

**COMMITTEE OF THE WHOLE MAY 5, 2008**

**OFFICIAL PLAN AMENDMENT FILE OP.06.026  
ZONING BY-LAW AMENDMENT FILE Z.06.065  
MICHAEL ESMAILZADEH AND BIANCA & PASQUALE MARTINIS  
REPORT #P.2007.1**

The Commissioner of Planning recommends:

1. THAT Official Plan Amendment File OP.06.026 (Michael Esmailzadeh and Bianca & Pasquale Martinis) BE APPROVED, to amend OPA #240 (Woodbridge Community Plan), as amended by OPA #597 (Islington Avenue Corridor Plan), specifically to increase the maximum permitted density in the "Low Density Residential" designation for the subject lands shown on Attachment #1 from 8.6 units/ha to 22 units/ha, to facilitate the development of six (6) semi-detached dwellings, as shown on Attachment #2.
2. THAT Zoning By-law Amendment File Z.06.065 (Michael Esmailzadeh and Bianca & Pasquale Martinis) BE APPROVED, to amend By-law 1-88, specifically, to rezone the subject lands shown on Attachment #1 from R2 Residential Zone to R5 Residential Zone with the following zoning exceptions to facilitate the construction of 6 semi-detached dwelling units as shown on Attachment #2:
  - i) a reduced a minimum lot frontage of 7.0 m, whereas 7.5 m is required;
  - ii) a reduced minimum interior side yard setback of 1.2 m, whereas 1.5 m is required;
  - iii) a reduced minimum rear yard setback of 6.01 m (for Lots 3 to 6 inclusive), whereas 7.5 m is required;
  - iv) a reduced minimum setback of 6.0 m to the garage, whereas 6.4 m is required;
  - v) a reduced minimum lot area of 165 m<sup>2</sup> and 200 m<sup>2</sup> for Lots 4 and 5 respectively, whereas 225 m<sup>2</sup> is required;
  - vi) require that Islington Avenue be deemed as the frontage for Lot 6, whereas By-law 1-88 deems the shorter of 2 streets to be the front lot line for a corner lot; and
  - vii) any other zoning exceptions required to implement the final site plan, if approved.
3. THAT prior to the adoption of the implementing Official Plan Amendment and enactment of the implementing Zoning By-law Amendment, the Owner shall submit a Phase 1 Environmental Site Assessment for review and approval by the City of Vaughan and a Record of Site Condition acknowledged by an Officer of the Ministry of the Environment.

**Economic Impact**

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

**Communications Plan**

On December 15, 2006, a Notice of Public Hearing was circulated to all property owners within 120 m of the subject lands, and to the Islington Woods Community Association. A Public Hearing was held on January 22, 2007 to consider the original proposal which contemplated 11 townhouse units as shown on Attachments #4 and #5.

The issues raised at the Public Hearing and in written correspondence objecting to the proposed 11 townhouse units include: compatibility with existing development; excessive density; design; massing; noise; garbage collection and snow removal; loss of privacy; lack of amenity and

landscape space; lack of visitor parking spaces; the inadequacy of the proposed Gamble Street access; light pollution; the loss of the traditional characteristics of the Pine Grove Hamlet; traffic concerns; the impact on Pine Grove Elementary School; and, the need to preserve the Michael O'Rourke house located on 8372 Islington Avenue.

The recommendation of the Committee of the Whole to receive the Public Hearing report on January 22, 2007, was ratified by Council on January 29, 2007.

On June 18, 2007, the Committee of the Whole considered the Official Plan and Zoning Amendment Applications and deferred a recommendation from the Development Planning Department to refuse the Applications that would facilitate the proposed 11 unit townhouse development, in order to provide an opportunity for the applicant to address the concerns expressed and resolve any outstanding issues. On June 25, 2007, Council adopted the Committee's recommendation.

On February 5, 2008, the Owner submitted a revised development concept for 6 semi-detached units, each with frontage and access/egress on Islington Avenue as shown on Attachments #2 and #3. This Staff report provides consideration of this revised proposal.

On April 25, 2008, a notice was sent from the Development Planning Department to each individual requesting to be notified of this Committee of the Whole meeting.

### **Purpose**

The Owner has submitted the following applications to facilitate the development of the subject lands shown on Attachment #1:

1. An Official Plan Amendment Application (File OP.06.026) to amend OPA #240 (Woodbridge Community Plan) as amended by OPA #597 (Islington Avenue Corridor Secondary Plan), specifically to increase the maximum permitted density in the "Low Density Residential" designation from 8.6 units/ha (i.e. 2 units) to 22 units/ha, to facilitate the development of six semi-detached dwellings, as shown on Attachments #2 and #3.
2. A Zoning By-law Amendment Application (File Z.06.065) to amend By-law 1-88, specifically to rezone the subject lands from R2 Residential Zone to R5 Residential Zone with the necessary zoning exceptions to implement the proposed semi-detached development, as shown on Attachment #2.

### **Background - Analysis and Options**

The subject lands shown on Attachment #1 are located at the northwest corner of Islington Avenue and Gamble Street, and are comprised of 2 lots being Lots 7 and 8 on Registered Plan M-1106 (8372 and 8382 Islington Avenue, respectively), in Lot 10, Concession 7, City of Vaughan. The subject lands are approximately 0.18 ha in size and each lot is currently developed with a detached residential dwelling, which are proposed to be demolished, if the proposal is approved.

The subject lands are designated "Low Density Residential" by OPA #240 (Woodbridge Community Plan), as amended by OPA #597 (Islington Avenue Corridor Secondary Plan), the latter which was approved by the Region of York (in part) on May 31, 2006. The subject lands are zoned R2 Residential Zone by By-law 1-88. The surrounding land uses are shown on Attachment #1.

## Land Use Status/Planning Considerations

### i) Provincial Policy Statement

The subject applications were initiated after March 1, 2005, and are therefore, subject to the 2005 Provincial Policy Statement (PPS). The PPS sets out the overall direction on matters of provincial interest related to land use planning and development, and includes policies that encourage the focus of new growth to urban areas. The PPS promotes efficient, cost effective development, and land use patterns that are based on densities which:

- i) efficiently use land, resources, infrastructure, and public service facilities; and,
- ii) avoid the need for unnecessary and/or uneconomical expansion of infrastructure.

The PPS promotes a full range of housing types and densities to meet projected demographic and market requirements of current and future residents by ensuring all forms of residential intensification in parts of built-up areas that have sufficient infrastructure to create a potential supply of new housing units. Development and land use patterns which may cause environmental or public health and safety concerns shall be avoided. The proposal meets the intent of the PPS with respect to the efficient use of land and infrastructure and providing a range of housing types.

### ii) Region of York Official Plan

The subject lands are identified as being within the "Urban Area" of the Region of York Official Plan, and Islington Avenue is identified as a "Local Corridor". The Region of York has advised that the proposed amendment to the Official Plan is of local significance, and has exempted it from Regional Approval.

### iii) City of Vaughan Official Plan

The subject lands are designated "Low Density Residential" by OPA #240 (Woodbridge Community Plan), as amended by OPA #597 (Islington Avenue Corridor Secondary Plan).

#### a) OPA #240 (Woodbridge Community Plan)

The "Low Density Residential" designation of OPA #240 permits single-detached and semi-detached dwelling units at a maximum permitted density of 8.6 units/ha, which would permit a maximum of two dwelling units on the 0.18 ha property. The Owner's proposal for a total of 6 semi-detached dwelling units as shown on Attachment #2, yields a density of 22 units/ha, and therefore, an amendment to the Official Plan is required.

The proposed built form (i.e. semi-detached dwellings) is permitted by the "Low Density residential" policies of OPA #240; however, a site-specific policy is required to accommodate the proposed increase in density. It is noted that the "Medium Density" designation permits townhouse units at a maximum density of 35 units/ha, and that the proposed 22 units/ha would be in between the maximum permitted densities for the "Low Density" (ie. 8.6 units/ha) and "Medium Density" residential designations.

#### b) OPA #597 (Islington Avenue Corridor Secondary Plan)

On October 15, 2001, a Special Committee of the Whole was held to deal with three development applications that sought to re-designate three different sites along the Islington Avenue corridor from "Low Density Residential" to "High Density Residential". On October 29, 2001, Council adopted a recommendation to direct the Planning Department to conduct a comprehensive land use study for the Islington Avenue Corridor between Langstaff Road and Woodbridge Avenue,

and also passed an Interim Control By-law that placed a hold on lands within the study area until the study was completed.

The purpose of the Islington Avenue Corridor Secondary Plan was to provide an overall framework for the future orderly growth of the Islington Avenue corridor in accordance with sound and reasonable land use planning policies and urban design principles. The policies were to be responsive to the needs of the area residents while having regard for Provincial and Regional policy objectives. The intent of the Secondary Plan was to maintain and strengthen the existing community structure through appropriate and contemporary planning policy and design guidelines. The land use planning principles and policies that were to be included in OPA #597 were designed to achieve compatibility between land uses and their associated activities, minimize potential land use conflicts, and reinforce and enhance the existing community structure.

On June 23, 2003, Council adopted OPA #597 to implement the recommendations of the Study and guide development within the Islington Avenue Corridor. OPA #597 contemplated higher densities within the study area by introducing "High Density Residential" and "Medium Density Residential" designations into the area. The subject lands remained designated "Low Density Residential", which would permit single and semi-detached dwelling units at a maximum permitted density of 8.6 units/ha.

The Owner had originally applied to redesignate the entire subject lands from "Low Density Residential" to "Medium Density Residential", to facilitate the proposed 11 townhouse units shown on Attachments #4 and #5. The current proposal involves six semi-detached dwelling units, which is a built form that is permitted under the "Low Density Residential" policies of OPA #240, as amended by OPA #597, and the proposed redesignation is no longer required, notwithstanding the proposal yields a density of 22 units/ha, thereby exceeding the maximum permitted density of 8.6 units/ha for the "Low Density Residential" designation.

#### Land Use Context

The subject lands are comprised of two existing residential lots with frontage onto Islington Avenue, and are situated at the northwest corner of Islington Avenue and Gamble Street. The built form in the area north of Gamble Street and west of Islington Avenue in the vicinity of the subject lands is comprised almost exclusively of established single detached residential units. The subject lands back onto residential lots with frontage onto Roslyn Court and Gamble Street. Approximately 200 metres to the west of the subject lands on Gamble Street exists Pine Grove Public School. On the east side of Islington Avenue, north of Pine Grove Road, there exists 2 three-storey apartment type buildings indicative of a higher density residential built form. The southwest corner of Islington Avenue and Gamble Street is developed with a gas bar, service station and commercial uses. The southeast corner of Islington Avenue and Pine Grove Road is developed with existing detached residential dwellings oriented towards Islington Avenue, with a three-storey apartment building to the immediate east.

The previous proposed development would have introduced a medium density built form immediately abutting an established low density residential area. Attachment #4 illustrates that the subject lands are insufficient in size and of an irregular configuration to successfully integrate the development as proposed (11 townhouse accessed by a driveway fronting onto Gamble Street) into the surrounding low density residential context. The previous proposal utilized the entire site without the opportunity for appropriate buffer areas and screening opportunities that are typically incorporated when different land uses and built form abut each other. A driveway and parking area was proposed immediately abutting the entire length of the westerly property with no separation distance or buffering opportunities. The Region of York has advised that a road widening along Islington Avenue and a daylight triangle at the corner of Islington Avenue and Gamble Street are required, which would have further reduced the developable portion of the

subject lands and the opportunities to integrate appropriate buffering and screening within the concept for the townhouse development.

The revised applications, although proposing intensification of the subject lands, will not adversely impact on the surrounding area. Access to each property is proposed from Islington Avenue and each property will have a minimum rear yard of 6.0 m, which will provide an adequate buffer between the proposed and existing dwelling units and provide amenity area for the future occupants of the dwellings. The proposed semi-detached building form is permitted by the Official Plan, although at a lower density. There are many examples in the City where semi-detached units are developed adjacent to detached residential dwellings. The proposed semi-detached dwellings would also be compatible with the surrounding land use context, including commercial uses and 3-storey apartment buildings along Islington Avenue. As noted earlier, Provincial and Regional policies encourage intensification in existing urban areas and promote a full range of housing types. The proposed intensification of the subject lands is considered consistent with Provincial and Regional Policy.

OPA #597 requires that the development of the lands be subject to Site Plan Control. Matters such as architectural design, building placement, landscaping, etc., will be reviewed in detail to ensure that the proposed development can be successfully integrated into the existing community in a manner that is compatible with the surrounding adjacent land uses.

On this basis, the Development Planning Department can support the approval of the Official Plan and Zoning By-law Amendment Applications, subject to the comments in this report.

#### Zoning

The subject lands are zoned R2 Residential Zone by By-law 1-88 and are proposed to be rezoned to R5 Residential Zone. The table below compares the R5 Residential Zone development standards in By-law 1-88, with the zoning exceptions that are required to implement the proposed semi-detached dwellings based on the concept plan shown on Attachment #2.

<b>By-law 1-88 Requirement</b>	<b>Exception Required</b>
Minimum Lot Frontage - 7.5 m	7.0 m
Minimum Lot Area – 225 m <sup>2</sup>	165 m <sup>2</sup> for Lot 4 and 200 m <sup>2</sup> for Lot 5
Minimum Interior Side Yard Setback - 1.5 m	1.2 m
Minimum Rear Yard Setback - 7.5 m	6.01 m
Minimum Setback to the Garage – 6.4 m	6.0 m
The shorter street line is deemed to be front lot line for corner lots.	Islington Avenue will be deemed to be the front lot line for Lot 6.

The R5 Residential Zone permits semi-detached dwellings, and together with the noted zoning exceptions can accommodate the proposed development concept. The zoning exceptions requested are considered to be appropriate for the development of the subject lands and will result in semi-detached dwellings that are compatible with the surrounding land use context.

#### Vaughan Engineering

The Engineering Department has reviewed the proposal and has provided the following comments:

a) Servicing Capacity

The proposal will require four (4) additional units of servicing allocation capacity, which may only be granted when the consent application process has been initiated. The City of Vaughan's

current protocol allows servicing allocation capacity to be granted to a consent application to a maximum of four (4) units.

b) Environmental Site Assessment (ESA)

Prior to approval of the Official Plan or Zoning By-law Amendment, a Phase 1 Environmental (ESA) is required to be submitted for approval by the City. The City will require documented proof of the registration of the Record of Site Condition (RSC) with the Environmental Site Registry of the Ministry of the Environment (MOE), which includes the acknowledgement from the MOE and a signed RSC by a qualified person, which shall be submitted for approval to the City. A condition of approval is included in this report.

c) Other

The Engineering Department did not support the original proposal for 11 townhouses as there was insufficient spacing between Islington Avenue and the proposed driveway on Gamble Street. The current proposal for the six semi-detached units involves access/egress from Islington Avenue, which is under the jurisdiction of the Region of York. The Engineering Department does note that the final site plan will need to ensure that the day-light triangle and associated 0.3 m reserves at Gamble Street and Islington Avenue conform to Vaughan standards. Additionally, supporting material that may be required at either the Site Plan or consent stages may include the submission of: stormwater and servicing reports; noise reports; sanitary servicing; functional servicing; and, lot grading information.

Cultural Services

The subject lands include 8372 Islington Avenue (southerly lot), which includes the building known historically as the O'Rourke House. The O'Rourke House is not designated under the Ontario Heritage Act and was not included in the Listing of Significant Heritage Structures approved by Vaughan Council in 2005. The building was, however, included in the City of Vaughan's Inventory of Buildings of Architectural Interest.

The Vaughan Cultural Services Division has commented on the recent development concept and has advised that it has no further concern for heritage resources at the subject property, and has no objection to the proposed demolition of the existing house at 8372 Islington Avenue. The Owner is required to make an application to the Cultural Services Division for a Heritage Clearance Approval before making an application to the Building Standards Department for a Demolition Permit.

Parks Development

The Vaughan Parks Development Department has no objection to the approval of the subject applications. They also advise that the City of Vaughan's Pedestrian and Bicycle Master Plan has identified a need for a Community Bike Lane along Islington Avenue running north-south on the east side of the subject lands. The Community Bike Lanes are designated on-road bike lanes that comprise part of the Community System and would typically be constructed along major arterial roads with bike lane pavement markings and bicycle route signing applied along the route. This integration of the bike lane on Islington Avenue and development of the site for semi-detached dwellings will be considered at the site plan stage to ensure there are no conflicts.

Relationship to Vaughan Vision 2020

This report is consistent with the priorities set forth in Vaughan Vision 2020, particularly "Plan & Manage Growth & Economic Vitality".

## **Regional Implications**

The Region of York Transportation Services Department has reviewed the conceptual plan shown on Attachment #2, and has indicated that the Region is protecting for a 30 m right-of-way in this section of Islington Avenue. As the subject lands are a corner lot, the Region is also protecting for a 7.5 m by 7.5 m daylight triangle. The required 30 m right-of-way will result in a strip of land, 5.0 m in width, for the full length of the Islington Avenue frontage of the subject lands being dedicated to the Region of York, as shown on Attachment #2. The Region of York does not have any objection to the approval of the subject applications.

## **Conclusion**

The Development Planning Department has reviewed the applications to amend the Official Plan in order to increase the maximum permitted density within the "Low Density Residential" designation of OPA #240 (Woodbridge Community Plan), and to amend By-law 1-88 to rezone the subject lands from R2 Residential Zone to R5 Residential Zone together with the zoning exceptions required to implement the proposed development comprised of 6 semi-detached units, on the subject lands shown on Attachment #2. The applications have been reviewed in the context of the Provincial, Regional and City policies and the surrounding area context. This proposal involves the intensification and development of two existing single lots located at the northwest corner of the intersection of Islington Avenue and Gamble Street with 6 semi-detached units, which is a built form that is permitted by the Official Plan.

The Development Planning Department has reviewed the applications and issues respecting the redevelopment of the subject lands and are satisfied that the built form is permitted by the Official Plan, that the development is consistent with Provincial and Regional policies, and that the proposed semi-detached units can be appropriately integrated on the subject lands in a manner that is compatible with the surrounding land use context.

Accordingly, the Development Planning Department can support the approval of the Official Plan and the Zoning By-law Amendment applications, subject to the recommendations in this report.

## **Attachments**

1. Location Map
2. Current Proposed Development Concept (6 Semi-Detached Units)
3. Current Proposed Elevations (Semi-Detached)
4. Previous Development Concept Considered at Public Hearing (11 Townhouse Units)
5. Previous Elevations Considered at Public Hearing (Townhouse)

## **Report prepared by:**

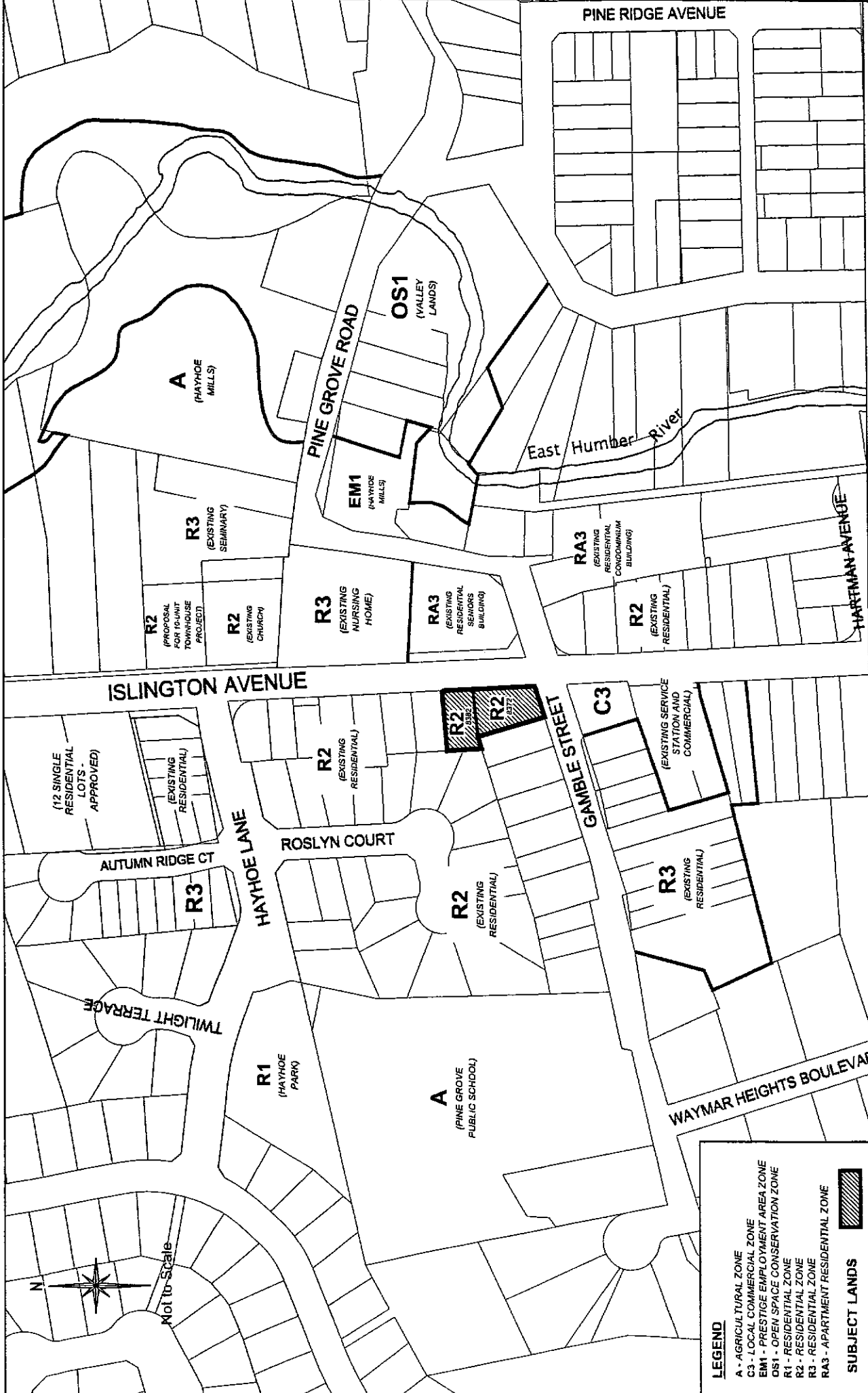
Clement Messere, Planner, ext. 8409  
Mauro Peverini, Senior Planner, ext. 8407

Respectfully submitted,

JOHN ZIPAY  
Commissioner of Planning

GRANT UYEYAMA  
Manager of Development Planning

/LG



# Attachment 1

FILE No(s):  
OP.06.026, Z.06.065

April 15, 2008



Development Planning Department

# Location Map

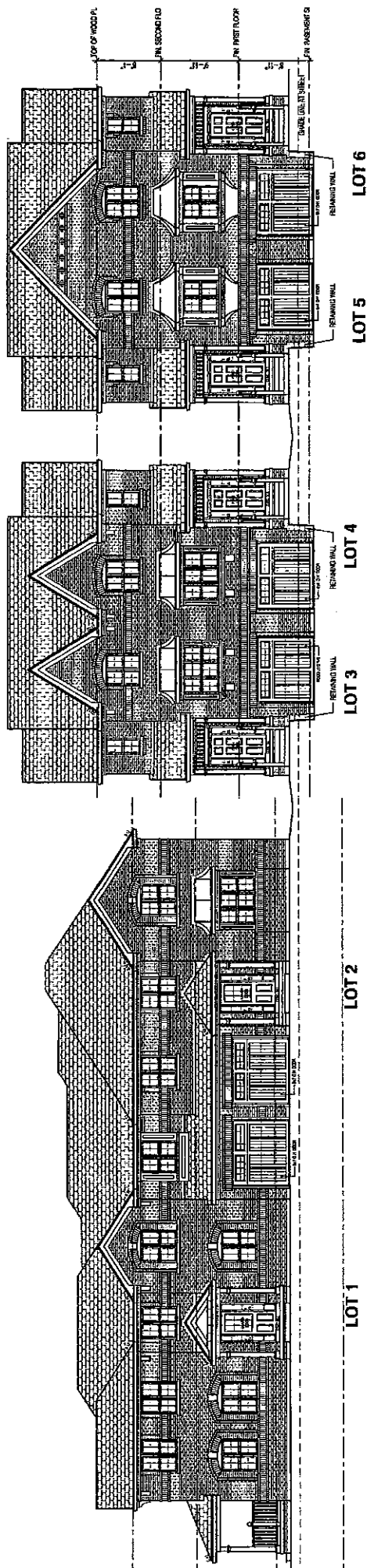
Part of Lot 10,  
Concession 7

APPLICANT: MICHAEL ESMAILZADEH &  
BIANCA AND PASQUALE MARTINIS

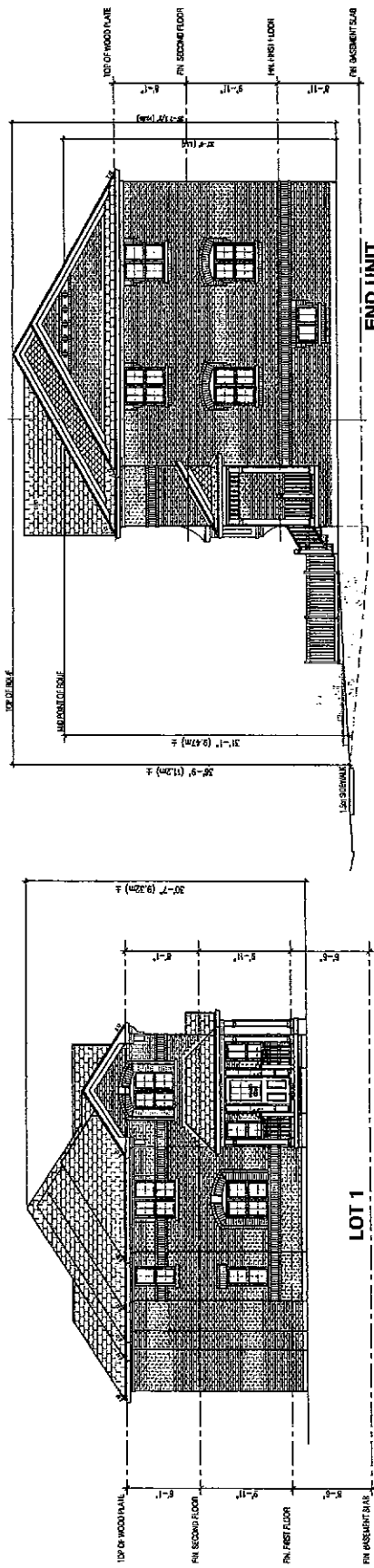
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**EAST ELEVATIONS - (ISLINGTON AVENUE)**



**SOUTH ELEVATION - (GAMBLE STREET)**

**NORTH ELEVATION - (LOT 6)**

Not to Scale

**Current Proposed Elevations  
(Semi-Detached Units)**

APPLICANT: MICHAEL ESMAILZADEH &  
BIANCA AND PASQUALE MARTINIS



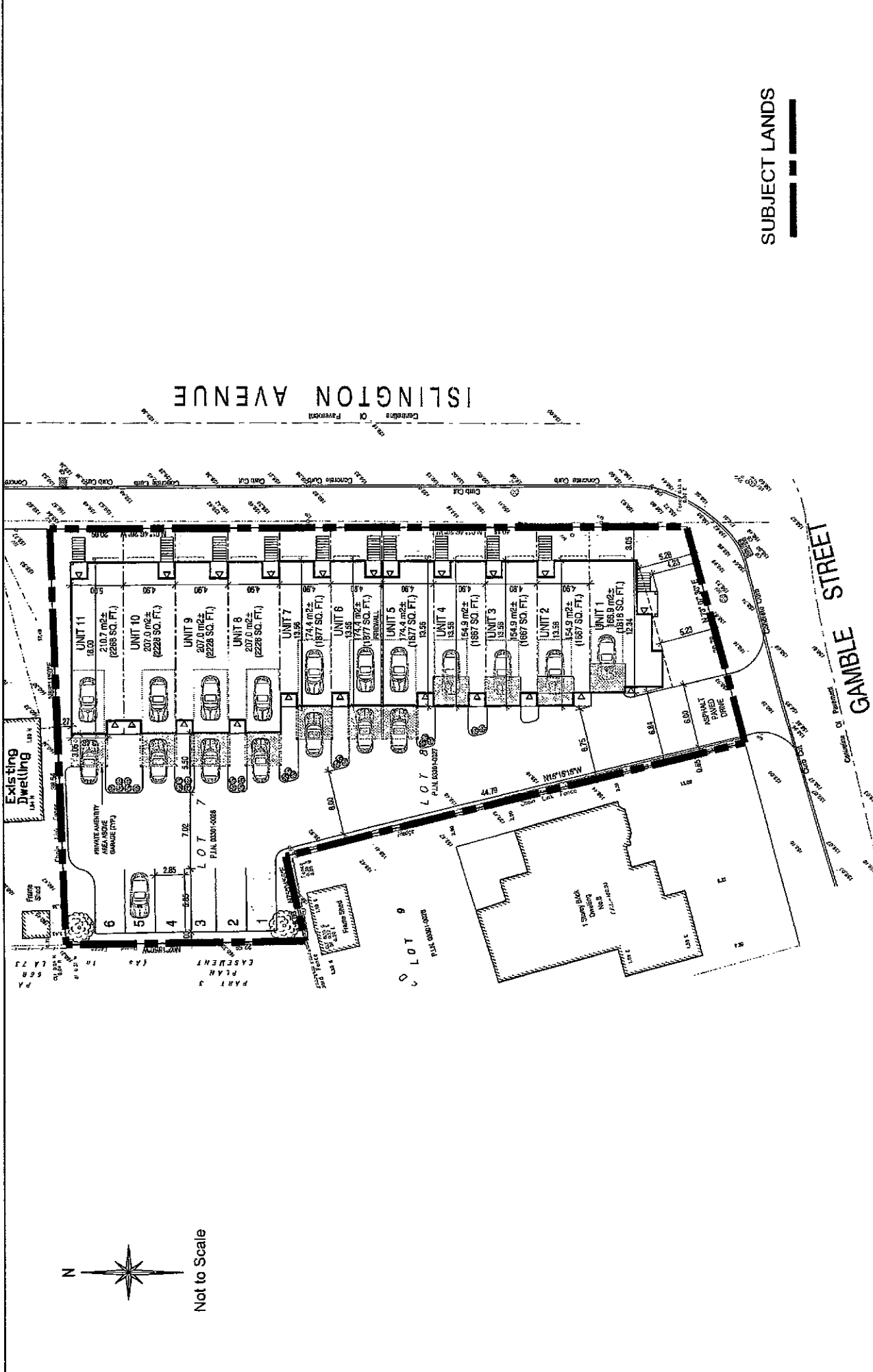
Development Planning Department

**Attachment 3**

FILE NO(S):  
OP.06.026, Z.06.065

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ISLINGTON AVENUE

GAMBLE STREET

SUBJECT LANDS

# Attachment 4

FILE No(s):  
OP.06.026, Z.06.065

April 15, 2008



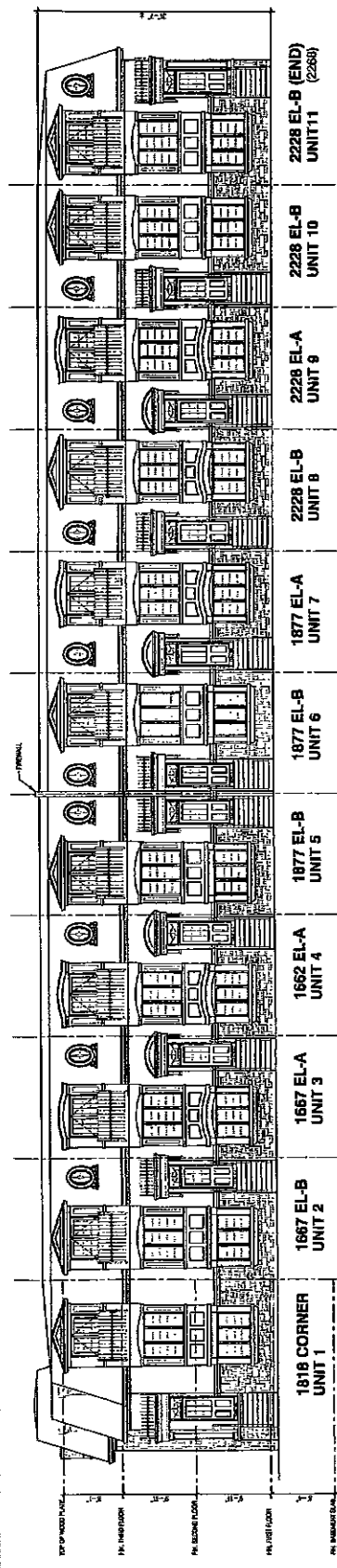
## Previous Development Concept Considered at Public Hearing (11 Townhouse Units)

Development Planning Department

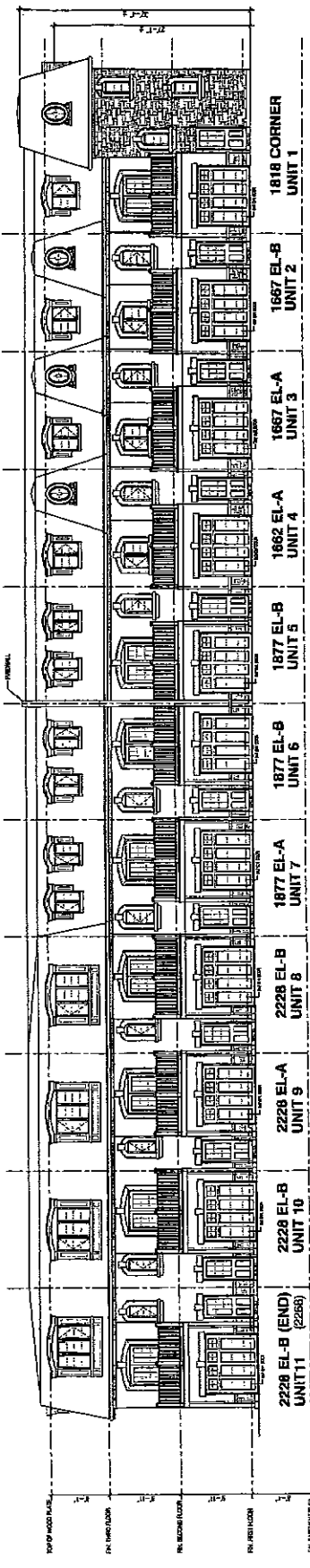
Part of Lot 10,  
Concession 7

APPLICANT: MICHAEL ESMAILZADEH &  
BIANCA AND PASQUALE MARTINIS

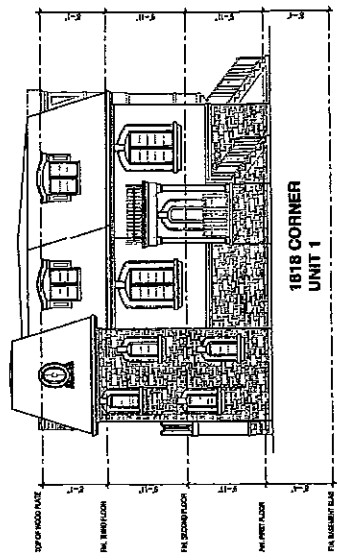
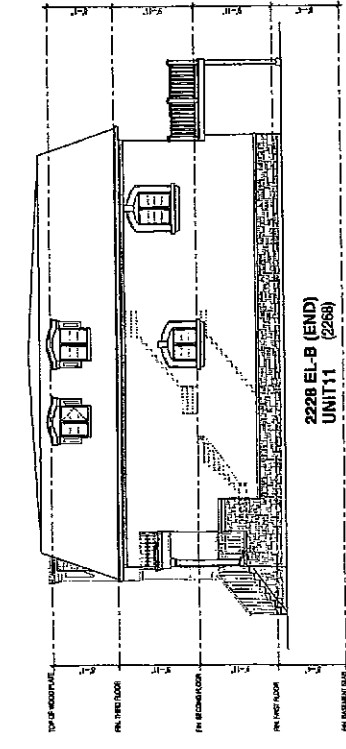
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FRONT ELEVATION  
ISLINGTON AVENUE



REAR ELEVATION



Not to Scale

# Previous Elevations Considered at Public Hearing (Townhouses)

APPLICANT: MICHAEL ESMAILZADEH & BIANCA AND PASQUALE MARTINIS

Part of Lot 10, Concession 7  
Development Planning Department



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