

## **CITY OF VAUGHAN**

### **EXTRACT FROM COUNCIL MEETING MINUTES OF JANUARY 30, 2018**

Item 2, Report No. 3, of the Committee of the Whole (Public Hearing), which was adopted without amendment by the Council of the City of Vaughan on January 30, 2018.

#### **2                    OFFICIAL PLAN AMENDMENT FILE OP.17.001                       ZONING BY-LAW AMENDMENT FILE Z.17.002                       DRAFT PLAN OF SUBDIVISION FILE 19T-17V001                       9773 KEELE DEVELOPMENT INC.                       VICINITY OF KEELE STREET AND BARRHILL ROAD - WARD 1**

The Committee of the Whole (Public Hearing) recommends:

- 1) That the recommendation contained in the following report of the Deputy City Manager, Planning and Growth Management, dated January 23, 2018, be approved;
- 2) That community meetings organized by the Local Councillor be held as required, with the applicant, 3 to 4 members of the ratepayer's groups, Regional Councillors and appropriate staff, to address outstanding issues; and
- 3) That the following deputations and communication, be received:
  1. Mr. Ryan Mino-Leahan, KLM Planning Partners Inc., Jardin Drive, Concord, representing the applicant;
  2. Ms. Jana Manolakos, Keele Street, Maple;
  3. Mr. William Manolakos, Keele Street, Maple, and Communication C3, dated March 5, 2017; and
  4. Mr. Richard Lorello, Treelawn Boulevard, Kleinburg.

#### **Purpose**

To receive comments from the public and the Committee of the Whole on Official Plan Amendment File OP.17.001, Zoning By-law Amendment File Z.17.002 and Draft Plan of Subdivision File 19T-17V001 for the subject lands shown on Attachments #1 and #2, to permit the development of 12, 3-storey freehold townhouse units accessed by a private common element condominium road and the relocation of the George Keffer House heritage dwelling on the subject site, as shown on Attachments #3 to #5.

#### **Recommendation**

1. THAT the Public Hearing report for Files OP.17.001, Z.17.002 and 19T-17V001 (9773 Keele Development Inc.) BE RECEIVED; and that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole.

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#### **Report Highlights**

- To receive input from the public and the Committee of the Whole on a proposed townhouse development consisting of 12 units and the relocation of the George Keffer House heritage dwelling.
- Official Plan and Zoning By-law Amendments are required to permit the development.
- A technical report to be prepared by the Development Planning Department will be considered at a future Committee of the Whole meeting.

#### **Background**

The subject lands are located on the east side of Keele Street, south of Barrhill Road, and are known municipally as 9773 Keele Street, shown as “Subject Lands” on Attachments #1 and #2. The surrounding land uses are shown on Attachment #2.

#### ***Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision Applications have been submitted to permit the development***

The Owner has submitted the following applications for the subject lands shown on Attachments #1 and #2 to permit 12 freehold townhouse units accessed by a private common element condominium road and the relocation of the George Keffer House heritage dwelling, as shown on Attachments #3 to #5:

1. Official Plan Amendment File OP.17.001 to amend the policies of Vaughan Official Plan 2010 Volume 1, specifically Sections 9.1.2.2, 9.1.2.3 and 9.2.3.2, respecting the compatibility criteria for new development within “Community Areas” and the development criteria for townhouses.
2. Zoning By-law Amendment File Z.17.002 to amend Zoning By-law 1-88 to rezone the subject lands from R1 Residential Zone, as shown on Attachment #2, to RT1 Residential Townhouse Zone in the manner shown on Attachment #3, together with the site-specific zoning exceptions identified in Table 1.
3. Draft Plan of Subdivision File 19T-17V001, as shown on Attachment #4, consisting of one 0.301 ha block (Block 1) to permit the future Draft Plan of Condominium (Common Elements) tenure for the proposed development and one 0.026 ha block (Block 2) for the Keele Street road widening.

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

- a) Date the Notice of Public Hearing was circulated: November 10, 2017.

The Notice of Public Hearing was also posted on the City's web-site at [www.vaughan.ca](http://www.vaughan.ca) and a Notice Sign was installed along the Keele Street frontage in accordance with the City's Notice Signs Procedures and Protocols.

- b) Circulation Area: 150 m

- c) Comments Received:

- i) A. and J. Sirianni, submitted email correspondence dated March 30, 2017, expressing concern with the potential for increased traffic, congestion and the impact on existing infrastructure.
- ii) B. and J. Manolakos, submitted email correspondence dated March 5, 2017, concerned that the proposal does not follow the city's guidelines for development within established neighbourhoods and that the development industry is destabilizing the area by leaving homes in the area unoccupied.

Any additional written comments received will be forwarded to the Office of the City Clerk to be distributed to the Committee of the Whole as a Communication. All written comments that are received will be reviewed by the Development Planning Department as input in the application review process and will be addressed in a technical report to be considered at a future Committee of the Whole meeting.

#### **Previous Reports/Authority**

Not applicable.

#### **Analysis and Options**

##### ***An amendment to Vaughan Official Plan 2010 is required to permit the proposed development***

The subject lands are designated "Low-Rise Residential" by Vaughan Official Plan 2010 (VOP 2010) and are located within a "Community Area" as identified on Schedule 1, "Urban Structure" of VOP 2010. This designation permits detached and townhouse dwelling units having a maximum permitted building height of 3-storeys, and there is no associated density requirement.

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The subject lands are located within the “Village of Maple Heritage Conservation District Plan” and are subject to the policies of Section 12.2.1.1c “Heritage Conservation Districts” in Volume 2 of VOP 2010.

VOP 2010 identifies compatibility criteria for new development in a “Community Area”. The compatibility criteria direct that new development is designed to respect and reinforce the physical character of the established neighbourhood within which it is located. In addition, new development in a “Community Area” within established development areas shall pay particular attention to local lot patterns, size and configuration, and existing building types with similar setbacks.

Section 9.2.3.2. in VOP 2010 identifies development criteria for townhouse dwelling units, which states that townhouses shall be up to 3-storeys in height and not more than six attached residential units in a row. Proposed townhouse Building “C” is designed with seven units in a row.

The Owner has provided a Planning Justification Report (including an Urban Design Brief), to address the development criteria for townhouses, which must be reviewed to the satisfaction of the Development Planning Department.

VOP 2010 permits limited intensification in Community Areas provided the proposed development is sensitive to and compatible with the character, form and planned function of the surrounding context.

The proposed development is located on Keele Street, being a regional road, abutting larger lots developed with detached dwellings. An amendment to VOP 2010 is required to address the compatibility and built form policies.

#### ***Amendments to Zoning By-law 1-88 are required to permit the proposed development***

The subject lands are zoned R1 Residential Zone by Zoning By-law 1-88. The R1 Residential Zone permits only detached dwellings on lots having a minimum lot frontage and area of 18 m and 540 m<sup>2</sup>, respectively.

The Owner is proposing to develop the site with townhouse units, which is not a permitted use in the R1 Zone. The Owner is proposing to rezone the subject lands to RT1 Residential Townhouse Zone, together with the site-specific zoning exceptions.

The development proposal does not comply with Zoning By-law 1-88, and therefore, an amendment to Zoning By-law 1-88 is required to permit the development shown on Attachments #3 to #5. The following site-specific zoning exceptions to the RT1 Residential Townhouse Zone are required to permit the development:

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Table 1:

	Zoning By-law 1-88 Standard	RT1 Residential Townhouse Zone Requirements	Proposed Exceptions to the RT1 Residential Townhouse Zone Requirements
a.	Definition of a “Lot”	Means a parcel of land fronting onto a public street.	Means a parcel of land fronting onto a public or private street.
b.	Definition of a “Street”	Means a street or highway under the jurisdiction of a public authority.	Means a street or private street owned and maintained by a condominium corporation on behalf of the unit owners.
c.	Definition of a “Street Townhouse Dwelling”	Means a townhouse dwelling in which each dwelling unit is situated on its own lot which abuts a public street.	Means a townhouse dwelling in which each dwelling unit is situated on its own lot which abuts a private street.
d.	Definition of a “Street Line”	Means the dividing line between a lot and a street or the dividing line between a lot and a reserve abutting a street.	Means the dividing line between a lot and a street or private street or the dividing line between a lot and a reserve abutting a street or private street.
e.	Frontage on a Public Street	No person shall erect a building unless the lot upon which it is located fronts upon a public street.	No person shall erect a building unless the lot upon which it is located fronts upon a public or private street.

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	Zoning By-law 1-88 Standard	RT1 Residential Townhouse Zone Requirements	Proposed Exceptions to the RT1 Residential Townhouse Zone Requirements
f.	Permitted Uses	Street Townhouse Dwelling	Permit a detached dwelling (Existing relocated George Keffer House)
g.	Maximum Number of Units in a Row	6 units	7 units (Building “C” as shown on Attachment #3)
h.	Minimum Lot Frontage	6 m	-5.5 m (Building “B” - Units B1 to B5)  -5 m (Building “C” - Units C1 to C7)
i.	Minimum Front Yard Setback	4.5 m	0 m (Relocated George Keffer House)
j.	Minimum Lot Area	162 m <sup>2</sup> /unit	125 m <sup>2</sup> /unit
k.	Minimum Rear Yard Setback (East)	7.5 m	6 m
l.	Minimum Exterior Yard Setback	4.5 m	3 m (Building “B”)

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	Zoning By-law 1-88 Standard	RT1 Residential Townhouse Zone Requirements	Proposed Exceptions to the RT1 Residential Townhouse Zone Requirements
m.	Minimum Lot Depth	27 m	23 m
n.	Minimum Number of Visitor Parking Spaces	13 units @ 0.25 spaces per unit = 4 parking spaces	13 units@ 0.23 spaces per unit = 3 visitor parking spaces

Additional zoning exceptions may be identified through the detailed review of the applications and will be considered in a technical report to a future Committee of the Whole meeting.

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

	MATTERS TO BE REVIEWED	COMMENT(S)
a.	Provincial Policies, Regional and City Official Plan Policies	<ul style="list-style-type: none"> <li>▪ The proposed development will be reviewed in consideration of the applicable Provincial policies, Regional and City Official Plan policies.</li> <li>▪ The proposed development will be reviewed in consideration of Sections 9.1.2.2 and 9.1.2.3 of VOP 2010, regarding the compatibility criteria for new development within existing Community Areas, Section 9.2.3.2 regarding the development criteria for townhouses and the requirements of the Village of Maple Heritage Conservation District Plan.</li> </ul>

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	MATTERS TO BE REVIEWED	COMMENT(S)
b.	Appropriateness of the Proposed Rezoning and Site-Specific Zoning Exceptions	<ul style="list-style-type: none"> <li>The appropriateness of the proposed rezoning to permit the development proposal will be reviewed in consideration of, but not limited to, the policies of the Village of Maple Heritage Conservation District Plan, the existing and planned surrounding land uses, lot size and configuration, transition, built form compatibility, building setbacks and traffic impact.</li> </ul>
c.	Maple Heritage Conservation District Plan	<ul style="list-style-type: none"> <li>The existing detached dwelling (George Keefer House) is located within the Maple Heritage Conservation District (HCD) and the property is designated under Part V of the <i>Ontario Heritage Act</i>. The development proposal must be reviewed by the Development Planning Department, Urban Design and Cultural Heritage Division and considered by the Heritage Vaughan Committee.</li> <li>The Owner has submitted a Cultural Heritage Resource Impact Assessment (CHIA) that assesses the impact of the proposed development and its conformity with the Village of Maple HCD Plan. The CHIA is currently being reviewed by the Development Planning Department to ensure it meets the City of Vaughan's Guidelines for a CHIA, Section 41.2(1) of the <i>Ontario Heritage Act</i>, and whether the proposal is consistent with the Maple HCD Plan.</li> <li>The Owner is proposing to demolish the rear portion of the existing George Keffer House and relocate it on the site as shown on Attachment #3. The CHIA must include the details of the demolition and relocation of the George Keffer House, to the satisfaction of the Development Planning Department and Heritage Vaughan.</li> </ul>



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	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENT(S)</b>
d.	Community Area Policy Review for Low-Rise Residential Designations	<ul style="list-style-type: none"> <li>▪ In recognition of the increased development pressure in large lot neighbourhoods, the City initiated the Community Area Policy Review for Low-Rise Residential Designations, which has resulted in Vaughan Council adopting Urban Design Guidelines (“Guidelines”) for Infill Development in Established Low-Rise Residential Neighbourhoods and the Community Area Policy Review for Low-Rise Residential Designations Study (“Study”).</li> <li>▪ The Guidelines were approved by Vaughan Council on October 19, 2016, and serve to clarify and implement the existing official plan policies related to compatibility. The Study was approved by Vaughan Council on April 19, 2017, and an Official Plan Amendment to implement the Study recommendations will be forwarded to Vaughan Council for adoption at a future date.</li> <li>▪ The Guidelines and Study identify the subject lands as being part of an established large lot neighbourhood. The proposed development will be reviewed in consideration of the Study and the Guidelines as they serve to integrate new development into established neighbourhoods.</li> </ul>
e.	Maple Streetscape and Urban Design Guidelines	<ul style="list-style-type: none"> <li>▪ The subject lands are located within the Maple Streetscape and Urban Design Guidelines designated area. Should the subject applications be approved, the proposed development, through a future Site Development Application, must implement the requirements of the Maple Streetscape and Urban Design Guidelines, which includes prescribed streetscape materials, street furniture and lighting within the public realm along Keele Street.</li> </ul>

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	MATTERS TO BE REVIEWED	COMMENT(S)
f.	Studies and Reports	<ul style="list-style-type: none"> <li>▪ The Owner has submitted the following studies and reports in support of the applications, which must be approved to the satisfaction of the City and/or respective public approval authority:                             <ul style="list-style-type: none"> <li>- Planning Justification Report</li> <li>- Arborist Report</li> <li>- Tree Preservation Plan</li> <li>- Cultural Heritage Impact Assessment (CHIA)</li> <li>- Functional Servicing Report</li> <li>- Stormwater Management Report</li> <li>- Phase One Environmental Site Assessment</li> <li>- Noise Feasibility Study</li> </ul> </li> <li>▪ A Phase 2 Environmental Site Assessment is required prior to the final technical report being brought forward to the Committee of the Whole. Additional reports or studies may be required as part of the development application review process.</li> </ul>
g.	Allocation and Servicing	<ul style="list-style-type: none"> <li>▪ The availability of water and sanitary servicing capacity for the development proposal must be identified and allocated by Vaughan Council, if the development applications are approved. If servicing is unavailable, the lands will be zoned with a Holding Symbol “(H)”, which will be removed once servicing capacity is identified and allocated to the lands by Vaughan Council.</li> </ul>

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	MATTERS TO BE REVIEWED	COMMENT(S)
h.	Cash-in-Lieu of Parkland	<ul style="list-style-type: none"> <li>▪ The Owner will be required to pay to the City of Vaughan, cash-in-lieu of the dedication of parkland, prior to the issuance of a Building Permit, in accordance with the <i>Planning Act</i> and the City of Vaughan's Cash-in-lieu of Parkland Policy, should a future Site Development application be approved. The final value of the cash-in-lieu of parkland dedication will be determined by the Office of the City Solicitor, Real Estate Department.</li> </ul>
i.	Site Development Application	<ul style="list-style-type: none"> <li>▪ A Site Development Application is required to permit the proposal and will be reviewed in consideration of, but not limited to:               <ul style="list-style-type: none"> <li>- appropriate building design and materials</li> <li>- site design, massing, scale, height and building/unit orientation</li> <li>- upgraded building elevations for the units facing and visible from Keele Street</li> <li>- the provision of an on-site amenity area</li> <li>- pedestrian and barrier free accessibility</li> <li>- building setbacks and height appropriate for a Heritage Conservation District</li> <li>- appropriate shared driveway and vehicular access</li> <li>- landscaping</li> <li>- environmental sustainability</li> <li>- servicing and grading</li> <li>- stormwater management</li> <li>- tree preservation</li> </ul> </li> </ul>

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	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENT(S)</b>
		<ul style="list-style-type: none"> <li>▪ snow storage</li> <li>▪ proper vehicular (including service vehicles such as fire and garage trucks) turning movements on the proposed private road</li> <li>▪ the relationship of the proposed built form and design with the immediate neighbourhood and site</li> <li>▪ All issues identified through the review of a Site Development Application must be addressed to the satisfaction of the City.</li> </ul>
j.	Sustainable Development	<ul style="list-style-type: none"> <li>▪ Opportunities for sustainable design, including CPTED (Crime Prevention Through Environmental Design), LEED (Leadership in Energy and Environmental Design), permeable pavers, bio-swales, drought tolerant landscaping, energy efficient lighting, reduction in pavement etc., will be reviewed and implemented through the site plan approval process, if the applications are approved.</li> </ul>
k.	Draft Plan of Condominium Application	<ul style="list-style-type: none"> <li>▪ A Draft Plan of Condominium Application will be required to create a Condominium Corporation to address the tenure of the proposed common elements (i.e. private street, internal sidewalk, visitor parking, and common landscaped amenity areas), if the development applications are approved.</li> </ul>

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I.	Keele Street Road Widening and Access	<ul style="list-style-type: none"><li>▪ Access onto the subject lands must be coordinated with the proposed residential development to the north (Files OP.15.020, Z.15.019, 19T-15V007 and DA.17.068) as shown on Attachment #2. In addition to the provision of a shared access, York Region has advised that the final planned right-of-way width for Keele Street must be confirmed, and that site triangles will be required. York Region must review and approve the proposed final driveway location and design including site triangles.</li></ul>
m.	Existing Mature Trees	<ul style="list-style-type: none"><li>▪ The majority of the existing trees on site are proposed to be removed. The Arborist Report submitted in support of these applications has been circulated to the Vaughan Parks and Forestry Operations and Parks Development Departments for review. Should it be determined that some/all of the trees must be preserved, it may result in a loss in the number of dwelling units that are being proposed on the site, alternatively if the trees are to be removed, then appropriate compensation in accordance with the City's Replacement Tree Requirements will be required.</li></ul>
n.	Toronto and Region Conservation Authority (TRCA)	<ul style="list-style-type: none"><li>▪ The development of the subject lands must satisfy the requirements of the Source Protection Plan under the <i>Clean Water Act, 2006</i>. The purpose of a Source Protection Plan is to outline how water quality and quantity for the municipal drinking water systems will be protected. A site-specific water balance assessment must be submitted for review and approval by the TRCA.</li></ul>

#### **Financial Impact**

Not applicable.

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#### **Broader Regional Impacts/Considerations**

The applications have been circulated to the York Region Community Planning and Development Services Department for review and comment. On September 29, 2017, York Region exempted Official Plan Amendment File OP.17.001 (9773 Keele Development Inc.) from York Region approval on the basis the file was deemed to be of local significance.

Any issues will be addressed when the technical report is considered.

#### **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 Vaughan 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.

For more information, please contact: Margaret Holyday, Planner, Development Planning Department, Extension 8216.

#### **Attachments**

1. Context Location Map
2. Location Map
3. Conceptual Site Plan and Zoning
4. Draft Plan of Subdivision
5. Conceptual Townhouse Elevation

#### **Prepared by**

Margaret Holyday, Planner, ext. 8216  
Christina Napoli, Senior Planner, ext. 8483

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