

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 039-2018

A By-law to adopt Amendment Number 25 to the Vaughan Official Plan 2010 for the Vaughan Planning Area.

NOW THEREFORE the Council of the Corporation of the City of Vaughan ENACTS AS FOLLOWS:

1. THAT the attached Amendment Number 25 to the Vaughan Official Plan 2010 of the Vaughan Planning Area, consisting of the attached text and Schedule(s) “1” is hereby adopted.
2. AND THAT this By-law shall come into force and take effect the day after the last day for filing a notice of appeal.

Enacted by City of Vaughan Council this 20th day of March, 2018.

Hon. Maurizio Bevilacqua, Mayor

Todd Coles, Deputy City Clerk

AMENDMENT NUMBER 25
TO THE OFFICIAL PLAN
OF THE VAUGHAN PLANNING AREA

The following text and Schedule “1” constitutes Amendment Number 25 to the Official Plan of the Vaughan Planning Area.

Also attached hereto but not constituting part of the Amendment are Appendices "I" and "II".

I PURPOSE

The purpose of this Amendment to the Official Plan is to amend the provisions of the Official Plan of the Vaughan Planning Area, specifically Volume 1, Section 9.2.2.2.c regarding areas designated “Low-Rise Mixed-Use” and located in “Intensification Areas (Local Centre)” and Sections 9.1.2.2 and 9.1.2.3 regarding the compatibility of new development within established “Community Areas”, to permit:

1. Semi-detached units within the “Low-Rise Mixed-Use” designation and townhouse units fronting onto Keele Street, along with limited commercial uses on the ground floor only of the the existing William Bailey Heritage House to animate the street; and
2. The new development of 11 townhouse units, 4 semi-detached units and to maintain and convert the William Bailey Heritage dwelling within an established “Community Area” designed to respect and reinforce the physical character of the established neighbourhood within which it is located and conserve and enhance the existing heritage building.

II LOCATION

The lands subject to this Amendment, hereinafter referred to as "Subject Lands", are located on the east side of Keele Street, south of Major Mackenzie Drive and are municipally known as 9869, 9881 and 9891 Keele Street, being Part of Lots 19 and 20, Concession 3, City of Vaughan, as shown on Schedule "1" attached hereto as “Area Subject to Amendment No. 25”.

III BASIS

The decision to amend City of Vaughan Official Plan 2010 (VOP 2010) is based on the following considerations:

1. The Provincial Policy Statement 2014 (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS is applied province-wide and provides direction to support strong communities, a strong economy and a clean and healthy environment. The proposed development is consistent with the intent of the settlement areas and housing policies of the PPS, which promote the efficient use of land and support a healthy community. The subject lands are located along Keele Street, a planned Regional Transit Priority Network and Regional Cycling Network, and are located in close proximity to existing retail and service commercial uses. The location of the proposed development supports alternate modes of transportation such as transit, cycling and walking while using existing infrastructure more efficiently and minimizing land consumption. The proposed residential development also provides two housing types, thereby contributing to the range of housing types to meet the needs of the City.

2. The Provincial Growth Plan for the Greater Golden Horseshoe 2017 (“Growth Plan”) is intended to guide the development of land; encourage compact built form, transit supportive communities, diverse land uses, and a range and mix of housing types; and, direct growth to settlement areas that offer municipal water and wastewater systems. The Growth Plan states that a focus for transit and infrastructure investment to support future growth can be provided by concentrating new development in these areas and creating complete communities with diverse housing types.

The proposed development conforms with the policy framework of the Growth Plan as it makes a more efficient use of the Subject Lands and existing infrastructure, is located adjacent to existing and planned transit and provides two housing types at a higher density than currently exists on the site.

3. The York Region Official Plan 2010 (YROP 2010) designates the subject lands as “Urban Area” by Map 1 - “Regional Structure”, which permits a range of residential, commercial, industrial and institutional uses, subject to additional policy criteria. Official Plan Amendment File OP.15.009 was reviewed by York Region and considered to be of local significance and in accordance with Regional Official Plan policy 8.3.8, the proposed Amendment does not adversely affect Regional planning policies or interests.

4. VOP 2010 designates the northern half of the property “Low-Rise Mixed-Use” within an “Intensification Area” which does not permit semi-detached units and the Intensification Area policies require that the ground floor frontage of buildings facing arterial and collector streets shall predominately consist of retail uses or other active uses that animate the street. Retail and other commercial uses that animate the street are proposed along the ground floor of the existing heritage dwelling. The remaining frontage along Keele Street will consist of 5 townhouse and 2 semi-detached dwelling units.

The southern half of the property is designated “Low-Rise Residential” by VOP 2010, which permits detached, semi-detached and townhouse units. The lands are also within a “Community Area” as identified in Schedule 1, “Urban Structure” of VOP 2010, and subject to Section 9.1.2.2 and 9.1.2.3 regarding the compatibility criteria, urban design and built form. There is no associated density requirement prescribed by this designation. The compatibility criteria directs that new development should be designed to respect and reinforce the physical character of the established neighbourhood within which it is located.

The proposed townhouse and semi-detached development is located on Keele Street, an arterial road, with an existing apartment building to the north, a cemetery to the south and existing and

approved residential townhouses on the west side of Keele Street. The townhouse form of development acts as a transition between the surrounding detached dwellings and the mix of development forms along Keele Street, which include low-rise apartment buildings.

The Subject Lands are located within the “Village of Maple Heritage Conservation District” (VMHCD), and are subject to Section 12.2.1.1c “Heritage Conservation District” in Volume 2 of VOP 2010, and are therefore designated under Part V of the Ontario Heritage Act (OHC). The subject lands are identified as a contributing property that contain the heritage dwelling known as the “William Bailey Residence” in situ constructed circa 1890. The VMHCD is divided into distinct areas and the Subject Lands are located within the “Village Commercial Core” area which allows for taller structures (3-storeys). Intensification within the Village Commercial Core is permitted as long as it respects the existing heritage character of the streetscape and existing buildings. The Owner intends to maintain and restore the existing William Bailey Residence in situ and convert it into a mixed-use building containing ground floor commercial uses and a residential dwelling unit on the second floor.

In recognition of the increased development pressure stable residential neighbourhoods are facing, Council directed Staff to undertake a policy review of the Low-Rise Residential designation of VOP 2010 in October 2015. Following Council’s direction, the Policy Planning and Environmental Sustainability Department initiated the Community Area Policy Review for Low-Rise Residential Designations, which has resulted in the Council adopted Urban Design Guidelines for Infill Development in Established Low-Rise Residential Neighbourhoods (“Guidelines”) and the Community Area Policy Review for Low-Rise Residential Designations Study (“Study”). The Guidelines were approved by Vaughan Council on October 19, 2016. The Study was approved by Vaughan Council on April 19, 2017, and a future Official Plan Amendment to implement the Study recommendations will be forwarded to Vaughan Council for adoption at a future date.

The subject development applications were deemed “Complete” on February 8, 2016, prior to Vaughan Council approval of the Guidelines. However, the proposed development has regard to the following Guidelines:

- 7 of the proposed units front onto a public street (Keele Street);
- The rear units that front onto the private road are oriented to avoid the front façade facing the rear of the units which face Keele Street;
- The front and interior yard setbacks, 4.5 m and 1.5 m respectively, are consistent with the Guidelines;

- The Guidelines suggest a minimum unit size of 6 m x 12 m. The proposed townhouse units are 6 m wide with the exception of 2 units which are 5.5 m wide, and have depths of 11.2 m and 13.6 m (Keele Street townhouses);
- A minimum 50% of the front yard consists of soft landscaping;
- The townhouse blocks contain a maximum of 5 units;
- For the units facing Keele Street, the front yards contain direct access to each unit from the sidewalk and an internal walkway is proposed;
- The building height and massing is compatible with the character of the surrounding neighbourhood;
- The Guidelines suggest that each townhouse should have a private backyard. The units that front onto the private road have front and rear yards whereas, the units that front onto Keele Street have a private front yard and a private amenity in the form of a balcony space over the garage;
- The common amenity area around the heritage dwelling is located in a prominent location, visible and easily accessed from all units;
- The architecture and building materials respect and complement the character of the surrounding residential area and have been approved by Heritage Vaughan;
- A single point of access (shared driveway) is provided;
- A vehicular turnaround accommodates proper turning movements and satisfies the City of Vaughan's Waste Collection Design Standard Policy;
- Visitor parking is located at the rear of the site;
- Pedestrian circulation areas are barrier free and landscaped;
- York Region is satisfied with the proposed grading at the property line;
- The retaining wall located at the northeast corner of the property is under 1 m in height; and
- Impermeable surfaces in the landscaped areas are minimized and permeable pavers are proposed as part of the Stormwater Management Plan.

In consideration of the above, the Development Planning Department is satisfied that the proposed development has regard for the "Community Area" policies of VOP 2010, and the Council approved Guidelines, which form the VOP2010 policies. The proposal provides a low-rise residential development that is appropriate and compatible, but not identical, with the surrounding development(s).

5. The statutory Public Hearing was held on May 31, 2016. The recommendation of the Committee of the Whole was to receive the Public Hearing report and to forward a comprehensive report to a future Committee of the Whole meeting. The recommendation of the Committee of the Whole was

ratified by Vaughan Council on June 7, 2016. Subsequently on December 11, 2017, Vaughan Council ratified the December 5, 2017, Committee of the Whole recommendation, to approve Official Plan and Zoning By-law Amendment, Draft Plan of Subdivision and Site Development Files OP.15.009, Z.15.037, 19T-15V015 and DA.15.090 (Empire Pace (Maple) Ltd).

- 6. On April 29, 2016, York Region exempted this Amendment from Regional approval, in accordance with Regional Official Plan Policy 8.3.8. as it does not adversely affect Regional planning policies or interests.

IV DETAILS OF THE AMENDMENT AND POLICIES RELATIVE THERETO

Amendment No. 25 to the Official Plan of the Vaughan Planning Area, is hereby amended by:

- 1. Amending Schedule 14-C “Areas Subject to Site Specific Plans” of VOP 2010 by adding the lands on Schedule 1 to this Amendment attached hereto municipally known as 9869, 9881 and 9891 Keele Street, identified on Schedule 14-C as item #39.

- 2. Amending Section 13.1 Volume 2 “Areas Subject to Site Specific Policies” by adding the following policy to be renumbered in sequential order:

“(OPA #25) 13.1.1.39 The lands known municipally as 9869, 9881 and 9891 Keele Street are identified on Schedule 14-C (as item #39) and are subject to the policies set out in Section 13.40 of this plan.”

- 3. Adding the following policies to Section 13 Volume 2 “Site Specific Policies”, and renumber in sequential order including a location map of the subject lands as per Schedule 1.

“(OPA #25)	13.40	9869, 9881 and 9891 Keele Street
	13.40.1	General
	13.40.1.1	The following policies shall apply to the lands identified on Map 13.40.A.
	13.40.1.2	Notwithstanding Sections 9.1.2.2 and 9.1.2.3 respecting new development within established “Community Areas” 11 townhouse units and 4 semi-detached units are permitted on the

lands identified on Map 13.40.A. Site-specific development standards shall be established in the implementing zoning by-law.

- 13.40.1.3 Notwithstanding Section 9.2.2.2.c respecting areas designated “Low-Rise Mixed-Use” and located in “Intensification Areas (Local Centre)”, the lands identified on Map 13.40.A shall permit semi-detached units within the “Low-Rise Mixed-Use” designation and townhouse dwellings fronting onto Keele Street.”

V IMPLEMENTATION

It is intended that the policies of the Official Plan of the Vaughan Planning Area pertaining to the Subject Lands will be implemented by way of an amendment to the City of Vaughan Comprehensive Zoning By-law 1-88, Draft Plan of Subdivision Approval and Site Development approvals, pursuant to the *Planning Act*, R.S.O. 1990, c. P.13.

VI INTERPRETATION

The provisions of the Official Plan of the Vaughan Planning Area as amended from time to time regarding the interpretation of that Plan shall apply with respect to this Amendment.

APPENDIX I

The subject lands are located on the east side of Keele Street, south of Major Mackenzie Drive and are municipally known as 9869, 9881 and 9891 Keele Street, being Part of Lot 19 and 20, Concession 3, City of Vaughan.

The purpose of this Amendment is to amend the policies of Vaughan Official Plan 2010 (VOP 2010) to permit the development of the subject lands with eleven 3-storey townhouse units, four 3-storey semi-detached units and to convert the existing heritage dwelling (William Bailey Residence) into a mixed-use building with commercial space on the ground floor and a residential dwelling unit on the second floor.

On December 11, 2017, Vaughan Council ratified the December 5, 2017, recommendation of the Committee of the Whole to approve Official Plan Amendment File OP.15.009 (Empire Pace (Maple) Ltd.) as follows:

- “1. *THAT Official Plan Amendment File OP.15.009 (Empire Pace (Maple) Ltd.) BE APPROVED, to amend the following policies of Vaughan Official Plan 2010 for the subject lands shown on Attachments #2 and #3:*

 - a) *Section 9.2.2.2.c) respecting areas designated “Low-Rise Mixed-Use” and located in Intensification Areas (Local Centre) to permit semi-detached units within the “Low-Rise Mixed-Use” designation and townhouse dwellings fronting onto Keele Street; and*
 - b) *Sections 9.1.2.2 and 9.1.2.3 respecting new development within established “Community Areas” to permit the development of 11 townhouse units and 4 semi-detached units, as shown on Attachment #4.*
2. *THAT Zoning By-law Amendment File Z.15.037 (Empire Pace (Maple) Ltd.) BE APPROVED, to amend Zoning By-law 1-88, to rezone the subject lands from RA2 Apartment Residential Zone, as shown on Attachment #3, and subject to Exception 9(1194) to RT1 Residential Townhouse Zone, in the manner shown on Attachment #4, together with the site-specific zoning exceptions identified in Table 1 of this report.*
1. *THAT Draft Plan of Subdivision File 19T-15V015 (Empire Pace (Maple) Ltd.) BE APPROVED, to facilitate the creation of one block (under a single registered M-Plan), in the manner shown on Attachment #8, subject to the Conditions of Approval set out in Attachment #1.*
2. *THAT Vaughan Council adopt the following resolution for the allocation of water and sewage servicing capacity:*

“IT IS HEREBY RESOLVED THAT Site Development File DA.15.090 be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 15 residential units (47 persons equivalent).”
3. *THAT Site Development File DA.15.090 (Empire Pace (Maple) Ltd.) BE APPROVED, to permit the development of the subject lands with eleven 3-storey townhouse units, four 3-storey semi-detached units and to convert the existing heritage dwelling (William Bailey Residence) into a mixed-use building with commercial space on the ground floor and a residential dwelling unit on the second floor, as shown on Attachments #4 to #7, subject to the following conditions:*

 - a) *that prior to the execution of the Site Plan Agreement:*

 - i) *the Development Planning Department shall approve the final site plan including the location of the air conditioning units, landscape plan, landscape cost estimate and photometric plan;*
 - ii) *the Parks Development Department and the Transportation Services, Parks and Forestry Department shall approve the final grading plan as it relates to the adjacent cemetery lands;*
 - iii) *the Development Engineering Department shall approve the final site plan including on-site traffic signage, site servicing and grading plans, Stormwater Management Report, Functional Servicing Report and Acoustical Study; and*
 - iv) *the Owner shall satisfy all requirements of York Region.*

- b) *that the Site Plan Agreement shall include the following conditions:*
- i) *the Owner shall agree to include in all Offers of Purchase and Sale or Lease and in the Condominium Agreement and Declaration, a clause, to the satisfaction of the Development Engineering Department, advising purchasers/tenants/lessees that the Servicing Plan includes foundation drainage for each townhouse unit to be discharged via a sump pump installed in a sump pit below the basement level;*
 - ii) *the Owner shall pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland, prior to the issuance of a Building Permit, in accordance with the Planning Act and the City's Cash-in-lieu of Parkland Policy. The Owner shall submit an appraisal of the subject lands, in accordance with Section 42 of the Planning Act, prepared by an accredited appraiser for approval by the Office of the City Solicitor, Real Estate Department, and the approved appraisal shall form the basis of the cash-in-lieu payment;*
 - iii) *the Owner shall pay to the City of Vaughan a one-time payment of \$7,415.00 for the maintenance of the enhanced landscape features within the Keele Street right-of-way to the satisfaction of the Development Planning Department prior to the execution of the Site Plan Agreement;*
 - iv) *the Owner shall provide a separate Letter of Credit in the amount of \$150,000.00 (calculated at an amount of \$100.00 per square foot), for the conservation of the William Bailey Residence prior to the issuance of a Heritage Permit. Upon the completion of the works identified in the approved Conservation Plan for the William Bailey Residence, to the satisfaction of the Vaughan Development Planning Department, Urban Design and Cultural Heritage Division, the Letter of Credit shall be returned to the Owner; and*
 - v) *the Owner shall agree to include in all Offers of Purchase and Sale or Lease, a clause advising purchasers/tenants/lessees that sound levels due to increasing road traffic may occasionally interfere with some activities of the dwelling unit occupants as the sound levels may exceed the Ministry of the Environment and*