

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 11, 2017

Item 1, Report No. 44, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on December 11, 2017.

1

**OFFICIAL PLAN AMENDMENT FILE OP.15.009
ZONING BY-LAW AMENDMENT FILE Z.15.037
DRAFT PLAN OF SUBDIVISION FILE 19T-15V015
SITE DEVELOPMENT FILE DA.15.090
EMPIRE PACE (MAPLE) LTD.
WARD 1 - VICINITY OF MAJOR MACKENZIE DRIVE AND KEELE STREET**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Director of Development Planning and Senior Manager of Development Planning, dated December 5, 2017, be approved; and**
- 2) That the coloured elevation submitted by the applicant be received.**

Recommendation

The Director of Development Planning and Senior Manager of Development Planning recommend:

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.
3. 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.
4. 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).”

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 11, 2017

Item 1, CW Report No. 44 – Page 2

5. 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

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 11, 2017

Item 1, CW Report No. 44 – Page 3

- 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 Climate Change's (MOECC) noise criteria levels.

Contribution to Sustainability

The applications implement the following Goal and Objectives of Green Directions Vaughan:

Goal 2: To ensure sustainable development and redevelopment.

- Objective 2.2: To develop Vaughan as a City with maximum greenspace and an urban form that supports our expected population growth
- Objective 2.3: To create a City with sustainable built form.

In accordance with the goal and objectives identified above, the Owner has advised that the following, but not limited to, sustainable site and building features will be included in the proposed development:

- low flow water fixtures, shower heads, faucets and toilets
- low VOC (volatile organic compound) paints, glues and varnish
- hardy tree and shrub species resistant to various environmental stresses including low moisture conditions, disease, pests, road salt and vehicular emissions, and do not require pesticides, fertilizers and other chemicals to survive

Economic Impact

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

Communications Plan

On May 6, 2016, a Notice of Public Hearing was circulated to all property Owners within 150m of the subject lands. A copy of the Notice of Public Hearing was also posted on the City's website at www.vaughan.ca and a Notice Sign was installed on the subject lands in accordance with the City's Notice Signs Procedures and Protocols.

A Committee of the Whole (Public Hearing) was held on May 31, 2016, to receive the comments from the public and the Committee of the Whole on the original proposed development shown on Attachment #9. Council ratified the recommendation to receive the Public Hearing report and to forward a comprehensive technical report to a future Committee of the Whole meeting on June 7, 2016.

The following individuals made a deputation at the Public Hearing on May 31, 2016, or submitted written correspondence regarding the development proposal:

- P. Canizares, Keele Street, Maple
- M. Donato, via email
- C. Principe, via email

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 11, 2017

Item 1, CW Report No. 44 – Page 4

The following issues were identified and raised by the community through the written submissions and at the Public Hearing on May 31, 2016. On December 5, 2016, the Owner revised their initial proposal from 22 townhouse units (Attachment #9) to 11 townhouse units and 4 semi-detached units (Attachment #4) to address the concerns. The Development Planning Department offers the following responses to the concerns raised by the community below and in the relevant sections throughout this report.

a) Traffic

Keele Street does not have a left turn lane and an increase in the number of housing units would create more traffic issues.

Staff Response

Keele Street is under the jurisdiction of York Region. The Owner is required to dedicate land to York Region for site triangles for a future road improvement and have dedicated lands for a road widening as part of the previously approved Site Development File DA.13.033. York Region has also required that the proposed access to the subject lands is aligned with Nylon Street, on the west side of Keele Street, in order to create a typical intersection configuration to simplify future left turn movements. York Region has advised that it has no further concern with regard to traffic movements.

b) Private Roads

Why would the City allow a private road to connect to Keele Street as this does not fit in with any of the existing neighbourhoods?

Staff Response

Keele Street is under the jurisdiction of York Region. The Region generally limits the number of access points onto a regional road and does not support multiple driveways due to safety concerns. The proposed development has been designed to include a private road in order to provide some intensification on the site and prevent multiple driveways onto Keele Street. The proposed development is consistent with other developments along Keele Street. York Region has not identified any concerns regarding the proposal to connect a private road to Keele Street.

c) Building Height and Setbacks

The proposed three-storey townhouses will overshadow the properties located directly behind Keele Street, therefore impacting privacy and devalue the properties. Allowing the proposed development only serves builders and does not support the existing home owners who will live behind the development.

Staff Response

The subject lands are located within the Commercial Core of the Maple Heritage Conservation District (MHCD) and are split designated “Low-Rise Mixed-Use” and “Low-Rise Residential” by VOP 2010, both designations permit a three-storey building height. The property is also currently zoned to permit a 3-storey apartment building.

The Owner has modified the original site plan (Attachment #9) to achieve a balance between compatibility with the heritage dwelling and the proper siting of the proposed units to achieve compatibility with the existing development to the east. The original townhouse

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 11, 2017

Item 1, CW Report No. 44 – Page 5

proposal that contained 22 units that did not conform to the townhouse design criteria set out in Vaughan Official Plan 2010 (VOP 2010). A rear yard setback of 7.5 m is proposed for Units 8 and 9, which is the same building setback requirement contained in Zoning By-law 1-88 for the existing detached dwellings located immediately to the east of the subject lands. Units 12 and 15 have been oriented parallel to the interior side yard with a 2.5 m setback from the abutting existing rear yards. In addition, no windows are proposed along the east elevations in order to maintain privacy.

d) Garbage and Noise

Concerns with respect to garbage and noise (air conditioning units) were raised given the reduced building setbacks that are being proposed. Will the development have a larger fence surrounding the property and will there be a large garbage bin placed near existing homes?

Staff Response

The Owner is required to erect a 1.8 m high sound fence along the east, north and south property lines, as shown on Attachment #5. In order to maintain privacy for abutting landowners, the fence will be constructed using wood board on board material.

The location of air conditioning units must comply with Vaughan By-law 050-2017, which applies city-wide. The air conditioning locations must be shown on the site plan and landscaping plan to ensure compliance with Zoning By-law 1-88. A condition to this effect is included in the recommendation of this report.

No waste or containers will be stored on the property and there is no dedicated garbage bin or area proposed as part of this development. Garbage collection will be curbside pickup on a private road, which will require future homeowners to bring their waste to the end of their driveway.

Purpose

To seek approval from the Committee of the Whole for the following applications on the subject lands shown on Attachments #2 and #3, to permit a residential development on the subject lands consisting of 11, 3-storey townhouse units, and 4, 3-storey semi-detached units and to maintain the existing heritage dwelling (William Bailey Residence) with commercial uses on the ground floor and a residential unit on the second floor, as shown on Attachments #4 to #7:

1. Official Plan Amendment File OP.15.009 to amend the following policies of Vaughan Official Plan 2010 (VOP 2010):
 - a) Section 9.2.2.2. respecting areas designated “Low-Rise Mixed-Use” and located in Intensification Areas (Local Centre) to permit semi-detached units 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.
2. Zoning By-law Amendment File Z.15.037 to amend Zoning By-law 1-88, to rezone the subject lands from RA2 Apartment Residential Zone, subject to site-specific Exception 9(1194), as shown on Attachment #3, 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.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 11, 2017

Item 1, CW Report No. 44 – Page 6

3. Draft Plan of Subdivision File 19T-15V015 consisting of one 0.53 ha block, as shown on Attachment #8, for technical reasons under the *Planning Act* that will lead to the creation of one block under a single registered 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, walkway(s), visitor parking and landscaped amenity area).
4. Site Development File DA.15.090 to permit a proposed development consisting of 11 townhouse and 4 semi-detached units on the subject lands, as shown on Attachments #4 to #7.

Background - Analysis and Options

Synopsis:

The Owner is proposing to develop the subject lands with 11 townhouse units, 4 semi-detached units and to maintain and convert the existing heritage dwelling to a mixed-use building containing commercial uses on the ground floor and a residential dwelling unit on the second floor. The Development Planning Department supports the approval of the proposed Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Subdivision and Site Development applications as they will permit a residential development that is compatible with the surrounding and existing and planned land uses.

Location

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. The surrounding land uses are shown on Attachment #3.

Previous Applications and History

Zoning By-law Amendment File Z.12.042 and Site Development File DA.13.033 were submitted for the subject lands in 2012 and 2013, respectively. The original proposal included 56 apartment units within a 3-storey building including 6 ground floor units to be used either as live/work units, full commercial units or a combination thereof. The proposal also included five, 3-storey townhouse units and the proposed conversion of the existing heritage dwelling (William Bailey Residence) to a live/work unit. These applications were approved by Council on December 10, 2013, and the implementing Zoning By-law 014-2014 was enacted on January 28, 2014. The Owner no longer wishes to pursue this proposal.

The current applications were submitted in 2015, for a development proposal consisting of 22, 3-storey townhouse units and the conversion of the heritage dwelling into a live/work unit, as shown on Attachment #9. The Owner has modified the plan to address comments received related to the proposed development and has submitted a revised proposal for 11, 3-storey townhouse units and 4, 3-storey semi-detached units and the reuse of the existing heritage dwelling with a ground floor commercial use and a second storey residential unit, as shown on Attachments #4 to #7.

Land Use Policies/Planning Considerations

The Development Planning Department has reviewed the Official Plan Amendment application to permit the proposed residential development on the subject lands, as shown on Attachments #4 to #7, in consideration of the following policies:

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 11, 2017

Item 1, CW Report No. 44 – Page 7

a) Provincial Policy Statement 2014

The Provincial Policy Statement (PPS) 2014 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.

Part V – “Policies” of the PPS states (in part) the following:

Settlement Areas:

1.1.3.2 *“Land use patterns within settlement areas shall be based on:*

- a) *densities and a mix of land uses which:*
 - *efficiently use land and resources;*
 - *are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;*
 - *support active transportation; and*
 - *are transit-supportive, where transit is planned, exists or may be developed.”*

Housing:

1.4.3 *“Planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents of the regional market area by (in part):*

- c) *directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;*
- d) *promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed; and*
- e) *establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.”*

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.

b) The Growth Plan for the Greater Golden Horse 2006

The Provincial Growth Plan for the Greater Golden Horseshoe (“Growth Plan”) is intended to guide the development of land; encourage compact built form, transit supportive

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 11, 2017

Item 1, CW Report No. 44 – Page 8

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 is consistent 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.

c) York Region Official Plan 2010

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. The Official Plan Amendment application 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.

On April 29, 2016, York Region exempted Official Plan Amendment File OP.15.009 (Empire Pace (Maple) Ltd.) from approval by the Regional Committee of the Whole and Council. York Region has indicated they have no objections to the Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Subdivision and Site Development Applications, subject to comments in the Regional Implications section of this report, and the Conditions of Approval included in Attachment #1 of this report.

d) City of Vaughan Official Plan 2010 (VOP 2010)

The subject lands have a dual land use designation under VOP 2010 shown as Areas “A” and “B” on Attachment #4. Area “A” 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 form with a maximum building height of 3-storeys and a maximum density of 1.25 times the area of the lot (Floor Space Index - FSI). The proposed development has a combined FSI of 0.77 times the area of the lot (calculated over the entire subject lands) and conforms to the height and density policies of the “Low-Rise Mixed-Use” designation.

The “Low-Rise Mixed-Use” designation 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. Therefore, the proposal does not conform to the Official Plan and an amendment to VOP 2010 is required.

Area “B”, as shown on Attachment #4, is designated “Low-Rise Residential” by VOP 2010, which permits detached, semi-detached and townhouse units. Area “B” located within a “Community Area” as identified in Schedule 1, “Urban Structure” of VOP 2010, 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.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 11, 2017

Item 1, CW Report No. 44 – Page 9

The current proposal is less dense than the previously approved apartment proposal, which contained 56 apartment units, 6 ground floor units, five 3-storey townhouse units, and the existing heritage dwelling (William Bailey Residence) that was to be converted to a live/work unit, all served by 97 parking spaces. 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, as shown on Attachment #3. The townhouse form of development acts as a transition between the surrounding detached dwellings and the mix of development forms along Keele Street, which includes 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 properties are located within the Village Commercial Core area which allows for taller structures (3-storeys). Intensification within the 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 (Attachment #4).

e) Urban Design Guidelines and Proposed Draft Amendment for Infill Developments in Established Low-Rise Residential Neighbourhoods

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 the Vaughan Council approved Guidelines however, the proposed development has regard to the following Guidelines:

- 7 of the proposed units front onto a public street (Keele Street);
- Units 8-15 are oriented to avoid the front façade facing the rear of Units 1-7;
- The front and interior yard setbacks are consistent with the Guideline requirements of 4.5 m and 1.5 m respectively;
- 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 Units 11 and 14, which are 5.5 m wide) and with 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;

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 11, 2017

Item 1, CW Report No. 44 – Page 10

- 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 proposed building height and massing is compatible with the character of the surrounding neighbourhood;
- The Guidelines suggest that each townhouse should have a private backyard. Units 8-15 have front and rear yards and Units 1-7 have a private front yard and a balcony amenity 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 proposed architecture and building materials respects and complements 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 (including service vehicle, i.e. garbage trucks) turnaround is proposed to accommodate 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 Official Plan policies. The proposed provides a low-rise residential development that is appropriate and compatible, but not identical, with the surrounding development(s).

Zoning

The subject lands are zoned RA2 Apartment Residential Zone by Zoning By-law 1-88, subject to site-specific Exception 9(1194), which permits an apartment building containing live/work units on the ground floor. The Owner is proposing 11-townhouse units, 4 semi-detached units and to maintain the existing William Bailey Residence with commercial uses on the main floor and a residential unit on the second floor. An amendment to Zoning By-law 1-88 is required to rezone the subject lands to RT1 Residential Townhouse Zone and to permit the following site-specific zoning exceptions to permit the development proposal:

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 11, 2017

Item 1, CW Report No. 44 – Page 11

Table 1

	Zoning By-law 1-88 Standard	RT1 Residential Townhouse Zone Requirements	Proposed Exceptions to the RT1 Residential Townhouse Zone Requirements
a.	Permitted Uses	Street Townhouse Dwelling	<p>Permit the following additional uses:</p> <ul style="list-style-type: none"> i) Semi-detached Dwellings ii) Commercial uses on the ground floor of the William Baily Residence, including: <ul style="list-style-type: none"> - Business or Professional Office, excluding a doctor and veterinarian - Retail Store - Personal Service Shop - Studio - Service or Repair Shop
b.	Definition of “Service or Repair Shop”	Servicing or repairing of furnace or oil burners, water and air coolers, lawn care equipment, appliances, including small household appliances, dry cleaners and shall include the shop of a painter, plumber, carpenter, electrician, locksmith, tool sharpener, and other similar trades.	Servicing or repairing of small household appliances and home computers.
c.	Definition of “Lot”	Means a parcel of land fronting on a public street.	Means a parcel of land fronting on a public or private street.
d.	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.
e.	Definition of “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 public or private street.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 11, 2017

Item 1, CW Report No. 44 – Page 12

f.	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 road or the dividing line between a lot and a reserve abutting a street or private road.
g.	Minimum Lot Area	<ul style="list-style-type: none"> • 180 m² (Units 1 to 7 and the Heritage Dwelling) • 162 m² (Units 8 to 15) 	<ul style="list-style-type: none"> • 154 m² (Units 4 to 6) • 125 m² (Heritage Dwelling) • 125 m² (Units 11 and 14)
h.	Minimum Lot Frontage	6 m	5.49 m (Units 11 and 14)
i.	Maximum Driveway Width (based on lot frontage)	<ul style="list-style-type: none"> • 3.5 m wide driveway (based on a lot frontage of 6 m to 6.99 m) • 3.75 m wide driveway (based on a lot frontage of 7 m to 8.99m) 	<ul style="list-style-type: none"> • 3.15 m wide driveway (based on a lot frontage of 5.49m to 6.99 m) • 6.1 m wide driveway (based on a lot frontage of 6.1 m for Units 4 to 6) • 4.1 m wide driveway (based on a lot frontage of 7 m to 8.99 m for Units 1, 2, 3 and 7)
j.	Minimum Lot Depth	<ul style="list-style-type: none"> • 30 m (Units 1 to 7 and the Heritage Dwelling) • 27 m (Units 8 to 15) 	<ul style="list-style-type: none"> • lot depth shall not apply to the Heritage Dwelling • 27 m (Unit 1) • 23 m (Unit 2 and 13) • 21 m (Unit 3) • 25 m (Unit 4 to 6, 9) • 24 m (Unit 7, 8, 10 to 12) • 22 m (Units 14 & 15)
k.	Minimum Front Yard Setback	4.5 m	<ul style="list-style-type: none"> • 0.45 (Heritage Dwelling) • 3.75 m (Units 6 and 7) • 4.1 m (Units 4, 8 to 15)
l.	Minimum Rear Yard Setback	<ul style="list-style-type: none"> • 15 m (Units 1 to 7 and the Heritage Dwelling) • 7.5 m (Units 8 to 15) 	<ul style="list-style-type: none"> • 0 m (Heritage Dwelling) • 0.5 m (Units 1-7) • 7 m (Units 10 to 12) • 5 m (Units 13 to 15)

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 11, 2017

Item 1, CW Report No. 44 – Page 13

m.	Minimum Exterior Side Yard Setback	4.5 m	<ul style="list-style-type: none">• 3.8 m (Heritage Dwelling)• 1.5 m (Units 2, 3, 8, 10 and 13)
n.	Maximum Interior Garage Dimension	3.048 m	<ul style="list-style-type: none">• 6.1 m (Units 4-6)• 3.4 m (all other units)

The Development Planning Department has reviewed the proposed site-specific exceptions to Zoning By-law 1-88 and provides the following comments:

a) Definitions, Permitted Uses, Frontage and Lot Depths

The proposal to amend the definition of a “Street Townhouse Dwelling”, “Semi-Detached Dwelling”, “Lot”, “Frontage on a Public Street” and “Street Line” is technical in nature as the development proposal will contain freehold lots having access from a private common element condominium road. To ensure compliance for zoning purposes, the future freehold lots proposed for the subject lands will be deemed as individual lots to avoid potential future “technical” variances that may be required. The proposed lot depths are typical for this form of development.

The intent of the revised definition for the proposed “Service or Repair Shop” is to ensure the service to be provided will be limited to the service and repair of small household appliances and home computers, which is more compatible with the proposed residential uses.

The “Office of a Regulated Health Professional and Veterinarian” will be excluded as a permitted use from the definition of “Business or Professional Office”, as these uses have the potential of generating a significantly higher parking demand that cannot be accommodated on the subject lands.

b) Setbacks

The proposed building setback of the townhouses and semi-detached units from Keele Street allows for the creation of a built environment that encourages a better physical relationship between the pedestrian realm and built form within the heritage district, which is consistent with other mixed-use developments located in the vicinity of the Maple Commercial Core Area. In addition, the reduction of the building setbacks identified for the William Bailey Residence are required to recognize the existing as-built condition of the heritage dwelling as a result of the road widening and to ensure the area around the dwelling will not be used as part of the common element condominium.

c) Garage Dimensions

The proposed interior garage dimensions for Units 4-6 are to accommodate a double garage at the rear of these units which will not be visible from Keele Street. The proposed interior garage width for all of the other units is considered a minor increase from the permitted 3 m maximum width.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 11, 2017

Item 1, CW Report No. 44 – Page 14

In consideration of the above, the Development Planning Department is satisfied that the proposed amendments to Zoning By-law 1-88 maintain the intent of the Official Plan and will facilitate a residential development that is compatible with the existing and planned land uses in the surrounding area.

Subdivision Design

The proposed Draft Plan of Subdivision shown on Attachment #8 will allow the creation of one residential block to facilitate the proposed site plan, the future common element condominium, and the creation of 16 individual freehold lots for the townhouse and semi-detached dwellings, as well as 1 lot for the existing heritage building through a future Part Lot Control Application. The future Draft Plan of Condominium (Common Element) Application will create the proposed private road, walkways, visitor parking, private amenity areas and landscaped areas.

The Development Planning Department has no objection to the approval of the proposed Draft Plan of Subdivision shown on Attachment #8, subject to the Conditions of Approval included in Attachment #1.

Site Plan Review

The Development Planning Department is generally satisfied with the proposed site plan, landscaping plan and building elevations, shown on Attachments #4 to #7. The site plan consists of 11 townhouse dwelling units and 4 semi-detached dwelling units. Five townhouse units will front onto Keele Street with the remaining 6 townhouse units being located internal to the site. There will be 2 semi-detached dwelling units that front onto Keele Street, while the other 2 semi-detached units will be located internal to the site.

The existing heritage dwelling is located along the Keele Street right-of-way and is proposed to be converted to accommodate the proposed ground floor commercial uses and second storey residential dwelling unit. The 90 m² ground floor will be dedicated to limited commercial uses as indicated in Table 1.

The proposed townhouse blocks are intended to be sold as freehold units, with access provided from a common element private road. Amenity space for each unit will be provided on the basis that internal dwelling units will have private rear yards, while the units fronting onto Keele Street will have rear balconies. A larger amenity area adjacent to the existing heritage dwelling is also proposed to provide residents with additional communal open space.

The proposed access onto Keele Street aligns with Naylor Street, as required by York Region. A total of 46 parking spaces are proposed to be provided on site. The development proposal includes the provision of 10 visitor spaces, including 1 accessible space for both the residential and commercial uses with the remaining 36 residential spaces provided for the townhouse and semi-detached dwelling units.

The proposed development is designed to accommodate curbside garbage pick-up on the private road. A turnaround area has been provided for waste management vehicles, which will be paved with unit pavers at the request of the Environmental Services, Waste Management Division.

a) Landscape Plan

The landscape plan for the proposed development is shown on Attachment #5 and is designed in accordance with the Maple Streetscape and Urban Design Guidelines (MSUDG). The Keele Street frontage has been detailed with trees, shrubs and includes typical Maple Streetscape planters, light

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 11, 2017

Item 1, CW Report No. 44 – Page 15

standards, benches, trash receptacles, and bicycle racks. The Site Plan Agreement will include a clause requiring the Owner to provide a one-time payment of \$7,415.00 to the City of Vaughan for the maintenance of the enhanced landscaping on the Keele Street right-of-way and will be provided prior to the execution of the Site Plan Agreement. A condition to this effect has been included in the recommendation of this report.

The Colorado Spruce located in front of the heritage dwelling, and the prominent linear zone of woody vegetation, along the southern edge of the site abutting the cemetery, comprised of predominantly White Cedars interspersed with various deciduous tree species will be retained. The Owner is seeking permission for the removal of 23 existing trees on the property, most of which are Manitoba and Norway Maples, as well as Siberian Elm; three species that are identified as invasive and unsuitable by the Maple Heritage Conservation District (MHCD) Plan.

In order to compensate for the requested tree removals, 32 new deciduous trees and 3 new coniferous trees are proposed to be planted within the development site. Planting will be provided around the heritage dwelling to provide a buffer and transition between the heritage dwelling and the dwelling units being proposed. Tree and shrub plantings are proposed along the Keele Street street edge, including 5 deciduous street trees within the Keele Street right-of-way.

The Development Planning Department shall approve the final landscape plan prior to the execution of the implementing site plan agreement.

b) Building Elevations

The proposed building elevations are shown on Attachments #6 and #7. The proposed building designs include architectural styles recognized by the Maple Heritage Conservation District (MHCD) Plan. A Victorian Vernacular style is proposed along the Keele Street frontage and includes red and buff brick patterning and decorative brick work, segmented arches over the windows, four paned windows, quoin work along the edges and decorative bargeboard along the front verandas. The internal garages are located at the rear of these dwelling units and will not be visible from the street.

Situated behind the William Bailey Residence and the dwellings fronting Keele Street, is a second row of residential blocks, as shown on Attachment #4. These proposed buildings are designed with a Neo-Classical or Georgian style recognized in the MHCD Plan. These buildings consist of red brick cladding with stone lintels and straight arches over the windows and garage entrances. The windows are configured with six over six panes and the front verandas feature neo-classical details, as shown Attachment #7. Multi-paned transom window openings are featured over the front door and over the opening of the rear balconies.

c) Heritage Vaughan

The subject lands (9869 and 9891 Keele Street) are designated under Part V of the *Ontario Heritage Act* as they are located within the MHCD. The property at 9869 Keele is vacant and 9891 Keele Street contains the William Bailey Residence, which is a property listed on the City of Vaughan's Register of Property of Cultural Heritage Value.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 11, 2017

Item 1, CW Report No. 44 – Page 16

The subject development applications were considered and approved by the Heritage Vaughan Committee (“Committee”) on August 16, 2017. The Heritage Vaughan Committee recommended that the following recommendation be forwarded to Council for approval:

1. THAT the recommendation contained in the report of the Director of Development Planning and the Manager of Urban Design and Cultural Heritage, dated August 16, 2017, be approved;
2. THAT the applicant consider locating the designated parking spots for the heritage structure in reasonable proximity to the building; and
3. THAT the applicant consider redesigning Units 10 and 13 to introduce entrances along the main street and also extend sidewalks into the 3 residential units.

In addition, the Heritage Vaughan Committee recommended that a Letter of Credit in the amount of \$150,000 (calculated at \$100.00 per square foot) be provided to the City of Vaughan for the conservation of the William Bailey Residence through the Site Plan Agreement. A condition to this effect will be included in the implementing Site Plan Agreement. At its meeting on September 26, 2017, Council approved the Committee’s recommendation.

Development Planning Staff have reviewed the recommendations of the Committee and are concerned with the potential impacts that the suggested changes would have on the overall development proposal. Recommendation #2 of the Committee seeks to relocate the parking area closer to the heritage dwelling. Staff have determined that the amenity area would be lost as a result, thereby impacting the visual presence of the heritage dwelling. As shown on Attachment #5, the amenity area celebrates and provides for a focal point of the heritage structure that can be shared by the residents of the proposed development.

The redesign of the entrances for Units 10 and 13 as recommended in #3 above, would eliminate a minimum of 2 visitor parking spaces which are required to maintain the minimum parking requirement of Zoning By-law 1-88. Staff is satisfied with the site plan as shown on Attachment #4.

Archaeological Assessment

The subject lands have been reviewed in consideration of the Stage 1 and 2 Archaeological Assessments, and have been declared free of archaeological concerns, however, the following standard clauses will be included as a condition of Draft Plan of Subdivision Approval:

- i) Should archaeological resources be found on the property during construction activities, all work must cease and both the Ontario Ministry of Tourism, Culture and Sport, and the City of Vaughan’s Urban Design and Cultural Heritage Division in the Development Planning Department shall be notified immediately.
- ii) In the event that human remains are encountered during construction activities, the Owner must immediately cease all construction activities. The Owner shall contact the York Regional Police Department, the Regional Coroner and the Registrar of the Cemeteries Regulation Unit of the Ministry of Consumer and Business Services.

Environmental Services Department, Waste Management Division

The Waste Management Division has reviewed the development proposal in consideration of the City’s Waste Collection Design Standards and have deemed the proposed waste management system to be satisfactory.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 11, 2017

Item 1, CW Report No. 44 – Page 17

Development Engineering Department

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

a) Water Distribution

The subject site lies within Pressure District 7 (PD7) of the York Water System and will be serviced by an existing watermain located on Keele Street. The Development Engineering Department does not anticipate any constraints with respect to water servicing.

b) Allocation of Sewage and Water Capacity

On December 13, 2016, the City's latest annual servicing capacity allocation strategy report was endorsed by Vaughan Council. The report confirmed servicing capacity is available to support continued urban growth throughout the City. Accordingly, servicing capacity to the subject lands is available and unrestricted. Therefore, the following resolution to allocate capacity to the subject development is included in the recommendation of this report:

“THAT Site Plan 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).”

c) Storm Drainage and Servicing

The Servicing and Stormwater Management Report prepared by SCS Consulting Group Ltd., dated May 18, 2017, has been reviewed by the Development Engineering Department and they have requested additional analysis to be provided. The analysis must include an assessment of the existing culvert and the receiving drainage ditch along Naylor Street to ensure post-development storm flows from the subject development can be adequately conveyed. The analysis should also assess the ultimate outlet, specifically the existing watercourse running through the park (starting at Jackson Street south of Naylor Street) to ensure existing conditions of the ditches and watercourse can manage the potential increased frequency of storm water discharge.

d) Environmental Noise/Vibration Impact

The Acoustical Study prepared by IBI Group, and updated in December 2015 recommended that an 1.8 m high sound barrier be constructed along the boundary of the subject site, except along the Keele Street frontage, in order to mitigate any noise sources. The report also noted the units abutting Keele Street may be exposed to sound levels as high as 57.7 dBA, whereas the City's allowable sound exposure is 55 dBA. However, the Ministry of the Environment and Climate Change (MOECC) Guidelines do allow for minimal exceedances provided the proper warning clauses are included in the subdivision agreement and registered on title. In addition, the installation of air conditioning units was also recommended for the units proposed along Keele Street, and the remaining units.

Since the initial submission of the Study in 2015 the site plan has been modified. As such, the Development Engineering Department has requested an updated Study outlining any potential warning clauses for inclusion in the Subdivision and Site Plan Agreements, as well as providing details regarding the structural design of all noise mitigation features. A condition to this effect will be included in the implementing site plan agreement.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 11, 2017

Item 1, CW Report No. 44 – Page 18

e) Transportation Planning

York Region approval is required as the development may impact a regional intersection. An updated site plan is required showing on-site traffic signage, a condition to this effect is included in the recommendation of this report.

In addition to the above comments, the Development Engineering Department has provided conditions of Draft Plan of Subdivision Approval set-out in Attachment #1a).

Infrastructure Planning and Asset Management (IPAM) Department

The IPAM Department has reviewed the development proposal and advise that the City is currently undertaking a sanitary sewer system optimization study for the Maple Heritage Conservation District which is intended to identify any necessary upgrades required to facilitate development within this area. Accordingly, the following condition has been included in Attachment #1a) Draft Plan of Subdivision conditions:

“The Owner shall be responsible to finance and implement or contribute to required sanitary system improvements in the Maple Heritage Conservation District area based on the conclusions and recommendations of the City’s Focus Area Core Servicing Strategy Study to the satisfaction of the City of Vaughan.”

Office of the City Solicitor, Real Estate Department

The Real Estate Department has confirmed that a cash-in-lieu of parkland dedication is required in accordance with the City’s Cash-in-Lieu of Parkland Policy. A condition to this effect will be included in the implementing Site Plan Agreement.

Parks Development Department

The Parks Development Department has no objection to the proposed development however, the Owner shall provide a grading plan illustrating the proposed grading interface between the existing cemetery lands and the proposed residential development. The cemetery lands cannot be encumbered by overland flow routes from the proposed residential development. The Transportation Services, Parks and Forestry Department must also review the grading plan. A condition to this effect has been included in the recommendation of this report.

Toronto and Region Conservation Authority (TRCA)

The subject property is located in a Source Water Protection vulnerable area referred to as Wellhead Protection Area-Q2 (WHPA-Q2). This area was delineated to help manage activities that may reduce recharge to an aquifer (Prescribed Threat No. 20 under the *Clean Water Act*, 2006) and recommends the implementation of best management practices, such as Low Impact Development, with the goal to maintain pre-development recharge. The TRCA provides technical advice to the City of Vaughan with respect to water balance analysis. Having reviewed the requested site-specific water balance and mitigation proposal, the TRCA is satisfied that the requirements of the policy have been met for the proposed development and has no further concerns with the development proposal.

School Boards

The York Region District School Board and York Catholic District School Board have advised that they have no objection to the proposal and have no conditions of Draft Plan of Subdivision approval.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 11, 2017

Item 1, CW Report No. 44 – Page 19

Canada Post

Canada Post has no objections to the proposed development, subject to the conditions of Draft Plan of Subdivision approval in Attachment #1 c).

Utilities

Enbridge Gas has no objections to the proposed development, subject to the conditions of Draft Plan of Subdivision approval in Attachment #1d).

Alectra Utilities Corporation has no objections to the proposed development, subject to the condition of Draft Plan of Subdivision approval in Attachment #1e).

Hydro One have no objection to the approval of the proposed Draft Plan of Subdivision.

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

This report supports the following priorities set forth in the Term of Council Service Excellence strategy Map (2014-2018):

- Continue to cultivate an environmentally sustainable City

Regional Implications

On April 29, 2016, York Region exempted Official Plan Amendment File OP.15.009 (Empire Pace (Maple) Ltd.) from approval by the Regional Committee of the Whole and Council. York Region has indicated they have no objections to the Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Subdivision and Site Development Applications, subject to comments in the Regional Implications section of this report, and the conditions of Draft Plan of Approval included in Attachment #1 of this report.

Conclusion

The Development Planning Department has reviewed Official Plan Amendment File OP.15.009, Zoning By-law Amendment File Z.15.037, Draft Plan of Subdivision File 19T-15V015 and Site Development File DA.15.090, to permit the development of the subject lands with 11, 3-storey townhouse units, 4 semi-detached units and to maintain and convert the existing heritage dwelling into a mixed-use building with commercial uses on the ground floor and a residential dwelling unit on the second floor. The development will be served by a future privately owned and maintained common element condominium including an internal road, walkway(s), five residential/commercial parking spaces (including 1 accessible space) allocated to the heritage dwelling, 5 visitor parking spaces and a landscaped amenity area, as shown on Attachments #4 to #7.

The proposed development has been comprehensively reviewed in consideration of applicable Provincial policies, Regional and City Official Plan policies, the requirements of Zoning By-law 1-88, the comments received from City Departments and external public agencies, the public, and the surrounding area context. The Development Planning Department is satisfied that the proposed residential development is appropriate and compatible with the existing and permitted uses in the surrounding area for the reasons set out in this report. On this basis, the Development Planning Department can support the approval of the Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Subdivision and Site Development applications, subject to the recommendations in this report, and the conditions of approval set out in Attachment #1.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 11, 2017

Item 1, CW Report No. 44 – Page 20

Attachments

1. Conditions of Approval
2. Context Location Map
3. Location Map
4. Site Plan, Existing Official Plan & Proposed Zoning
5. Landscape Plan
6. Keele Street Building Elevations
7. Typical Interior Building Elevations
8. Draft Plan of Subdivision File 19T-15V015
9. Site Plan Considered at the May 31, 2016 Public Hearing

Report prepared by:

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(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.)