands, and form part of the larger natural heritage network that extends into the Kortright Centre for Conservation, which is located in the Greenbelt Plan Area on the east side of Canada Company Avenue.

The Subject Lands are located at the signalized "T" intersection of Islington Avenue and Napa Valley Avenue. The lands immediately south of the Subject Lands are vacant and owned by York Region. South of these lands is Vaughan Fire Station No. 7-9 (9601 Islington Avenue), as shown on Attachment #2.

The lands at the northwest corner of Islington Avenue and Napa Valley Avenue are designated "Low-Rise Mixed-Use" by VOP 2010, which permits a maximum building height of 5-storeys and a density (FSI) of 1.75 times the area of the lot. This property currently contains a detached dwelling. The lands at the southwest corner of Islington Avenue and Napa Valley Drive, are designated "Low-Rise Mixed-Use" by VOP 2010 and permits a maximum building height of 4-storeys and a density (FSI) of 1.5 times the area of the lot. This property is presently developed with 5 one-storey multi-unit buildings containing commercial, medical office, and retail uses.

The lands abutting the commercial plaza to the south are designated "Low-Rise Mixed-Use" which permits a maximum building height of 4-storeys. These lands are the subject of Zoning By-law Amendment and Site Development Files Z.17.011 and DA.17.023 (Landmart Realty Corp.) to permit 104, 3 ½-storey back-to-back stacked townhouses. These applications are currently being reviewed by the Development Planning Department and were the subject of a Committee of the Whole Public Hearing held on November 7, 2017.

The surrounding residential community is bounded by Major Mackenzie Drive to the north, Rutherford Road to the south, Regional Road 27 to the west, and Islington Avenue/Canada Company Avenue to the east, and is generally designated "Low-Rise Residential" with the exception of the corners of Islington Avenue and Napa Valley

Avenue as described above. In addition, the southwest corner of Islington Avenue and Sonoma Boulevard; the northwest corner of Islington Avenue and Rutherford Road; and, the northeast corner of Napa Valley Avenue and Monte Carlo Drive, are designated “Low-Rise Mixed-Use” by VOP 2010 which permits a maximum density (FSI) of 1.5 times the area of the lot and a maximum building height of 4-storeys on each of these sites. The “Low-Rise Residential” designation permits detached, semi-detached, and townhouse dwellings subject to the compatibility criteria of Section 9 of VOP 2010, and the “Low-Rise Mixed-Use” designation permits townhouses, stacked townhouses, and low-rise buildings. In addition, those sites designated “Low-Rise Mixed-Use”, which permit 4-storey buildings at an FSI ranging between 1.5 to 1.75, are currently all developed with low-rise buildings not exceeding 2-storeys.

The surrounding residential neighbourhoods to the west and north are developed with low-rise residential dwellings, including detached, semi-detached and townhouse dwelling units. The existing surrounding neighbourhoods establish the existing low-rise character of the community. There are no existing or planned mid-rise buildings in the surrounding residential community. VOP 2010 defines mid-rise buildings as buildings generally over five (5) storeys in height, and up to a maximum of twelve (12) storeys in height.

The York Region Transit YRT/VIVA Rapid Transit System Map (March 4, 2018), identifies two YRT bus routes that serve the area, including the Subject Lands. There are two transit stops for these bus routes within walking distance of the Subject Lands, one at the intersection of Islington Avenue and Napa Valley Avenue and the other at the intersection of Islington Avenue and Sonoma Boulevard, 500 m south of the Subject Lands.

The Islington Avenue bus route primarily operates along Islington Avenue and Napa Valley Avenue and currently serves the transit stop located at the intersection of Islington Avenue and Napa Valley Avenue, Monday to Friday from 6:45 am to 10:43 pm, at an intermittent frequency of service every 16 to 57 minutes, and Saturday (no Sunday service) from 7:36 am to 10:36 pm, at an intermittent frequency of service every 50 to 59 minutes. This bus route offers limited service on Islington Avenue, north of Napa Valley Avenue, to and from Kleinburg, at an intermittent frequency of service of 8 times a day (each direction) from Monday to Friday (no weekend service).

The Rutherford Road bus route primarily operates along Rutherford Road (looping around Napa Valley Avenue from Islington Avenue) and currently serves the transit stop located at the intersection of Islington Avenue and Sonoma Boulevard, Monday to Friday from 5:53 am to 12:11 am, at an intermittent frequency of service every 12 to 30 minutes, and Saturday from 7:47 am to 11:31 pm, at a frequency of service from 23 to 26 minutes, and Sunday and holidays, from 9:21 am to 9:56 pm, at a frequency of service every 38 minutes.

GO Transit operates a bus route (Number 38A - Bolton/North York) and currently serves the Islington Avenue and Napa Valley Avenue transit stop from Monday to Friday with limited morning and evening departures. This route operates primarily along Regional Road 27 and Highway 401 and provides a connection to the York Mills Bus Terminal located at the intersection of Yonge Street and Wilson Avenue in the City of Toronto.

There is no existing or planned high order transit system (i.e. subway station, LRT, BRT) in this area to serve the proposed Development. Islington Avenue is also not identified in the York Region Transportation Master Plan as a Frequent Transit Network bus service, and is not planned to become one until 2027 to 2031.

The Pedestrian and Bicycle Network Plan (Exhibit 6-2) of the City of Vaughan Transportation Master Plan (2012), identifies this segment of Islington Avenue from Major Mackenzie Drive to Langstaff Road as a “Class 1 Community Multi-Use Boulevard Pathway” and Napa Valley Avenue as a “Class 2 Neighbourhood Bike Lane – Formal Pavement Markings and Signing (No Widening)”.

The Development does not represent good planning

The Development Planning Department recommends that the Applications be refused as the proposed development does not represent good planning, does not contribute to appropriate City building, and is not in the public interest. This recommendation is based on the following provincial policies, and YROP and VOP 2010 policies:

1. *Planning Act*

Section 2 of the *Planning Act* states that the Council of a municipality in carrying out their responsibilities shall have regard to, among other matters, matters of Provincial interest such as:

- the protection of ecological systems, including natural areas, features and functions;
- the orderly development of safe and healthy communities;
- the appropriate location of growth and development;
- the adequate provision of a full range of housing;
- the promotion of development that is designed to be sustainable, to support public transit and be oriented to pedestrians; and
- the promotion of built form that,
 - i) is well-designed,
 - ii) encourages a sense of place, and
 - iii) provides for public spaces that are of high quality, safe, accessible, attractive and vibrant;

Section 3(5) of the *Planning Act* requires that a decision of Council of a municipality in respect of the exercise of any authority that affects a planning matter:

- shall be consistent with the policy statements issued under subsection (1) that are in effect on the date of the decision; and
- shall conform with the provincial plans that are in effect on that date, or shall not conflict with them, as the case may be.

The Applications do not satisfy the requirements of the *Planning Act*, as discussed in further detail below.

2. Provincial Policy Statement (the “PPS”) 2014

In accordance with Section 3 of the *Planning Act*, all land use decisions in Ontario "shall be consistent" with the *PPS* 2014. The *PPS* provides policy direction on matters of provincial interest related to land use planning and development. Land use planning decisions made by municipalities, planning boards, the Province, or a commission or agency of the government must be consistent with the *PPS*. The *PPS* policies state, as follows (in part):

- a) Section 1.1.1 of “Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns”

Section 1.1 of the *PPS* requires that development accommodate an appropriate range of residential, employment, institutional, recreation, park and open space, and other uses to meet long term needs.

- b) Section 1.1.3 - “Settlement Areas”

1.1.3.1 - “Settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted.”

1.1.3.2 - “Land use patterns within settlement areas shall be based on:

- a) densities and a mix of land uses which:
1. efficiently use land and resources;
 2. are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;
 4. support active transportation; and
 5. are transit-supportive, where transit is planned, exists or may be developed.

- b) a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.”

Policy 1.1.3.3 states “Planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.”

- c) Section 6 of the PPS defines “Intensification” and “Residential Intensification” as follows:

“Intensification: means the development of a property, site or area at a higher density than currently exists through:

- a) redevelopment, including the reuse of brownfield sites;
- b) the development of vacant and/or underutilized lots within previously developed areas;
- c) infill development; and
- d) the expansion or conversion of existing buildings.”

“Residential intensification: means intensification of a property, site or area which results in a net increase in residential units or accommodation and includes:

- a) redevelopment, including the redevelopment of brownfield sites;
- b) the development of vacant or underutilized lots within previously developed areas;
- c) infill development;
- d) the conversion or expansion of existing industrial, commercial and institutional buildings for residential use; and
- e) the conversion or expansion of existing residential buildings to create new residential units or accommodation, including accessory apartments, second units and rooming houses.”

- d) Section 6 of the PPS defines “Redevelopment” as follows:

“Redevelopment: means the creation of new units, uses or lots on previously developed land in existing communities, including brownfield sites.”

The development and residential intensification of the Subject Lands, will facilitate new residential units at a significantly higher density (3.46 FSI) than exists in the surrounding community. Policy 1.1.3.3 of the *PPS* provides direction for municipalities to identify opportunities for accommodating intensification and redevelopment within the municipality, through the implementation of municipal Official Plans. This policy inherently recognizes that intensification and redevelopment is appropriate in certain locations and that there are areas that are intended to remain stable.

The City of Vaughan undertook a City-wide comprehensive Official Plan review, that culminated in VOP 2010, which is the in-effect land use planning policy document for the Subject Lands. VOP 2010 designates the southerly portion of the Subject Lands as “Low-Rise Residential” and the northerly portion “Natural Areas”, as shown on Attachment #3. The Subject Lands are not located within any identified Intensification Area by VOP 2010, nor were they designated “Low-Rise Mixed-Use”. Islington Avenue is not identified as or planned as a Regional or Primary Intensification Corridor, a Regional Rapid Transit Corridor, or as part of the Regional Transit Priority Network.

Although Rutherford Road and Major Mackenzie Drive are each identified as part of the Regional Transit Priority Network, neither are identified as an Intensification Corridor between Regional Road 50 and Weston Road. Furthermore, the closest transit stop for the Rutherford Road bus route is located at Islington Avenue and Sonoma Boulevard (500 m from the Subject Lands) and York Region has not identified any improvements or upgrades for Rutherford Road (between Regional Road 50 and Jane Street) in their 2018 10-Year Roads and Transit Capital Construction Program (“Program”) to facilitate Transit-HOV (High Occupancy Vehicle) lanes. Although York Region has identified improvements to Major Mackenzie Drive, west of Pine Valley Drive (commencing in summer 2018) in their 2018 Program, which includes a road widening from 2 to 6 lanes, to facilitate Transit-HOV lanes and off-street cycling facilities, it is uncertain what level of transit service will be available northbound on Islington Avenue, from Napa Valley Avenue to Major Mackenzie Drive, as there is limited bus service currently operating on this route, as discussed earlier in this report. As such, the current level of transit service in this area is not commensurate with the level of intensification proposed for the Subject Lands, and is better suited for the existing low-rise context.

The neighbourhoods surrounding the Subject Lands, as described in the Land Use Context section of this report, are physically stable areas and characterized by low-rise dwellings and other forms of low-rise development. East of the Subject Lands is the Kortright Centre for Conservation, which is a natural area located within the Greenbelt Plan Area. The surrounding area is not identified in VOP 2010 for the level of intensification that is being proposed through the Applications.

VOP 2010 identifies and designates lands throughout the City, to achieve the policies of the *PPS*, including the lands directly opposite the Subject Lands, on the northwest and

southwest intersections of Islington Avenue and Napa Valley Avenue, which are designated “Low-Rise Mixed-Use” and the other sites as described earlier in this report.

From an overall public transit or high order transit perspective, VOP 2010 focuses its intensification in areas served, or planned to be served by higher order transit. The hierarchy of intensification areas, comprised of a number of centres and corridors, offer frequent transit service levels that can accommodate and are commensurate with the higher number of public transit users that live and work in these areas. Islington Avenue does not have and is not planned at this time to have the same convenient access to high order public transit.

The introduction of the proposed Development, at a location within an existing stable residential community, is not in the public interest, is not consistent with the policy direction established in the *PPS*, and does not take into account the existing and planned built form in the community. The Development represents the overdevelopment of a single parcel of land, which is not consistent with the policies of the *PPS* and as implemented by Council through VOP 2010. More specifically, the Subject Lands are not identified for intensification by VOP 2010, and are located within a stable community.

e) Section 1.2.1 of “Coordination”

Policy 1.2.1 of the *PPS* states that a coordinated, integrated and comprehensive approach should be used when dealing with planning matters within municipalities, or which cross lower, single and/or upper tier municipal boundaries, including managing and/or promoting growth and development.

The City has undertaken a coordinated, integrated and comprehensive approach to managing and promoting intensification and redevelopment along identified and appropriately designated corridors, which does not include Islington Avenue. The intensification strategy for the City of Vaughan is prescribed by VOP 2010. The Development proposal for a 0.67 ha parcel of land, at an FSI of 3.46, surrounded by Islington Avenue, existing detached dwellings and natural areas, is not consistent with the *PPS* in this respect since it does not represent an integrated or comprehensive approach to managing growth related to City planning matters, and represents intensification that is not located within an identified Intensification Area.

f) Section 1.4 - “Housing”

Policy 1.4.3 - “Planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents of the regional market area by (in part):

- c) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;
- d) promoting densities for new housing which efficiently uses land, resources, infrastructure and public service facilities, and supports the use of active transportation and transit in areas where it exists or is to be developed; and,
- e) establishing development standards for residential intensification, redevelopment and new residential development which minimizes the cost of housing and facilitates compact form, while maintaining appropriate levels of public health and safety.”

g) Section 1.7 - Long-Term Economic Prosperity

Policy 1.7.1 - “Long-term economic prosperity should be supported by (in part):

- d) encouraging a sense of place, by promoting a well-designed built form.”

h) Section 4.0 - “Implementation and Interpretation”

Policy 4.1 - “This *Provincial Policy Statement* applies to all decisions in respect of the exercise of any authority that affects a planning matter made on or after April 30, 2014.”

Policy 4.4 - “This *Provincial Policy Statement* shall be read in its entirety and all relevant policies are to be applied to each situation.”

Policy 4.7 (in part) - “The Official Plan is the most important vehicle for implementation of this *Provincial Policy Statement*. Comprehensive, integrated and long-term planning is best achieved through (municipal) official plans.

(Municipal) official plans shall identify provincial interests and set out appropriate land use designations and policies.

(Municipal) official plans should also coordinate cross-boundary matters to complement the actions of other planning authorities and promote mutually beneficial solutions. (Municipal) official plans shall provide clear, reasonable and attainable policies to protect provincial interests and direct development to suitable areas.

In order to protect provincial interests, planning authorities shall keep their official plans up-to-date with this *Provincial Policy Statement*. The policies of this *Provincial Policy Statement* continue to apply after adoption and approval of a municipal official plan.”

The *Planning Act* states that, “the appropriate location of growth and redevelopment to be a matter of Provincial interest” and the *PPS* states that “official plans shall provide policies to protect Provincial interests”. Policy 4.7 identifies that the mechanism by which the Provincial interest is protected is the municipal official plan as it sets the appropriate land use designations and policies by directing development to suitable areas. VOP 2010 has established policies for land use intensification and where it is to be directed. VOP 2010 does not identify the Subject Lands for the level of intensification or redevelopment as proposed and does not identify Islington Avenue as an intensification corridor.

The Subject Lands are located within a “Community Area” and “Natural Areas and Countryside” which are identified as a “Stable Area” in VOP 2010. “Community Areas” are characterized by predominantly Low-Rise Residential housing stock, with local amenities including local retail, community facilities, schools and parks, and provide access to the City’s natural heritage and open spaces. The policies of VOP 2010 intend to protect and strengthen the character of these areas, and as the City grows and matures, these Community Areas are intended to remain mostly stable. The policies of VOP 2010 also recognize that incremental change is expected as a natural part of maturing neighbourhoods, but anticipates this change will be sensitive to, and respectful of, the existing character of the area. The Development represents a departure from the existing and planned character, density, and built form that was established by VOP 2010 for the surrounding community.

Approval of the Applications would introduce a level of intensification and a built form into this community that is not consistent with the policies of the *PPS*, appropriate or compatible with the existing and planned local context, and is not directly served by existing or planned high-order public transit.

For the reasons identified above, the Applications are not consistent with the intent of the intensification and housing policies of the *PPS*, as the Subject Lands are not located within a planned intensification area as identified in VOP 2010, which is the most important vehicle to implement the *PPS*.

3. *The Applications do not conform to the Places to Grow: Growth Plan for the Greater Golden Horseshoe (2017)*

The Applications are required to conform to the *Growth Plan for the Greater Golden Horseshoe* (“Growth Plan”).

The Growth Plan is intended to guide decisions on a wide range of issues, including economic development, land-use planning, urban form, housing, transportation and infrastructure. The Growth Plan promotes intensification of existing built-up areas, with a focus on directing growth to settlement areas and prioritizing intensification, with a focus on strategic growth areas, including urban growth centres and major transit station areas, as well as brownfield sites and greyfields. Concentrating intensification in these areas provides a focus for transit infrastructure investment to support growth and for building compact, transit-supportive communities.

The Growth Plan also encourages population and employment growth to be accommodated within the built-up areas encouraging the development of complete communities with a mix of housing types with access to local amenities.

a) Section 2.2.1. - “Managing Growth”

Section 2.2.1.3 of the Growth Plan states (in part) that, “Upper- and single-tier municipalities will undertake integrated planning to manage forecasted growth to the horizon of this Plan, which will:

- a. establish a hierarchy of settlement areas, and of areas within settlement areas, in accordance with policy 2.2.1.2;
- b. be supported by planning for infrastructure and public service facilities by considering the full life cycle costs of these assets and developing options to pay for these costs over the long-term;
- c. provide direction for an urban form that will optimize infrastructure, particularly along transit and transportation corridors, to support the achievement of complete communities through a more compact built form;
- d. support the environmental and agricultural protection and conservation objectives of this Plan; and
- e. be implemented through a municipal comprehensive review and, where applicable, include direction to lower-tier municipalities.

“Settlement Areas” are defined in the Growth Plan as “Urban areas and rural settlement areas within municipalities (such as cities, towns, villages and hamlets) that are:

- a. built up areas where development is concentrated and which have a mix of land uses; and
- b. lands which have been designated in an official plan for development in accordance with the policies of this Plan. Where there are no lands that have been designated for development, the *settlement area* may be no larger than the area where development is concentrated.”

Section 2.2.1.4 of the Growth Plan states (in part) that, “Applying the policies of this Plan will support the achievement of complete communities that:

- a. feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities;
- b. improve social equity and overall quality of life, including human health, for people of all ages, abilities, and incomes;
- 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;
- d. expand convenient access to:
 - i. a range of transportation options, including options for the safe, comfortable and convenient use of active transportation;
 - ii. public service facilities, co-located and integrated in community hubs;
 - iii. an appropriate supply of safe, publicly-accessible open spaces, parks, trails, and other recreational facilities; and
 - iv. healthy, local, and affordable food options, including through urban agriculture;
- e. ensure the development of high quality compact built form, an attractive and vibrant public realm, including public open spaces, through site design and urban design standards; and
- f. integrate green infrastructure and low impact development.”

VOP 2010 identifies and designates lands throughout the City, and within this community to achieve the Growth Plan policies referenced above respecting “complete communities” (i.e. mix of housing options, mix of land uses, etc.). The properties directly opposite the Subject Lands, on the northwest and southwest intersections of Islington Avenue and Napa Valley Avenue, are each designated “Low-Rise Mixed-Use”, which contemplates a wider range of residential uses. Other planned “Low-Rise Mixed-Use” sites are also designated by VOP 2010, as discussed earlier in this report.

b) Section 2.2.2 - “Delineated Built-up Areas”

Section 2.2.2. of the Growth Plan states that:

- “1. By the year 2031, and for each year thereafter, a minimum of 60 percent of all residential development occurring annually within each upper- or single-tier municipality will be within the delineated built-up area.
- 2. By the time the next municipal comprehensive review is approved and in effect, and each year until 2031, a minimum of 50 percent of all

residential development occurring annually within each upper- or single-tier municipality will be within the delineated built-up area.”

Although the Growth Plan states that 50 percent, and ultimately 60 percent of all residential development will be accommodated in the delineated built-up area, this does not imply or state that all types/forms of residential development that represent intensification are appropriate in all locations in the municipality. Further clarification of where additional residential intensification is to be directed is provided by Sections 2.2.2.3 and 2.2.2.4 of the Growth Plan below.

Section 2.2.2.3 of the Growth Plan states, “Until the next municipal comprehensive review is approved and in effect, the annual minimum intensification target contained in the applicable upper- or single-tier official plan that is approved and in effect as of July 1, 2017 will continue to apply”.

Section 2.2.2.4 of the Growth Plan states that, “All municipalities will develop a strategy to achieve the minimum intensification target and intensification throughout delineated built-up areas, which will:

- a. encourage intensification generally to achieve the desired urban structure;
- b. identify the appropriate type and scale of development and transition of built form to adjacent areas;
- c. identify strategic growth areas to support achievement of the intensification target and recognize them as a key focus for development;
- d. ensure lands are zoned and development is designed in a manner that supports the achievement of complete communities;
- e. prioritize planning and investment in infrastructure and public service facilities that will support intensification; and
- f. be implemented through official plan policies and designations, updated zoning and other supporting documents.”

These Growth Plan policies came into effect on July 1, 2017, and require the upper-tier municipality, in this case York Region, to undertake a municipal comprehensive review (“MCR”) in order to plan to the 2041 time horizon. The City of Vaughan will be undertaking a review of VOP 2010 in conjunction with the MCR exercise through the City’s Official Plan Review (“OPR”). Until the MCR and OPR are completed, the YROP and VOP 2010 are the approved and in-effect policy documents. While it is recognized that the Development would marginally contribute to the Region’s overall intensification target, the Subject Lands were not identified for intensification during the VOP 2010 review.

Policy 2.2.2.4.a. encourages intensification generally throughout the built-up area to achieve the desired urban structure, and requires that municipalities identify strategic growth areas to support and to meet the municipality’s intensification targets and

recognize them as a key focus for development. The Subject Lands have not been identified by VOP 2010 for redevelopment or intensification in the form and level proposed by the Applications and is not consistent with the urban structure envisaged by VOP 2010.

Policy 2.2.2.4.b. requires intensification to achieve an appropriate transition of built form to adjacent areas. The portion of the Subject Lands designated “Low-Rise Residential” by VOP 2010, is consistent with the predominant building form and density within the existing and planned neighbourhood context. The proposed built form, specifically the 6 and 8-storey maximum building heights, scale, and density, does not provide an appropriate transition to adjacent areas. The 247 units proposed in the Development exceeds the existing 222 units in the entire residential community located on the east side of Islington Avenue south of Major Mackenzie Drive. The policy framework does not support the built form proposed for the Subject Lands.

The Development, if approved, would introduce a built form through the Applications, at a density and scale that is out of character with the existing community, does not achieve the Urban Structure identified in VOP 2010, and is not part of a strategic growth area.

The Growth Plan and the York Region’s Intensification Strategy places the onus on upper-tier and lower-tier municipalities to decide where and how to accommodate growth and intensification. As directed by the Growth Plan, intensification and areas deemed appropriate for greater growth, is to be implemented by municipal Official Plans. The City undertook a comprehensive planning exercise which led to the approval of VOP 2010. VOP 2010 identifies and implements an intensification strategy that responds to the requirements of the Growth Plan, by directing growth to appropriate areas, and maintaining low-rise community areas as stable areas.

VOP 2010 promotes intensification within identified Intensification Areas, including Regional Centres (i.e. Vaughan Metropolitan Centre), Primary Centres, Local Centres, Regional Intensification Corridors, and Primary Intensification Corridors. The Subject Lands and the surrounding community are not located within, or in close proximity to, any of these centres or corridors identified for intensification in VOP 2010. The closest Local Centre is located in Kleinburg located 2.5 km north of the Subject Lands, which does not permit development at the scale (i.e. FSI and building height) proposed through the Applications. The building type, scale and built form of the Development would be more appropriately directed to a planned intensification area, as it proposes the level of density that is more compatible with other development in Regional and Primary Centres, rather than a low-density, stable community.

For the reasons outlined above, the Applications are not consistent with the City’s intensification strategy as required by the Growth Plan.

c) Section 2.2.4 - “Transit Corridors and Station Areas”

Section 2.2.4.1. of the Growth Plan states (in part) that, “The priority transit corridors shown in Schedule 5 will be identified in official plans. Planning will be prioritized for major transit station areas on priority transit corridors, including zoning in a manner that implements the policies of this Plan.”

Section 2.2.4.3 of the Growth Plan states that Major transit station areas on priority transit corridors or subway lines will be planned for a minimum residential and employment density target.

Islington Avenue is not identified as a priority transit corridor in the York Region Official Plan or VOP 2010.

The Subject Lands are located within an existing low-rise built-up area, and VOP 2010 has not identified this property for intensification. There are limited transit options and no planned future high-order transit investments identified in VOP 2010 for Islington Avenue.

For the reasons noted above, the Applications do not conform to the Growth Plan policies identified above, when considered in its entirety.

4. *The Applications do not conform with York Region Official Plan 2010 (“YROP”)*

The Subject Lands are designated “Urban Area” by the YROP and are not located on an existing or proposed Regional Transit Priority Network or a Regional Rapid Transit Corridor. Regional Rapid Transit Corridors have been identified by the YROP for additional intensification.

Official Plan Amendment File OP.16.010 was considered by the York Region Development Review Committee and was exempted from approval by Regional Planning Committee and Council. Further details respecting this exemption are provided in the “Broader Regional Impacts/Considerations” section of this report.

The YROP states that policies for development and intensification are established through the local municipal official plan. Section 3.5.4 in 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. VOP 2010 establishes policies for urban design and built form within Community Areas. Section 9.1.2.1 of VOP 2010 states that new development will be designed to respect and reinforce the physical character of the established neighbourhood within which it is located.

In order to create high-quality, sustainable communities, Section 5.2.8 of YROP states that it is the policy of Regional Council, “To employ the highest standard of urban design, which:

- a. provides pedestrian scale, safety, comfort, accessibility and connectivity;
- b. complements the character of existing areas and fosters each community’s unique sense of place;
- c. promotes sustainable and attractive buildings that minimize energy use;
- d. promotes landscaping, public spaces and streetscapes;
- e. ensures compatibility with and transition to surrounding land uses;
- f. emphasizes walkability and accessibility through strategic building placement and orientation;
- g. follows the York Region Transit-Oriented Development Guidelines; and,
- h. creates well-defined, centrally-located urban public spaces.”

The Development does not complement the character of the existing area, include adequate landscaping, emphasize walkability, or ensure compatibility with and transition to the surrounding land uses as required by Policy 5.2.8 of the YROP, for the reasons discussed in this report.

Section 5.3 of the YROP states that, “Intensification will occur in strategic locations in the built-up area to maximize efficiencies in infrastructure delivery, human services provision and transit ridership. These strategic locations are based on an intensification framework that recognizes that the highest density and scale of development will occur in the Regional Centres followed by the Regional Corridors.”

Section 5.3.3 states that it is the policy of Regional Council that local municipalities complete and adopt their own intensification strategies, developed in co-operation with the Region. The City of Vaughan has developed an intensification strategy through the approval of VOP 2010, which identifies and maps intensification areas in the City of Vaughan, as discussed in Section 5 of this report. The Subject Lands are not located within any Intensification Area identified in VOP 2010.

In order to provide transit service that is convenient and accessible to all residents and workers of York Region, Section 7.2.24 of the YROP states that it is the policy of Regional Council:

“To provide preferential treatment for transit vehicles on Regional streets designated as Regional Transit Priority Network on Map 11, including the construction of high-occupancy vehicle lanes, dedicated transit lanes, transit signal priority and other transit priority measures within the right-of-way.”

Section 7.2.25 of the YROP states (in part) that it is the policy of Council, “To achieve higher transit usage by supporting improvements in service, convenient access and good urban design, including the following:

- a. minimizing walking distance to planned and existing transit stops through measures such as the provision of walkways, sidewalks and more direct street patterns. The Region will plan to provide transit service so that the distance to a transit stop in the Urban Area is within 500 metres of 90 percent of residents, and within 200 metres of 50 per cent of residents;
- d. directing medium- and high-density urban development to rapid transit corridors;
- j. requiring all new development applications to prepare a mobility plan and demonstrate the proposal’s approach to transit”

The introduction of the Development as proposed on the Subject Lands, does not constitute the comprehensive approach to achieving appropriate intensification to achieve the objectives of Section 5.3, 5.3.3, 7.2.24 and 7.2.25 described above.

In consideration of the above, the Applications to facilitate the Development within an “Urban Area” do not meet the intensification objectives of the YROP.

5. *The Development does not conform to the policies of Vaughan Official Plan 2010 (“VOP 2010”)*

The Subject Lands are designated “Low-Rise Residential” and “Natural Area” by VOP 2010, as identified on Schedule 13 – Land Use (Attachment #3). The “Low-Rise Residential” designation of VOP 2010 permits detached, semi-detached and townhouse dwellings, subject to meeting certain criteria, in a low-rise form no greater than 3-storeys. The proposed 6-storey and 8-storey buildings do not conform to the “Low-Rise Residential” designation policies of VOP 2010, and therefore an amendment to VOP 2010 is required to redesignate of the Subject Lands from “Low-Rise Residential” to “Mid-Rise Residential” to permit the Development.

A portion (north) of the Subject Lands (as shown on Attachment #3) is designated “Natural Area” by Schedule 13 – Land Use, by VOP 2010, and are further identified as being a “Core Feature” by Schedule 2 – Natural Heritage Network of VOP 2010. Development is not proposed on the portion of the Subject Lands designated “Natural Area”.

The Subject Lands are located within a “Community Area”, with a small portion located in the “Natural Areas and Countryside” as identified on Schedule 1 – Urban Structure of VOP 2010. Section 9.1.2.2 of VOP 2010 directs that new development in “Community Areas” be designed to respect and reinforce the physical character of the established neighbourhood within which it is located. New development within established areas

shall pay particular attention to local lot patterns, sizes and configuration, surrounding heights and scale, building types of nearby residential properties, and the setback of buildings from the street. Based on these criteria for new development within established neighbourhoods, the Development does not conform to this policy of VOP 2010, as there are no existing or planned Mid-Rise Residential development (i.e. 6 to 12-storeys) at the density proposed in this community, as shown on Attachment #3. The closest buildings that are 6 or more storeys in height are located in the Woodbridge Core Area (i.e. Woodbridge Avenue between Islington Avenue and Kipling Avenue), approximately 5.5 km away from the Subject Lands. The existing and planned maximum densities in the Woodbridge Core range from 0.5 to 3.64 FSI.

In addition to the above-noted policies, VOP 2010 also directs intensification, both new and infill, to certain areas of the City of Vaughan, while requiring that other areas remain stable. The following goals and policies of VOP 2010 apply to the Development:

a) Section 1.5 of “Goals for the Official Plan” (in part)

“Goal 1: Strong and Diverse Communities – A city’s community areas are among its most important assets. They are where people interact with one another on a daily basis. Distinct and diverse communities make a city an exciting place to live. Vaughan consists of five existing residential communities (Woodbridge, Kleinburg, Maple, Thornhill and Concord) and three developing residential communities (Vellore, Carrville and Nashville). The Official Plan seeks to maintain the stability of the existing residential communities, direct well designed, context-sensitive growth to strictly defined areas, and provide for a wide range of housing choices and a full range of community services and amenities within each community.”

The Subject Lands are located within the Woodbridge community and form part of the Woodbridge Expansion Area (Block Plan 53), also known as Sonoma Heights and Carrying Place.

“Goal 8: Directing Growth to Appropriate Locations – Planning for the attractive, sustainable and prosperous city envisioned by this Plan will in large part be achieved by directing growth to appropriate locations that can support it. This means a shift in emphasis from the development of new communities in greenfield areas to the promotion of intensification in areas of the City with the infrastructure capacity and existing or planned transit service to accommodate growth. This Plan provides an appropriate balance in this regard by accommodating 45% of new residential growth through intensification and the remainder within New Community Areas. Intensification areas have been limited to 3% of the overall land base to protect existing Community Areas and Natural Areas.”

b) Section 2.1.3.2 of “Defining Vaughan’s Transformation: Key Planning Objectives” (in part)

“To address the City’s main land-use planning challenges and manage future growth by:

- c. identifying Intensification Areas, consistent with the intensification objectives of this Plan and the Regional Official Plan, as the primary location for accommodating intensification.
- e. ensuring the character of established communities are maintained.”

c) Section 2.2.1 of “Vaughan’s Urban Structure” (in part)

“In keeping with the principles of Policy 2.1.3.2, future growth in Vaughan will be directed according to Schedule 1 – Urban Structure. The Urban Structure establishes a comprehensive framework for guiding growth in Vaughan. Understanding the organization of the City on a macro level is necessary to achieving the overall objectives of directing growth to appropriate locations while protecting Stable Areas.”

d) Section 2.2.1.1 of “Vaughan’s Urban Structure” (in part)

“That Schedule 1 illustrates the planned Urban Structure of the City of Vaughan, which achieves the following objectives:

- b. maintains the stability of lands shown as Community Areas for a variety of Low-Rise Residential purposes, including related parks, community, institutional and retail uses;
- d. establishes a hierarchy of Intensification Areas that range in heights and intensity of use, as follows:
 - i. the Vaughan Metropolitan Centre will be the major focus for intensification for a wide range of residential, office, retail, cultural and civic uses. The Vaughan Metropolitan Centre will be the location of the tallest buildings and most intense concentration of development.
 - ii. Regional Intensification Corridors will be a major focus for intensification on the lands adjacent to major transit routes, at densities and in a form supportive of the adjacent higher-order transit. The Regional Intensification Corridors link the

Vaughan Metropolitan Centre with other Intensification Areas in Vaughan and across York Region.

- iii. Primary Centres will be locations for intensification accommodated in the form of predominantly mixed-use high- and mid-rise buildings, developed at an intensity supportive of transit.
- iv. Local Centres will provide the mixed-use focus for their respective communities in a manner that is compatible with the local context.
- v. Primary Intensification Corridors link together the various centres on transit supportive corridors and will be places to accommodate intensification in the form of mid-rise, and limited high-rise and low-rise buildings with a mix of uses.”

e) Section 2.2.1.2 of “Vaughan’s Urban Structure”

“That the areas identified on Schedule 1 as the Vaughan Metropolitan Centre, Primary Centres, Local Centres, Regional Intensification Corridors and Primary Intensification Corridors are collectively known within this Plan as Intensification Areas. Intensification Areas will be the primary locations for the accommodation of growth and the greatest mix of uses, heights and densities in accordance with the prescribed hierarchy established in this Plan. The policies related to Intensification Areas shall be consistent with the policies for such areas as contained in the *Provincial Policy Statement*, the provincial *Growth Plan for the Greater Golden Horseshoe* and the York Region Official Plan.”

f) Section 2.2.3 of “Community Areas” (in part)

“Fundamental to Vaughan’s Urban Structure is its communities. Woodbridge, Kleinburg, Maple, Thornhill, Concord, and the new communities of Vellore and Carrville contribute to a unique sense of place for the City and establish the Vaughan identity. New communities will do the same.

Vaughan’s existing Community Areas are characterized by predominantly Low-Rise Residential housing stock, with local amenities including local retail, community facilities, schools, parks, and they provide access to the City’s natural heritage and open spaces. The policies of this Plan will protect and strengthen the character of these areas. As the City grows and matures, these Community Areas will remain mostly stable. However, incremental change is expected as a natural part of maturing neighbourhoods. This change will be sensitive to, and respectful of, the existing character of the area.”

g) Section 2.2.3.2 of “Community Areas”

“That Community Areas are considered Stable Areas and therefore, Community Areas with existing development are not intended to experience significant physical change. New development that respects and reinforces the existing scale, height, massing, lot pattern, building type, character, form and planned function of the immediate local area is permitted, as set out in the policies in Chapter 9 of this Plan.”

h) Section 2.2.3.3 of “Community Areas”

“That limited intensification may be permitted in Community Areas as per the land use designations on Schedule 13 and in accordance with the policies of Chapter 9 of this Plan. The proposed development must be sensitive to and compatible with the character, form and planned function of the surrounding context.”

i) Section 2.2.5 of “Intensification Areas” (in part)

This section identifies that the development of Intensification Areas will support the overall policy objectives of VOP 2010 by protecting primary locations for the accommodation of growth and that Community Areas will not see significant physical change as the vast majority of development within the built boundary will take place within Intensification Areas which consist of a hierarchy of mixed-use centres and corridors as follows:

- “The Vaughan Metropolitan Centre will be the City’s downtown. It will have the widest range of uses and will have buildings of various sizes, including the tallest buildings in the City.
- Regional Intensification Corridors (e.g., Highway 7 and Yonge Street) will link Regional centres both in Vaughan and beyond and are linear places of significant activity. They may accommodate mixed-use intensification or employment intensification.
- Primary Centres will accommodate a wide range of uses and will have tall buildings, as well as lower ones, to facilitate an appropriate transition to neighbouring areas.
- Primary Intensification Corridors (e.g., Jane Street and Major Mackenzie Drive) will link various centres and are linear places of activity in their own right. They may accommodate mixed-use intensification or employment intensification.

- Key development areas are Intensification Areas on Regional Corridors that will link and complement the planning for Primary Centres and Local Centers.
- Local Centres act as the focus for communities, are lower in scale and offer a more limited range of uses.

Intensification Areas have been established to make efficient use of underutilized sites served with a high-level of existing or planned transit. They will be developed with a mix of uses and appropriate densities to support transit use and promote walking and cycling. The development of Intensification Areas that will support the policies of this Plan related to Stable Areas will be maintained. Specifically, existing Community Areas will not see significant physical change as the vast majority of residential development within the built boundary will take place within Intensification Areas.”

The Subject Lands are located within an existing Community Area that is also identified as a Stable Area, and are not identified as an Intensification Area, nor located along an Intensification Corridor, by VOP 2010.

The Development includes two residential apartment buildings, 6-storeys and 8-storeys in height, with an FSI of 3.46 times the developable area of the lot, which represents a significant level of intensification that was not considered by VOP 2010 on the Subject Lands. VOP 2010 clearly identifies locations within this existing Community Area that can support limited intensification. These locations include the northwest and southwest corners of Islington Avenue and Napa Valley Drive. They are designated “Low-Rise Mixed-Use” with a maximum permitted building height of 5-storeys and density of 1.75 FSI north of Napa Valley Avenue, and a maximum building height of 4-storeys and density of 1.5 FSI south of Napa Valley Avenue, as shown on Attachment #3.

The Development contemplates a building height and density on the Subject Lands that introduces a level of intensification into this area, which was not identified in VOP 2010, or its precursor Official Plan Amendment (“OPA”) No. 600. The northwest and southwest corners were considered specifically in Section 4.2.1.3.1 of OPA No. 600 for additional height, density, and mix of uses and buildings types, as part of the policies for the “Medium Density Residential-Commercial Areas” designation. The Subject Lands located on the east side of Islington Avenue, were not considered by OPA No. 600.

The proposed FSI of 3.46 times the developable area of the Subject Lands is commensurate with the levels of density proposed in the outer precincts of the Vaughan Metropolitan Centre (“VMC”) Secondary Plan which permits planned maximum FSI ranges between 2.5 and 4.5. The proposed FSI also exceeds the maximum planned densities in VOP 2010 along Regional Road 7, a Regional Intensification Corridor, with

high-order transit, through the Woodbridge Community (from Weston Road to Regional Road 27), which ranges between an FSI of 2 to 3 times the area of the lot.

Furthermore, the northerly portion of the Subject Lands are designated “Natural Area” by Schedule 13 – Land Use, in VOP 2010, and are further identified as being a “Core Feature” by Schedule 2 – Natural Heritage Network of VOP 2010. Section 3 of VOP 2010 provides the following policy direction for managing Vaughan’s natural environment:

The City and TRCA requested the submission of an Environmental Impact Study (“EIS”) for these Applications in accordance with the policies noted below. An EIS was submitted by the Owner which considered the following policies in their review, in order to demonstrate that the Development would not impact the “Core Features” on the Subject Lands.

m) Section 3.2.3 of “Core Features” (in part)

The portion of the Subject Lands designated “Natural Areas” and further identified as being a “Core Feature”, are subject to the following policies (in part):

Policy 3.2.3.4 - “That Core Features, as identified on Schedule 2, provide critical ecosystem functions, and consist of the following natural heritage components and their minimum vegetation protection zones:

- a. valley and stream corridors, including provincially significant valleylands and permanent and intermittent streams, with a minimum 10 metre vegetation protection zone, or a 30 metre vegetation protection zone for those valley and stream corridors within the Oak Ridges Moraine and Greenbelt Plan Areas;
- b. wetlands, including those identified as provincially significant, with a minimum 30 metre vegetation protection zone;
- c. woodlands including those identified as significant, with a minimum vegetation protection zone as measured from the woodlands dripline of 10 metres, or 30 metres for those woodlands within the Oak Ridges Moraine and Greenbelt Plan Areas.”

Policy 3.2.3.8 - “That development or site alteration on lands adjacent to Core Features shall not be permitted unless it is demonstrated through an environmental impact study that the development or site alteration will not result in a negative impact on the feature or its functions.

Policy 3.2.3.10 - “That Core Features and their related vegetation protection zone will be conveyed to the City and/or Toronto and Region Conservation Authority as a condition of development approval. To enable comprehensive management, such features shall not be fragmented but shall be brought into public ownership to ensure their continued protection and management.”

Section 3.2.3.11 of VOP 2010 permits minor modifications to the boundaries and alignment of the Core Features identified on Schedule 2 – Natural Heritage Network, of VOP 2010 where environmental studies submitted as part of the development review process provide the appropriate rationale for the modifications and include measures to maintain overall habitat area and enhance ecosystem function. Minor modifications to the boundaries of Core Features must be deemed acceptable by the City in consultation with the Toronto and Region Conservation Authority and do not require an amendment to VOP 2010.

The Owner has demonstrated through the submission of an EIS that the Development will be situated entirely outside of the portion of the Subject Lands identified as a Core Feature and its required Vegetation Protection Zone (VPZ). These lands must be rezoned to OS1 Open Space Conservation Zone and conveyed into public ownership, however the Owner has not confirmed through the Applications whether or not this area will be conveyed to the TRCA or the City, in accordance with the VOP 2010 policies above. The intent of a 10 m VPZ is to protect the function of the feature. The Owner has proposed a private asphalt trail within the 10 m VPZ along the north side of the Development, which is not supported by the City or the TRCA.

n) Section 9.1.1.8 of “The Public Realm”

“To strengthen Vaughan’s network of Natural Areas as a defining characteristic of the City by:

- a. protecting and enhancing the Core Features, Enhancement Areas, Built-Up Valley Lands, and other lands in the Greenbelt Plan and Oak Ridges Moraine Conservation Plan that together comprise the Natural Heritage Network, as identified in Schedule 2, and, specifically, securing wherever possible, through the development process, such lands for public purposes;
- b. actively seeking, through the development process, to connect Natural Areas with existing parks, open spaces, pedestrian trails, greenways and bicycle routes;
- c. improving, where appropriate, the physical and visual access to Natural Areas;

- d. requiring new development adjacent to Natural Areas provides sufficient buffering to protect and conserve the ecological functions of such Natural Areas; and
- e. orienting new development to maximize public access and views onto Natural Areas, where appropriate.”

The orientation and built form of the Development, while maximizing access and views onto Natural Areas from the Development, also significantly limits access and views for the public currently residing in this area, particularly to the Greenbelt Plan Area immediately to the east of the Subject Lands.

In conjunction with the Environmental policies in Section 3 of VOP 2010, Section 9.1.2 of VOP 2010, provides direction on Urban Design and Built Form for developments taking place in different parts of the City of Vaughan, specifically on how buildings should be designed and organized, how they relate to the public realm and its intentions for urban design and architectural quality.

o) Section 9.1.2.1 of “Urban Design and Built Form” (in part)

“That new development will respect and reinforce the existing and planned context within which it is situated. More specifically, the built form of new developments will be designed to achieve the following general objectives:

- a. in Community Areas, new development will be designed to Respect and reinforce the physical character of the established neighbourhood within which it is located as set out in policies 9.1.2.2 and 9.1.2.3 or, where no established neighbourhood is located, it shall help establish an appropriate physical character that is compatible with its surroundings, as set out in policy 9.1.2.4”

p) Section 9.1.2.2 of “Urban Design and Built Form” (in part)

“That in Community Areas with established development, new development be designed to respect and reinforce the existing physical character and uses of the surrounding area, paying particular attention to the following elements:

- a. the local pattern of lots, streets and blocks;
- b. the size and configuration of lots;
- c. the building type of nearby residential properties;
- d. the heights and scale of nearby residential properties;
- e. the setback of buildings from the street;
- f. the pattern of rear and side-yard setbacks; and

- h. the above elements are not meant to discourage the incorporation of features that can increase energy efficiency (e.g. solar configuration, solar panels) or environmental sustainability (e.g. natural lands, rainbarrels)."

The intent of policies 9.1.2.1 and 9.1.2.2 of VOP 2010 are consistent with OPA No. 600 with respect to establishing the permitted type of development and the character of the Woodbridge Expansion Area (Sonoma Heights) community, which includes the Subject Lands. Section 4.1.2.3 of OPA No. 600 states (in part) that:

- i. "The Woodbridge Expansion Area is a new community with a distinct character of its own...It shall provide future Vaughan residents with a less dense residential environment as an alternative to Urban Villages 1 (Vellore) and 2 (Carrville). The population estimate is approximately 14,000 persons."

The "Low-Density Residential" designation in OPA No. 600 was carried over into VOP 2010 through the "Low-Rise Residential" designation for the Subject Lands, and was not considered for additional intensification.

VOP 2010 identifies that new development in Community Areas be designed to respect and reinforce the physical character of the surrounding area with guidance provided by the VOP 2010 policies that have been identified above. In addition, proposed new developments in Community Areas with established development shall pay particular attention to the maximum permitted heights and densities, building types, and built form, identified in VOP 2010.

The Development does not respect nor reinforce the existing low-density form and physical character of the existing residential neighbourhoods to the north and west of the Subject Lands, or provide an appropriate transition of built form from these areas to the adjacent Greenbelt lands to the east, which is a significant Natural Heritage feature in this community. The Development is not consistent with, and does not implement the City's long-term vision regarding the types of development that are appropriate in stable Community Areas and Intensification Areas.

An amendment to Zoning By-law 1-88 is required to permit the Development

The two parcels that comprise the Subject Lands are zoned A Agricultural Zone by Zoning By-law 1-88, as shown on Attachment #2, which permits agricultural, institutional, and recreational uses, as defined by Zoning By-law 1-88 (the "Zoning By-law"), and one single detached dwelling on each parcel. To implement the Development, an amendment to the Zoning By-law is required to rezone the entirety of the Subject Lands from A Agricultural Zone to RA3 Residential Apartment Zone and

OS1 Open Space Conservation Zone in the manner shown on Attachment #4, together with the following site-specific zoning exceptions:

Table 1

	Zoning By-law 1-88 Standard	RA3 Residential Apartment Zone Requirements	Proposed Exceptions to the RA3 Residential Apartment Zone Requirements
a.	Minimum Lot Area Per Unit	67m ²	<ul style="list-style-type: none"> • 40.4 m²/unit, based on the total lot area • 27.2 m² per unit, based on the developable lot area
b.	Minimum Front Yard (Islington Avenue – Below Grade)	1.8 m	0 m
c.	Minimum Front Yard (Islington Avenue – Above Grade)	7.5 m	<ul style="list-style-type: none"> • 0 m (from edge of covered balcony) to Buildings “A” and “B” • 1.01 m to Building “A” • 1.19 m to Building “B”
d.	Minimum Rear Yard (Canada Company Avenue – Above Grade)	7.5 m	<ul style="list-style-type: none"> • 6.2 m (from edge of covered balcony) to Building “A” • 0 m (from edge of covered balcony) to Building “B” • 1.46 m to Building “B”
e.	Minimum Interior Side Yard (North)	4.5 m, except for buildings greater than 11 m in height for which the interior side yard setback shall be a minimum of 7.5 m or half the height, whichever is greater	0 m, from the proposed OS1 Open Space Conservation Zone boundary (which includes the required 10 m buffer from staked top-of-bank) to Building “A”

	Zoning By-law 1-88 Standard	RA3 Residential Apartment Zone Requirements	Proposed Exceptions to the RA3 Residential Apartment Zone Requirements
f.	Minimum Exterior Side Yard (South – Above Grade)	7.5 m	<ul style="list-style-type: none"> • 0 m (from edge of covered balcony) to Building “B” • 1.5 m to Building “B”
g.	Minimum Exterior Side Yard (South – Below Grade)	1.8 m	1.5 m
h.	Minimum Amenity Area Per Unit	<p>One Bedroom Units - 164 @ 20 m² per unit = 3,280 m²</p> <p>+ Two Bedroom Units (including the Two-Level Units) - 69 @ 55 m² per unit = 3,795 m²</p> <p>+ Three Bedroom Units - 14 @ 90 m² per unit = 1,260 m²</p> <p>Total Required Amenity Area = 8,335 m²</p>	<p>247 units @ 8.04 m² per unit (for all unit types)</p> <p>Total Amenity Area Provided = 1,985 m² for the entire site</p>
i.	Minimum Landscape Strip Width Along a Lot Line Which Abuts a Street Line (Islington Avenue and Canada Company Avenue)	6 m	0 m
j.	Maximum Driveway Width	7.5 m	10 m

	Zoning By-law 1-88 Standard	RA3 Residential Apartment Zone Requirements	Proposed Exceptions to the RA3 Residential Apartment Zone Requirements
k.	Minimum Landscaped Area	10%	9.3% (Total landscaped area of 625 m ²)

As identified in Table 1, a number of exceptions to the Zoning By-law are required to implement the Development. The *PPS* places the responsibility for the identification of opportunities for intensification and redevelopment with planning authorities which will be implemented through their Official Plans and Zoning by-laws.

Zoning of Surrounding Area

The current zoning of the Subject Lands and surrounding area is shown on Attachment #2. The residential subdivision north of the Subject Lands (Carrying Place) is zoned RV3 – Residential Urban Village Zone Three and RV4 – Residential Urban Village Zone Four which permits only detached dwellings with a maximum building height of 9.5 m. The five larger residential lots north of and closest to the Subject Lands, on Canada Company Avenue, are zoned RUV1 Residential Urban Village Zone One, which permits only detached dwellings with a maximum building height of 11 m. The residential portions of the subdivision to the west of the Subject Lands (Sonoma Heights) are primarily zoned utilizing the Residential Urban Village Zones on Schedule “A1” to the Zoning By-law, which permit only detached, semi-detached, and townhouse dwellings with a maximum building height of 9.5 m or 11 m, depending on the dwelling type.

The northwest and southwest corners of Islington Avenue and Napa Valley Avenue, opposite the Subject Lands, are zoned RM2 Multiple Residential Zone and C4 Neighbourhood Commercial Zone, respectively, and both subject to site-specific Exception 9(988). The zoning at the northwest corner permits apartment dwellings, multiple family dwellings, and block townhouse dwellings, subject to the following provisions:

- the maximum building height shall not exceed 12 m (i.e. 3 to 4-storeys);
- a maximum of 28 residential units shall be permitted;
- a strip of land 2.4 m in width shall be provided around the parking of an outdoor parking area and within a lot which the said parking area is situated, and shall be used for no other purpose but landscaping.

In addition, this site-specific Exception permits a bank or financial Institution, retail store, business and professional offices, personal service shop, photography studio, and one (1) eating establishment not exceeding 20% of the commercial GFA.

The existing zoning at the southwest corner permits various commercial uses and a drive-through facility associated with eating establishments and financial institutions, provided the drive-through facilities are located in the free-standing buildings on these lands.

Proposed Zoning Proximate to Subject Lands

The vacant lands located at 9560 Islington Avenue, as shown on Attachment #2, are zoned A Agricultural Zone and are currently the subject of Zoning By-law Amendment File Z.17.011 to rezone the lands to RM2 Multiple Residential Zone, to permit a 3 ½-storey stacked townhouse development to implement the “Low-Rise Mixed-Use” designation identified in VOP 2010.

Proposed RA3 Residential Apartment Zone

The Applications would introduce an Apartment Dwelling Zone category (RA3 Residential Apartment Zone) into a low-density, stable Community Area, and would include a number of site-specific development standards not consistent with those in the surrounding community (e.g. 0 m setback to Islington Avenue, building height, etc.). The RA3 Zone category and the site-specific zoning exceptions required to facilitate the Development are not considered appropriate since they would facilitate a Development that does not conform to the policies or achieve the goals of VOP 2010 for this area. Specifically, the zoning exceptions would introduce a level of intensification that would result in a built form (street wall) with building massing and setbacks, that are inconsistent and not compatible with the existing low-rise residential character of the surrounding community. The substantially reduced building setbacks (i.e. 1.01 m to Building “A” and 1.19 m to Building “B” from Islington Avenue and 1.46 m to Building “B” from Canada Company Avenue) demonstrate that the Subject Lands are being overdeveloped, and the size and configuration of the Subject Lands is not conducive or appropriate for the intensity of the Development.

Building Setbacks

The proposed front yard setbacks (above grade) of 1.01 m to Building “A” and 1.19 m to Building “B” could result in significant permanent encroachments into the Regional right-of-way for features such as fences, stairs, door swings, and awnings etc., which is not permitted. Furthermore, the 0 m landscape strip width along the property line adjacent to Islington Avenue, does not provide for adequate landscaping or buffering between the Development and Islington Avenue.

Currently, all of the lands developed for residential purposes along Islington Avenue between Major Mackenzie Drive and Rutherford Road feature a consistent 6 m wide landscaped area along the street line, and in many instances a single loaded road between the residential development and Islington Avenue creating a consistent residential character. The proposed Development would be the only residential development with a 1.01 m building setback along this section of Islington Avenue, and

the only residential development with building setbacks less than 1.5 m along two streets (Islington Avenue and Canada Company Avenue).

The proposed rear yard of 0 m represents the narrowest points of the building from the property line, the remainder of the buildings are set back further from Canada Company Avenue. However, this condition will result in a permanent built form and massing that is considered to be too close and not compatible with the function of Canada Company Avenue, which is currently constructed with a rural cross section and serves only five detached dwellings located north of the Subject Lands. The City does not plan to upgrade Canada Company Avenue to an urban standard.

The proposed lot area per unit is 27.2 m², based on the developable lot area of the Subject Lands (0.67 ha), and is significantly less than the minimum required lot area per unit of 67 m², which promotes the intensification of the Subject Lands beyond the as-of-right density for the RA3 Zone category, which is the highest density Residential Apartment Zone category in Zoning By-law 1-88, outside of the C9 Corporate Centre and C10 Corporate District Zones typically used in the Vaughan Metropolitan Centre and other intensification areas.

Amenity Area

The Zoning By-law requires a minimum of 8,335 m² of amenity space for 247 residential units (based on number of bedrooms), whereas a total of 1,985 m² (8.04 m²/unit) of amenity space is proposed for the development, which includes the 625 m² landscaped area on the Subject Lands. Although it is recognized that the Subject Lands are located in close proximity to the Kortright Centre for Conservation and other local amenities (i.e. parks), the amount of amenity space provided on the premises further demonstrates the overdevelopment of the Subject Lands.

For the reasons identified above, together with the other comments provided in this report, the proposed rezoning and site-specific exceptions would facilitate a Development that does not conform to the policies of VOP 2010 for the Subject Lands, and therefore, the Zoning Amendment application cannot be supported.

A Site Development Application is required to be submitted, should the Applications be approved

A Site Development Application has not been submitted in support of the Development. However, the Owner submitted plans and reports in support of the proposal which have been reviewed by various City Departments, the TRCA, York Region, and the Ministry of Natural Resources.

The issues identified by commenting Departments and external Agencies are based on Official Plan and Zoning By-law Amendment Applications, without having the benefit of reviewing a corresponding Site Development Application, wherein more technical comments are typically provided. This may result in significant changes to the

Development proposal presented in the current Applications. Comments resulting from a review of the Site Development Application may require the Owner to modify their current Development, should the Applications be approved. Until a more fulsome review has been undertaken through the Site Development Application process, there is the potential for modifications to the Development proposal that may result in other areas of non-conformance with the objectives of the Provincial policies and Regional and City Official Plan policies.

York Region has advised that the design requirements for the existing signalized intersection will require a daylight trapezoid at the access to the Subject Lands, the addition of a new east leg, the construction of an exclusive northbound right turn lane into the Subject Lands, and the installation of traffic signal infrastructure on the east side of Islington Avenue. These requirements may necessitate changes to the Development, including the design and geometry of the proposed central access road, and may require the submission of supporting documents and additional or modified site-specific zoning by-law exceptions.

The Design Review Panel (“DRP”) reviewed earlier iterations of the Development

Prior to the submission of the Applications, preliminary development proposals for the Subject Lands were considered at two separate DRP meetings held on November 27, 2014, and May 28, 2015, which are discussed below:

November 27, 2014

The DRP on November 27, 2014, considered a development proposal consisting of:

- two 7-storey residential buildings, with the mechanical penthouse and amenity areas in the 7th storey of each building;
- a total of 211 residential units; and
- a density/FSI of 1.68 times the area of the lot.

The Development Planning Department sought the DRP’s advice solely on design matters. In particular, the DRP’s opinion was sought on how successful the proposed site layout was in creating a high-quality pedestrian environment, connections to the surrounding community and natural resources, including trail systems. In addition, the DRP’s advice was sought on how well the proposed building massing and architecture responded to the surrounding context, and the appropriateness of the east frontage along Canada Company Avenue.

The DRP provided comment on the building frontages, the built form, orientation and context, the building type and architecture, and landscaping. The DRP acknowledged that the development proposal was a significant departure from what is anticipated for the Subject Lands in VOP 2010, with emphasis given on the significance of the Subject Lands from an urban design perspective given its location, topography, and surrounding land uses. The DRP advised that the proposed increase in building height cannot be

solely justified by an angular plane calculation of 30.96 degrees, as the issue is not the relationship of the building height to the width of the street, but rather the relationship of building height to the surrounding context. The DRP felt that the height, massing, frontages and footprint of the architecture as proposed, would have a negative impact on the adjacent Kortright Centre for Conservation.

May 28, 2015

The DRP on May 28, 2015, considered a revised development proposal consisting of:

- two residential buildings, 7 and 10-storeys, with the mechanical penthouse and amenity areas in the 7th and 10th storey of each building;
- a total of 209 residential units; and
- a density/FSI of 1.64 times the area of the lot.

The Subject Lands are considered to be important and have special attributes, due to its configuration, visibility on all sides, and its location adjacent to the Kortright Centre for Conservation, which is located within the Greenbelt Plan area. It was noted by the DRP that the proposed development could create a barrier to this public amenity.

Programming the outdoor spaces, as extensions of the Kortright Centre for Conservation was encouraged, where feasible, subject to the TRCA's approval. The proposed sustainability measures for this development (i.e. a net zero building) were applauded by the DRP, however its implementation was questioned, particularly noting that the colder climatic conditions here are a significant impediment in achieving this type of green building.

The DRP made the following additional recommendations at the meeting:

- improvements to the on-site pedestrian connections and to the natural environment throughout the site, and along Islington Avenue, were suggested to be better developed;
- the gateway entrance to the development needed to better address pedestrian traffic;
- enhanced landscaping was suggested throughout the site, and specifically, more robust planting was required at the entrance of the development as "the gateway";
- the proposed amenity space needs were to be further developed;
- incorporating a larger outdoor amenity space and better defining the division between the public and private elements of the outdoor amenity spaces; and
- the proposed daycare space should be larger (i.e. minimum 5000 ft² or 465 m²) with three distinct playgrounds.

With respect to the architecture and built form, the DRP was of the opinion that the north building was more successful than the south building, although the massing of both buildings needed to be redistributed. The DRP also suggested adding greater

height to the north side of the project, to improve the project overall, and lessen the shadow impact on the proposed central plaza located between the two buildings.

The DRP has not reviewed the current Development, however, the building footprint and massing is similar to the plans reviewed by the DRP on May 28, 2015.

Furthermore, the comments and recommendations provided by the DRP on the development proposal presented at each meeting were solely based on the design aspects and site organization for the Subject Lands, in consideration of the neighbourhood context. The DRP does not provide comments with regard to the consistency of a development proposal with the VOP 2010 policies for the Subject Lands.

The Urban Design and Cultural Heritage Division (“Urban Design”) has provided initial comments regarding the Development

A Site Development Application has not been submitted for the Development, however, the Urban Design and Cultural Heritage Division of the Development Planning Department has reviewed the proposed site plan, building elevations, landscape concept plan, the tree conservation plan and the sun shadow study submitted with the Applications, and has provided the following comments:

- the location of the building signage or entrance feature should be shown on the plans;
- Building “B” should provide more terracing to break up the building mass;
- The sun shadow study for March, September and December show significant impact to the surrounding context, which can be mitigated by terracing the Development further;
- Bird-friendly treatment should be implemented for the proposed glazing on the building elevations;
- an arborist report is required to be submitted;
- clarification is required regarding the trees identified to be retained and removed. The Tree Conservation Plan submitted with the Application, uses the same symbol for both;
- tree inventory details are missing for several trees on the Tree Conservation Plan;
- More trees should be planted on the site to compensate for the significant removal of trees, particularly along the east side of Building “B”;
- The Landscape Concept Plan L1 shows a rooftop amenity area for Building “B”. However, this is not consistent with the Preliminary Pedestrian Wind Study that states that the rooftop amenity space atop Building “B” has been removed; and
- The proposed 1.2 m asphalt path should be increased to a minimum of 1.5 m for accessibility.

Should the Applications be approved, additional comments from Urban Design with respect to design details, site organization, landscaping, and building materials will be provided through the Site Development Application process, which must be submitted for review and approval. The current Development must also be considered by DRP, as part of the site plan review process.

The Development Engineering (“DE”) Department has provided comments regarding servicing, transportation, parking, and noise considerations

The Development Engineering (DE) Department has reviewed the Applications and supporting technical studies, and provided the following comments:

a) Water Servicing

The Subject Lands are located in Pressure District 6 with water pressures in the 75 to 80 pounds per square inch (“psi”) range. To service the Development, the existing watermain located on Napa Valley Avenue can be extended across Islington Avenue into the Subject Lands. Based on the water system modeling study, prepared by WSP Canada Inc., dated January 2016, the Subject Lands can be adequately serviced by the proposed single water service connection.

b) Sanitary Servicing

To service the Development from a sanitary sewer perspective, the Functional Servicing Report (“FSR”), prepared by Urbantech Consulting, dated December 2017, recommends that the existing sanitary sewer on Napa Valley Avenue could be extended easterly, underneath Islington Avenue, to the Subject Lands. The existing sanitary sewer system was not designed to accommodate this proposed Development. The FSR includes an analysis of the downstream sewer system that assesses whether there is sufficient residual conveyance capacity in the system to service the proposed development. The analysis presented in the FSR was conducted using a basic theoretical method and was limited to the portion of the local system from the connection point to where the local sewer outlets to the Clarence Street Trunk at Rutherford Road. The findings of this analysis identified several sewer legs that are approaching full capacity as a result of the additional flow from the proposed Development. Accordingly, additional study and analysis are required to adequately assess the serviceability of the Development including:

- Flow monitoring at several points within the downstream sanitary sewer system to determine the current or baseline condition and flow characteristics in the system; and
- A further analysis of the system using a dynamic hydraulic computer model (infoWorks) with consideration for the collected flow data noted above.

The DE Department advises that should the Applications be approved, the Owner will be responsible for implementing any downstream sewer system improvements necessary to service the Development to the satisfaction of the City.

c) Storm Water Management and Site Drainage

The majority of the Subject Lands currently drains to the east towards Canada Company Avenue. The Owner will be required to incorporate storm water management techniques into the design of the Development to provide storm water quality, quantity and erosion control, and ground water balance. Based on the information in the FSR, storm water management will be achieved by using a number of measures including underground cisterns, water retention and reuse, and low impact development practices. The details of these measures will be reviewed at the site plan stage.

d) Transportation and Parking

The Transportation Planning Section of the DE Department has provided the following comments:

i) Transportation

This segment of Islington Avenue is under the jurisdiction of York Region. Road widening comments have been provided by York Region as discussed in this report.

Canada Company Avenue is a local road. It is currently constructed to a rural standard and cross-section. The City's Capital Budget (2018 to 2021) includes planned improvements to Canada Company Avenue, including hard surface asphalt, and guide rail and culvert rehabilitation/replacement. These improvements are required to maintain an adequate service level on the road. Canada Company Avenue is not identified for any further upgrades that would improve it beyond the current rural cross-section standard.

The proposed main access on Islington Avenue will add a fourth leg to the existing signalized "T" intersection at Napa Valley Avenue. This will require additional traffic signal equipment to be installed and modifications to the intersection. In addition, York Region should comment on the need for a northbound right-turn lane and a southbound left-turn lane from Islington Avenue into the Subject Lands.

Two egress lanes are recommended for vehicles exiting the Subject Lands, one exclusive lane for the westbound left-turn movement and one for the shared westbound through-right (WBTR) movement. The WBTR

lane should be designed to align with the receiving lane on the west leg (Napa Valley Avenue) of the intersection.

ii) Transportation Demand Management ("TDM")

A TDM Plan was submitted in support of the Applications, however, the approval of the TDM Plan is not required until the site plan stage, should the Applications be approved.

e) Noise

The DE Department reviewed a Noise and Vibration Impact Study (the "Noise Study") prepared by J. E. Coulter Associates Limited, dated June 29, 2016, and an addendum Noise Study, dated January 11, 2018, based on the Development.

The Noise Study notes that Buildings "A" and "B" will be centrally air-conditioned, which will assist in mitigating any daytime and nighttime sound level exceedances for the Development, based on the Ministry of the Environment and Climate Change's ("MOECC's") noise criteria. The Study also recommends that the Owner satisfy all recommended noise attenuation measures and that these be implemented in accordance with the recommendations of the Noise Study. The following warning clause from the MOECC's Environmental Noise Guideline is recommended to be registered on title and be included in all Offers of Purchase and Sales Agreements notifying future Owners of the potential noise exceedances above the MOECC's sound level limits as a result of the traffic noise:

- i) "Purchasers/tenants are advised that sound levels due to increasing road traffic may occasionally interfere with some activities of the dwelling occupants as the sound levels exceed the municipality's and the Ministry of the Environment and Climate Change's noise criteria."

The DE Department advises that should the Applications be approved, the Noise Study will have to be updated based on the final version of architectural drawings submitted for a Building Permit, through the Site Development Application review process.

f) Environmental

The Environmental Engineering Section of the DE Department has reviewed the Phase One Environmental Site Assessment reports and corresponding Reliance Letter, submitted in support of the Applications. The submission of a Reliance letter to the City is required, extending reliance for the use of the Phase One ESA reports, in accordance with the City's reliance letter template. The Reliance Letter that was submitted does not conform to the City's standard template, and therefore a revised letter is required.

- g) Allocation
Should the Applications be approved, servicing allocation will need to be identified at the site plan stage, and Vaughan Council will need to formally allocate water and sewer servicing for the Development to proceed.

The Parks Development Department has provided comments regarding the Development

The Parks Development Department has provided the following comments regarding the Development:

- a) Section 37
The Applications are for development in excess of the current planning permissions. Section 37 of the *Planning Act* (density bonusing) allows municipalities to secure services, facilities or other matters (i.e. community benefits) as a condition of approval for Development, where the proposed increase in building height and/or density is above the existing planning permissions of VOP 2010. Should the Applications be approved, the Owner will be required to provide Section 37 benefits, in accordance with the City's Section 37 Guidelines.
- b) Pedestrian Connection
A trail connection is proposed along the north portion of the Subject Lands, connecting Islington Avenue and Canada Company Avenue. Parks Development staff support the provision of a trail on the Subject Lands which promotes pedestrian connections and overall walkability in the community, however the Owner shall provide a report examining the potential location of this connection on the Subject Lands. This report, in addition to the design/construction details for the proposed trail connection will be required as part of any future Site Development Application, should the Applications be approved.
- The Parks Development Department advises that a trail would provide a local connection, which is considered important for providing pedestrian linkages across the Subject Lands and leading into the extensive trail network located within the Boyd Conservation Lands and ultimately into the William Granger Greenway system. Parks Development staff would like to ensure that a pedestrian connection is actively sought and suitably located on the Subject Lands. This connection should be publicly accessible, and therefore an easement in favour of the City will be required for access and maintenance purposes on the portion of the lands where this future trail will be located.
- c) Parkland
The Owner is required to pay a cash-in-lieu of the dedication of parkland in accordance with the City's Cash-In-Lieu of Parkland Policy.

d) Community Services and Facilities Impact Study

The Owner has submitted a Community Services and Facilities Impact Study (“CSFIS”) in support of the Applications. The Parks Development Department has requested that the CSFIS be updated, specifically to consider the Active Together Master Plan (“ATMP, 2013”), to determine the impact of the Development on existing parkland and the parkland requirements of the community within a 2.5 km radius, paying particular attention to walking distances. A copy of the Vaughan Parks Development Department’s Guidelines on CSFIS was provided to the Owner in order to assist in the update of the CSFIS, however an updated CSFIS has not been submitted by the Owner to date.

The Policy Planning and Environmental Sustainability (“PPES”) Department has provided comments regarding the Environmental Impact Study

The PPES Department has reviewed the Environmental Impact Study (“EIS”), dated June 2016, and the EIS Addendum, dated January 9, 2018, submitted with the Applications, which identify a significant woodland feature on the northerly portion of the Subject Lands that is contiguous to the larger East Humber River valley and woodland system, and two small wetland features on the site. As the TRCA regulates wetlands as per Regulation 166/06, the TRCA has requested compensation for the removal of these two wetlands. The MNRF also identified these wetlands during their site visit and confirmed that they will not be part of the PSW complex identified to the north.

The EIS Addendum confirms the Development limits of the Subject Lands, based on the top-of-bank staking that took place on April 30, 2014, with the TRCA. On September 14, 2017, the Ministry of Natural Resources and Forestry (MNRF) conducted a site visit for the purpose of delineating and staking the wetlands on the Subject Lands. A Provincial Significant Wetland (“PSW”) was identified and staked north of the Subject Lands. Based on this, the PPES requires that both the top-of-bank and PSW and their vegetation protection zones (“VPZs”) be identified on the site plan, for clarification. This will eliminate any confusion as to where the 30 m VPZ buffer for the PSW is located on the Subject Lands.

Although the EIS Addendum provides justification on the private trail encroachment into the VPZ, the PPES Department cannot support the encroachment. As per policy 3.2.3.10 of VOP 2010, the feature and corresponding VPZ buffer is required to be conveyed into public ownership. The TRCA have also confirmed that they will not permit a trail in the VPZ buffer. The PPES Department also notes the following:

- Urban Design and Parks Development have trail standards that must be adhered to and require approval; and

- Staff have also noticed discrepancies, specifically inconsistencies, in the trail location shown on Site Plan A-1.3 versus Landscape Concept Plan L-1, submitted with the Applications. All the plans should identify the same trail location.

A portion of the southern wooded area is identified within the VOP 2010 Natural Heritage Network (“NHN”) mapping. The TRCA has confirmed that as a result of Canada Company Avenue, the feature is not considered contiguous to the larger East Humber River valley and woodland system. The City will be updating NHN mapping for the Subject Lands as part of the VOP 2010 review process.

Any tree removals should be managed by the Urban Design and Cultural Heritage Division and the Transportation Services, Parks and Forestry Operations Department, and restoration opportunities on the Subject Lands should also be explored in consultation with the Urban Design and Cultural Heritage Division.

As there are proposed tree removals on the Subject Lands, the EIS and EIS Addendum do not include a review of endangered bats species, as per the *Endangered Species Act, 2007*. Bats can likely utilize snags, cavities and fissures found in many mature trees such as those located in the adjacent lands. Bat snag surveys should be conducted during the leaf-off period (late fall to spring) to confirm that there are no trees on the Subject Lands that support characteristics that are consistent with endangered bat maternity roost habitat for endangered bats on the property. The MNRF must be consulted regarding bat habitat, prior to any removal of any trees (dead or alive).

The PPES Department also advises that the elevation drawing submitted with the Applications does not include Bird Safe Design Standards Treatments in the design of the building. In accordance with the City-wide Urban Design Guidelines, should the Applications be approved, the treatment of the buildings is strongly recommended as they are located adjacent to natural heritage features. Bird-friendly treatments should also be referenced in the Urban Design and Sustainability Guidelines and the Sustainability Performance Metrics Scoring Tool/Summary Letter.

The Subject Lands are also located within a Source Water Protection Significant Groundwater Recharge Area, and therefore, the Owner is required to consult with TRCA for the technical requirements.

The Toronto and Region Conservation Authority (“TRCA”) has provided comments regarding the Development

The TRCA has reviewed the Applications in accordance with the “Living City Policies (“LCP”) for Planning and Development within the Watersheds of the TRCA”, and offers the following comments:

On April 30, 2014, the TRCA walked the Subject Lands and staked the top-of-bank and dripline. The TRCA determined the limits of the valley feature on the north side of the Subject Lands. Consistent with the LCP, a 10 m buffer from the staked top-of-slope and associated dripline of vegetation has been provided, to protect and enhance the natural system.

The TRCA also requires that a revised draft Zoning By-law Amendment be submitted to the TRCA which appropriately zones the buffer block and the valley lands into an Open Space Conservation (OS1) Zone which prohibits any development. The valley lands and associated buffer block are required to be dedicated to the TRCA free of all charges and encumbrances.

The TRCA requires that the proposed trail within the buffer be removed, and appropriately relocated elsewhere on the Subject Lands, outside of the area to be conveyed to the TRCA.

The wetland (MAM2-2) identified in the northerly section of the Subject Lands appears to be 30 m away from the proposed development, and appears to occupy an area of 0.5 ha or greater. It is also noted that the proposed storm outfall is projected to discharge into a watercourse that has been screened as Redside Dace. Based on these findings, the TRCA recommended that the Ministry of Natural Resources and Forestry ("MNRF") be contacted to conduct a site visit on the Subject Lands to evaluate this feature. This site visit took place on September 14, 2017 and is discussed in further detail in the next section of this report.

The TRCA also requires that prior to issuance of any permits for site alteration, the Owner enter into a separate compensation agreement with the TRCA, consistent with the TRCA's Draft Compensation Protocol. This agreement is to address the removal of the combined 0.02 ha wetlands in the southern portion of the Subject Lands, identified in the Environmental Impact Study (EIS) as MAS2-1, MAM2-10 and MAM2-11 prepared by Savanta, dated June 2016.

The Owner is also required to obtain all necessary permits, pursuant to Ontario Regulation 166/06, prior to any site alteration, works, or removals of the above-noted wetland features.

The TRCA requires that all outstanding comments pertaining to stormwater management, be addressed to the satisfaction of the TRCA.

A restoration plan will be required at the detailed design phase for the buffer and areas disturbed by the outfall construction, in accordance with TRCA guidelines. This can be achieved through the site plan approval process.

The Ministry of Natural Resources and Forestry (“MNRF”) conducted a site visit to evaluate the wetlands located on and adjacent to the Subject Lands

In accordance with the TRCA’s recommendation, the MNRF was contacted to evaluate the above-noted feature on the Subject Lands. On September 14, 2017, the MNRF, the Owner’s environmental consultant, and City staff attended a site visit to delineate the boundary of the wetlands in and around the Subject Lands, based on a surveyed wetland staking carried out by professional surveyors, who were also in attendance at the site visit, and identified on a survey. Based on the survey, the MNRF has incorporated a new 0.45 ha wetland (No. 183), a portion of which is located at the northeast corner of the Subject Lands, into the provincially significant East Humber River Wetland Complex, as it is hydrologically connected to other wetlands in the wetland complex and it is considered to be contributing habitat for the endangered Redside Dace. The MNRF also noted two 0.02 ha MNRF Identified Wetlands located in the southern portion of the Subject Lands, that will not be part of the wetland complex.

The York Region District and York Region Catholic District School Boards have no objections to the Applications

The York Region District School Board and York Region Catholic District School Board have no objection to the approval of the Applications.

A Draft Plan of Condominium (Standard) Application would be required to facilitate the Development, should the Applications be approved

Should the Applications be approved, a Draft Plan of Condominium (Standard) Application will be required to establish the condominium tenure for the Development. The Application will be reviewed for consistency with the final site plan, and the appropriate conditions respecting the condominium tenure will be identified in a future technical report.

Broader Regional Impacts/Considerations

The Subject Lands are designated “Urban Area” by the York Region Official Plan, which permits a wide range of residential, commercial, industrial and institutional uses. York Region has no objection to the Official Plan Amendment Application.

On November 17, 2016, Official Plan Amendment File OP.16.010 was considered by the York Region Development Review Committee and was exempted from approval by Regional Planning Committee and Council, pursuant to Regional By-law 4-0265-1999-07. Based on the Region’s review of the proposed Official Plan Amendment, York Region concluded that the file is a routine matter of local significance, which does not affect Regional policies. This allows the Official Plan Amendment application to be considered by the local municipality, and if approved, for the implementing Official Plan

Amendment to come into effect upon adoption by Vaughan Council subject to the expiration of the required appeal period under the *Planning Act*.

Additional comments were provided by York Region on December 21, 2017, wherein they advise that the proposed level of density and intensity, is more appropriate for planned intensifications areas, such as along Regional Corridors or within a Regional Centre. Although York Region generally leaves the determination of specific heights and densities to the local municipality, they also advise that the proposed height and density should be within a desirable range, relative to the planned function of the Regional and local urban structure.

York Region has provided the following technical comments on the plans and reports submitted in support of the Applications:

i) Water and Wastewater Servicing

The proposed Development will require water and wastewater servicing allocation from the City of Vaughan. If the City of Vaughan does not grant this Development the required allocation from York Region's existing capacity assignments to date, then the Development may require additional infrastructure based on conditions of future capacity assignment.

Direct connection of new development to a Regional water and/or wastewater is discouraged, as it is the Region's mandate to service new development through the local municipal system. Should this not be feasible, a direct connection to or the crossing of a Regional water or wastewater system requires Regional approval prior to construction.

ii) Transportation Planning

York Region requires that a 36 m right-of-way be provided for this section of Islington Avenue. All municipal setbacks shall be referenced from a point 18 m from the centerline of construction of Islington Avenue, and any lands required for additional turn lanes at the existing intersection will also be conveyed to York Region for public highway purposes, free of all costs and encumbrances.

York Region has requested that the Owner confirm the exact right-of-way width of Islington Avenue from the centerline of construction. York Region notes that based on their information, the right-of-way width currently provided is approximately 20.5 m, however, this has not been confirmed through the submission of a legal survey plan.

The BA Group provided a functional design of the intersection without consultation with York Region. The proposed alignment of the private driveway on the east side of Islington Avenue with the existing lane configuration of the west leg (i.e. Napa Valley Avenue) of the intersection must be addressed to the

satisfaction of York Region. A shared through-left lane on the west leg is being proposed, however, for safety reasons York Region does not typically permit shared through-left lanes at signalized intersections. York Region requires that the through movement should be shared with the right-turn movements (or be prohibited). Furthermore, the functional design does not show where and how traffic signal infrastructure will be installed on the east side of Islington Avenue. York Region recommends that they be consulted prior to preparing more detailed designs for the access and intersection improvements.

The proposed east leg of the Islington Avenue and Napa Valley intersection, including the installation of turning lanes and the relocation of any parking or drop-off areas, must be designed to the satisfaction of York Region.

York Region anticipates that most of the traffic will be coming to/from the Subject Lands from the south, based on the high speed limit (60 km/h) on this segment of Islington Avenue, and the large scale of the Development, that an exclusive northbound right-turn lane will be required at the Napa Valley Avenue/Islington Avenue intersection, as a condition of future site plan approval, should the Applications be approved, in order to provide safer turning movements into the site.

York Region also requires that direct pedestrian and cycling connections to the boundary roadways and adjacent development, and facilities on the Subject Lands (e.g. convenient and secure bicycle racks near entrances) be provided, to promote the usage of non-auto travel modes. A detailed Travel Demand Management ("TDM") plan must be submitted to support active transportation and transit, and also reduce the number of auto trips to and from the proposed Development. This matter can be addressed as part of the site plan approval process.

iii) Development Engineering

Regarding the daylight triangle, BA Group suggests that a trapezoid is not required because the access is a private driveway. York Region advises that private driveways at signalized intersections are not exempted from a daylight requirement. In addition to providing sight lines to vehicles travelling on Islington Avenue, the trapezoid is also required to accommodate traffic signal infrastructure and to provide sight distance to and from pedestrians, cyclists, skateboarders, etc. using the pedestrian sidewalk. The speed and volume of approaching vehicles are not relevant to these considerations. It should not be assumed that all drivers will stop at the stop bar. Regional staff requires a 5 m by 5 m permanent easement, measured from the 18 m off-set line and a perpendicular line of 1.5 m from the curbs on the other side of the access.

York Region advises that the future land requirements for a daylight trapezoid at the signalized access and design requirements for the addition of a new leg to the existing signalized intersection may have a significant impact on the proposed site layout and design and geometry of the proposed central access road.

York Region will not permit any permanent landscaping features, fencing, stairs, door swings, awnings, balconies, etc., as it will result in significant permanent encroachments within the Islington Avenue right-of-way. It has not been demonstrated to the satisfaction of York Region, if the buildings are sufficiently set back from property line to avoid encroachments into the right-of-way. In addition, no shoring system (with the exception of tie-backs), will be permitted to encroach within the Islington Avenue right-of-way. Private manholes, valve chambers, etc. will also have to be constructed on private property and outside of any easements. Basic enhanced streetscaping, such as planters, unit paving, etc. will be permitted subject to the Owner obtaining an encroachment permit. However, encroachments may not be available south of the proposed access due to the required right-turn lane. Under the current proposal, the same streetscaping may not be achieved north and south of the proposed access.

In addition to the comments provided above, York Region reserves the right to provide additional technical comments at the site plan stage on matters including, but not limited to, road requirements, and vehicular access.

Conclusion

Official Plan and Zoning By-law Amendment Files OP.16.010 and Z.16.039 have been reviewed in consideration of the policies of the *Planning Act*, the *Provincial Policy Statement 2014*, the *Provincial Growth Plan 2017*, the York Region Official Plan, Vaughan Official Plan 2010, the requirements of Zoning By-law 1-88, comments from area residents, City departments and external public agencies, and the area context.

When considered comprehensively, the Development Planning Department is of the opinion that the Applications for the proposed Development consisting of 6 and 8-storey buildings, are not consistent with the *Provincial Policy Statement* and do not conform to the Growth Plan, York Region and City of Vaughan Official Plans, and that the Development will result in a level of intensification that is not appropriate in consideration of the applicable policies and the existing surrounding land use context, as outlined in this report.

Accordingly, the Development Planning Department recommends that the applications be refused.

For more information, please contact Letizia D'Addario, Planner, Development Planning Department, at extension 8213.

Attachments

1. Context Location Map
2. Location Map
3. VOP 2010 Schedule 13 – Land Use
4. Conceptual Site Plan and Proposed Zoning
5. Conceptual Landscape Plan
6. Conceptual Building Elevations

Prepared by:

Letizia D'Addario, Planner, ext. 8213

Clement Messere, Senior Planner, ext. 8409

Bill Kiru, Interim Director of Policy Planning & Environmental Sustainability, ext. 8633

Mauro Peverini, Director of Development Planning, ext. 8407

/LG

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File No. 703328

May 8, 2018

By E-Mail Only to *clerks@vaughan.ca*

His Worship Mayor Maurizio Bevilacqua and
Members of the Committee of the Whole
City of Vaughan
Vaughan City Hall, Level 100
2141 Major Mackenzie Dr.
Vaughan, ON L6A 1T1

<u>c 60</u> Communication COUNCIL: <u>May 23/18</u> <u>CW</u> Rpt. No. <u>18</u> Item <u>6.3.4</u>

Urgent: For Immediate Delivery

Attention: Ms. Barbara McEwan, City Clerk

Your Worship and Members of Committee:

**Re: Committee of the Whole Meeting, May 8, 2018
Item 4 – Refusal Report
9681 Islington Avenue, City of Vaughan (the “Subject Lands”)
Official Plan Amendment File OP.16.010
Zoning By-law Amendment File Z.16.039 (collectively, the “Applications”)
L.P.A.T. Case No. PL170836**

We are counsel to Gatehollow Estates Inc., the owner of the Subject Lands and proponent of the Applications, which are currently before the Local Planning Appeal Tribunal (the “Tribunal”) and the subject of Item 4 on your agenda.

We have reviewed staff’s May 8, 2018 Report recommending that the Applications be refused (the “Report”). Our client, its consultants and we are frankly shocked by the Report.

The direction and analysis in the Report were not revealed to any of us before it was published, notwithstanding numerous discussions and meetings with staff both before and after the Applications were submitted. In fact, following the filing of the original Applications in August of 2016 and receiving feedback from staff, our client submitted a revised proposal on January 19, 2018 which was directly responsive to the issues identified to that point. We understood that planning staff were supportive of the Applications; their comments over the course of the last 18 months were focused on height and design. The “principle of development” issues identified in the Report were never raised.

Leaving all of that aside, and in a continued spirit of good faith engagement with the City, our client remains committed to working with you, City staff and external counsel to resolve this matter amicably at the Tribunal. We look forward to that.

Yours sincerely,
DAVIES HOWE LLP



Michael Melling

MWM:mk

copy: Ms. Denise Baker, Weirfoulds LLP
Ms. Wendy Nott, Walker, Nott, Dragicevic Associates Limited
Client



memorandum

C	5
COMMUNICATION	
CW -	MAY 8/18
ITEM -	5.4

DATE: May 3, 2018

TO: Mayor and Members of Council

FROM: Claudia Storto, City Solicitor
Laura Mirabella, Chief Financial Officer and City Treasurer

RE: COMMITTEE OF THE WHOLE REPORT NO. 18, ITEM 5.4
OFFICIAL PLAN AMENDMENT FILE OP.16.010
ZONING BY-LAW AMENDMENT FILE Z.16.039
GATEHOLLOW ESTATES INC.
VICINITY OF ISLINGTON AVENUE AND NAPA VALLEY AVENUE

ACTION: DECISION

Purpose

To respond to Council's request for a report regarding the Carrying Place Ratepayers' Association's ("CPRA") request for financial assistance from the City in order to fund its case in opposition to the Gatehollow Estates Inc. (the "Applicant") proposed development of 9681 and 9691 Islington Avenue which is the subject of an appeal before the Local Planning Appeal Tribunal ("LPAT").

Recommendation

1. That the request from the Carrying Place Ratepayers' Association for a financial grant from the City to fund its case in opposition to Gatehollow Estates Inc.'s development proposal before the LPAT be refused.



C 5.2

Highlights:

- The Applicant filed appeals to the Ontario Municipal Board (“OMB”, now the LPAT) with respect to the City’s non-decision of its Official Plan Amendment and Zoning By-law Amendment applications to develop two buildings (6 and 8 storeys) with a total of 247 residential dwelling units.
- CPRA has requested a financial grant from the City to fund its case in opposition of the Applicant’s development proposal before the LPAT.
- The City has refused requests by ratepayers’ associations for funding of planning appeals as this would have negative impacts on the City’s financial resources and would potentially be the cause of conflict should the City be adverse in interest in LPAT proceedings.

Background

The Applicant applied for an Official Plan Amendment and Zoning By-law Amendment for a proposed development, which currently consists of two mid-rise buildings (6 and 8 storeys) with a total of 247 residential dwelling units, on the subject lands. The Applicant has appealed the applications to the OMB (now the LPAT).

CPRA requested party status from the OMB at the first Pre-hearing Conference, held on January 17, 2018. As the CPRA was an unincorporated ratepayers’ association (and therefore not a separate legal entity), the OMB granted party status to its representative, Mr. Tony Alati. The Board advised that the CPRA may be granted party status in these proceedings if it is legally incorporated prior to the upcoming Pre-hearing Conference on June 26, 2018.

The CPRA has requested a grant from the City to fund its case in opposition to the LPAT appeals of the Applicant’s development applications. The amount of the requested grant has not been specified, nor has the specific use to which any grant funds will be put.

Previous Reports/Authority

[Committee of the Whole \(Public Hearing\) Report No. 7, Item 3.](#)

[Committee of the Whole Report No. 6, Item 3](#)

Analysis and Options

In general, the City may provide financial grants for any purpose that Council considers to be in the interests of the municipality. However, the City has refused similar requests by ratepayers' associations for funding of planning appeals due to the impact this would cause to the City's financial resources.

Given the number of LPAT appeals for proposed developments within Vaughan, and the average costs associated with an appeal, funding LPAT proceedings for ratepayers' associations would put further demands on the City's limited financial resources. Funding such requests would set a precedent and require the City to assume an indeterminate amount of financial risk. This amount of risk would likely lead to negative financial consequences for the City.

In addition, the funding of another party's case in an appeal proceeding could put the City in a potential conflict should the party's interest be adverse in nature. Each party appearing in such proceedings should remain independent in order to maintain the utmost credibility. Funding another party's case could call the City's position before the LPAT into question, thereby weakening the City's case.

Other avenues of assistance may be available to ratepayers' associations or residents seeking support for a planning appeal. The recently established Local Planning Appeal Support Centre provides the following support services to persons who meet eligibility criteria: information on land use planning, guidance on LPAT procedures, legal and planning advice, and in certain cases, representation before the LPAT. Regulations have not yet been enacted to establish eligibility criteria for the Support Centre's services however a website has been established which provides additional information at this link: <https://www.lpasc.ca/>. It should be noted that the Support Centre only offers support for appeals filed on or after April 3, 2018, the date the Centre opened.

Financial Impact

Should Council approve the CPRA's request for a financial grant, the direct financial impact would be the amount of the grant authorized by Council. Such approval would set a precedent and therefore would also expose the City to an indeterminate amount of financial risk.

Broader Regional Impacts/Considerations

None.

Conclusion

It is recommended that the request from the CPRA for a financial grant from the City to fund its case before the LPAT be refused to avoid the financial risks that such funding approval would create for the City, as well as to avoid creating a precedent for similar future requests and to prevent potential conflicts for the City.

C 5.4

For more information, please contact: Effie Lidakis, Legal Counsel x 8385

Attachments

None.

Prepared by

Effie Lidakis, Legal Counsel, ext. 8385

Rita Selvaggi, Interim Director, Financial Planning & Development Finance, ext. 8438

Item:



Committee of the Whole Report

DATE: Tuesday, May 08, 2018

WARD: 2

**TITLE: OFFICIAL PLAN AMENDMENT FILE OP.16.010
ZONING BY-LAW AMENDMENT FILE Z.16.039
GATEHOLLOW ESTATES INC.
VICINITY OF ISLINGTON AVENUE AND NAPA VALLEY
AVENUE**

FROM:

Jason Schmidt-Shoukri, Deputy City Manager, Planning and Growth Management

ACTION: DECISION

Purpose

To seek the endorsement from the Committee of the Whole of the recommendation to refuse Official Plan and Zoning By-law Amendment Files OP.16.010 and Z.16.039 (Gatehollow Estates Inc.) respecting the Subject Lands shown on Attachments #1 and #2.

Report Highlights

- The Owner is proposing to develop the Subject Lands with a 6-storey apartment building and an 8-storey apartment building and a total of 247 apartment units.
- The Owner has appealed the Applications to the Local Planning Appeal Tribunal.
- Official Plan and Zoning By-law Amendment Files OP.16.010 and Z.16.039 are not consistent with the Provincial Policy Statement, do not conform with the Growth Plan and do not conform with the York Region Official Plan and Vaughan Official Plan 2010 policies.
- Staff seek the endorsement from the Committee of the Whole of the recommendation to refuse the Applications.

Recommendations

1. THAT Official Plan and Zoning By-law Amendment Files OP.16.010 and Z.16.039 (Gatehollow Estates Inc.) to amend the policies of Vaughan Official Plan 2010 to redesignate the portion of the Subject Lands designated “Low-Rise Residential” to “Mid-Rise Residential”, and to rezone the Subject Lands from A Agricultural Zone to RA3 Apartment Residential Zone and OS1 Open Space Conservation Zone, BE REFUSED.
2. THAT City of Vaughan staff and external consultants, as required, be directed to attend the Local Planning Appeal Tribunal hearing in support of the recommendations contained in this report with regard to Official Plan and Zoning By-law Amendment Files OP.16.010 & Z.16.039.

Background

Location

The Subject Lands (the “Subject Lands”) are located on the east side of Islington Avenue, south of Major Mackenzie Drive, and are municipally known as 9681 and 9691 Islington Avenue, as shown on Attachments #1 and #2. The surrounding land uses are shown on Attachment #2.

The Applications

The Owner has submitted Official Plan and Zoning By-law Amendment Files OP.16.010 and Z.16.039 (the “Applications”) to permit a development proposal (the “Development”) for the Subject Lands that includes two apartment buildings: Building “A” (Phase 1) is 6-stores in height; and Building “B” (Phase 2) is 8-stores in height.

The Development includes a total of 247 residential apartment units, including 27 two-level ground floor residential apartment units, and yields a Floor Space Index (“FSI”) of 3.46 times the area of the lot, based on net developable area (i.e. area of the Subject Lands excluding the lands to be conveyed for public purposes). A total of 433 underground parking spaces are proposed in four levels of underground parking with driveway access from Islington Avenue. The site plan, landscape plan, and building elevations are shown on Attachments #4 to #6.

Public Notice was provided in accordance with the Planning Act and Council’s Notification Protocol. Deputations were received at the Public Hearing, and written submissions have been submitted to the Development Planning Department

On January 13, 2017, a Notice of Public Hearing was circulated to an Expanded Notification Area beyond 150 m, as shown on Attachment #2, and to the Carrying Place Ratepayers’ Association. The Notice of Public Hearing was also posted on the City’s

website at www.vaughan.ca and a Notice Sign was installed on the property in accordance with the City's Notice Signs Procedures and Protocols.

On February 7, 2017, a Public Hearing was held for the Applications. At the Public Hearing, deputations and written submissions were received from the following regarding the Applications:

Deputations

- Mr. David Butterworth, Kirkor Architects, Martin Ross Avenue, Toronto, on behalf of the Owner;
- Mr. Tony Alati, Carrying Place Ratepayers' Association, Golden Gate Circle, Woodbridge, including a petition with 578 signatures objecting to the proposal;
- Mr. Adriano Volpentesta, America Avenue, Vaughan;
- Mr. Marlon D'Addio, Tuscan Woods Trail, Woodbridge;
- Mr. Joseph Talotta, Tuscan Woods Trail, Woodbridge;
- Mr. Tony Zuccaro, Humber Forest Court, Vaughan;
- Mr. Richard Lorello, Treelawn Boulevard, Kleinburg
- Ms. Laura Meli, Silver Oaks Boulevard, Woodbridge;
- Ms. Alexandra Hatfield, Camlaren Crescent, Kleinburg; and
- Mr. Mario Mongur, Chalone Crescent, Woodbridge.

Written Submissions

- Mr. Marlon D'Addio, dated January 14, 2017;
- Mr. Tony Ciufu, dated January 15, 2017;
- Ms. Filomena Grossi, Casa Nova Drive, Vaughan, dated January 16, 2017;
- Mr. Tony Zuccaro, Humber Forest Court, Vaughan, dated January 16, 2017 and January 27, 2017;
- Mirella and Charlie Spano, dated January 16, 2017;
- Ms. Pina Lancia, Humber Forest Court, Vaughan, dated January 17, 2017;
- Ms. Silvia Scavuzzo, dated January 18, 2017;
- Anna, Henry and Alessia Fedrigoni, dated January 20, 2017;
- Mr. Sam Mercuri, Humber Forest Court, Vaughan, dated January 20, 2017;
- Mr. Walter Antonel, Water Garden Lane, Woodbridge, dated January 22, 2017;
- Mr. Fabrizio Tenaglia, dated January 21, 2017;
- Ms. Susan Tham, dated January 24, 2017;
- Mr. Rocco Carlucci, dated January 24, 2017;
- Ms. Amanda Perruzza, dated January 24, 2017;
- Ms. Ingrid Punwani, dated January 23, 2017;
- Mr. Mimmo Barci, dated January 24, 2017;
- Ms. Marianna Arrizza, dated January 23, 2017;
- Mr. Tony Alati, Carrying Place Ratepayers' Association, Golden Gate Circle, Woodbridge, dated October 2, 2016 and February 7, 2017;
- Mr. Steve Rea, dated January 25, 2017;

- Ms. Norina Marcucci, Silverado Trail, Vaughan, dated January 25, 2017;
- Lino and Mara Callisto, dated January 26, 2017;
- Mr. Ryan Milanese, dated January 23, 2017;
- Ed and Ann Spandlick, Julia Valentina Avenue, Vaughan, dated January 29, 2017;
- Mr. Charlie Muscat, dated January 28, 2017;
- Ms. Marina Serratore, dated January 26, 2017;
- Ms. Jen Hong, dated January 27, 2017;
- Ms. Rose Barrasso, dated January 27, 2017;
- Helen, An and Thanh, dated January 30, 2017;
- Mr. Domenic Suppa, dated January 27, 2017;
- Ms. Nancy T., dated February 2, 2017;
- Ms. Lubna Kakish, dated February 2, 2017;
- Ms. Cynthia Crispino, Water Garden Lane, Woodbridge, dated February 2, 2017;
- Mr. Michael Marcucci, Polo Crescent, Vaughan, dated February 2, 2017;
- Ms. Teresa Kakish, dated February 2, 2017;
- Mr. Frank Silla, dated February 7, 2017;
- Ms. Leanne Henwood-Adam, dated February 6, 2017;
- Helen, dated February 6, 2017;
- Mr. Phil Abatecola, Sonoma Boulevard, Woodbridge, dated February 7, 2017;
- Mr. John Giordano, dated February 6, 2017;
- Ms. Rose Marcello, dated February 7, 2017;
- Ms. Mara Buttarazzi, dated February 7, 2017;
- Mr. Remy Giancola, dated February 7, 2017;
- Ms. Irina Szabo, Golden Gate Circle, Vaughan, dated February 7, 2017;
- Mr. Michael John Antczak, dated February 7, 2017;
- Ms. Doreen Smith, Wallace Street, Woodbridge, dated February 7, 2017;
- T. Tran, Sunset Ridge, Woodbridge, dated February 7, 2017;
- Mr. Adrian Mancinelli, dated February 7, 2017; and
- Ms. Sandra Mandarano, dated February 7, 2017.

Additional written correspondence was received following the Public Hearing from Cristina Fazio, dated February 8, 2017, and Al D'Silva, Chalone Crescent, Woodbridge, dated February 15, 2017.

Summary of comments received regarding the Development

The following is a general summary of the comments received at the Public Hearing on February 7, 2017, and in the written submissions:

- a) The Subject Lands are inappropriate for intensification and are not identified as an Intensification Area in VOP 2010. Intensification should be directed to Regional Road 7, where there is public transit available to support the density;

- b) The Development will increase vehicular and pedestrian traffic, create more pollution and noise, and cause parking issues;
- c) An emergency exit should be provided in case the intersection of Islington Avenue and Napa Valley Avenue is blocked for any reason;
- d) The Development will result in the loss of mature trees, have an impact on wildlife habitat and the quality/standard of life for existing residents, and will block the view of the conservation area (i.e. Greenbelt) to the east of the Subject Lands;
- e) The existing character of the community is considered a prestigious area by residents and will be impacted by the Development;
- f) The Owners of the residential lots to the north of the Subject Lands will experience a loss of privacy, due to the height, size and placement of the buildings;
- g) VOP 2010 policies should be adhered to with respect to the land use designation of the Subject Lands (millions of taxpayer dollars were spent on VOP 2010);
- h) The proposed Development will depreciate the values of the existing houses in the area;
- i) The proposed Development will result in adverse shadow impacts; and
- j) There is a lack of proper public transit infrastructure in the area to support the proposed density.

The concerns raised by the community are addressed in the content of this report.

The recommendation of the Committee of the Whole (the “Committee”) to receive the Public Hearing report of February 7, 2017, and to forward a comprehensive report to a future Committee of the Whole meeting was ratified by Vaughan Council (“Council”) on February 21, 2017.

On September 14, 2017, Council adopted a resolution that the appropriate staff be directed to attend a future meeting with area residents to discuss their concerns, to be convened by the Local Councillor. To date, this meeting has not occurred.

The Vaughan Development Planning Department, on April 27, 2018, mailed a non-statutory courtesy notice of this Committee of the Whole meeting to those individuals requesting notice of further consideration of the Applications.

Previous Reports/Authority

[Feb. 7, 2017, Committee of the Whole \(Public Hearing\) \(Item 3, Report No. 7, Recommendation 1 to 4\)](#)

Analysis and Options

The Owner has appealed the Applications to the Local Planning Appeal Tribunal (the “LPAT”), formerly the Ontario Municipal Board (the “OMB”)

The Owner submitted the Applications to the City of Vaughan on September 8, 2016. The City issued a Notice of Complete Application to the Owner on September 26, 2016, and to the public on September 28, 2016. The original development, upon submission of the Applications, included two buildings: Building “A” (Phase 1) 4 to 7-storeys; and Building “B” (Phase 2) 3 to 10-storeys, including mechanical penthouses in the 7th and 10th storeys, and a total of 228 apartment units and 232 m² of ground floor retail area.

On July 25, 2017, the Owner appealed the Applications to the Local Planning Tribunal (the “LPAT”), formerly the Ontario Municipal Board (the “OMB”), pursuant to Sections 22(7) and 34(11), respectively, of the *Planning Act*. An OMB Prehearing regarding the appeals took place on January 17, 2018. The following is a brief summary of the Prehearing:

Counsel for the Appellant (Owner) advised the OMB that the Owner has been working to respond to the issues identified with the Applications, and that the Owner intends to file a revised Development with the City. Following the Prehearing, a revised Development was filed with the City on January 19, 2018. This report is based on the revised Development for two buildings: Building “A” (Phase 1), 6-storeys and Building “B” (Phase 2), 8-storeys, without mechanical penthouses, and a total of 247 residential apartment units, including 27 two-level ground floor residential apartment units.

The Toronto and Region Conservation Authority (“TRCA”) requested and was granted party status for the Prehearing on consent. Two local residents attended the Prehearing, and requested and obtained party status on consent as placeholders on behalf of the Greater Woodbridge Ratepayers Association and the Carrying Place Ratepayers Association (both Ratepayers’ Associations are required to be incorporated before they can be granted party status in the proceedings). Two local residents were also granted participant status.

The City and the Owner jointly requested that the OMB schedule a further Prehearing regarding the appeal to allow the Appellant time to submit the revised Development, and the City time to review the revised Development before taking a position and identifying issues for the full hearing. The next Prehearing has been scheduled for June 26, 2018.

The Development Planning Department does not support the Applications based on the following planning considerations

The Surrounding Built Land Use Context is primarily Low-Density Residential in a Low-Rise Built Form

The Subject Lands have frontage on the east side of Islington Avenue which is identified as a major arterial road in Vaughan Official Plan 2010 ("VOP 2010"), with a Regional Planned Street Width of up to 36 m in York Region Official Plan 2010 ("YROP"), and on the west side of Canada Company Avenue, which is identified as a local road by VOP 2010, and is currently designed and constructed to a rural standard. The lands located immediately north of the Subject Lands are designated "Natural Areas" by VOP 2010, and contain a watercourse with associated woodlands and wetlands, and form part of the larger natural heritage network that extends into the Kortright Centre for Conservation, which is located in the Greenbelt Plan Area on the east side of Canada Company Avenue.

The Subject Lands are located at the signalized "T" intersection of Islington Avenue and Napa Valley Avenue. The lands immediately south of the Subject Lands are vacant and owned by York Region. South of these lands is Vaughan Fire Station No. 7-9 (9601 Islington Avenue), as shown on Attachment #2.

The lands at the northwest corner of Islington Avenue and Napa Valley Avenue are designated "Low-Rise Mixed-Use" by VOP 2010, which permits a maximum building height of 5-storeys and a density (FSI) of 1.75 times the area of the lot. This property currently contains a detached dwelling. The lands at the southwest corner of Islington Avenue and Napa Valley Drive, are designated "Low-Rise Mixed-Use" by VOP 2010 and permits a maximum building height of 4-storeys and a density (FSI) of 1.5 times the area of the lot. This property is presently developed with 5 one-storey multi-unit buildings containing commercial, medical office, and retail uses.

The lands abutting the commercial plaza to the south are designated "Low-Rise Mixed-Use" which permits a maximum building height of 4-storeys. These lands are the subject of Zoning By-law Amendment and Site Development Files Z.17.011 and DA.17.023 (Landmart Realty Corp.) to permit 104, 3 ½-storey back-to-back stacked townhouses. These applications are currently being reviewed by the Development Planning Department and were the subject of a Committee of the Whole Public Hearing held on November 7, 2017.

The surrounding residential community is bounded by Major Mackenzie Drive to the north, Rutherford Road to the south, Regional Road 27 to the west, and Islington Avenue/Canada Company Avenue to the east, and is generally designated "Low-Rise Residential" with the exception of the corners of Islington Avenue and Napa Valley

Avenue as described above. In addition, the southwest corner of Islington Avenue and Sonoma Boulevard; the northwest corner of Islington Avenue and Rutherford Road; and, the northeast corner of Napa Valley Avenue and Monte Carlo Drive, are designated “Low-Rise Mixed-Use” by VOP 2010 which permits a maximum density (FSI) of 1.5 times the area of the lot and a maximum building height of 4-storeys on each of these sites. The “Low-Rise Residential” designation permits detached, semi-detached, and townhouse dwellings subject to the compatibility criteria of Section 9 of VOP 2010, and the “Low-Rise Mixed-Use” designation permits townhouses, stacked townhouses, and low-rise buildings. In addition, those sites designated “Low-Rise Mixed-Use”, which permit 4-storey buildings at an FSI ranging between 1.5 to 1.75, are currently all developed with low-rise buildings not exceeding 2-storeys.

The surrounding residential neighbourhoods to the west and north are developed with low-rise residential dwellings, including detached, semi-detached and townhouse dwelling units. The existing surrounding neighbourhoods establish the existing low-rise character of the community. There are no existing or planned mid-rise buildings in the surrounding residential community. VOP 2010 defines mid-rise buildings as buildings generally over five (5) storeys in height, and up to a maximum of twelve (12) storeys in height.

The York Region Transit YRT/VIVA Rapid Transit System Map (March 4, 2018), identifies two YRT bus routes that serve the area, including the Subject Lands. There are two transit stops for these bus routes within walking distance of the Subject Lands, one at the intersection of Islington Avenue and Napa Valley Avenue and the other at the intersection of Islington Avenue and Sonoma Boulevard, 500 m south of the Subject Lands.

The Islington Avenue bus route primarily operates along Islington Avenue and Napa Valley Avenue and currently serves the transit stop located at the intersection of Islington Avenue and Napa Valley Avenue, Monday to Friday from 6:45 am to 10:43 pm, at an intermittent frequency of service every 16 to 57 minutes, and Saturday (no Sunday service) from 7:36 am to 10:36 pm, at an intermittent frequency of service every 50 to 59 minutes. This bus route offers limited service on Islington Avenue, north of Napa Valley Avenue, to and from Kleinburg, at an intermittent frequency of service of 8 times a day (each direction) from Monday to Friday (no weekend service).

The Rutherford Road bus route primarily operates along Rutherford Road (looping around Napa Valley Avenue from Islington Avenue) and currently serves the transit stop located at the intersection of Islington Avenue and Sonoma Boulevard, Monday to Friday from 5:53 am to 12:11 am, at an intermittent frequency of service every 12 to 30 minutes, and Saturday from 7:47 am to 11:31 pm, at a frequency of service from 23 to 26 minutes, and Sunday and holidays, from 9:21 am to 9:56 pm, at a frequency of service every 38 minutes.

GO Transit operates a bus route (Number 38A - Bolton/North York) and currently serves the Islington Avenue and Napa Valley Avenue transit stop from Monday to Friday with limited morning and evening departures. This route operates primarily along Regional Road 27 and Highway 401 and provides a connection to the York Mills Bus Terminal located at the intersection of Yonge Street and Wilson Avenue in the City of Toronto.

There is no existing or planned high order transit system (i.e. subway station, LRT, BRT) in this area to serve the proposed Development. Islington Avenue is also not identified in the York Region Transportation Master Plan as a Frequent Transit Network bus service, and is not planned to become one until 2027 to 2031.

The Pedestrian and Bicycle Network Plan (Exhibit 6-2) of the City of Vaughan Transportation Master Plan (2012), identifies this segment of Islington Avenue from Major Mackenzie Drive to Langstaff Road as a “Class 1 Community Multi-Use Boulevard Pathway” and Napa Valley Avenue as a “Class 2 Neighbourhood Bike Lane – Formal Pavement Markings and Signing (No Widening)”.

The Development does not represent good planning

The Development Planning Department recommends that the Applications be refused as the proposed development does not represent good planning, does not contribute to appropriate City building, and is not in the public interest. This recommendation is based on the following provincial policies, and YROP and VOP 2010 policies:

1. *Planning Act*

Section 2 of the *Planning Act* states that the Council of a municipality in carrying out their responsibilities shall have regard to, among other matters, matters of Provincial interest such as:

- the protection of ecological systems, including natural areas, features and functions;
- the orderly development of safe and healthy communities;
- the appropriate location of growth and development;
- the adequate provision of a full range of housing;
- the promotion of development that is designed to be sustainable, to support public transit and be oriented to pedestrians; and
- the promotion of built form that,
 - i) is well-designed,
 - ii) encourages a sense of place, and
 - iii) provides for public spaces that are of high quality, safe, accessible, attractive and vibrant;

Section 3(5) of the *Planning Act* requires that a decision of Council of a municipality in respect of the exercise of any authority that affects a planning matter:

- shall be consistent with the policy statements issued under subsection (1) that are in effect on the date of the decision; and
- shall conform with the provincial plans that are in effect on that date, or shall not conflict with them, as the case may be.

The Applications do not satisfy the requirements of the *Planning Act*, as discussed in further detail below.

2. Provincial Policy Statement (the “PPS”) 2014

In accordance with Section 3 of the *Planning Act*, all land use decisions in Ontario "shall be consistent" with the *PPS* 2014. The *PPS* provides policy direction on matters of provincial interest related to land use planning and development. Land use planning decisions made by municipalities, planning boards, the Province, or a commission or agency of the government must be consistent with the *PPS*. The *PPS* policies state, as follows (in part):

- a) Section 1.1.1 of “Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns”

Section 1.1 of the *PPS* requires that development accommodate an appropriate range of residential, employment, institutional, recreation, park and open space, and other uses to meet long term needs.

- b) Section 1.1.3 - “Settlement Areas”

1.1.3.1 - “Settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted.”

1.1.3.2 - “Land use patterns within settlement areas shall be based on:

- a) densities and a mix of land uses which:
1. efficiently use land and resources;
 2. are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;
 4. support active transportation; and
 5. are transit-supportive, where transit is planned, exists or may be developed.

- b) a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.”

Policy 1.1.3.3 states “Planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.”

- c) Section 6 of the PPS defines “Intensification” and “Residential Intensification” as follows:

“Intensification: means the development of a property, site or area at a higher density than currently exists through:

- a) redevelopment, including the reuse of brownfield sites;
- b) the development of vacant and/or underutilized lots within previously developed areas;
- c) infill development; and
- d) the expansion or conversion of existing buildings.”

“Residential intensification: means intensification of a property, site or area which results in a net increase in residential units or accommodation and includes:

- a) redevelopment, including the redevelopment of brownfield sites;
- b) the development of vacant or underutilized lots within previously developed areas;
- c) infill development;
- d) the conversion or expansion of existing industrial, commercial and institutional buildings for residential use; and
- e) the conversion or expansion of existing residential buildings to create new residential units or accommodation, including accessory apartments, second units and rooming houses.”

- d) Section 6 of the PPS defines “Redevelopment” as follows:

“Redevelopment: means the creation of new units, uses or lots on previously developed land in existing communities, including brownfield sites.”

The development and residential intensification of the Subject Lands, will facilitate new residential units at a significantly higher density (3.46 FSI) than exists in the surrounding community. Policy 1.1.3.3 of the *PPS* provides direction for municipalities to identify opportunities for accommodating intensification and redevelopment within the municipality, through the implementation of municipal Official Plans. This policy inherently recognizes that intensification and redevelopment is appropriate in certain locations and that there are areas that are intended to remain stable.

The City of Vaughan undertook a City-wide comprehensive Official Plan review, that culminated in VOP 2010, which is the in-effect land use planning policy document for the Subject Lands. VOP 2010 designates the southerly portion of the Subject Lands as “Low-Rise Residential” and the northerly portion “Natural Areas”, as shown on Attachment #3. The Subject Lands are not located within any identified Intensification Area by VOP 2010, nor were they designated “Low-Rise Mixed-Use”. Islington Avenue is not identified as or planned as a Regional or Primary Intensification Corridor, a Regional Rapid Transit Corridor, or as part of the Regional Transit Priority Network.

Although Rutherford Road and Major Mackenzie Drive are each identified as part of the Regional Transit Priority Network, neither are identified as an Intensification Corridor between Regional Road 50 and Weston Road. Furthermore, the closest transit stop for the Rutherford Road bus route is located at Islington Avenue and Sonoma Boulevard (500 m from the Subject Lands) and York Region has not identified any improvements or upgrades for Rutherford Road (between Regional Road 50 and Jane Street) in their 2018 10-Year Roads and Transit Capital Construction Program (“Program”) to facilitate Transit-HOV (High Occupancy Vehicle) lanes. Although York Region has identified improvements to Major Mackenzie Drive, west of Pine Valley Drive (commencing in summer 2018) in their 2018 Program, which includes a road widening from 2 to 6 lanes, to facilitate Transit-HOV lanes and off-street cycling facilities, it is uncertain what level of transit service will be available northbound on Islington Avenue, from Napa Valley Avenue to Major Mackenzie Drive, as there is limited bus service currently operating on this route, as discussed earlier in this report. As such, the current level of transit service in this area is not commensurate with the level of intensification proposed for the Subject Lands, and is better suited for the existing low-rise context.

The neighbourhoods surrounding the Subject Lands, as described in the Land Use Context section of this report, are physically stable areas and characterized by low-rise dwellings and other forms of low-rise development. East of the Subject Lands is the Kortright Centre for Conservation, which is a natural area located within the Greenbelt Plan Area. The surrounding area is not identified in VOP 2010 for the level of intensification that is being proposed through the Applications.

VOP 2010 identifies and designates lands throughout the City, to achieve the policies of the *PPS*, including the lands directly opposite the Subject Lands, on the northwest and

southwest intersections of Islington Avenue and Napa Valley Avenue, which are designated “Low-Rise Mixed-Use” and the other sites as described earlier in this report.

From an overall public transit or high order transit perspective, VOP 2010 focuses its intensification in areas served, or planned to be served by higher order transit. The hierarchy of intensification areas, comprised of a number of centres and corridors, offer frequent transit service levels that can accommodate and are commensurate with the higher number of public transit users that live and work in these areas. Islington Avenue does not have and is not planned at this time to have the same convenient access to high order public transit.

The introduction of the proposed Development, at a location within an existing stable residential community, is not in the public interest, is not consistent with the policy direction established in the *PPS*, and does not take into account the existing and planned built form in the community. The Development represents the overdevelopment of a single parcel of land, which is not consistent with the policies of the *PPS* and as implemented by Council through VOP 2010. More specifically, the Subject Lands are not identified for intensification by VOP 2010, and are located within a stable community.

e) Section 1.2.1 of “Coordination”

Policy 1.2.1 of the *PPS* states that a coordinated, integrated and comprehensive approach should be used when dealing with planning matters within municipalities, or which cross lower, single and/or upper tier municipal boundaries, including managing and/or promoting growth and development.

The City has undertaken a coordinated, integrated and comprehensive approach to managing and promoting intensification and redevelopment along identified and appropriately designated corridors, which does not include Islington Avenue. The intensification strategy for the City of Vaughan is prescribed by VOP 2010. The Development proposal for a 0.67 ha parcel of land, at an FSI of 3.46, surrounded by Islington Avenue, existing detached dwellings and natural areas, is not consistent with the *PPS* in this respect since it does not represent an integrated or comprehensive approach to managing growth related to City planning matters, and represents intensification that is not located within an identified Intensification Area.

f) Section 1.4 - “Housing”

Policy 1.4.3 - “Planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents of the regional market area by (in part):

- c) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;
- d) promoting densities for new housing which efficiently uses land, resources, infrastructure and public service facilities, and supports the use of active transportation and transit in areas where it exists or is to be developed; and,
- e) establishing development standards for residential intensification, redevelopment and new residential development which minimizes the cost of housing and facilitates compact form, while maintaining appropriate levels of public health and safety.”

g) Section 1.7 - Long-Term Economic Prosperity

Policy 1.7.1 - “Long-term economic prosperity should be supported by (in part):

- d) encouraging a sense of place, by promoting a well-designed built form.”

h) Section 4.0 - “Implementation and Interpretation”

Policy 4.1 - “This *Provincial Policy Statement* applies to all decisions in respect of the exercise of any authority that affects a planning matter made on or after April 30, 2014.”

Policy 4.4 - “This *Provincial Policy Statement* shall be read in its entirety and all relevant policies are to be applied to each situation.”

Policy 4.7 (in part) - “The Official Plan is the most important vehicle for implementation of this *Provincial Policy Statement*. Comprehensive, integrated and long-term planning is best achieved through (municipal) official plans.

(Municipal) official plans shall identify provincial interests and set out appropriate land use designations and policies.

(Municipal) official plans should also coordinate cross-boundary matters to complement the actions of other planning authorities and promote mutually beneficial solutions. (Municipal) official plans shall provide clear, reasonable and attainable policies to protect provincial interests and direct development to suitable areas.

In order to protect provincial interests, planning authorities shall keep their official plans up-to-date with this *Provincial Policy Statement*. The policies of this *Provincial Policy Statement* continue to apply after adoption and approval of a municipal official plan.”

The *Planning Act* states that, “the appropriate location of growth and redevelopment to be a matter of Provincial interest” and the *PPS* states that “official plans shall provide policies to protect Provincial interests”. Policy 4.7 identifies that the mechanism by which the Provincial interest is protected is the municipal official plan as it sets the appropriate land use designations and policies by directing development to suitable areas. VOP 2010 has established policies for land use intensification and where it is to be directed. VOP 2010 does not identify the Subject Lands for the level of intensification or redevelopment as proposed and does not identify Islington Avenue as an intensification corridor.

The Subject Lands are located within a “Community Area” and “Natural Areas and Countryside” which are identified as a “Stable Area” in VOP 2010. “Community Areas” are characterized by predominantly Low-Rise Residential housing stock, with local amenities including local retail, community facilities, schools and parks, and provide access to the City’s natural heritage and open spaces. The policies of VOP 2010 intend to protect and strengthen the character of these areas, and as the City grows and matures, these Community Areas are intended to remain mostly stable. The policies of VOP 2010 also recognize that incremental change is expected as a natural part of maturing neighbourhoods, but anticipates this change will be sensitive to, and respectful of, the existing character of the area. The Development represents a departure from the existing and planned character, density, and built form that was established by VOP 2010 for the surrounding community.

Approval of the Applications would introduce a level of intensification and a built form into this community that is not consistent with the policies of the *PPS*, appropriate or compatible with the existing and planned local context, and is not directly served by existing or planned high-order public transit.

For the reasons identified above, the Applications are not consistent with the intent of the intensification and housing policies of the *PPS*, as the Subject Lands are not located within a planned intensification area as identified in VOP 2010, which is the most important vehicle to implement the *PPS*.

3. *The Applications do not conform to the Places to Grow: Growth Plan for the Greater Golden Horseshoe (2017)*

The Applications are required to conform to the *Growth Plan for the Greater Golden Horseshoe* (“Growth Plan”).

The Growth Plan is intended to guide decisions on a wide range of issues, including economic development, land-use planning, urban form, housing, transportation and infrastructure. The Growth Plan promotes intensification of existing built-up areas, with a focus on directing growth to settlement areas and prioritizing intensification, with a focus on strategic growth areas, including urban growth centres and major transit station areas, as well as brownfield sites and greyfields. Concentrating intensification in these areas provides a focus for transit infrastructure investment to support growth and for building compact, transit-supportive communities.

The Growth Plan also encourages population and employment growth to be accommodated within the built-up areas encouraging the development of complete communities with a mix of housing types with access to local amenities.

a) Section 2.2.1. - “Managing Growth”

Section 2.2.1.3 of the Growth Plan states (in part) that, “Upper- and single-tier municipalities will undertake integrated planning to manage forecasted growth to the horizon of this Plan, which will:

- a. establish a hierarchy of settlement areas, and of areas within settlement areas, in accordance with policy 2.2.1.2;
- b. be supported by planning for infrastructure and public service facilities by considering the full life cycle costs of these assets and developing options to pay for these costs over the long-term;
- c. provide direction for an urban form that will optimize infrastructure, particularly along transit and transportation corridors, to support the achievement of complete communities through a more compact built form;
- d. support the environmental and agricultural protection and conservation objectives of this Plan; and
- e. be implemented through a municipal comprehensive review and, where applicable, include direction to lower-tier municipalities.

“Settlement Areas” are defined in the Growth Plan as “Urban areas and rural settlement areas within municipalities (such as cities, towns, villages and hamlets) that are:

- a. built up areas where development is concentrated and which have a mix of land uses; and
- b. lands which have been designated in an official plan for development in accordance with the policies of this Plan. Where there are no lands that have been designated for development, the *settlement area* may be no larger than the area where development is concentrated.”

Section 2.2.1.4 of the Growth Plan states (in part) that, “Applying the policies of this Plan will support the achievement of complete communities that:

- a. feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities;
- b. improve social equity and overall quality of life, including human health, for people of all ages, abilities, and incomes;
- 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;
- d. expand convenient access to:
 - i. a range of transportation options, including options for the safe, comfortable and convenient use of active transportation;
 - ii. public service facilities, co-located and integrated in community hubs;
 - iii. an appropriate supply of safe, publicly-accessible open spaces, parks, trails, and other recreational facilities; and
 - iv. healthy, local, and affordable food options, including through urban agriculture;
- e. ensure the development of high quality compact built form, an attractive and vibrant public realm, including public open spaces, through site design and urban design standards; and
- f. integrate green infrastructure and low impact development.”

VOP 2010 identifies and designates lands throughout the City, and within this community to achieve the Growth Plan policies referenced above respecting “complete communities” (i.e. mix of housing options, mix of land uses, etc.). The properties directly opposite the Subject Lands, on the northwest and southwest intersections of Islington Avenue and Napa Valley Avenue, are each designated “Low-Rise Mixed-Use”, which contemplates a wider range of residential uses. Other planned “Low-Rise Mixed-Use” sites are also designated by VOP 2010, as discussed earlier in this report.

b) Section 2.2.2 - “Delineated Built-up Areas”

Section 2.2.2. of the Growth Plan states that:

- “1. By the year 2031, and for each year thereafter, a minimum of 60 percent of all residential development occurring annually within each upper- or single-tier municipality will be within the delineated built-up area.
- 2. By the time the next municipal comprehensive review is approved and in effect, and each year until 2031, a minimum of 50 percent of all

residential development occurring annually within each upper- or single-tier municipality will be within the delineated built-up area.”

Although the Growth Plan states that 50 percent, and ultimately 60 percent of all residential development will be accommodated in the delineated built-up area, this does not imply or state that all types/forms of residential development that represent intensification are appropriate in all locations in the municipality. Further clarification of where additional residential intensification is to be directed is provided by Sections 2.2.2.3 and 2.2.2.4 of the Growth Plan below.

Section 2.2.2.3 of the Growth Plan states, “Until the next municipal comprehensive review is approved and in effect, the annual minimum intensification target contained in the applicable upper- or single-tier official plan that is approved and in effect as of July 1, 2017 will continue to apply”.

Section 2.2.2.4 of the Growth Plan states that, “All municipalities will develop a strategy to achieve the minimum intensification target and intensification throughout delineated built-up areas, which will:

- a. encourage intensification generally to achieve the desired urban structure;
- b. identify the appropriate type and scale of development and transition of built form to adjacent areas;
- c. identify strategic growth areas to support achievement of the intensification target and recognize them as a key focus for development;
- d. ensure lands are zoned and development is designed in a manner that supports the achievement of complete communities;
- e. prioritize planning and investment in infrastructure and public service facilities that will support intensification; and
- f. be implemented through official plan policies and designations, updated zoning and other supporting documents.”

These Growth Plan policies came into effect on July 1, 2017, and require the upper-tier municipality, in this case York Region, to undertake a municipal comprehensive review (“MCR”) in order to plan to the 2041 time horizon. The City of Vaughan will be undertaking a review of VOP 2010 in conjunction with the MCR exercise through the City’s Official Plan Review (“OPR”). Until the MCR and OPR are completed, the YROP and VOP 2010 are the approved and in-effect policy documents. While it is recognized that the Development would marginally contribute to the Region’s overall intensification target, the Subject Lands were not identified for intensification during the VOP 2010 review.

Policy 2.2.2.4.a. encourages intensification generally throughout the built-up area to achieve the desired urban structure, and requires that municipalities identify strategic growth areas to support and to meet the municipality’s intensification targets and

recognize them as a key focus for development. The Subject Lands have not been identified by VOP 2010 for redevelopment or intensification in the form and level proposed by the Applications and is not consistent with the urban structure envisaged by VOP 2010.

Policy 2.2.2.4.b. requires intensification to achieve an appropriate transition of built form to adjacent areas. The portion of the Subject Lands designated “Low-Rise Residential” by VOP 2010, is consistent with the predominant building form and density within the existing and planned neighbourhood context. The proposed built form, specifically the 6 and 8-storey maximum building heights, scale, and density, does not provide an appropriate transition to adjacent areas. The 247 units proposed in the Development exceeds the existing 222 units in the entire residential community located on the east side of Islington Avenue south of Major Mackenzie Drive. The policy framework does not support the built form proposed for the Subject Lands.

The Development, if approved, would introduce a built form through the Applications, at a density and scale that is out of character with the existing community, does not achieve the Urban Structure identified in VOP 2010, and is not part of a strategic growth area.

The Growth Plan and the York Region’s Intensification Strategy places the onus on upper-tier and lower-tier municipalities to decide where and how to accommodate growth and intensification. As directed by the Growth Plan, intensification and areas deemed appropriate for greater growth, is to be implemented by municipal Official Plans. The City undertook a comprehensive planning exercise which led to the approval of VOP 2010. VOP 2010 identifies and implements an intensification strategy that responds to the requirements of the Growth Plan, by directing growth to appropriate areas, and maintaining low-rise community areas as stable areas.

VOP 2010 promotes intensification within identified Intensification Areas, including Regional Centres (i.e. Vaughan Metropolitan Centre), Primary Centres, Local Centres, Regional Intensification Corridors, and Primary Intensification Corridors. The Subject Lands and the surrounding community are not located within, or in close proximity to, any of these centres or corridors identified for intensification in VOP 2010. The closest Local Centre is located in Kleinburg located 2.5 km north of the Subject Lands, which does not permit development at the scale (i.e. FSI and building height) proposed through the Applications. The building type, scale and built form of the Development would be more appropriately directed to a planned intensification area, as it proposes the level of density that is more compatible with other development in Regional and Primary Centres, rather than a low-density, stable community.

For the reasons outlined above, the Applications are not consistent with the City’s intensification strategy as required by the Growth Plan.

c) Section 2.2.4 - “Transit Corridors and Station Areas”

Section 2.2.4.1. of the Growth Plan states (in part) that, “The priority transit corridors shown in Schedule 5 will be identified in official plans. Planning will be prioritized for major transit station areas on priority transit corridors, including zoning in a manner that implements the policies of this Plan.”

Section 2.2.4.3 of the Growth Plan states that Major transit station areas on priority transit corridors or subway lines will be planned for a minimum residential and employment density target.

Islington Avenue is not identified as a priority transit corridor in the York Region Official Plan or VOP 2010.

The Subject Lands are located within an existing low-rise built-up area, and VOP 2010 has not identified this property for intensification. There are limited transit options and no planned future high-order transit investments identified in VOP 2010 for Islington Avenue.

For the reasons noted above, the Applications do not conform to the Growth Plan policies identified above, when considered in its entirety.

4. *The Applications do not conform with York Region Official Plan 2010 (“YROP”)*

The Subject Lands are designated “Urban Area” by the YROP and are not located on an existing or proposed Regional Transit Priority Network or a Regional Rapid Transit Corridor. Regional Rapid Transit Corridors have been identified by the YROP for additional intensification.

Official Plan Amendment File OP.16.010 was considered by the York Region Development Review Committee and was exempted from approval by Regional Planning Committee and Council. Further details respecting this exemption are provided in the “Broader Regional Impacts/Considerations” section of this report.

The YROP states that policies for development and intensification are established through the local municipal official plan. Section 3.5.4 in 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. VOP 2010 establishes policies for urban design and built form within Community Areas. Section 9.1.2.1 of VOP 2010 states that new development will be designed to respect and reinforce the physical character of the established neighbourhood within which it is located.

In order to create high-quality, sustainable communities, Section 5.2.8 of YROP states that it is the policy of Regional Council, “To employ the highest standard of urban design, which:

- a. provides pedestrian scale, safety, comfort, accessibility and connectivity;
- b. complements the character of existing areas and fosters each community’s unique sense of place;
- c. promotes sustainable and attractive buildings that minimize energy use;
- d. promotes landscaping, public spaces and streetscapes;
- e. ensures compatibility with and transition to surrounding land uses;
- f. emphasizes walkability and accessibility through strategic building placement and orientation;
- g. follows the York Region Transit-Oriented Development Guidelines; and,
- h. creates well-defined, centrally-located urban public spaces.”

The Development does not complement the character of the existing area, include adequate landscaping, emphasize walkability, or ensure compatibility with and transition to the surrounding land uses as required by Policy 5.2.8 of the YROP, for the reasons discussed in this report.

Section 5.3 of the YROP states that, “Intensification will occur in strategic locations in the built-up area to maximize efficiencies in infrastructure delivery, human services provision and transit ridership. These strategic locations are based on an intensification framework that recognizes that the highest density and scale of development will occur in the Regional Centres followed by the Regional Corridors.”

Section 5.3.3 states that it is the policy of Regional Council that local municipalities complete and adopt their own intensification strategies, developed in co-operation with the Region. The City of Vaughan has developed an intensification strategy through the approval of VOP 2010, which identifies and maps intensification areas in the City of Vaughan, as discussed in Section 5 of this report. The Subject Lands are not located within any Intensification Area identified in VOP 2010.

In order to provide transit service that is convenient and accessible to all residents and workers of York Region, Section 7.2.24 of the YROP states that it is the policy of Regional Council:

“To provide preferential treatment for transit vehicles on Regional streets designated as Regional Transit Priority Network on Map 11, including the construction of high-occupancy vehicle lanes, dedicated transit lanes, transit signal priority and other transit priority measures within the right-of-way.”

Section 7.2.25 of the YROP states (in part) that it is the policy of Council, “To achieve higher transit usage by supporting improvements in service, convenient access and good urban design, including the following:

- a. minimizing walking distance to planned and existing transit stops through measures such as the provision of walkways, sidewalks and more direct street patterns. The Region will plan to provide transit service so that the distance to a transit stop in the Urban Area is within 500 metres of 90 percent of residents, and within 200 metres of 50 per cent of residents;
- d. directing medium- and high-density urban development to rapid transit corridors;
- j. requiring all new development applications to prepare a mobility plan and demonstrate the proposal’s approach to transit”

The introduction of the Development as proposed on the Subject Lands, does not constitute the comprehensive approach to achieving appropriate intensification to achieve the objectives of Section 5.3, 5.3.3, 7.2.24 and 7.2.25 described above.

In consideration of the above, the Applications to facilitate the Development within an “Urban Area” do not meet the intensification objectives of the YROP.

5. *The Development does not conform to the policies of Vaughan Official Plan 2010 (“VOP 2010”)*

The Subject Lands are designated “Low-Rise Residential” and “Natural Area” by VOP 2010, as identified on Schedule 13 – Land Use (Attachment #3). The “Low-Rise Residential” designation of VOP 2010 permits detached, semi-detached and townhouse dwellings, subject to meeting certain criteria, in a low-rise form no greater than 3-storeys. The proposed 6-storey and 8-storey buildings do not conform to the “Low-Rise Residential” designation policies of VOP 2010, and therefore an amendment to VOP 2010 is required to redesignate of the Subject Lands from “Low-Rise Residential” to “Mid-Rise Residential” to permit the Development.

A portion (north) of the Subject Lands (as shown on Attachment #3) is designated “Natural Area” by Schedule 13 – Land Use, by VOP 2010, and are further identified as being a “Core Feature” by Schedule 2 – Natural Heritage Network of VOP 2010. Development is not proposed on the portion of the Subject Lands designated “Natural Area”.

The Subject Lands are located within a “Community Area”, with a small portion located in the “Natural Areas and Countryside” as identified on Schedule 1 – Urban Structure of VOP 2010. Section 9.1.2.2 of VOP 2010 directs that new development in “Community Areas” be designed to respect and reinforce the physical character of the established neighbourhood within which it is located. New development within established areas

shall pay particular attention to local lot patterns, sizes and configuration, surrounding heights and scale, building types of nearby residential properties, and the setback of buildings from the street. Based on these criteria for new development within established neighbourhoods, the Development does not conform to this policy of VOP 2010, as there are no existing or planned Mid-Rise Residential development (i.e. 6 to 12-storeys) at the density proposed in this community, as shown on Attachment #3. The closest buildings that are 6 or more storeys in height are located in the Woodbridge Core Area (i.e. Woodbridge Avenue between Islington Avenue and Kipling Avenue), approximately 5.5 km away from the Subject Lands. The existing and planned maximum densities in the Woodbridge Core range from 0.5 to 3.64 FSI.

In addition to the above-noted policies, VOP 2010 also directs intensification, both new and infill, to certain areas of the City of Vaughan, while requiring that other areas remain stable. The following goals and policies of VOP 2010 apply to the Development:

a) Section 1.5 of “Goals for the Official Plan” (in part)

“Goal 1: Strong and Diverse Communities – A city’s community areas are among its most important assets. They are where people interact with one another on a daily basis. Distinct and diverse communities make a city an exciting place to live. Vaughan consists of five existing residential communities (Woodbridge, Kleinburg, Maple, Thornhill and Concord) and three developing residential communities (Vellore, Carrville and Nashville). The Official Plan seeks to maintain the stability of the existing residential communities, direct well designed, context-sensitive growth to strictly defined areas, and provide for a wide range of housing choices and a full range of community services and amenities within each community.”

The Subject Lands are located within the Woodbridge community and form part of the Woodbridge Expansion Area (Block Plan 53), also known as Sonoma Heights and Carrying Place.

“Goal 8: Directing Growth to Appropriate Locations – Planning for the attractive, sustainable and prosperous city envisioned by this Plan will in large part be achieved by directing growth to appropriate locations that can support it. This means a shift in emphasis from the development of new communities in greenfield areas to the promotion of intensification in areas of the City with the infrastructure capacity and existing or planned transit service to accommodate growth. This Plan provides an appropriate balance in this regard by accommodating 45% of new residential growth through intensification and the remainder within New Community Areas. Intensification areas have been limited to 3% of the overall land base to protect existing Community Areas and Natural Areas.”

b) Section 2.1.3.2 of “Defining Vaughan’s Transformation: Key Planning Objectives” (in part)

“To address the City’s main land-use planning challenges and manage future growth by:

- c. identifying Intensification Areas, consistent with the intensification objectives of this Plan and the Regional Official Plan, as the primary location for accommodating intensification.
- e. ensuring the character of established communities are maintained.”

c) Section 2.2.1 of “Vaughan’s Urban Structure” (in part)

“In keeping with the principles of Policy 2.1.3.2, future growth in Vaughan will be directed according to Schedule 1 – Urban Structure. The Urban Structure establishes a comprehensive framework for guiding growth in Vaughan. Understanding the organization of the City on a macro level is necessary to achieving the overall objectives of directing growth to appropriate locations while protecting Stable Areas.”

d) Section 2.2.1.1 of “Vaughan’s Urban Structure” (in part)

“That Schedule 1 illustrates the planned Urban Structure of the City of Vaughan, which achieves the following objectives:

- b. maintains the stability of lands shown as Community Areas for a variety of Low-Rise Residential purposes, including related parks, community, institutional and retail uses;
- d. establishes a hierarchy of Intensification Areas that range in heights and intensity of use, as follows:
 - i. the Vaughan Metropolitan Centre will be the major focus for intensification for a wide range of residential, office, retail, cultural and civic uses. The Vaughan Metropolitan Centre will be the location of the tallest buildings and most intense concentration of development.
 - ii. Regional Intensification Corridors will be a major focus for intensification on the lands adjacent to major transit routes, at densities and in a form supportive of the adjacent higher-order transit. The Regional Intensification Corridors link the

Vaughan Metropolitan Centre with other Intensification Areas in Vaughan and across York Region.

- iii. Primary Centres will be locations for intensification accommodated in the form of predominantly mixed-use high- and mid-rise buildings, developed at an intensity supportive of transit.
- iv. Local Centres will provide the mixed-use focus for their respective communities in a manner that is compatible with the local context.
- v. Primary Intensification Corridors link together the various centres on transit supportive corridors and will be places to accommodate intensification in the form of mid-rise, and limited high-rise and low-rise buildings with a mix of uses.”

e) Section 2.2.1.2 of “Vaughan’s Urban Structure”

“That the areas identified on Schedule 1 as the Vaughan Metropolitan Centre, Primary Centres, Local Centres, Regional Intensification Corridors and Primary Intensification Corridors are collectively known within this Plan as Intensification Areas. Intensification Areas will be the primary locations for the accommodation of growth and the greatest mix of uses, heights and densities in accordance with the prescribed hierarchy established in this Plan. The policies related to Intensification Areas shall be consistent with the policies for such areas as contained in the *Provincial Policy Statement*, the provincial *Growth Plan for the Greater Golden Horseshoe* and the York Region Official Plan.”

f) Section 2.2.3 of “Community Areas” (in part)

“Fundamental to Vaughan’s Urban Structure is its communities. Woodbridge, Kleinburg, Maple, Thornhill, Concord, and the new communities of Vellore and Carrville contribute to a unique sense of place for the City and establish the Vaughan identity. New communities will do the same.

Vaughan’s existing Community Areas are characterized by predominantly Low-Rise Residential housing stock, with local amenities including local retail, community facilities, schools, parks, and they provide access to the City’s natural heritage and open spaces. The policies of this Plan will protect and strengthen the character of these areas. As the City grows and matures, these Community Areas will remain mostly stable. However, incremental change is expected as a natural part of maturing neighbourhoods. This change will be sensitive to, and respectful of, the existing character of the area.”

g) Section 2.2.3.2 of “Community Areas”

“That Community Areas are considered Stable Areas and therefore, Community Areas with existing development are not intended to experience significant physical change. New development that respects and reinforces the existing scale, height, massing, lot pattern, building type, character, form and planned function of the immediate local area is permitted, as set out in the policies in Chapter 9 of this Plan.”

h) Section 2.2.3.3 of “Community Areas”

“That limited intensification may be permitted in Community Areas as per the land use designations on Schedule 13 and in accordance with the policies of Chapter 9 of this Plan. The proposed development must be sensitive to and compatible with the character, form and planned function of the surrounding context.”

i) Section 2.2.5 of “Intensification Areas” (in part)

This section identifies that the development of Intensification Areas will support the overall policy objectives of VOP 2010 by protecting primary locations for the accommodation of growth and that Community Areas will not see significant physical change as the vast majority of development within the built boundary will take place within Intensification Areas which consist of a hierarchy of mixed-use centres and corridors as follows:

- “The Vaughan Metropolitan Centre will be the City’s downtown. It will have the widest range of uses and will have buildings of various sizes, including the tallest buildings in the City.
- Regional Intensification Corridors (e.g., Highway 7 and Yonge Street) will link Regional centres both in Vaughan and beyond and are linear places of significant activity. They may accommodate mixed-use intensification or employment intensification.
- Primary Centres will accommodate a wide range of uses and will have tall buildings, as well as lower ones, to facilitate an appropriate transition to neighbouring areas.
- Primary Intensification Corridors (e.g., Jane Street and Major Mackenzie Drive) will link various centres and are linear places of activity in their own right. They may accommodate mixed-use intensification or employment intensification.

- Key development areas are Intensification Areas on Regional Corridors that will link and complement the planning for Primary Centres and Local Centers.
- Local Centres act as the focus for communities, are lower in scale and offer a more limited range of uses.

Intensification Areas have been established to make efficient use of underutilized sites served with a high-level of existing or planned transit. They will be developed with a mix of uses and appropriate densities to support transit use and promote walking and cycling. The development of Intensification Areas that will support the policies of this Plan related to Stable Areas will be maintained. Specifically, existing Community Areas will not see significant physical change as the vast majority of residential development within the built boundary will take place within Intensification Areas.”

The Subject Lands are located within an existing Community Area that is also identified as a Stable Area, and are not identified as an Intensification Area, nor located along an Intensification Corridor, by VOP 2010.

The Development includes two residential apartment buildings, 6-storeys and 8-storeys in height, with an FSI of 3.46 times the developable area of the lot, which represents a significant level of intensification that was not considered by VOP 2010 on the Subject Lands. VOP 2010 clearly identifies locations within this existing Community Area that can support limited intensification. These locations include the northwest and southwest corners of Islington Avenue and Napa Valley Drive. They are designated “Low-Rise Mixed-Use” with a maximum permitted building height of 5-storeys and density of 1.75 FSI north of Napa Valley Avenue, and a maximum building height of 4-storeys and density of 1.5 FSI south of Napa Valley Avenue, as shown on Attachment #3.

The Development contemplates a building height and density on the Subject Lands that introduces a level of intensification into this area, which was not identified in VOP 2010, or its precursor Official Plan Amendment (“OPA”) No. 600. The northwest and southwest corners were considered specifically in Section 4.2.1.3.1 of OPA No. 600 for additional height, density, and mix of uses and buildings types, as part of the policies for the “Medium Density Residential-Commercial Areas” designation. The Subject Lands located on the east side of Islington Avenue, were not considered by OPA No. 600.

The proposed FSI of 3.46 times the developable area of the Subject Lands is commensurate with the levels of density proposed in the outer precincts of the Vaughan Metropolitan Centre (“VMC”) Secondary Plan which permits planned maximum FSI ranges between 2.5 and 4.5. The proposed FSI also exceeds the maximum planned densities in VOP 2010 along Regional Road 7, a Regional Intensification Corridor, with

high-order transit, through the Woodbridge Community (from Weston Road to Regional Road 27), which ranges between an FSI of 2 to 3 times the area of the lot.

Furthermore, the northerly portion of the Subject Lands are designated “Natural Area” by Schedule 13 – Land Use, in VOP 2010, and are further identified as being a “Core Feature” by Schedule 2 – Natural Heritage Network of VOP 2010. Section 3 of VOP 2010 provides the following policy direction for managing Vaughan’s natural environment:

The City and TRCA requested the submission of an Environmental Impact Study (“EIS”) for these Applications in accordance with the policies noted below. An EIS was submitted by the Owner which considered the following policies in their review, in order to demonstrate that the Development would not impact the “Core Features” on the Subject Lands.

m) Section 3.2.3 of “Core Features” (in part)

The portion of the Subject Lands designated “Natural Areas” and further identified as being a “Core Feature”, are subject to the following policies (in part):

Policy 3.2.3.4 - “That Core Features, as identified on Schedule 2, provide critical ecosystem functions, and consist of the following natural heritage components and their minimum vegetation protection zones:

- a. valley and stream corridors, including provincially significant valleylands and permanent and intermittent streams, with a minimum 10 metre vegetation protection zone, or a 30 metre vegetation protection zone for those valley and stream corridors within the Oak Ridges Moraine and Greenbelt Plan Areas;
- b. wetlands, including those identified as provincially significant, with a minimum 30 metre vegetation protection zone;
- c. woodlands including those identified as significant, with a minimum vegetation protection zone as measured from the woodlands dripline of 10 metres, or 30 metres for those woodlands within the Oak Ridges Moraine and Greenbelt Plan Areas.”

Policy 3.2.3.8 - “That development or site alteration on lands adjacent to Core Features shall not be permitted unless it is demonstrated through an environmental impact study that the development or site alteration will not result in a negative impact on the feature or its functions.

Policy 3.2.3.10 - “That Core Features and their related vegetation protection zone will be conveyed to the City and/or Toronto and Region Conservation Authority as a condition of development approval. To enable comprehensive management, such features shall not be fragmented but shall be brought into public ownership to ensure their continued protection and management.”

Section 3.2.3.11 of VOP 2010 permits minor modifications to the boundaries and alignment of the Core Features identified on Schedule 2 – Natural Heritage Network, of VOP 2010 where environmental studies submitted as part of the development review process provide the appropriate rationale for the modifications and include measures to maintain overall habitat area and enhance ecosystem function. Minor modifications to the boundaries of Core Features must be deemed acceptable by the City in consultation with the Toronto and Region Conservation Authority and do not require an amendment to VOP 2010.

The Owner has demonstrated through the submission of an EIS that the Development will be situated entirely outside of the portion of the Subject Lands identified as a Core Feature and its required Vegetation Protection Zone (VPZ). These lands must be rezoned to OS1 Open Space Conservation Zone and conveyed into public ownership, however the Owner has not confirmed through the Applications whether or not this area will be conveyed to the TRCA or the City, in accordance with the VOP 2010 policies above. The intent of a 10 m VPZ is to protect the function of the feature. The Owner has proposed a private asphalt trail within the 10 m VPZ along the north side of the Development, which is not supported by the City or the TRCA.

n) Section 9.1.1.8 of “The Public Realm”

“To strengthen Vaughan’s network of Natural Areas as a defining characteristic of the City by:

- a. protecting and enhancing the Core Features, Enhancement Areas, Built-Up Valley Lands, and other lands in the Greenbelt Plan and Oak Ridges Moraine Conservation Plan that together comprise the Natural Heritage Network, as identified in Schedule 2, and, specifically, securing wherever possible, through the development process, such lands for public purposes;
- b. actively seeking, through the development process, to connect Natural Areas with existing parks, open spaces, pedestrian trails, greenways and bicycle routes;
- c. improving, where appropriate, the physical and visual access to Natural Areas;

- d. requiring new development adjacent to Natural Areas provides sufficient buffering to protect and conserve the ecological functions of such Natural Areas; and
- e. orienting new development to maximize public access and views onto Natural Areas, where appropriate.”

The orientation and built form of the Development, while maximizing access and views onto Natural Areas from the Development, also significantly limits access and views for the public currently residing in this area, particularly to the Greenbelt Plan Area immediately to the east of the Subject Lands.

In conjunction with the Environmental policies in Section 3 of VOP 2010, Section 9.1.2 of VOP 2010, provides direction on Urban Design and Built Form for developments taking place in different parts of the City of Vaughan, specifically on how buildings should be designed and organized, how they relate to the public realm and its intentions for urban design and architectural quality.

o) Section 9.1.2.1 of “Urban Design and Built Form” (in part)

“That new development will respect and reinforce the existing and planned context within which it is situated. More specifically, the built form of new developments will be designed to achieve the following general objectives:

- a. in Community Areas, new development will be designed to Respect and reinforce the physical character of the established neighbourhood within which it is located as set out in policies 9.1.2.2 and 9.1.2.3 or, where no established neighbourhood is located, it shall help establish an appropriate physical character that is compatible with its surroundings, as set out in policy 9.1.2.4”

p) Section 9.1.2.2 of “Urban Design and Built Form” (in part)

“That in Community Areas with established development, new development be designed to respect and reinforce the existing physical character and uses of the surrounding area, paying particular attention to the following elements:

- a. the local pattern of lots, streets and blocks;
- b. the size and configuration of lots;
- c. the building type of nearby residential properties;
- d. the heights and scale of nearby residential properties;
- e. the setback of buildings from the street;
- f. the pattern of rear and side-yard setbacks; and

- h. the above elements are not meant to discourage the incorporation of features that can increase energy efficiency (e.g. solar configuration, solar panels) or environmental sustainability (e.g. natural lands, rainbarrels)."

The intent of policies 9.1.2.1 and 9.1.2.2 of VOP 2010 are consistent with OPA No. 600 with respect to establishing the permitted type of development and the character of the Woodbridge Expansion Area (Sonoma Heights) community, which includes the Subject Lands. Section 4.1.2.3 of OPA No. 600 states (in part) that:

- i. "The Woodbridge Expansion Area is a new community with a distinct character of its own...It shall provide future Vaughan residents with a less dense residential environment as an alternative to Urban Villages 1 (Vellore) and 2 (Carrville). The population estimate is approximately 14,000 persons."

The "Low-Density Residential" designation in OPA No. 600 was carried over into VOP 2010 through the "Low-Rise Residential" designation for the Subject Lands, and was not considered for additional intensification.

VOP 2010 identifies that new development in Community Areas be designed to respect and reinforce the physical character of the surrounding area with guidance provided by the VOP 2010 policies that have been identified above. In addition, proposed new developments in Community Areas with established development shall pay particular attention to the maximum permitted heights and densities, building types, and built form, identified in VOP 2010.

The Development does not respect nor reinforce the existing low-density form and physical character of the existing residential neighbourhoods to the north and west of the Subject Lands, or provide an appropriate transition of built form from these areas to the adjacent Greenbelt lands to the east, which is a significant Natural Heritage feature in this community. The Development is not consistent with, and does not implement the City's long-term vision regarding the types of development that are appropriate in stable Community Areas and Intensification Areas.

An amendment to Zoning By-law 1-88 is required to permit the Development

The two parcels that comprise the Subject Lands are zoned A Agricultural Zone by Zoning By-law 1-88, as shown on Attachment #2, which permits agricultural, institutional, and recreational uses, as defined by Zoning By-law 1-88 (the "Zoning By-law"), and one single detached dwelling on each parcel. To implement the Development, an amendment to the Zoning By-law is required to rezone the entirety of the Subject Lands from A Agricultural Zone to RA3 Residential Apartment Zone and

OS1 Open Space Conservation Zone in the manner shown on Attachment #4, together with the following site-specific zoning exceptions:

Table 1

	Zoning By-law 1-88 Standard	RA3 Residential Apartment Zone Requirements	Proposed Exceptions to the RA3 Residential Apartment Zone Requirements
a.	Minimum Lot Area Per Unit	67m ²	<ul style="list-style-type: none"> • 40.4 m²/unit, based on the total lot area • 27.2 m² per unit, based on the developable lot area
b.	Minimum Front Yard (Islington Avenue – Below Grade)	1.8 m	0 m
c.	Minimum Front Yard (Islington Avenue – Above Grade)	7.5 m	<ul style="list-style-type: none"> • 0 m (from edge of covered balcony) to Buildings “A” and “B” • 1.01 m to Building “A” • 1.19 m to Building “B”
d.	Minimum Rear Yard (Canada Company Avenue – Above Grade)	7.5 m	<ul style="list-style-type: none"> • 6.2 m (from edge of covered balcony) to Building “A” • 0 m (from edge of covered balcony) to Building “B” • 1.46 m to Building “B”
e.	Minimum Interior Side Yard (North)	4.5 m, except for buildings greater than 11 m in height for which the interior side yard setback shall be a minimum of 7.5 m or half the height, whichever is greater	0 m, from the proposed OS1 Open Space Conservation Zone boundary (which includes the required 10 m buffer from staked top-of-bank) to Building “A”

	Zoning By-law 1-88 Standard	RA3 Residential Apartment Zone Requirements	Proposed Exceptions to the RA3 Residential Apartment Zone Requirements
f.	Minimum Exterior Side Yard (South – Above Grade)	7.5 m	<ul style="list-style-type: none"> • 0 m (from edge of covered balcony) to Building “B” • 1.5 m to Building “B”
g.	Minimum Exterior Side Yard (South – Below Grade)	1.8 m	1.5 m
h.	Minimum Amenity Area Per Unit	<p>One Bedroom Units - 164 @ 20 m² per unit = 3,280 m²</p> <p>+ Two Bedroom Units (including the Two-Level Units) - 69 @ 55 m² per unit = 3,795 m²</p> <p>+ Three Bedroom Units - 14 @ 90 m² per unit = 1,260 m²</p> <p>Total Required Amenity Area = 8,335 m²</p>	<p>247 units @ 8.04 m² per unit (for all unit types)</p> <p>Total Amenity Area Provided = 1,985 m² for the entire site</p>
i.	Minimum Landscape Strip Width Along a Lot Line Which Abuts a Street Line (Islington Avenue and Canada Company Avenue)	6 m	0 m
j.	Maximum Driveway Width	7.5 m	10 m

	Zoning By-law 1-88 Standard	RA3 Residential Apartment Zone Requirements	Proposed Exceptions to the RA3 Residential Apartment Zone Requirements
k.	Minimum Landscaped Area	10%	9.3% (Total landscaped area of 625 m ²)

As identified in Table 1, a number of exceptions to the Zoning By-law are required to implement the Development. The *PPS* places the responsibility for the identification of opportunities for intensification and redevelopment with planning authorities which will be implemented through their Official Plans and Zoning by-laws.

Zoning of Surrounding Area

The current zoning of the Subject Lands and surrounding area is shown on Attachment #2. The residential subdivision north of the Subject Lands (Carrying Place) is zoned RV3 – Residential Urban Village Zone Three and RV4 – Residential Urban Village Zone Four which permits only detached dwellings with a maximum building height of 9.5 m. The five larger residential lots north of and closest to the Subject Lands, on Canada Company Avenue, are zoned RUV1 Residential Urban Village Zone One, which permits only detached dwellings with a maximum building height of 11 m. The residential portions of the subdivision to the west of the Subject Lands (Sonoma Heights) are primarily zoned utilizing the Residential Urban Village Zones on Schedule “A1” to the Zoning By-law, which permit only detached, semi-detached, and townhouse dwellings with a maximum building height of 9.5 m or 11 m, depending on the dwelling type.

The northwest and southwest corners of Islington Avenue and Napa Valley Avenue, opposite the Subject Lands, are zoned RM2 Multiple Residential Zone and C4 Neighbourhood Commercial Zone, respectively, and both subject to site-specific Exception 9(988). The zoning at the northwest corner permits apartment dwellings, multiple family dwellings, and block townhouse dwellings, subject to the following provisions:

- the maximum building height shall not exceed 12 m (i.e. 3 to 4-storeys);
- a maximum of 28 residential units shall be permitted;
- a strip of land 2.4 m in width shall be provided around the parking of an outdoor parking area and within a lot which the said parking area is situated, and shall be used for no other purpose but landscaping.

In addition, this site-specific Exception permits a bank or financial Institution, retail store, business and professional offices, personal service shop, photography studio, and one (1) eating establishment not exceeding 20% of the commercial GFA.

The existing zoning at the southwest corner permits various commercial uses and a drive-through facility associated with eating establishments and financial institutions, provided the drive-through facilities are located in the free-standing buildings on these lands.

Proposed Zoning Proximate to Subject Lands

The vacant lands located at 9560 Islington Avenue, as shown on Attachment #2, are zoned A Agricultural Zone and are currently the subject of Zoning By-law Amendment File Z.17.011 to rezone the lands to RM2 Multiple Residential Zone, to permit a 3 ½-storey stacked townhouse development to implement the “Low-Rise Mixed-Use” designation identified in VOP 2010.

Proposed RA3 Residential Apartment Zone

The Applications would introduce an Apartment Dwelling Zone category (RA3 Residential Apartment Zone) into a low-density, stable Community Area, and would include a number of site-specific development standards not consistent with those in the surrounding community (e.g. 0 m setback to Islington Avenue, building height, etc.). The RA3 Zone category and the site-specific zoning exceptions required to facilitate the Development are not considered appropriate since they would facilitate a Development that does not conform to the policies or achieve the goals of VOP 2010 for this area. Specifically, the zoning exceptions would introduce a level of intensification that would result in a built form (street wall) with building massing and setbacks, that are inconsistent and not compatible with the existing low-rise residential character of the surrounding community. The substantially reduced building setbacks (i.e. 1.01 m to Building “A” and 1.19 m to Building “B” from Islington Avenue and 1.46 m to Building “B” from Canada Company Avenue) demonstrate that the Subject Lands are being overdeveloped, and the size and configuration of the Subject Lands is not conducive or appropriate for the intensity of the Development.

Building Setbacks

The proposed front yard setbacks (above grade) of 1.01 m to Building “A” and 1.19 m to Building “B” could result in significant permanent encroachments into the Regional right-of-way for features such as fences, stairs, door swings, and awnings etc., which is not permitted. Furthermore, the 0 m landscape strip width along the property line adjacent to Islington Avenue, does not provide for adequate landscaping or buffering between the Development and Islington Avenue.

Currently, all of the lands developed for residential purposes along Islington Avenue between Major Mackenzie Drive and Rutherford Road feature a consistent 6 m wide landscaped area along the street line, and in many instances a single loaded road between the residential development and Islington Avenue creating a consistent residential character. The proposed Development would be the only residential development with a 1.01 m building setback along this section of Islington Avenue, and

the only residential development with building setbacks less than 1.5 m along two streets (Islington Avenue and Canada Company Avenue).

The proposed rear yard of 0 m represents the narrowest points of the building from the property line, the remainder of the buildings are set back further from Canada Company Avenue. However, this condition will result in a permanent built form and massing that is considered to be too close and not compatible with the function of Canada Company Avenue, which is currently constructed with a rural cross section and serves only five detached dwellings located north of the Subject Lands. The City does not plan to upgrade Canada Company Avenue to an urban standard.

The proposed lot area per unit is 27.2 m², based on the developable lot area of the Subject Lands (0.67 ha), and is significantly less than the minimum required lot area per unit of 67 m², which promotes the intensification of the Subject Lands beyond the as-of-right density for the RA3 Zone category, which is the highest density Residential Apartment Zone category in Zoning By-law 1-88, outside of the C9 Corporate Centre and C10 Corporate District Zones typically used in the Vaughan Metropolitan Centre and other intensification areas.

Amenity Area

The Zoning By-law requires a minimum of 8,335 m² of amenity space for 247 residential units (based on number of bedrooms), whereas a total of 1,985 m² (8.04 m²/unit) of amenity space is proposed for the development, which includes the 625 m² landscaped area on the Subject Lands. Although it is recognized that the Subject Lands are located in close proximity to the Kortright Centre for Conservation and other local amenities (i.e. parks), the amount of amenity space provided on the premises further demonstrates the overdevelopment of the Subject Lands.

For the reasons identified above, together with the other comments provided in this report, the proposed rezoning and site-specific exceptions would facilitate a Development that does not conform to the policies of VOP 2010 for the Subject Lands, and therefore, the Zoning Amendment application cannot be supported.

A Site Development Application is required to be submitted, should the Applications be approved

A Site Development Application has not been submitted in support of the Development. However, the Owner submitted plans and reports in support of the proposal which have been reviewed by various City Departments, the TRCA, York Region, and the Ministry of Natural Resources.

The issues identified by commenting Departments and external Agencies are based on Official Plan and Zoning By-law Amendment Applications, without having the benefit of reviewing a corresponding Site Development Application, wherein more technical comments are typically provided. This may result in significant changes to the

Development proposal presented in the current Applications. Comments resulting from a review of the Site Development Application may require the Owner to modify their current Development, should the Applications be approved. Until a more fulsome review has been undertaken through the Site Development Application process, there is the potential for modifications to the Development proposal that may result in other areas of non-conformance with the objectives of the Provincial policies and Regional and City Official Plan policies.

York Region has advised that the design requirements for the existing signalized intersection will require a daylight trapezoid at the access to the Subject Lands, the addition of a new east leg, the construction of an exclusive northbound right turn lane into the Subject Lands, and the installation of traffic signal infrastructure on the east side of Islington Avenue. These requirements may necessitate changes to the Development, including the design and geometry of the proposed central access road, and may require the submission of supporting documents and additional or modified site-specific zoning by-law exceptions.

The Design Review Panel (“DRP”) reviewed earlier iterations of the Development

Prior to the submission of the Applications, preliminary development proposals for the Subject Lands were considered at two separate DRP meetings held on November 27, 2014, and May 28, 2015, which are discussed below:

November 27, 2014

The DRP on November 27, 2014, considered a development proposal consisting of:

- two 7-storey residential buildings, with the mechanical penthouse and amenity areas in the 7th storey of each building;
- a total of 211 residential units; and
- a density/FSI of 1.68 times the area of the lot.

The Development Planning Department sought the DRP’s advice solely on design matters. In particular, the DRP’s opinion was sought on how successful the proposed site layout was in creating a high-quality pedestrian environment, connections to the surrounding community and natural resources, including trail systems. In addition, the DRP’s advice was sought on how well the proposed building massing and architecture responded to the surrounding context, and the appropriateness of the east frontage along Canada Company Avenue.

The DRP provided comment on the building frontages, the built form, orientation and context, the building type and architecture, and landscaping. The DRP acknowledged that the development proposal was a significant departure from what is anticipated for the Subject Lands in VOP 2010, with emphasis given on the significance of the Subject Lands from an urban design perspective given its location, topography, and surrounding land uses. The DRP advised that the proposed increase in building height cannot be

solely justified by an angular plane calculation of 30.96 degrees, as the issue is not the relationship of the building height to the width of the street, but rather the relationship of building height to the surrounding context. The DRP felt that the height, massing, frontages and footprint of the architecture as proposed, would have a negative impact on the adjacent Kortright Centre for Conservation.

May 28, 2015

The DRP on May 28, 2015, considered a revised development proposal consisting of:

- two residential buildings, 7 and 10-storeys, with the mechanical penthouse and amenity areas in the 7th and 10th storey of each building;
- a total of 209 residential units; and
- a density/FSI of 1.64 times the area of the lot.

The Subject Lands are considered to be important and have special attributes, due to its configuration, visibility on all sides, and its location adjacent to the Kortright Centre for Conservation, which is located within the Greenbelt Plan area. It was noted by the DRP that the proposed development could create a barrier to this public amenity.

Programming the outdoor spaces, as extensions of the Kortright Centre for Conservation was encouraged, where feasible, subject to the TRCA's approval. The proposed sustainability measures for this development (i.e. a net zero building) were applauded by the DRP, however its implementation was questioned, particularly noting that the colder climatic conditions here are a significant impediment in achieving this type of green building.

The DRP made the following additional recommendations at the meeting:

- improvements to the on-site pedestrian connections and to the natural environment throughout the site, and along Islington Avenue, were suggested to be better developed;
- the gateway entrance to the development needed to better address pedestrian traffic;
- enhanced landscaping was suggested throughout the site, and specifically, more robust planting was required at the entrance of the development as "the gateway";
- the proposed amenity space needs were to be further developed;
- incorporating a larger outdoor amenity space and better defining the division between the public and private elements of the outdoor amenity spaces; and
- the proposed daycare space should be larger (i.e. minimum 5000 ft² or 465 m²) with three distinct playgrounds.

With respect to the architecture and built form, the DRP was of the opinion that the north building was more successful than the south building, although the massing of both buildings needed to be redistributed. The DRP also suggested adding greater

height to the north side of the project, to improve the project overall, and lessen the shadow impact on the proposed central plaza located between the two buildings.

The DRP has not reviewed the current Development, however, the building footprint and massing is similar to the plans reviewed by the DRP on May 28, 2015.

Furthermore, the comments and recommendations provided by the DRP on the development proposal presented at each meeting were solely based on the design aspects and site organization for the Subject Lands, in consideration of the neighbourhood context. The DRP does not provide comments with regard to the consistency of a development proposal with the VOP 2010 policies for the Subject Lands.

The Urban Design and Cultural Heritage Division (“Urban Design”) has provided initial comments regarding the Development

A Site Development Application has not been submitted for the Development, however, the Urban Design and Cultural Heritage Division of the Development Planning Department has reviewed the proposed site plan, building elevations, landscape concept plan, the tree conservation plan and the sun shadow study submitted with the Applications, and has provided the following comments:

- the location of the building signage or entrance feature should be shown on the plans;
- Building “B” should provide more terracing to break up the building mass;
- The sun shadow study for March, September and December show significant impact to the surrounding context, which can be mitigated by terracing the Development further;
- Bird-friendly treatment should be implemented for the proposed glazing on the building elevations;
- an arborist report is required to be submitted;
- clarification is required regarding the trees identified to be retained and removed. The Tree Conservation Plan submitted with the Application, uses the same symbol for both;
- tree inventory details are missing for several trees on the Tree Conservation Plan;
- More trees should be planted on the site to compensate for the significant removal of trees, particularly along the east side of Building “B”;
- The Landscape Concept Plan L1 shows a rooftop amenity area for Building “B”. However, this is not consistent with the Preliminary Pedestrian Wind Study that states that the rooftop amenity space atop Building “B” has been removed; and
- The proposed 1.2 m asphalt path should be increased to a minimum of 1.5 m for accessibility.

Should the Applications be approved, additional comments from Urban Design with respect to design details, site organization, landscaping, and building materials will be provided through the Site Development Application process, which must be submitted for review and approval. The current Development must also be considered by DRP, as part of the site plan review process.

The Development Engineering (“DE”) Department has provided comments regarding servicing, transportation, parking, and noise considerations

The Development Engineering (DE) Department has reviewed the Applications and supporting technical studies, and provided the following comments:

a) Water Servicing

The Subject Lands are located in Pressure District 6 with water pressures in the 75 to 80 pounds per square inch (“psi”) range. To service the Development, the existing watermain located on Napa Valley Avenue can be extended across Islington Avenue into the Subject Lands. Based on the water system modeling study, prepared by WSP Canada Inc., dated January 2016, the Subject Lands can be adequately serviced by the proposed single water service connection.

b) Sanitary Servicing

To service the Development from a sanitary sewer perspective, the Functional Servicing Report (“FSR”), prepared by Urbantech Consulting, dated December 2017, recommends that the existing sanitary sewer on Napa Valley Avenue could be extended easterly, underneath Islington Avenue, to the Subject Lands. The existing sanitary sewer system was not designed to accommodate this proposed Development. The FSR includes an analysis of the downstream sewer system that assesses whether there is sufficient residual conveyance capacity in the system to service the proposed development. The analysis presented in the FSR was conducted using a basic theoretical method and was limited to the portion of the local system from the connection point to where the local sewer outlets to the Clarence Street Trunk at Rutherford Road. The findings of this analysis identified several sewer legs that are approaching full capacity as a result of the additional flow from the proposed Development. Accordingly, additional study and analysis are required to adequately assess the serviceability of the Development including:

- Flow monitoring at several points within the downstream sanitary sewer system to determine the current or baseline condition and flow characteristics in the system; and
- A further analysis of the system using a dynamic hydraulic computer model (infoWorks) with consideration for the collected flow data noted above.

The DE Department advises that should the Applications be approved, the Owner will be responsible for implementing any downstream sewer system improvements necessary to service the Development to the satisfaction of the City.

c) Storm Water Management and Site Drainage

The majority of the Subject Lands currently drains to the east towards Canada Company Avenue. The Owner will be required to incorporate storm water management techniques into the design of the Development to provide storm water quality, quantity and erosion control, and ground water balance. Based on the information in the FSR, storm water management will be achieved by using a number of measures including underground cisterns, water retention and reuse, and low impact development practices. The details of these measures will be reviewed at the site plan stage.

d) Transportation and Parking

The Transportation Planning Section of the DE Department has provided the following comments:

i) Transportation

This segment of Islington Avenue is under the jurisdiction of York Region. Road widening comments have been provided by York Region as discussed in this report.

Canada Company Avenue is a local road. It is currently constructed to a rural standard and cross-section. The City's Capital Budget (2018 to 2021) includes planned improvements to Canada Company Avenue, including hard surface asphalt, and guide rail and culvert rehabilitation/replacement. These improvements are required to maintain an adequate service level on the road. Canada Company Avenue is not identified for any further upgrades that would improve it beyond the current rural cross-section standard.

The proposed main access on Islington Avenue will add a fourth leg to the existing signalized "T" intersection at Napa Valley Avenue. This will require additional traffic signal equipment to be installed and modifications to the intersection. In addition, York Region should comment on the need for a northbound right-turn lane and a southbound left-turn lane from Islington Avenue into the Subject Lands.

Two egress lanes are recommended for vehicles exiting the Subject Lands, one exclusive lane for the westbound left-turn movement and one for the shared westbound through-right (WBTR) movement. The WBTR

lane should be designed to align with the receiving lane on the west leg (Napa Valley Avenue) of the intersection.

ii) Transportation Demand Management ("TDM")

A TDM Plan was submitted in support of the Applications, however, the approval of the TDM Plan is not required until the site plan stage, should the Applications be approved.

e) Noise

The DE Department reviewed a Noise and Vibration Impact Study (the "Noise Study") prepared by J. E. Coulter Associates Limited, dated June 29, 2016, and an addendum Noise Study, dated January 11, 2018, based on the Development.

The Noise Study notes that Buildings "A" and "B" will be centrally air-conditioned, which will assist in mitigating any daytime and nighttime sound level exceedances for the Development, based on the Ministry of the Environment and Climate Change's ("MOECC's") noise criteria. The Study also recommends that the Owner satisfy all recommended noise attenuation measures and that these be implemented in accordance with the recommendations of the Noise Study. The following warning clause from the MOECC's Environmental Noise Guideline is recommended to be registered on title and be included in all Offers of Purchase and Sales Agreements notifying future Owners of the potential noise exceedances above the MOECC's sound level limits as a result of the traffic noise:

- i) "Purchasers/tenants are advised that sound levels due to increasing road traffic may occasionally interfere with some activities of the dwelling occupants as the sound levels exceed the municipality's and the Ministry of the Environment and Climate Change's noise criteria."

The DE Department advises that should the Applications be approved, the Noise Study will have to be updated based on the final version of architectural drawings submitted for a Building Permit, through the Site Development Application review process.

f) Environmental

The Environmental Engineering Section of the DE Department has reviewed the Phase One Environmental Site Assessment reports and corresponding Reliance Letter, submitted in support of the Applications. The submission of a Reliance letter to the City is required, extending reliance for the use of the Phase One ESA reports, in accordance with the City's reliance letter template. The Reliance Letter that was submitted does not conform to the City's standard template, and therefore a revised letter is required.

- g) Allocation
Should the Applications be approved, servicing allocation will need to be identified at the site plan stage, and Vaughan Council will need to formally allocate water and sewer servicing for the Development to proceed.

The Parks Development Department has provided comments regarding the Development

The Parks Development Department has provided the following comments regarding the Development:

- a) Section 37
The Applications are for development in excess of the current planning permissions. Section 37 of the *Planning Act* (density bonusing) allows municipalities to secure services, facilities or other matters (i.e. community benefits) as a condition of approval for Development, where the proposed increase in building height and/or density is above the existing planning permissions of VOP 2010. Should the Applications be approved, the Owner will be required to provide Section 37 benefits, in accordance with the City's Section 37 Guidelines.
- b) Pedestrian Connection
A trail connection is proposed along the north portion of the Subject Lands, connecting Islington Avenue and Canada Company Avenue. Parks Development staff support the provision of a trail on the Subject Lands which promotes pedestrian connections and overall walkability in the community, however the Owner shall provide a report examining the potential location of this connection on the Subject Lands. This report, in addition to the design/construction details for the proposed trail connection will be required as part of any future Site Development Application, should the Applications be approved.
- The Parks Development Department advises that a trail would provide a local connection, which is considered important for providing pedestrian linkages across the Subject Lands and leading into the extensive trail network located within the Boyd Conservation Lands and ultimately into the William Granger Greenway system. Parks Development staff would like to ensure that a pedestrian connection is actively sought and suitably located on the Subject Lands. This connection should be publicly accessible, and therefore an easement in favour of the City will be required for access and maintenance purposes on the portion of the lands where this future trail will be located.
- c) Parkland
The Owner is required to pay a cash-in-lieu of the dedication of parkland in accordance with the City's Cash-In-Lieu of Parkland Policy.

d) Community Services and Facilities Impact Study

The Owner has submitted a Community Services and Facilities Impact Study (“CSFIS”) in support of the Applications. The Parks Development Department has requested that the CSFIS be updated, specifically to consider the Active Together Master Plan (“ATMP, 2013”), to determine the impact of the Development on existing parkland and the parkland requirements of the community within a 2.5 km radius, paying particular attention to walking distances. A copy of the Vaughan Parks Development Department’s Guidelines on CSFIS was provided to the Owner in order to assist in the update of the CSFIS, however an updated CSFIS has not been submitted by the Owner to date.

The Policy Planning and Environmental Sustainability (“PPES”) Department has provided comments regarding the Environmental Impact Study

The PPES Department has reviewed the Environmental Impact Study (“EIS”), dated June 2016, and the EIS Addendum, dated January 9, 2018, submitted with the Applications, which identify a significant woodland feature on the northerly portion of the Subject Lands that is contiguous to the larger East Humber River valley and woodland system, and two small wetland features on the site. As the TRCA regulates wetlands as per Regulation 166/06, the TRCA has requested compensation for the removal of these two wetlands. The MNRF also identified these wetlands during their site visit and confirmed that they will not be part of the PSW complex identified to the north.

The EIS Addendum confirms the Development limits of the Subject Lands, based on the top-of-bank staking that took place on April 30, 2014, with the TRCA. On September 14, 2017, the Ministry of Natural Resources and Forestry (MNRF) conducted a site visit for the purpose of delineating and staking the wetlands on the Subject Lands. A Provincial Significant Wetland (“PSW”) was identified and staked north of the Subject Lands. Based on this, the PPES requires that both the top-of-bank and PSW and their vegetation protection zones (“VPZs”) be identified on the site plan, for clarification. This will eliminate any confusion as to where the 30 m VPZ buffer for the PSW is located on the Subject Lands.

Although the EIS Addendum provides justification on the private trail encroachment into the VPZ, the PPES Department cannot support the encroachment. As per policy 3.2.3.10 of VOP 2010, the feature and corresponding VPZ buffer is required to be conveyed into public ownership. The TRCA have also confirmed that they will not permit a trail in the VPZ buffer. The PPES Department also notes the following:

- Urban Design and Parks Development have trail standards that must be adhered to and require approval; and

- Staff have also noticed discrepancies, specifically inconsistencies, in the trail location shown on Site Plan A-1.3 versus Landscape Concept Plan L-1, submitted with the Applications. All the plans should identify the same trail location.

A portion of the southern wooded area is identified within the VOP 2010 Natural Heritage Network (“NHN”) mapping. The TRCA has confirmed that as a result of Canada Company Avenue, the feature is not considered contiguous to the larger East Humber River valley and woodland system. The City will be updating NHN mapping for the Subject Lands as part of the VOP 2010 review process.

Any tree removals should be managed by the Urban Design and Cultural Heritage Division and the Transportation Services, Parks and Forestry Operations Department, and restoration opportunities on the Subject Lands should also be explored in consultation with the Urban Design and Cultural Heritage Division.

As there are proposed tree removals on the Subject Lands, the EIS and EIS Addendum do not include a review of endangered bats species, as per the *Endangered Species Act, 2007*. Bats can likely utilize snags, cavities and fissures found in many mature trees such as those located in the adjacent lands. Bat snag surveys should be conducted during the leaf-off period (late fall to spring) to confirm that there are no trees on the Subject Lands that support characteristics that are consistent with endangered bat maternity roost habitat for endangered bats on the property. The MNRF must be consulted regarding bat habitat, prior to any removal of any trees (dead or alive).

The PPES Department also advises that the elevation drawing submitted with the Applications does not include Bird Safe Design Standards Treatments in the design of the building. In accordance with the City-wide Urban Design Guidelines, should the Applications be approved, the treatment of the buildings is strongly recommended as they are located adjacent to natural heritage features. Bird-friendly treatments should also be referenced in the Urban Design and Sustainability Guidelines and the Sustainability Performance Metrics Scoring Tool/Summary Letter.

The Subject Lands are also located within a Source Water Protection Significant Groundwater Recharge Area, and therefore, the Owner is required to consult with TRCA for the technical requirements.

The Toronto and Region Conservation Authority (“TRCA”) has provided comments regarding the Development

The TRCA has reviewed the Applications in accordance with the “Living City Policies (“LCP”) for Planning and Development within the Watersheds of the TRCA”, and offers the following comments:

On April 30, 2014, the TRCA walked the Subject Lands and staked the top-of-bank and dripline. The TRCA determined the limits of the valley feature on the north side of the Subject Lands. Consistent with the LCP, a 10 m buffer from the staked top-of-slope and associated dripline of vegetation has been provided, to protect and enhance the natural system.

The TRCA also requires that a revised draft Zoning By-law Amendment be submitted to the TRCA which appropriately zones the buffer block and the valley lands into an Open Space Conservation (OS1) Zone which prohibits any development. The valley lands and associated buffer block are required to be dedicated to the TRCA free of all charges and encumbrances.

The TRCA requires that the proposed trail within the buffer be removed, and appropriately relocated elsewhere on the Subject Lands, outside of the area to be conveyed to the TRCA.

The wetland (MAM2-2) identified in the northerly section of the Subject Lands appears to be 30 m away from the proposed development, and appears to occupy an area of 0.5 ha or greater. It is also noted that the proposed storm outfall is projected to discharge into a watercourse that has been screened as Redside Dace. Based on these findings, the TRCA recommended that the Ministry of Natural Resources and Forestry ("MNRF") be contacted to conduct a site visit on the Subject Lands to evaluate this feature. This site visit took place on September 14, 2017 and is discussed in further detail in the next section of this report.

The TRCA also requires that prior to issuance of any permits for site alteration, the Owner enter into a separate compensation agreement with the TRCA, consistent with the TRCA's Draft Compensation Protocol. This agreement is to address the removal of the combined 0.02 ha wetlands in the southern portion of the Subject Lands, identified in the Environmental Impact Study (EIS) as MAS2-1, MAM2-10 and MAM2-11 prepared by Savanta, dated June 2016.

The Owner is also required to obtain all necessary permits, pursuant to Ontario Regulation 166/06, prior to any site alteration, works, or removals of the above-noted wetland features.

The TRCA requires that all outstanding comments pertaining to stormwater management, be addressed to the satisfaction of the TRCA.

A restoration plan will be required at the detailed design phase for the buffer and areas disturbed by the outfall construction, in accordance with TRCA guidelines. This can be achieved through the site plan approval process.

The Ministry of Natural Resources and Forestry (“MNRF”) conducted a site visit to evaluate the wetlands located on and adjacent to the Subject Lands

In accordance with the TRCA’s recommendation, the MNRF was contacted to evaluate the above-noted feature on the Subject Lands. On September 14, 2017, the MNRF, the Owner’s environmental consultant, and City staff attended a site visit to delineate the boundary of the wetlands in and around the Subject Lands, based on a surveyed wetland staking carried out by professional surveyors, who were also in attendance at the site visit, and identified on a survey. Based on the survey, the MNRF has incorporated a new 0.45 ha wetland (No. 183), a portion of which is located at the northeast corner of the Subject Lands, into the provincially significant East Humber River Wetland Complex, as it is hydrologically connected to other wetlands in the wetland complex and it is considered to be contributing habitat for the endangered Redside Dace. The MNRF also noted two 0.02 ha MNRF Identified Wetlands located in the southern portion of the Subject Lands, that will not be part of the wetland complex.

The York Region District and York Region Catholic District School Boards have no objections to the Applications

The York Region District School Board and York Region Catholic District School Board have no objection to the approval of the Applications.

A Draft Plan of Condominium (Standard) Application would be required to facilitate the Development, should the Applications be approved

Should the Applications be approved, a Draft Plan of Condominium (Standard) Application will be required to establish the condominium tenure for the Development. The Application will be reviewed for consistency with the final site plan, and the appropriate conditions respecting the condominium tenure will be identified in a future technical report.

Broader Regional Impacts/Considerations

The Subject Lands are designated “Urban Area” by the York Region Official Plan, which permits a wide range of residential, commercial, industrial and institutional uses. York Region has no objection to the Official Plan Amendment Application.

On November 17, 2016, Official Plan Amendment File OP.16.010 was considered by the York Region Development Review Committee and was exempted from approval by Regional Planning Committee and Council, pursuant to Regional By-law 4-0265-1999-07. Based on the Region’s review of the proposed Official Plan Amendment, York Region concluded that the file is a routine matter of local significance, which does not affect Regional policies. This allows the Official Plan Amendment application to be considered by the local municipality, and if approved, for the implementing Official Plan

Amendment to come into effect upon adoption by Vaughan Council subject to the expiration of the required appeal period under the *Planning Act*.

Additional comments were provided by York Region on December 21, 2017, wherein they advise that the proposed level of density and intensity, is more appropriate for planned intensifications areas, such as along Regional Corridors or within a Regional Centre. Although York Region generally leaves the determination of specific heights and densities to the local municipality, they also advise that the proposed height and density should be within a desirable range, relative to the planned function of the Regional and local urban structure.

York Region has provided the following technical comments on the plans and reports submitted in support of the Applications:

i) Water and Wastewater Servicing

The proposed Development will require water and wastewater servicing allocation from the City of Vaughan. If the City of Vaughan does not grant this Development the required allocation from York Region's existing capacity assignments to date, then the Development may require additional infrastructure based on conditions of future capacity assignment.

Direct connection of new development to a Regional water and/or wastewater is discouraged, as it is the Region's mandate to service new development through the local municipal system. Should this not be feasible, a direct connection to or the crossing of a Regional water or wastewater system requires Regional approval prior to construction.

ii) Transportation Planning

York Region requires that a 36 m right-of-way be provided for this section of Islington Avenue. All municipal setbacks shall be referenced from a point 18 m from the centerline of construction of Islington Avenue, and any lands required for additional turn lanes at the existing intersection will also be conveyed to York Region for public highway purposes, free of all costs and encumbrances.

York Region has requested that the Owner confirm the exact right-of-way width of Islington Avenue from the centerline of construction. York Region notes that based on their information, the right-of-way width currently provided is approximately 20.5 m, however, this has not been confirmed through the submission of a legal survey plan.

The BA Group provided a functional design of the intersection without consultation with York Region. The proposed alignment of the private driveway on the east side of Islington Avenue with the existing lane configuration of the west leg (i.e. Napa Valley Avenue) of the intersection must be addressed to the

satisfaction of York Region. A shared through-left lane on the west leg is being proposed, however, for safety reasons York Region does not typically permit shared through-left lanes at signalized intersections. York Region requires that the through movement should be shared with the right-turn movements (or be prohibited). Furthermore, the functional design does not show where and how traffic signal infrastructure will be installed on the east side of Islington Avenue. York Region recommends that they be consulted prior to preparing more detailed designs for the access and intersection improvements.

The proposed east leg of the Islington Avenue and Napa Valley intersection, including the installation of turning lanes and the relocation of any parking or drop-off areas, must be designed to the satisfaction of York Region.

York Region anticipates that most of the traffic will be coming to/from the Subject Lands from the south, based on the high speed limit (60 km/h) on this segment of Islington Avenue, and the large scale of the Development, that an exclusive northbound right-turn lane will be required at the Napa Valley Avenue/Islington Avenue intersection, as a condition of future site plan approval, should the Applications be approved, in order to provide safer turning movements into the site.

York Region also requires that direct pedestrian and cycling connections to the boundary roadways and adjacent development, and facilities on the Subject Lands (e.g. convenient and secure bicycle racks near entrances) be provided, to promote the usage of non-auto travel modes. A detailed Travel Demand Management ("TDM") plan must be submitted to support active transportation and transit, and also reduce the number of auto trips to and from the proposed Development. This matter can be addressed as part of the site plan approval process.

iii) Development Engineering

Regarding the daylight triangle, BA Group suggests that a trapezoid is not required because the access is a private driveway. York Region advises that private driveways at signalized intersections are not exempted from a daylight requirement. In addition to providing sight lines to vehicles travelling on Islington Avenue, the trapezoid is also required to accommodate traffic signal infrastructure and to provide sight distance to and from pedestrians, cyclists, skateboarders, etc. using the pedestrian sidewalk. The speed and volume of approaching vehicles are not relevant to these considerations. It should not be assumed that all drivers will stop at the stop bar. Regional staff requires a 5 m by 5 m permanent easement, measured from the 18 m off-set line and a perpendicular line of 1.5 m from the curbs on the other side of the access.

York Region advises that the future land requirements for a daylight trapezoid at the signalized access and design requirements for the addition of a new leg to the existing signalized intersection may have a significant impact on the proposed site layout and design and geometry of the proposed central access road.

York Region will not permit any permanent landscaping features, fencing, stairs, door swings, awnings, balconies, etc., as it will result in significant permanent encroachments within the Islington Avenue right-of-way. It has not been demonstrated to the satisfaction of York Region, if the buildings are sufficiently set back from property line to avoid encroachments into the right-of-way. In addition, no shoring system (with the exception of tie-backs), will be permitted to encroach within the Islington Avenue right-of-way. Private manholes, valve chambers, etc. will also have to be constructed on private property and outside of any easements. Basic enhanced streetscaping, such as planters, unit paving, etc. will be permitted subject to the Owner obtaining an encroachment permit. However, encroachments may not be available south of the proposed access due to the required right-turn lane. Under the current proposal, the same streetscaping may not be achieved north and south of the proposed access.

In addition to the comments provided above, York Region reserves the right to provide additional technical comments at the site plan stage on matters including, but not limited to, road requirements, and vehicular access.

Conclusion

Official Plan and Zoning By-law Amendment Files OP.16.010 and Z.16.039 have been reviewed in consideration of the policies of the *Planning Act*, the *Provincial Policy Statement 2014*, the *Provincial Growth Plan 2017*, the York Region Official Plan, Vaughan Official Plan 2010, the requirements of Zoning By-law 1-88, comments from area residents, City departments and external public agencies, and the area context.

When considered comprehensively, the Development Planning Department is of the opinion that the Applications for the proposed Development consisting of 6 and 8-storey buildings, are not consistent with the *Provincial Policy Statement* and do not conform to the Growth Plan, York Region and City of Vaughan Official Plans, and that the Development will result in a level of intensification that is not appropriate in consideration of the applicable policies and the existing surrounding land use context, as outlined in this report.

Accordingly, the Development Planning Department recommends that the applications be refused.

For more information, please contact Letizia D'Addario, Planner, Development Planning Department, at extension 8213.

Attachments

1. Context Location Map
2. Location Map
3. VOP 2010 Schedule 13 – Land Use
4. Conceptual Site Plan and Proposed Zoning
5. Conceptual Landscape Plan
6. Conceptual Building Elevations

Prepared by:

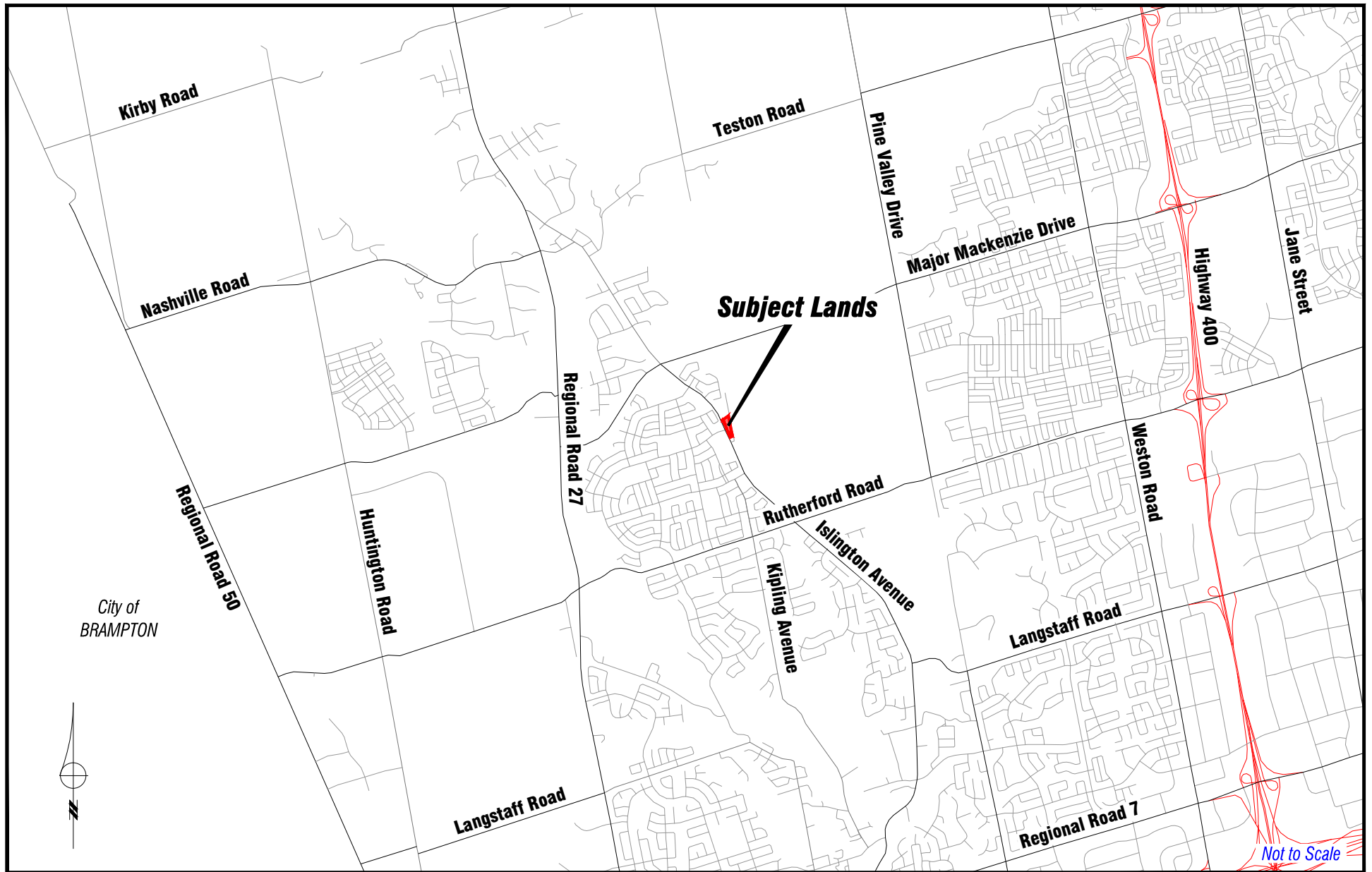
Letizia D'Addario, Planner, ext. 8213

Clement Messere, Senior Planner, ext. 8409

Bill Kiru, Interim Director of Policy Planning & Environmental Sustainability, ext. 8633

Mauro Peverini, Director of Development Planning, ext. 8407

/LG



Context Location Map

LOCATION:
Part of Lots 18 & 19, Concession 8

APPLICANT:
Gatehollow Estates Inc.

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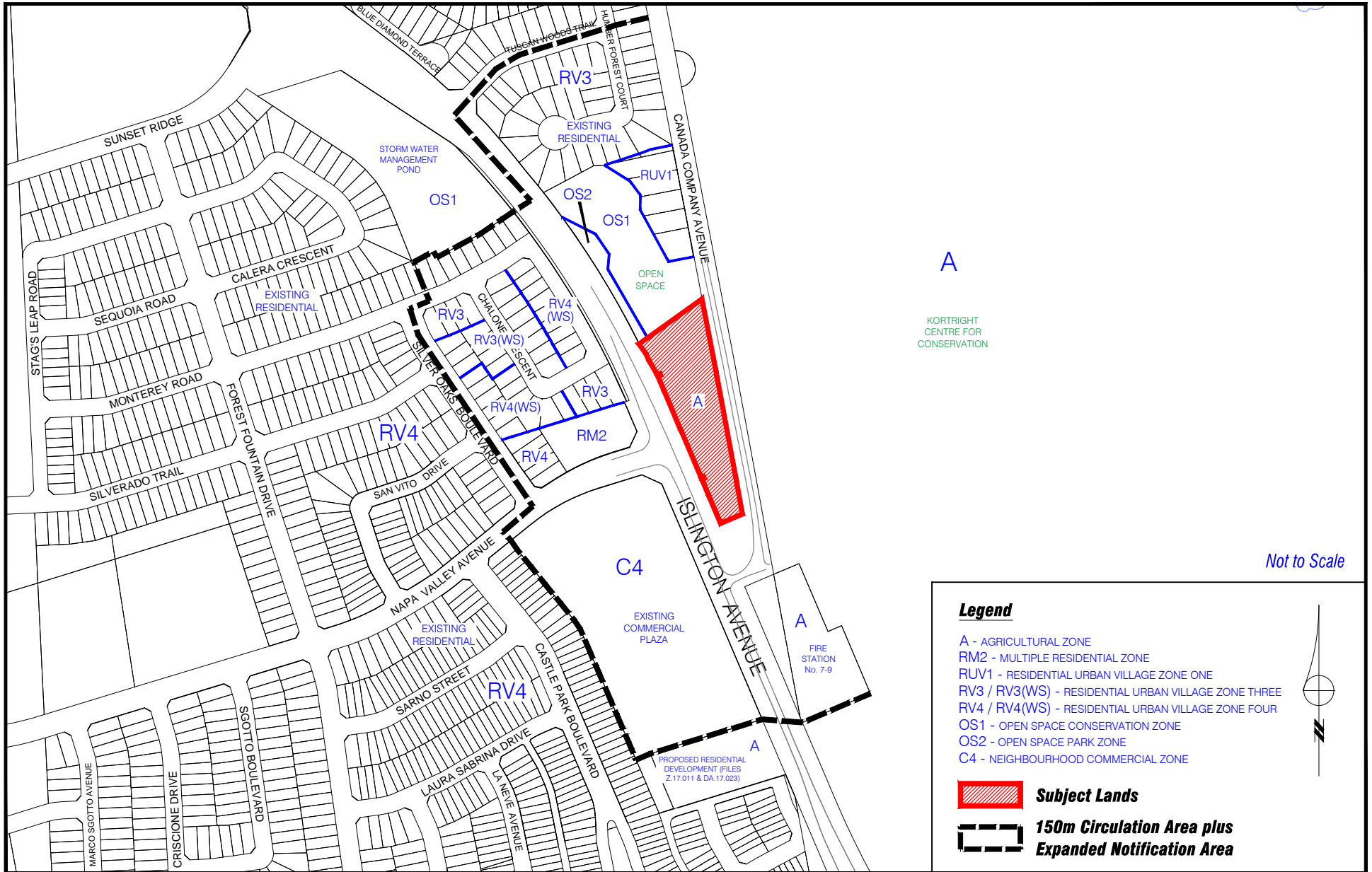


Attachment

FILES: OP.16.010 &
Z.16.039

DATE:
May 8, 2018

1



Location Map

LOCATION:
Part of Lots 18 & 19, Concession 8

APPLICANT:
Gatehollow Estates Inc.

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Attachment

FILES: OP.16.010 &
Z.16.039

DATE:
May 8, 2018

2



VOP 2010 - Schedule 13 Land Use

APPLICANT: Gatehollow Estates Inc. LOCATION: Part of Lots 18 & 19, Concession 8

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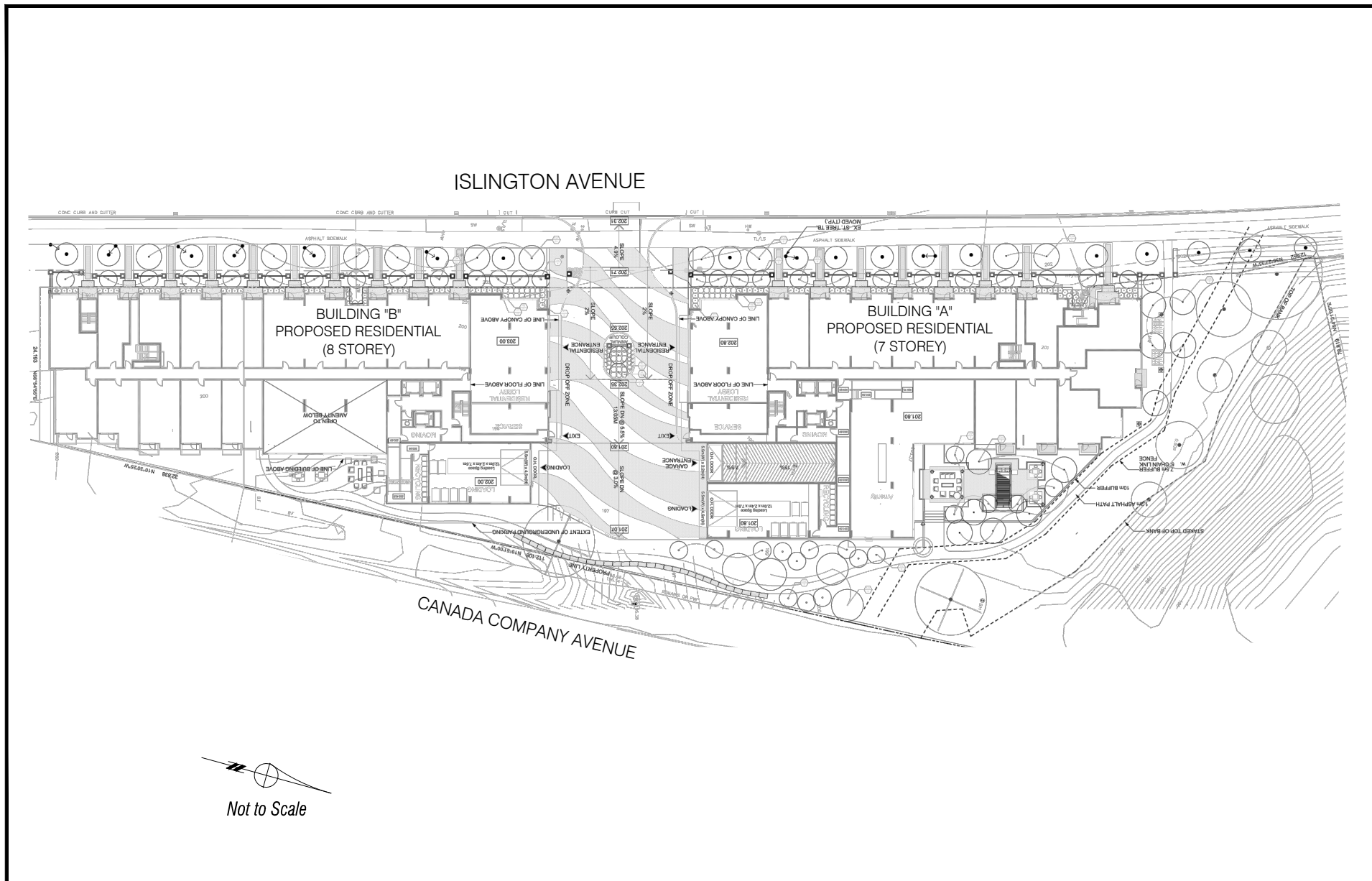


Attachment

FILES: OP.16.010 &
Z.16.039

DATE:
May 8, 2018

3



Conceptual Landscape Plan

LOCATION:
Part of Lots 18 & 19, Concession 8

APPLICANT:
Gatehollow Estates Inc.

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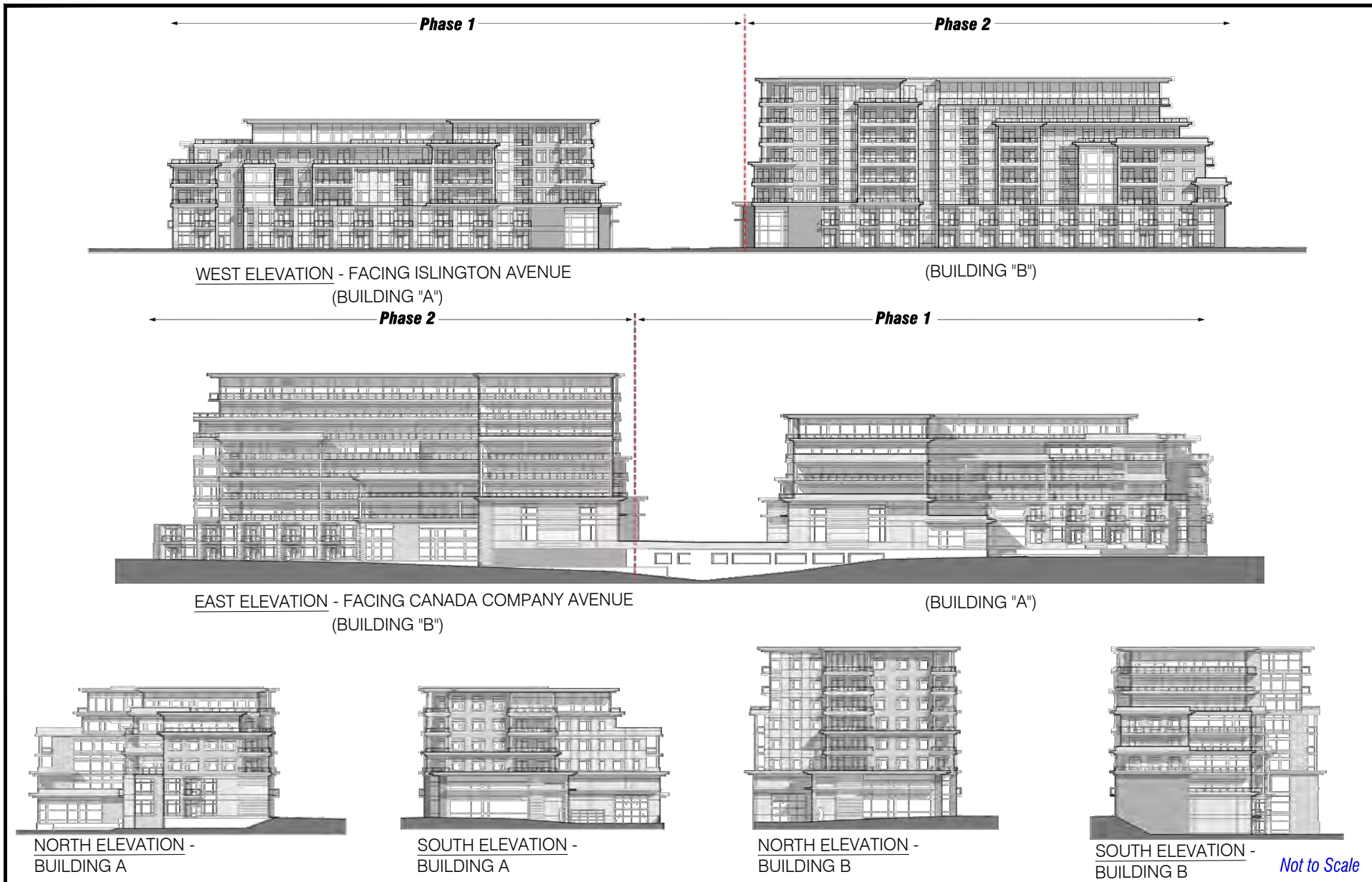


Attachment

FILES: OP.16.010 &
Z.16.039

DATE:
May 8, 2018

5



Conceptual Building Elevations

APPLICANT: Gatehollow Estates Inc. LOCATION: Part of Lots 18 & 19, Concession 8



Attachment

FILES: OP.16.010 &
Z.16.039

DATE:
May 8, 2018

6