

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 7, 2016

Item 4, Report No. 25, of the Committee of the Whole (Public Hearing), which was adopted without amendment by the Council of the City of Vaughan on June 7, 2016.

4

**OFFICIAL PLAN AMENDMENT FILE OP.15.009
ZONING BY-LAW AMENDMENT FILE Z.15.037
DRAFT PLAN OF SUBDIVISION FILE 19T-15V015
EMPIRE PACE (MAPLE) LTD.
WARD 1 - VICINITY OF KEELE STREET AND MAJOR MACKENZIE DRIVE**

The Committee of the Whole (Public Hearing) recommends:

- 1) That the recommendation contained in the following report of the Deputy City Manager, Planning & Growth Management, Director of Development Planning, and Senior Manager of Development Planning, dated May 31, 2016, be approved;
- 2) That the following deputations be received:
 - 1) Mr. Michael Auduong, Armstrong Planning and Project Management, Villarboit Crescent, Vaughan, on behalf of the applicant; and
 - 2) Ms. Pat Canizares, Keele Street, Maple; and
- 3) That the following Communications be received:
 - C7. Ms. Maria Donato, dated May 31, 2016; and
 - C8. Ms. Caterina Principe, dated May 31, 2016.

Recommendation

The Deputy City Manager, Planning & Growth Management, Director of Development Planning, and Senior Manager of Development Planning recommend:

1. THAT the Public Hearing report for Files OP.15.009, Z.15.037 and 19T-15V015 (Empire Pace (Maple) Ltd.), BE RECEIVED; and, that any issues identified be addressed by the Vaughan Development Planning Department in a comprehensive report to the Committee of the Whole.

Contribution to Sustainability

The contribution to sustainability such as site and building design initiatives will be determined when the technical report is considered.

Economic Impact

This will be addressed when the technical report is completed.

Communications Plan

- a) Date the Notice of Public Hearing was circulated: May 6, 2016. The Notice of Public Hearing was also posted on the City's web-site at www.vaughan.ca and a Notice Sign was installed on the property in accordance with the City's Notice Sign Procedures and Protocol.
- b) Circulation Area: 150 m
- c) Comments received:

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 7, 2016

Item 4, CW(PH) Report No. 25 – Page 2

Any 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 Vaughan Development Planning Department as input in the application review process and will be addressed in the final technical report at a future Committee of the Whole meeting.

Purpose

To receive comments from the public and the Committee of the Whole on the following applications for the subject lands shown on Attachments #1 and #2, to facilitate the development of 22, 3-storey freehold townhouse units within 4 blocks and to maintain the existing heritage dwelling with retail uses on the ground floor and a residential unit on the second floor. The development will be served by future privately owned and maintained condominium common elements including an internal road and walkway, five residential/commercial parking spaces (including 2 accessible spaces) allocated to the heritage house, and a landscaped amenity area, as shown on Attachments #3 to #7:

1. Official Plan Amendment File OP.15.009 to amend the policies of Vaughan Official Plan 2010 (VOP 2010), specifically to permit townhouse dwellings fronting onto Keele Street, whereas VOP 2010 requires that the ground floor frontage of buildings facing an arterial street in an Intensification Area consist of retail uses.
2. Zoning By-law Amendment File Z.15.037 to rezone the subject lands from RA2 Apartment Residential Zone, subject to site-specific Exception 9(1194) to RT1 Residential Townhouse Zone, together with the following site-specific zoning exceptions to the RT1 Zone standards of Zoning By-law 1-88:

	Zoning By-law 1-88 Standard	RT1 Residential Townhouse Zone Requirements	Proposed Exceptions to the RT1 Residential Townhouse Zone Requirements
a.	Frontage on a Public Street	A lot must front onto a public street	Permit a freehold lot (Units 9 to 22) to front onto a private common element condominium road.
b.	Permitted Uses	Street Townhouse Dwelling	i) Permit the existing heritage dwelling (George Bailey Residence) to have retail uses on the ground floor and a residential unit on the second floor. The ground floor retail uses shall be limited to the following:

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 7, 2016

Item 4, CW(PH) Report No. 25 – Page 3

			<ul style="list-style-type: none"> - Business or Professional Office, excluding the office of a Regulated Health Professional or Veterinarian - Retail Store - Personal Service Shop - Studio - Service or Repair Shop, limited only to the servicing or repairing of small household appliances and home computers <p>ii) Permit a townhouse unit (Units 9 to 22) on a freehold lot to front onto a private common element condominium road.</p>
c.	Maximum Number of Units in a Row	6 units	8 units (Block facing Keele Street)
d.	Minimum Lot Frontage	6 m	4.7 m
e.	Minimum Front Yard Setback (Keele Street)	4.5 m	<ul style="list-style-type: none"> • Existing Heritage Dwelling: 0.41 m • Units 1 - 8: 3 m
f.	Minimum Rear Yard Setback	15 m (Units 1 to 8) 7.5 m (Units 14 to 22)	<ul style="list-style-type: none"> • 4 m to the Rear Deck (Units 1 to 8) • 5 m to 7 m (Units 14 to 22)
g.	Minimum Interior (south) Side Yard Setback	3.5 m	1.23 m (Unit 9)
h.	Minimum Lot Depth	30 m (Units 1 to 8) 27 m (Units 9 to 22)	23.2 m (Units 1 to 8) 19.16 m (Units 9 to 22)

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 7, 2016

Item 4, CW(PH) Report No. 25 – Page 4

i.	Landscape Screening for an Outdoor Parking Area	3 m wide strip of land with a minimum height of 1.2 m	1 m wide strip of land with no minimum height
j.	Minimum Driveway Width	No requirement in Zoning By-law 1-88 for a minimum driveway width on a lot with less than 6 m in frontage	Maximum 3 m wide driveway with a minimum of 33% of the front yard landscaped (Lots 9-22)
k.	Minimum Lot Area	<ul style="list-style-type: none"> • 180 m²/unit (Units 1-8) • 162 m²/unit (Units 9-22) 	105 - 147 m ² /unit (Units 2-7, 10-13, 16, 19-21)
l.	Minimum Parking	<p>Heritage Dwelling:</p> <ul style="list-style-type: none"> • Residential Requirement: 2 spaces <p align="center">+</p> <ul style="list-style-type: none"> • Commercial on ground floor: 90 m² @ 6 spaces/100 m² of GFA= 6 spaces <p align="center">+</p> <p>Townhouse Resident Parking:</p> <ul style="list-style-type: none"> • 22 units @ 2 spaces/unit = 44 spaces <p align="center">+</p> <p>Townhouse Visitor:</p> <ul style="list-style-type: none"> • Visitor Requirement for freehold townhouse units: 22 units @ 0.25 spaces = 6 spaces <p>Total of 58 spaces required</p>	<p>5 total spaces provided for the heritage building (including 2 accessible spaces)</p> <p>0 visitor spaces allocated to the townhouse units</p> <p><u>Note:</u> Each townhouse unit is allocated a minimum of 2 parking spaces each with some units having 4 spaces (a total of 50 spaces allocated to the townhouse units).</p>
m.	Minimum Interior Side Yard Setback abutting a Non-Residential use	3.5 m	1.23 m to Cemetery (Unit 9) 3 m to Amenity Area (Unit 22)
n.	Maximum Rear Yard Encroachment for a Deck Located Above the Parking Area	1.8 m	3.2 m (Units 1 - 8)

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 7, 2016

Item 4, CW(PH) Report No. 25 – Page 5

o.	Minimum Exterior Side Yard Setback (Keele Street)	4.5 m	0.41 m (to the Heritage Dwelling)
p.	Minimum Amenity Space	<ul style="list-style-type: none"> • Heritage Dwelling x 2 Bedroom Unit = 55 m² <li style="text-align: center;">+ • 21 x 3 Bedroom Units (@ 90m²) = 1,890 m² <li style="text-align: center;">+ • 1x 4 Bedroom Unit = 110 m² Total Required = 2,055 m² 	1,915 m ² provided for the entire site

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.

3. Draft Plan of Subdivision File 19T-15V015, consisting of one 0.53 ha block (Block as shown on Attachment #4) for technical reasons under the Planning Act that will lead to the creation of a registered plan of subdivision with a 65M-Plan Number, and further facilitate a future Draft Plan of Condominium (Common Elements) application to recognize the future condominium tenure of the common elements (internal road and walkway, visitor parking spaces, and landscaped amenity area).

Background - Analysis and Options

Location	<ul style="list-style-type: none"> ▪ 9869, 9881 and 9891 Keele Street, on the east side of Keele Street, south of Major Mackenzie Drive, shown as “Subject Lands” on Attachments #1 and #2.
Background	<ul style="list-style-type: none"> ▪ Zoning By-law Amendment File Z.12.042 and Site Development File DA.13.033 were submitted for the subject lands in 2012. The original proposal included a total of 56 apartment units and 6 ground floor units to be used either as live/work units or as full commercial units or a combination thereof, five 3-storey townhouse units, and the existing heritage dwelling (George Bailey Residence) to be converted to a live/work unit, all served by a total of 97 parking spaces as shown on Attachments #8 to #10. These applications were approved by Vaughan Council and the implementing Zoning By-law 014-2014 was enacted on January 28, 2014. The applicant no longer wishes to pursue this proposal.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 7, 2016

Item 4, CW(PH) Report No. 25 – Page 6

Official Plan Designation	<ul style="list-style-type: none">▪ The northerly portion of the subject lands (9881 and 9891 Keele Street) is located in an Intensification Area, specifically a Local Centre and is designated “Low-Rise Mixed-Use” by VOP 2010, which permits residential units and retail uses in a Low-Rise Building with a maximum building height of 3-storeys and a maximum density of 1.25 FSI (Floor Space Index).▪ 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. The only retail uses proposed are located on the ground floor of the existing heritage dwelling. All other units along Keele Street are proposed for residential townhouse dwellings. Therefore, the proposal does not conform to the Official Plan and an amendment to VOP 2010 is required.▪ The southerly portion of the subject lands (9869 Keele Street) is designated “Low-Rise Residential” by VOP 2010, which permits detached, semi-detached and townhouse units and is located within a “Community Area” as identified in Schedule 1, the “Urban Structure” of VOP 2010. The designation permits townhouse dwelling units, subject to certain compatibility criteria, and there is no associated density requirement.▪ As noted above, the subject lands are split designated by VOP 2010. The Owner has not applied to redesignate the subject lands to one consistent Official Plan designation. The appropriateness of maintaining the split Official Plan designation will be reviewed. Also, as the proposal consists of the uniform development of the site for townhouse uses, which is a low-rise form of development, the application of density bonussing under Section 37 of the Planning Act would not be applicable as there is no increase in height and density is not a factor for this type of housing form.▪ VOP 2010 identifies compatibility criteria for new developments in a “Community Area”. The compatibility criteria directs that new development is designed to respect and reinforce the physical character of the established neighbourhood within which it is located. <p>The proposed townhouse development is located on Keele Street, being an arterial road, within an existing apartment building to the north, a cemetery to the south and existing and approved residential townhouses on the west of Keele Street. As noted, the site was previously approved and is zoned to permit a 3-storey apartment building on the subject lands. The proposal will be reviewed in consideration of the compatibility criteria.</p>
---------------------------	---

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 7, 2016

Item 4, CW(PH) Report No. 25 – Page 7

	<ul style="list-style-type: none"> The subject lands are located within the “Village of Maple Heritage Conservation District Plan”, and are subject to Section 12.2.1.1c “Heritage Conservation District” in Volume 2 of VOP 2010, which contains the listed heritage dwelling including the “George Bailey Residence” dating from 1890. The Owner intends to maintain the existing George Bailey House and convert it to a mixed-use building.
Zoning	<ul style="list-style-type: none"> The subject lands are zoned RA2 Apartment Residential Zone by Zoning By-law 1-88 as amended by site-specific Exception 9(1194), which permits the previous proposal approved by Vaughan Council, as shown on Attachments #8 to #10. The Owner is proposing to rezone the subject lands to RT1 Residential Townhouse Zone in order to permit 22 townhouse units, and the mixed use heritage dwelling, together with the site-specific zoning exceptions to the RT1 Zone identified in the Purpose Section of this report. The Owner has submitted a Zoning By-law Amendment application to implement the proposed RT1 zoning to facilitate the development.
Surrounding Land Uses	<ul style="list-style-type: none"> Shown on Attachment #2.

Preliminary Review

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

	MATTERS TO BE REVIEWED	COMMENT(S)
a.	Conformity with Provincial policies, Regional and City Official Plans	<ul style="list-style-type: none"> The applications will be reviewed in consideration of the applicable Provincial policies and the Regional and City Official Plan policies, particularly the policies in VOP 2010 respecting the requirement for retail uses on the ground floor of buildings facing an arterial road, the design and compatibility criteria for new development in a “Community Area”, and the Owner’s request to maintain a split Official Plan designation on the property.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 7, 2016

Item 4, CW(PH) Report No. 25 – Page 8

b.	Appropriateness of Proposed Rezoning and Site-Specific Zoning Exceptions	<ul style="list-style-type: none"> ▪ The appropriateness of the proposed rezoning to facilitate the development of 22 townhouse dwelling units on the subject lands will be reviewed in consideration of the existing and planned surrounding land uses, with particular consideration given to land use, number of units in a row, site design, transition, built form compatibility, building setbacks, visitor parking and traffic impact. ▪ The appropriateness of the proposed mixed retail and residential uses within the existing heritage dwelling will be reviewed in consideration of, but not limited to, required parking, and compatibility with the proposed residential uses on the subject lands and the land uses in the surrounding area.
c.	Maple Heritage Conservation District Plan	<ul style="list-style-type: none"> ▪ The subject lands are located within the Village of Maple Heritage Conservation District Plan (HCDP). The proposal must be reviewed by the Vaughan Development Planning Department, Urban Design and Cultural Heritage Division and the Heritage Vaughan Committee, and must comply with the HCDP respecting the building and site design, built form relationship with the surrounding development and the heritage building on the property, building materials, and landscaping. ▪ The subject lands contain the George Bailey Residence (9891 Keele Street), which is identified in the City's Listing of Significant Heritage Structures. The dwelling is proposed to be converted to a mixed retail and residential building, however, it will remain unchanged with respect to its location, size, and building elevations, if the applications are approved.
d.	Maple Streetscape & Urban Design Guidelines	<ul style="list-style-type: none"> ▪ The subject lands are located within the Maple Streetscape designated area. If the subject applications are approved, the proposed development (through the related Site Development File DA.15.090) must comply with the requirements of the Maple Streetscape and Urban Design Guidelines, along the Keele Street frontage, which includes prescribed streetscape materials, street furniture and lighting.
e.	Studies and Reports	<ul style="list-style-type: none"> ▪ The Owner has submitted the following studies and reports in support of the applications, which must be approved to the satisfaction of the City or respective public approval authority: <ul style="list-style-type: none"> - Planning Justification Report - Servicing and Stormwater Management Report - Acoustical Study - Cultural Heritage Resource Report - Conservation Plan - Protection Plan - Arborist Report

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 7, 2016

Item 4, CW(PH) Report No. 25 – Page 9

f.	Review of Low-Rise Residential Development	<ul style="list-style-type: none">▪ On March 1, 2016, the Vaughan Committee of the Whole considered a report (File 15.120) from the Vaughan Policy Planning and Environmental Sustainability Department. The report identified implementation options for proceeding with the Community Area Policy Review for Low-Rise Residential Areas as directed by Vaughan Council on October 20, 2015. The report focused on the following:<ul style="list-style-type: none">- Background on the origin of the Community Area Policy Review for Low-Rise Residential Areas;- A discussion of current issues with the interpretation of VOP 2010;- A description of the study process and methodology;- The findings included proposed urban design guidelines, recommended Official Plan policy amendments and implementation options for the Community Area Policy Review for Low-Rise Residential Designations; and,- Next Steps and Recommendations for implementation.▪ On March 22, 2016, Vaughan Council received the “General Low Rise Residential Infill Guidelines” and the draft “Townhouse Infill Guidelines” set out in the report and recommended that they be distributed to stakeholders for comment and that such comments be received no later than May 31, 2016.▪ The applications will be reviewed in consideration of the principles of the Low Rise Residential Review.
g.	Related Site Development File DA.15.090	<ul style="list-style-type: none">▪ Site Development File DA.15.090 has been submitted to permit the proposed development shown on Attachments #3, and #5 to #7. The following matters, but not limited to, will be considered through the review of the Site Development application:<ul style="list-style-type: none">- pedestrian and barrier free accessibility;- proper vehicular (including fire and garbage trucks) turning movements on the proposed private road;- appropriate site design and building materials, orientation of units and upgraded elevations for units facing Keele Street and visible flankage elevations, landscaping, amenity area, snow storage, environmental sustainability, stormwater management, and servicing and grading;- opportunity for layby parking spaces along Keele Street;- accessibility and location of the proposed heritage house parking spaces; and,- the relationship of the proposed built form, building setbacks and design with the immediate neighbourhood.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 7, 2016

Item 4, CW(PH) Report No. 25 – Page 10

		<ul style="list-style-type: none"> ▪ The proposed site plan does not include a turning area for vehicles at the terminus of the private condominium road, visitor parking for the townhouse units, sufficient amenity area or a sidewalk along the internal road. The plan must be amended to include these requirements, which may result in a loss of units. ▪ All issues identified through the review of Site Development File DA.15.090 will be addressed together with the subject Official Plan and Zoning By-law Amendment applications and the Draft Plan of Subdivision application in a comprehensive technical report to a future Committee of the Whole meeting. ▪ Opportunities for sustainable design, including CPTED (Crime Prevention Through Environmental Design), LEEDS (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 approved.
h.	Visitor Parking	<ul style="list-style-type: none"> ▪ The 5 proposed on-site parking spaces are allocated to the ground floor retail uses and residential unit in the heritage building. No visitor parking spaces are proposed to serve the townhouse units. The proposal will be reviewed to achieve an appropriate number of visitor parking spaces for the overall development of the site, which may result in the loss of units. The applicant may be required to submit a parking study to justify an appropriate number of visitor parking spaces to serve both the townhouse units and the mixed use residential/commercial for the heritage house.
i.	Water and Servicing	<ul style="list-style-type: none"> ▪ The availability of water and sanitary servicing capacity for the proposed development must be identified and allocated by Vaughan Council, if the proposed development is 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.
j.	Future Draft Plan of Condominium Application	<ul style="list-style-type: none"> ▪ A future Draft Plan of Condominium Application will be required to create a Condominium Corporation to address the tenure of the common elements (i.e. private road, internal sidewalk, visitor parking, and common landscaped amenity areas), if the subject applications are approved.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 7, 2016

Item 4, CW(PH) Report No. 25 – Page 11

k.	Cash-in-Lieu of Parkland	<ul style="list-style-type: none">▪ The Owner will be required to pay 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 Policy, should the applications 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.
l.	Road Widening and Access	<ul style="list-style-type: none">▪ York Region must confirm the final planned right-of-way width for Keele Street and access locations, particularly the alignment of the proposed driveway with Naylor Street. Should additional land for a road widening and/or access location and road improvements be required, the proposal must be revised, to satisfy all requirements of York Region.
m.	Existing Cemetery	<ul style="list-style-type: none">▪ The subject lands are located adjacent to an existing cemetery. The Owner shall satisfy any requirements regarding development adjacent to a cemetery including confirming the limits of the cemetery, minimum separation/setback requirements and any requirements of the Cemeteries Act.

Relationship to Term of Council Service Excellence Strategy Map (2014-2018)

The applicability of the applications to the Term of Council Service Excellence Strategy Map (2014-2018) will be determined when the technical report is considered.

Regional Implications

The applications and the Owner's request for exemption from York Region approval of the Official Plan Amendment application have been circulated to the York Region Community Planning and Development Services Department for review and comment. 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.

Attachments

1. Context Location Map
2. Location Map
3. Site Plan
4. Draft Plan of Subdivision File 19T-15V015
5. Landscape Plan
6. Keele Street Building Elevations
7. Typical Interior Building Elevations
8. Previously Approved Site Development (File DA.13.033)
9. Previously Approved Apartment Building Elevations (File DA.13.033)
10. Previously Approved Townhouse Elevations (File DA.13.033)

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 7, 2016

Item 4, CW(PH) Report No. 25 – Page 12

Report 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.)