

**4. OFFICIAL PLAN AMENDMENT FILE OP.08.013
 ZONING BY-LAW AMENDMENT FILE Z.08.048
 VINCE DI TOMMASO
 WARD 2**

P.2008.37

Recommendation

The Commissioner of Planning recommends:

THAT the Public Hearing report for Files OP.08.013 and Z.08.048 (Vince Di Tommaso) BE RECEIVED; and, that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole.

Contribution to Sustainability

The contribution to sustainability will be determined when the technical report is considered.

Economic Impact

This will be addressed when the technical report is completed.

Background/Site History

On October 10, 2008, a Notice of Public Hearing for the November 3, 2008 meeting was circulated to all property owners within 120m of the subject lands, and to those individuals requesting notification of the original application, which proposed to redesignate and rezone the subject lands to facilitate the development of two, 4 storey buildings connected by a walkway and comprised of 85 residential units and a Floor Space Index (FSI) of 1.53. On October 20, 2008, one letter was received by the Vaughan Development Planning Department from a resident living southwest of Clarence Street and Rutherford Road, expressing opposition to the proposed development based on the following reasons (in part):

- the development is next door to a pre-school/elementary school and half a kilometre away from a second elementary school and would impact the school and parental drop-off traffic for the schools;
- the increase in traffic that would be generated by the proposed development will aggravate an already dangerous traffic situation for the school children and area residents;
- the development will change the hamlet character of the area and impact the enjoyment of the existing residents and senior citizens.

At the Public Hearing on November 3, 2008, several residents spoke in opposition to the proposed development expressing the following concerns (in part):

- a) the proposed development is too dense;
- b) negative impact to the Islington Avenue traffic conditions;
- c) not in character with the Pine Grove Hamlet;
- d) this proposal will set a precedent for future similar intensification; and,
- e) request that the Islington Avenue Corridor Study be updated.

The Owner's architect and agent provided a rebuttal to the residents concerns and provided material supporting the proposed development, including petitioned letters in support of the proposed development.

On November 10, 2008, Vaughan Council adopted the following motion (in part):

- "1. THAT the recommendation contained in the report of the Commissioner of Planning dated November 3, 2008 (to receive the staff report) be approved; and
2. THAT the draft motion regarding an update on the Islington Avenue Corridor Secondary Plan (OPA #597) verbally presented by deputant Franca Poretta, and the responses provided by the agent for the applicant, be reviewed by Planning Staff and that a memorandum be provided as early as possible to members of Council in anticipation of a community meeting to be convened by the Ward 2 Sub-Committee."

Shortly after the 2008 Public Hearing, additional letters in opposition to the development were received by the Development Planning Department from neighbouring residents expressing the same concerns identified at the November 3, 2008 Public Hearing. The applicant had also provided Staff with an additional package of petitioned letters in support of the proposed development from residents both outside and inside the notification area indicating that the proposed development met the design intent and guidelines of the area.

Ward 2 Sub-Committee Meeting

A Ward 2 Sub-Committee meeting was held in the evening at 7pm at the Woodbridge Memorial Arena meeting room on February 2, 2009. The meeting was chaired by the Local Councillor with other members of Council and Development Planning Staff in attendance, together with members of the public. At this meeting, similar issues as those raised at the Public Hearing were discussed, including traffic, density and impacts to adjacent neighbours. A Committee made up of residents was also established to meet with the developer to discuss ways of addressing some of the issues and to come up with a development proposal that would benefit all parties and the community, however, no formal plan was established to the knowledge of the Development Planning Department.

The Owner submitted a revised plan on April 3, 2009, proposing one, tiered building with a maximum building height of 5 storeys comprised of 77 residential units and an FSI of 1.49.

Ontario Municipal Board (OMB)

On March 31, 2010, the Owner appealed both the Official Plan Amendment and Zoning By-law Amendment applications to the Ontario Municipal Board based on the City of Vaughan's failure to make a decision within the prescribed time periods in accordance with the requirements of the *Planning Act*. On June 9, 2010, material in support of the July 16, 2010, OMB Pre-Hearing was circulated to Development Planning Staff. The information included a copy of a draft zoning by-law and explanatory notes on the official plan amendment for a 7 storey building with an FSI of 1.62.

On July 26, 2010, the Owner submitted revised plans for the subject lands. The new plans are the subject of this report and propose one, tiered building with a maximum building height of 7 storeys, 94 residential apartment units and a Floor Space Index (FSI) of 1.53.

An OMB Hearing is scheduled to consider the subject development applications on February 7 to 25, 2011.

Communications Plan

- a) Date the Notice of a Public Meeting was circulated: November 12, 2010
- b) Circulation Area: to all owners within 150m from the subject lands and to individuals that have requested notification
- c) Comments received as of November 23, 2010: None

Purpose

The Owner has submitted the following revised applications on the subject lands shown on Attachments #1 and #2, to facilitate the development of the site with one, tiered 7-storey building comprised of 94 residential apartment units, with a Floor Space Index (FSI) of 1.53 as shown on Attachments #3 to #7:

- 1. An Official Plan Amendment Application (File OP.08.013), to amend OPA #597 (Islington Avenue Corridor Secondary Plan) to redesignate the subject lands from "Medium Density Residential" (maximum 0.5 FSI and 3.5 storeys) to "High Density Residential" and to increase the maximum permitted "High Density Residential" density and height from 1.0 FSI to 1.53 FSI (Floor Space Index), and from 5-storeys to 7-storeys, respectively. (Please refer to Attachment #8).
- 2. A Zoning By-law Amendment Application (File Z.08.048) to amend Zoning By-law 1-88, specifically to rezone the subject lands from R2 Residential Zone to RA3 Apartment Residential Zone, and to permit the following site-specific exceptions required to implement the concept site plan shown on Attachment #3:

	By-law Standard	By-law 1-88 RA3 Residential Zone Requirements	Proposed Exceptions to RA3 Residential Zone
a.	Minimum Lot Area	6,298 m ² or 67 m ² /unit	4,190.18 m ² (does not include road widening) or 44.5 m ² /unit
b.	Minimum Yards	Front Yard – 7.5 m Interior Side Yard - 11.17 m	Front Yard – 4.0 m Interior Side Yard – 3.0 m
c.	Minimum Parking Requirements	165 parking spaces as follows: 1.5 spaces/unit for resident parking and 0.25 spaces/unit for visitor parking	114 parking spaces as follows: 1.10 spaces/unit for resident parking and 0.10 spaces/unit for visitor parking

Other zoning exceptions may be identified through the detailed review of the application.

Analysis and Options

<p>Location</p>	<ul style="list-style-type: none"> ▪ 8294, 8298 and 8302 Islington Avenue, located on the west side of Islington Avenue, south of Gamble Street, being Lots 2, 3 and 4 on Plan M-1107, in Part of Lot 9, Concession 7, City of Vaughan and shown as "Subject Lands" on Attachments #1 and #2. ▪ The subject lands are comprised of an assembly of 3 separate lots all of which have direct frontage onto Islington Avenue, with a total site area including road widening of 4,301.63 m² (4,190 m² minus road widening). The site is relatively flat with a gradual slope towards the western lot line. There are mature trees randomly scattered throughout the site and a heavily treed canopy along the westerly lot line.
<p>Official Plan Designation</p>	<ul style="list-style-type: none"> ▪ "Medium Density Residential" by OPA #597 (Islington Avenue Corridor Secondary Plan). ▪ "Low Rise Residential (2)" by new City of Vaughan Official Plan 2010, which was adopted by Vaughan Council on September 7, 2010 and is pending approval from the Region of York. ▪ The proposal does not conform to the Official Plans. ▪ Please refer to Attachment #8 for a clear understanding of the existing and new official plan policies as compared to the current development application proposal.
<p>Zoning</p>	<ul style="list-style-type: none"> ▪ R2 Residential Zone by By-law 1-88, which permits single and semi-detached dwellings. ▪ The proposal for an apartment building use does not comply with By-law 1-88 and therefore an amendment to Zoning By-law 1-88 to permit the proposed development is required.
<p>Surrounding Land Uses</p>	<ul style="list-style-type: none"> ▪ Shown on Attachment #2.

Preliminary Review

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

	<p>MATTERS TO BE REVIEWED</p>	<p>COMMENT(S)</p>
<p>a.</p>	<p>Conformity with Provincial policies, Regional and City Official Plans</p>	<ul style="list-style-type: none"> ▪ The application will be reviewed in the context of the applicable Provincial policies, and Regional and City Official Plan policies.

	MATTERS TO BE REVIEWED	COMMENT(S)
b.	Appropriateness of Proposed Use, Height and Density	<ul style="list-style-type: none"> ▪ The appropriateness of redesignating and rezoning the subject lands to permit a high density development will be reviewed in the context of the approved, adopted and existing land uses, heights and densities in the area, with particular consideration given to compatibility. ▪ The proposed development is not compatible in terms of height and density, which should be substantially lowered to be in keeping with the recent adopted provisions in the new Vaughan Official Plan 2010. Attachment #8 demonstrates how the proposed height and density is inconsistent with OPA 597 and new CVOP 2010. ▪ Increased side and front yard setbacks should be provided to facilitate an appropriate buffer with the school to the south and provide a better streetscape.
c.	City of Vaughan Official Plan 2010 and Urban Design Guidelines	<ul style="list-style-type: none"> ▪ The applications will be reviewed in the context of the new City of Vaughan Official Plan 2010, as it relates to permitted building types, density and height, and with the Urban Design Guidelines and Character Area policies envisioned for the Islington Avenue Corridor. ▪ Attachment #8 identifies the maximum height and density that can be achieved within the "Low-Rise Residential" designation.
d.	Planning Justification Report	<ul style="list-style-type: none"> ▪ The Planning Justification Report submitted by the applicant must be revised to reflect the current 7-storey proposal for review by the Development Planning Department.
e.	Traffic Impact and Parking Study and Road Widening	<ul style="list-style-type: none"> ▪ The Traffic Impact and Parking Study submitted in support of the applications must be revised to reflect the current 7-storey proposal for review by the Region of York Transportation Services Department and the Vaughan Engineering Department. ▪ The access and road widening identified on the latest plan along Islington Avenue shall be approved by the Region of York Transportation Services Department. ▪ The amount of surface parking should be substantially reduced to address the "heat-island" effect.

	MATTERS TO BE REVIEWED	COMMENT(S)
f.	Sustainable Development	<ul style="list-style-type: none"> ▪ Opportunities for sustainable design, including CEPTD (Crime Prevention Through Environmental Design), LEEDS (Leadership in Energy and Environmental Design), permeable pavers, bio-swales, drought tolerant landscaping, bicycle racks to promote alternative modes of transportation, energy efficient lighting, reduction in pavement and roof-top treatment to address the "heat island" effect, green roofs, etc, will be reviewed and implemented through the site plan approval process, if approved.
g.	Required Supporting Reports and Studies	<ul style="list-style-type: none"> ▪ The following reports and studies are required for the 7-storey proposal: <ul style="list-style-type: none"> - Revised Functional Servicing Report - Tree Inventory and Assessment Report - Record of Site Condition documentation (Site Plan Stage) - Revised Parking Study - Noise Study (Site Plan Stage) - Any other study or report identified as required through the review of the application. ▪ The Phase 1 ESA (Environmental Site Assessment) submitted in support of the application must be approved to the satisfaction of the Vaughan Engineering Department.
h.	Toronto and Region Conservation Authority(TRCA)	<ul style="list-style-type: none"> ▪ The subject lands are located entirely within the TRCA regulation limit. The TRCA is requiring the rear 13.6 m (13.5 m shown) be placed in an open space zone category to protect this wooded area. ▪ The rear portion of the site appears to be within the Regional Forest and Greenland Systems as identified in the Regional Official Plan; accordingly, the applications will be reviewed with respect to the applicable Regional policies.
i	Servicing Allocation Availability	<ul style="list-style-type: none"> ▪ Water and sanitary servicing capacity is currently unavailable to serve the proposed development. ▪ The availability of water and sanitary servicing capacity must be identified and allocated by Council, if approved.

Relationship to Vaughan Vision 2020/Strategic Plan

The applicability of the applications to the Vaughan Vision will be determined when the technical report is considered.

Regional Implications

The applications have been circulated to the Region of York for review and comment. Any issues will be addressed when the technical report is considered.

The Region of York Planning Department has advised that the approval of the Official Plan Amendment Application is a routine matter of local significance and is exempt from Regional Committee approval, if Vaughan Council approves the application.

Conclusion

The preliminary issues identified in this report and any other issues identified through the processing of the applications will be considered in the technical review of the applications, together with comments from the public and Council expressed at the Public Hearing or in writing, and will be addressed in a comprehensive report to a future Committee of the Whole meeting.

In light of the recent work undertaken through the City's Islington Avenue Corridor Study and the City's Official Plan Review, the proposed height and density for the residential apartment proposal must be substantially reduced to be in keeping with policies in OPA 597 and the CVOP 2010.

Attachments

1. Context Location Map
2. Location Map
3. Conceptual Site Plan
4. Conceptual Landscape Plan
5. Conceptual East Elevation
6. Conceptual South Elevation
7. Cross Section
8. OPA Comparison Chart

Report prepared by:

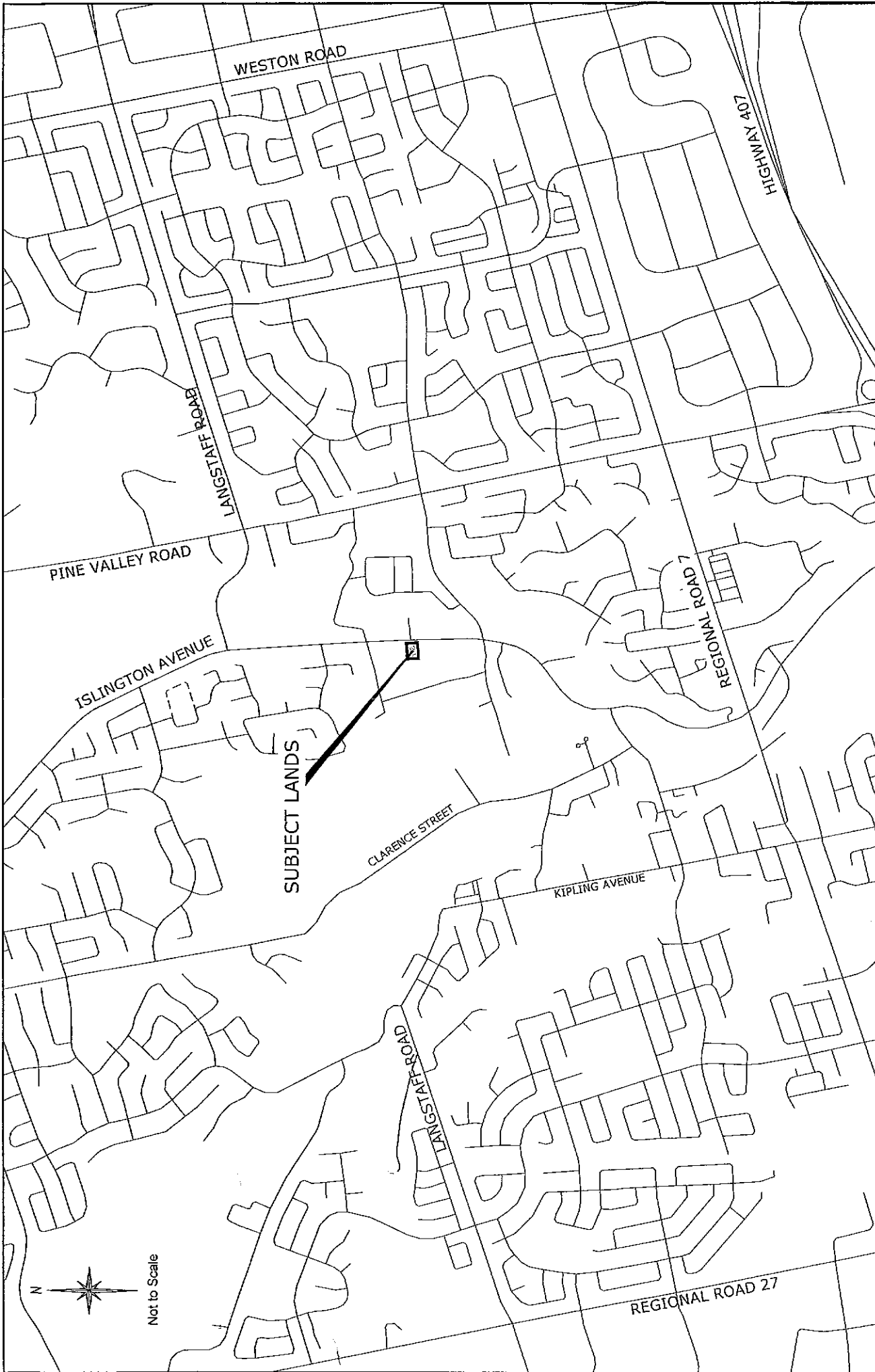
Eugene Fera, Planner, ext. 8064
Christina Napoli, Acting Senior Planner, ext. 8483
Carmela Marrelli, Acting Manager of Development Planning, ext. 8791

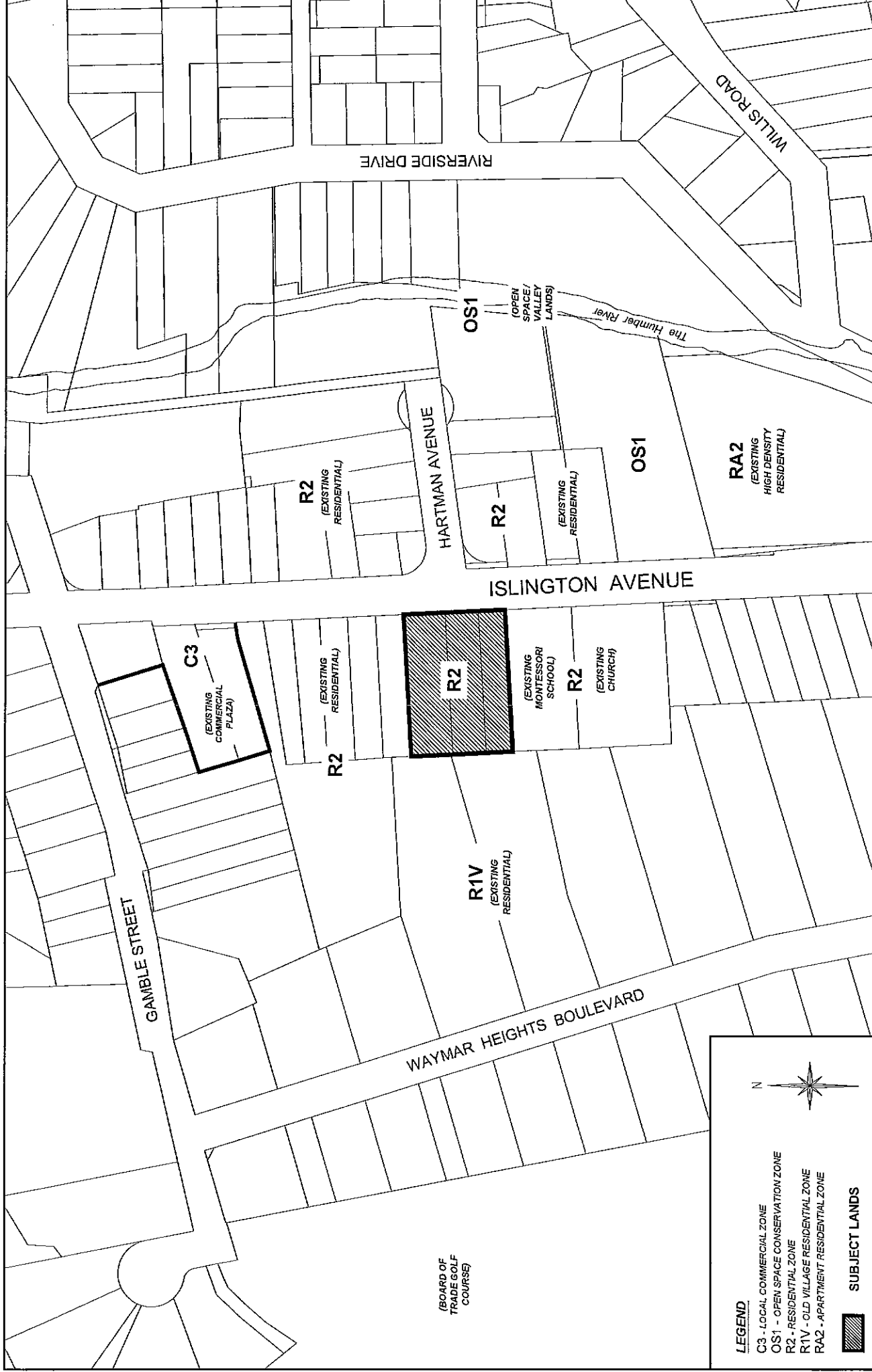
Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

GRANT UYEYAMA
Director of Development Planning

/CM





LEGEND
 C3 - LOCAL COMMERCIAL ZONE
 OS1 - OPEN SPACE CONSERVATION ZONE
 R2 - RESIDENTIAL ZONE
 R1V - OLD VILLAGE RESIDENTIAL ZONE
 RA2 - APARTMENT RESIDENTIAL ZONE
 [Hatched Box] SUBJECT LANDS

Location Map

Location: Part of Lot 9,
 Concession 7

Applicant:
 Vince DiTommaso

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Attachment

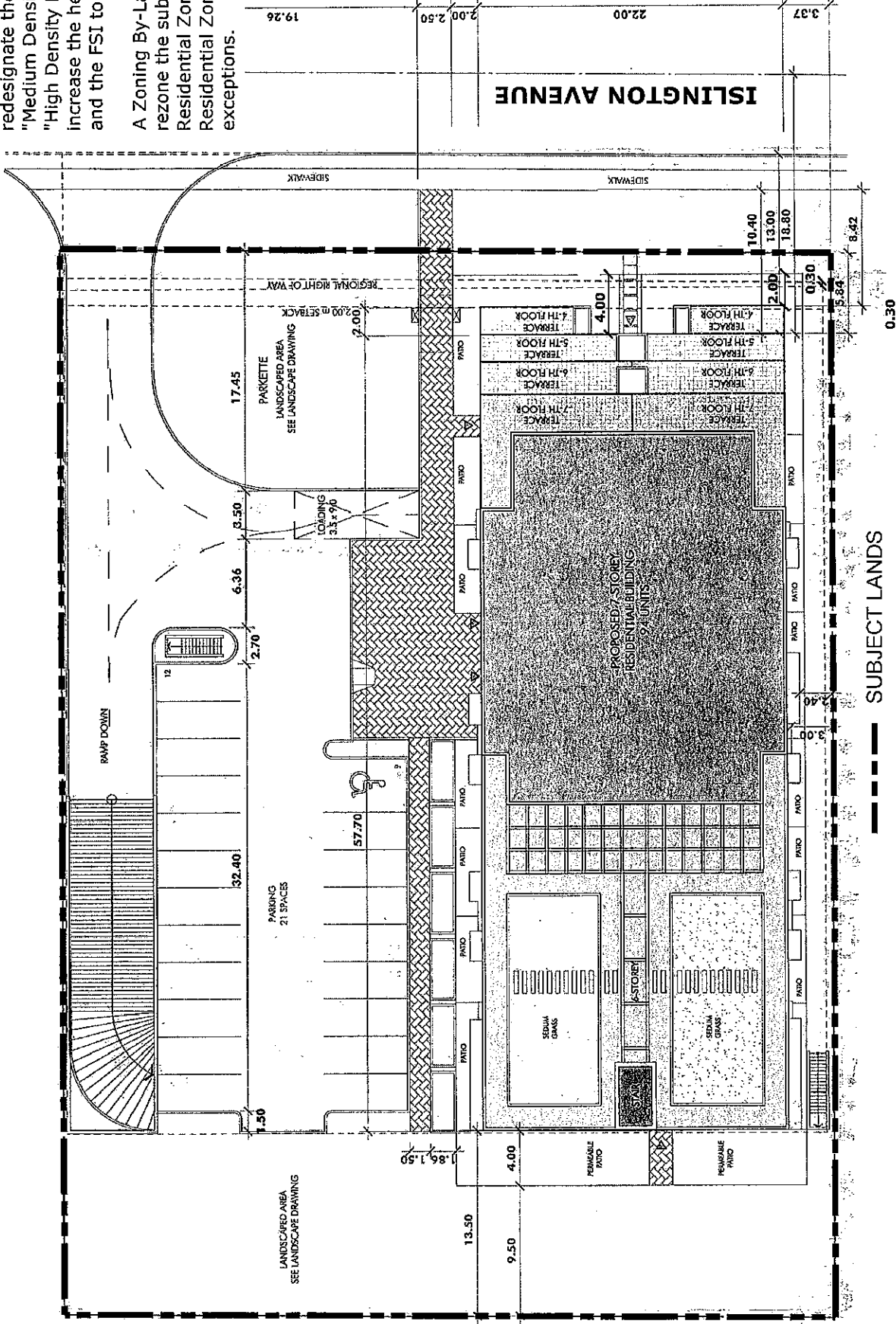
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Date: October 19, 2010

2

An Official Plan Amendment to redesignate the subject lands from "Medium Density Residential" to "High Density Residential" and to increase the height to 7 storeys, and the FSI to 1.53 FSI.

A Zoning By-Law Amendment to rezone the subject lands from R2 Residential Zone to RA3 Apartment Residential Zone, with site-specific exceptions.



Conceptual Site Plan

Location: Part of Lot 9,
Concession 7

Applicant:
Vince DiTommaso

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Attachment

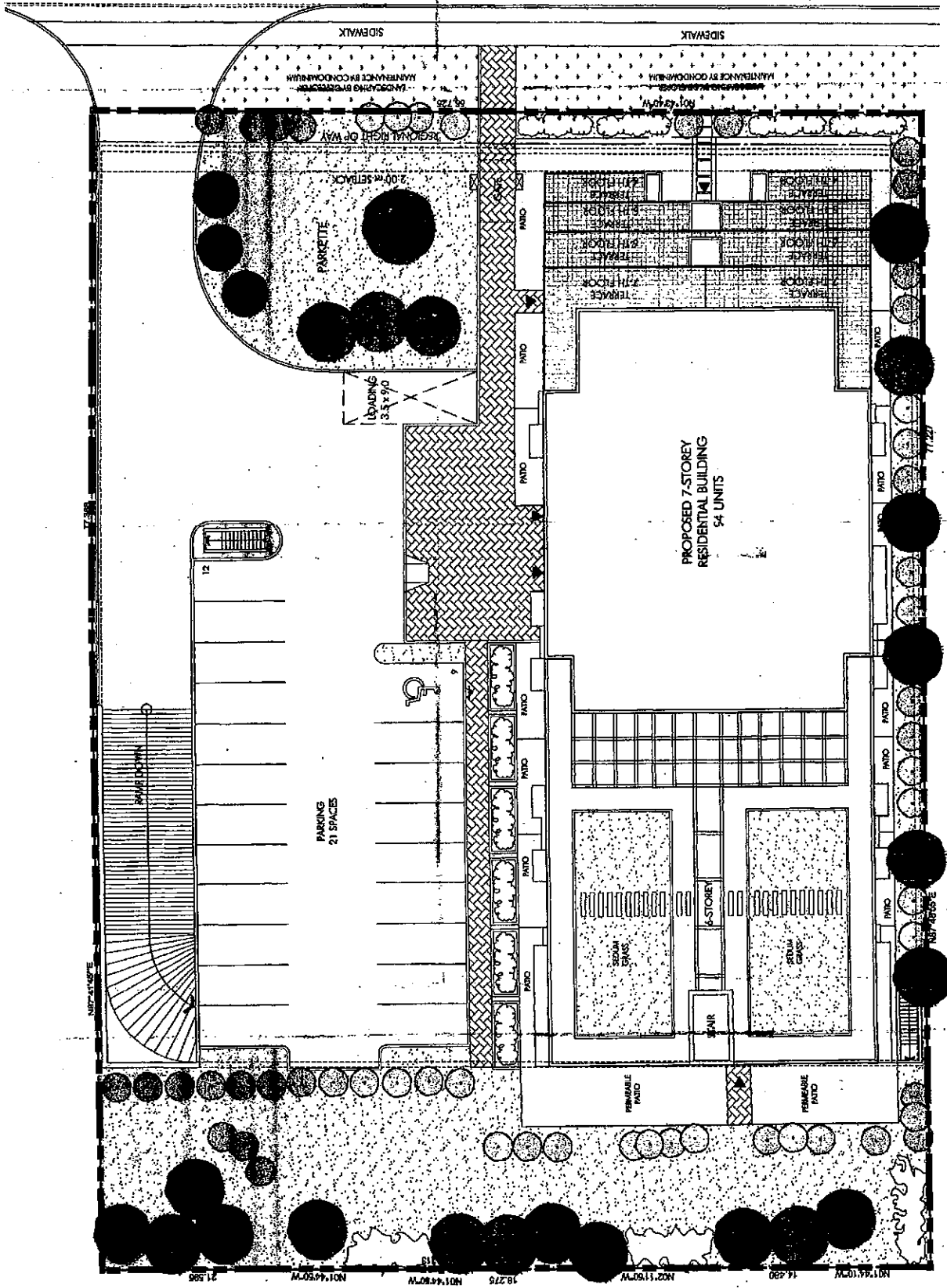
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Date: November 29, 2010



Development Planning Department



ISLINGTON AVENUE

--- SUBJECT LANDS

Conceptual Landscape Plan

Location: Part of Lot 9,
Concession 7

Applicant:
Vince DiTommaso

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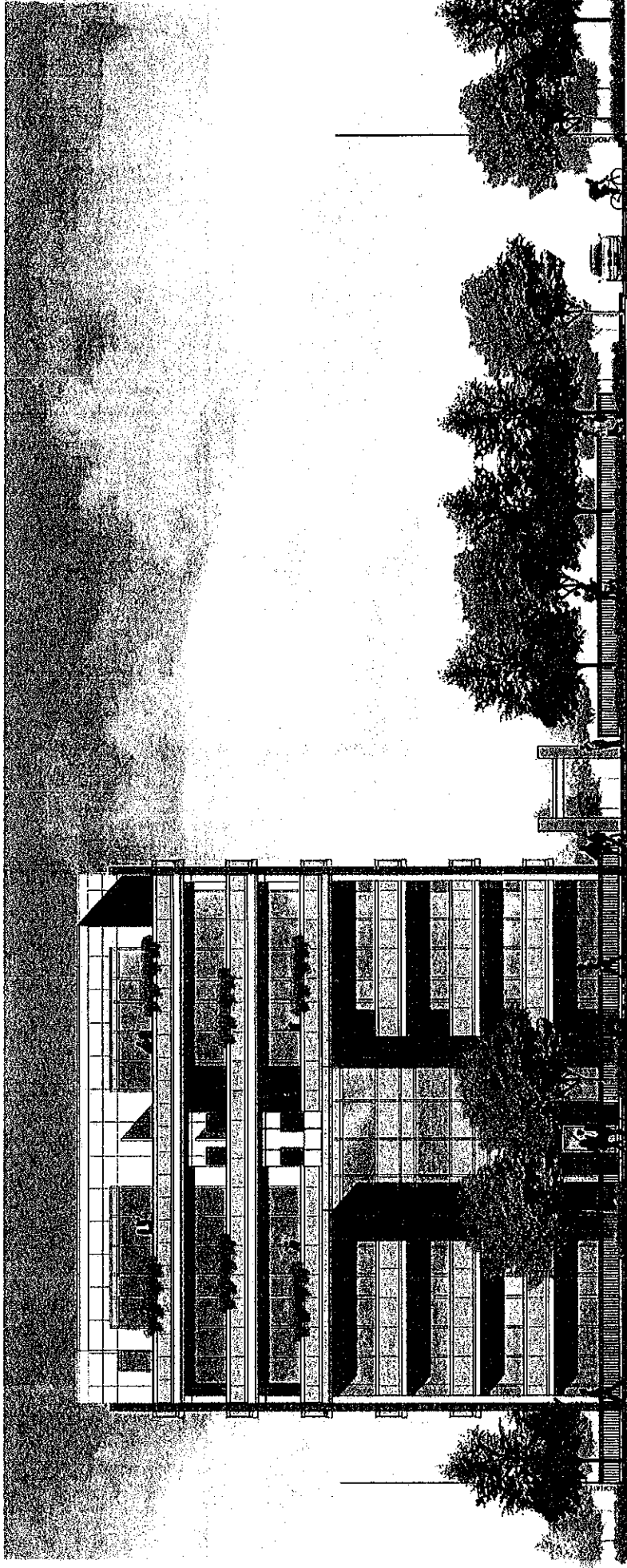
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Date: November 29, 2010



4



EAST ELEVATION
(FACING ISLINGTON AVENUE)

Conceptual East Elevation

Location: Part of Lot 9,
Concession 7

Applicant:
Vince DiTommaso

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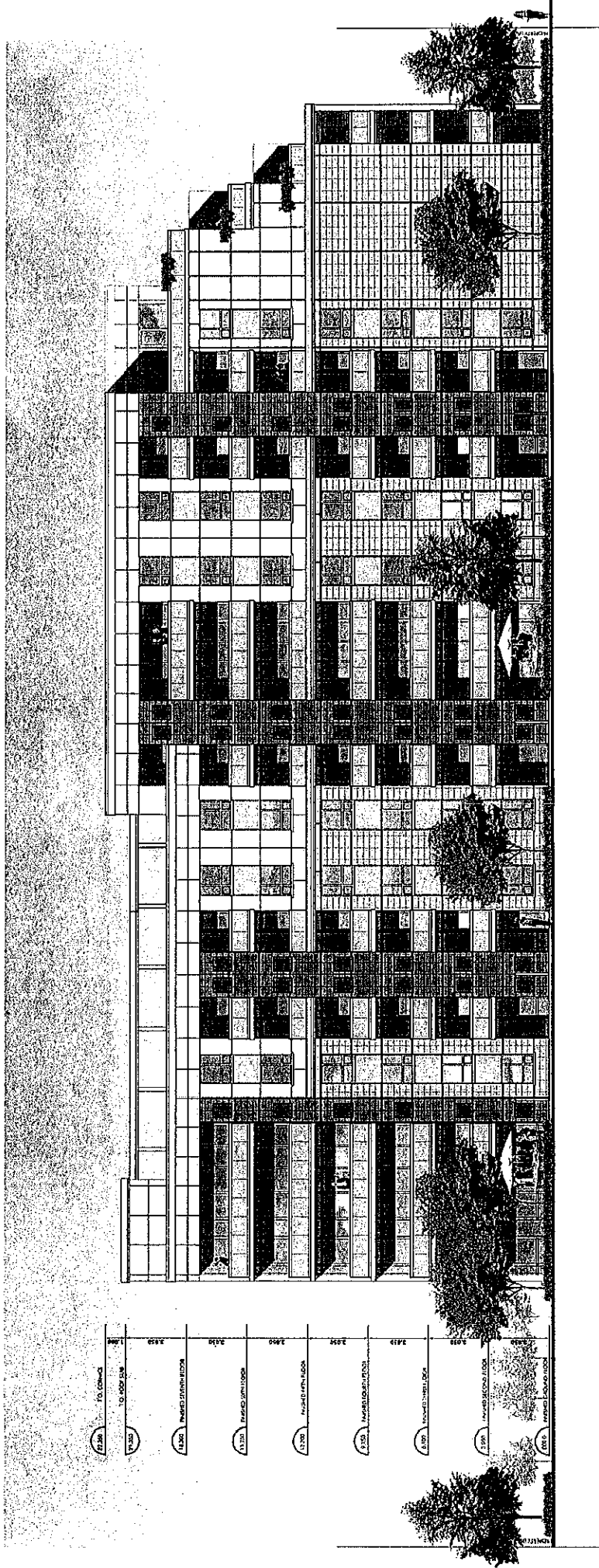


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Date: October 19, 2010



SOUTH ELEVATION

Conceptual South Elevation

Location: Part of Lot 9,
Concession 7

Applicant:
Vince DiTommaso

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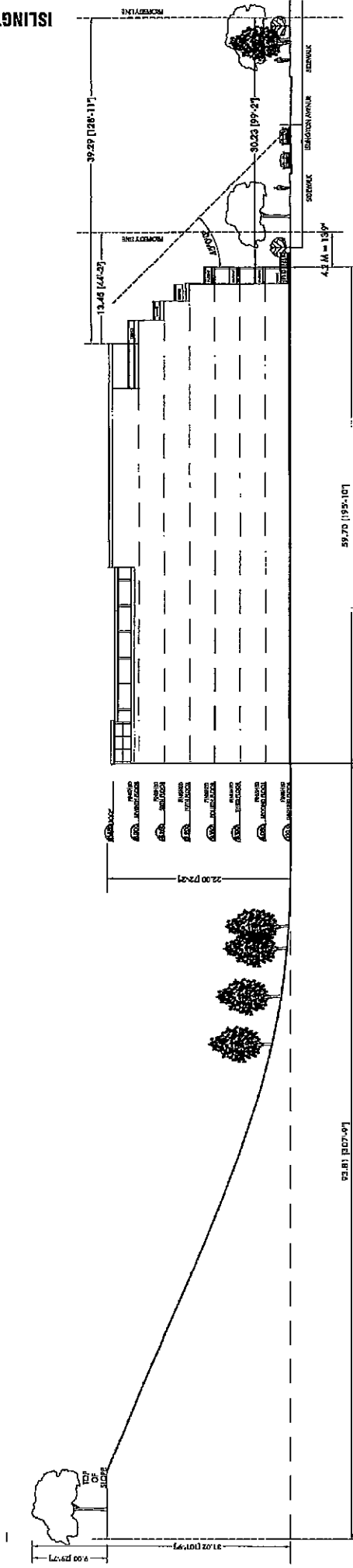
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Date: October 19, 2010





Cross Section

Location: Part of Lot 9,
Concession 7

Applicant:
Vince DiTommaso

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Attachment

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& Z-08.048
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Date: October 19, 2010



Official Plan and Designation	Maximum FSI	Maximum FSI + Applicable Bonusing	Maximum Height (Storeys)
Low-Rise Residential (CVOP 2010)	0.5	$0.5 + 0.5 = 1.0$	3.5
Medium Density Residential (OPA 597) * Current designation in effect	0.5	$0.5 + 0.05 = 0.55$	3.5
High Density Residential (OPA 597)	1.0	$1 + 0.1 = 1.1$	5
Proposed Development (Amendment to High Density Residential under OPA 597)	1.53	1.53	7

Note: The proposed development applications propose to redesignate the subject lands from "Medium Density Residential" to "High Density Residential" and to permit an increase in the maximum FSI and height permitted in the "High Density Residential" designation of OPA #597 from 5 storeys and 1.0 FSI to 7 storeys and FSI of 1.53, respectively.

OPA Comparison Chart

Location: Part of Lot 9,
Concession 7

Applicant:
Vince DiTommaso

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Date: November 30, 2010