

memorandum

c 6 Communication CW: Nov 26/13 Item: 38

DATE: NOVEMBER 25, 2013

TO: HONOURABLE MAYOR & MEMBERS OF COUNCIL

FROM: JOHN MACKENZIE, COMMISSIONER OF PLANNING

RE: COMMUNICATION - ITEM #38, COMMITTEE OF THE WHOLE, NOVEMBER 26, 2013

ZONING BY-LAW AMENDMENT FILE Z.12.042
SITE DEVELOPMENT FILE DA.13.033
EMPIRE PACE (MAPLE) LTD.
WARD 1 – VICINITY OF MAJOR MACKENZIE DRIVE AND KEELE STREET

Recommendation

The Commissioner of Planning recommends:

1. THAT Recommendations #1, #2 (in part) and #3 in the report by the Commissioner of Planning and the Director of Development Planning, dated November 26, 2013, Item #38 of Report #52, be deleted and replaced with the following:
 - "1. THAT Zoning By-law Amendment File Z.12.042 (Empire Pace (Maple) Ltd.) BE APPROVED, specifically to amend Zoning By-law 1-88 to rezone the entirety of the subject lands from R1 Residential Zone (9869 Keele Street) and RA2 Apartment Residential Zone (9891 Keele Street) subject to Exception 9(1194) to RA2 Apartment Residential Zone, together with the site-specific exceptions identified in Table 1 of the staff report as partially amended in Table 1 (for a), f) and i)) of this Communication."
 - "2. THAT Site Development File DA.13.033 (Empire Pace (Maple) Ltd.) BE APPROVED, to permit the development of the subject lands with a 3-storey mixed-use apartment building consisting of 56 apartment units and 6 ground floor units (total 411.73 m²) that may be used either as live/work units or alternatively as full commercial units or a combination thereof, five (5) 3-storey townhouse units, and the existing heritage dwelling (William Bailey Residence) to be converted to a live/work unit, and served by a total of 97 parking spaces as shown on Attachments #3 to #8, subject to the following conditions:"
 - "3. THAT Vaughan Council pass the following resolution with respect to the allocation of sewage capacity from the York-Durham Servicing Scheme and water supply capacity from the York Water Supply System in accordance with the approved Servicing Capacity Distribution Protocol, dated October 29, 2013:

"IT IS HEREBY RESOLVED THAT Site Development File DA.13.033 be allocated sewage capacity from the York-Durham Servicing Scheme and water

supply capacity from the York Water Supply System for a total of 67 residential units.”

2. THAT the revised site plan and landscape plan attached to this Communication, replace the original Attachments #3 and #6 of the November 26, 2013 report by the Commissioner of Planning and the Director of Development Planning, Item #38 of Report #52.

Background

The site plan submitted in support of Site Development File DA.13.033 indicates that Building “A” of the proposed development includes 56 units and 411.73 m² of commercial gross floor area. As a result, the technical report respecting the above-noted Zoning By-law Amendment and Site Development Files identified that Building “A” of the proposed development consists of a 3-storey mixed-use apartment building including 56 units (50 apartment units and 6 ground floor live/work units), whereas, the applicant has advised that Building “A” actually consists of a total of 62 dwelling units (including 56 apartment units and 6 ground floor live/work and/or commercial units) facing Keele Street. Accordingly, the recommendation and the following sections of the November 26, 2013 technical report must be amended to accurately reflect the total number of units and that the site-specific zoning exceptions to be approved are in Table 1 of the staff report as partially amended in Table 1 (for a), f) and i)) of this Communication:

i) Purpose

The Purpose Section of the report must be amended as follows:

- “1. THAT Zoning By-law Amendment File Z.12.042 (Empire Pace (Maple) Ltd.) BE APPROVED, specifically to amend Zoning By-law 1-88 to rezone the entirety of the subject lands from R1 Residential Zone (9869 Keele Street) and RA2 Apartment Residential Zone (9891 Keele Street) subject to Exception 9(1194) to RA2 Apartment Residential Zone, together with the site-specific exceptions identified in Table 1 of the staff report as partially amended in Table 1 (for a), f) and i)) of this Communication.”
- “2. Site Development File DA.13.033 (Empire Pace (Maple) Ltd.) to facilitate the development of a the subject lands with a 3-storey mixed use apartment building consisting of 62 units (56 apartment units and 6 ground floor units (total 411.72m²) which may be used either as live/work units or alternatively as full commercial units or a combination thereof, five (5) 3-storey townhouse units, and to maintain the existing heritage dwelling (William Bailey Residence) to be converted to a live/work unit, served by 97 parking spaces, as shown on Attachment #3 to #8 inclusive.”

ii) Table 1

Table 1, specifically Sections (a), (f) and (i) in the Zoning Section of the report must be amended as follows:

	By-law Standard	Zoning By-law 1-88, RA2 Apartment Residential Zone Requirements	Proposed Exceptions to the RA2 Apartment Residential Zone
a.	Permitted Uses in an RA2 Apartment Residential Zone	Residential Apartment Dwellings are permitted, but does not permit townhouse, live/work dwelling units or commercial ground floor units.	In addition to Residential Apartment Dwellings, permit the following uses: - 5 block townhouse dwelling

			<p>units (Building "B" on Attachment #3);</p> <ul style="list-style-type: none"> - A live/work unit in the existing heritage dwelling (William Bailey Residence), as shown on Attachment #3; and, - A maximum of 6 ground floor units (411.73m²), which may be used either as live/work units or alternatively as full commercial units, or a combination thereof. <p>A live/work unit shall mean a dwelling that contains an ancillary business, which is conducted only by an individual that lives in the dwelling, and which occupies not more than 50% of the gross floor area of the entire live/work dwelling unit, and the ground floor shall be limited to the following uses:</p> <ul style="list-style-type: none"> i) Business or Professional Office; ii) Retail Store; iii) Personal Service Shop; iv) Studio; and, v) Service or Repair Shop* <p>Should the entire unit be used for commercial uses, the permitted uses shall be restricted to the uses identified above.</p>
f.	Maximum Building Height	44 m	Restrict the maximum building height to 11.8 m (Building "A")
i.	Minimum Number of Parking Spaces	<p>1) <u>Building "A"</u></p> <p>a) Residential Units</p> <ul style="list-style-type: none"> • Residential Parking - 84 spaces (56 units @ 1.5 spaces/unit) + • Visitor Parking - 14 spaces (56 units @ 0.25 spaces/unit) <p>b) Ground Floor Live/Work Units</p>	<p>1) <u>Building "A"</u></p> <p>a) Residential Units</p> <ul style="list-style-type: none"> • Residential Parking - 60 spaces (56 units @ 1.07 spaces) + • Visitor Parking - 11 spaces (56 units @ 0.19 spaces/unit) <p>b) Ground Floor Live/Work Units</p>

	<ul style="list-style-type: none"> Residential Parking - 9 spaces (6 units @ 1.5 spaces/unit) + Commercial Parking - 13 spaces (50% of 411.73 m² @ 6 spaces/100m²) <p>a) + b) = 120 spaces</p> <p>c) Commercial Ground Floor</p> <ul style="list-style-type: none"> Commercial Parking - 25 spaces (411.73 m² @ 6 spaces/100 m²) <p>a) + c) = 123 spaces</p> <p>2) <u>Townhouse Units (Building "B")</u></p> <ul style="list-style-type: none"> Residential Parking - 8 spaces (5 units @ 1.5 spaces/unit) + Visitor Parking - 2 spaces (5 units @ 0.25 spaces/unit) <p>Total Townhouse Parking Required - 10 spaces</p> <p>3) <u>Existing Heritage Dwelling</u></p> <ul style="list-style-type: none"> Residential Parking - 2 spaces (1 unit @ 1.5 spaces/unit) + Visitor Parking - 1 space (1 unit @ 0.25 spaces/unit) + Live/work Unit Commercial Parking - 6 spaces (90 m² @ 6 spaces/100 m²) <p>Total Required Parking for the Heritage Dwelling - 9 spaces</p> <p>a) <u>Total Parking Required for Entire Development with Ground Floor Live/Work Units within Building "A"</u></p> <p>139 parking spaces</p>	<ul style="list-style-type: none"> Residential Parking - 6 spaces (6 units @ 1 space/unit) + Commercial Parking - 6 spaces (50% of 411.73 m² is 205.87 m² @ 2.9 spaces/100m²) <p>a) + b) = 83 spaces</p> <p>c) Commercial Ground Floor</p> <ul style="list-style-type: none"> Commercial Parking - 12 spaces (411.73 m² @ 2.9 spaces/100 m²) <p>a) + c) = 83 spaces</p> <p>2) <u>Townhouse Units (Building "B")</u></p> <ul style="list-style-type: none"> Residential Parking - 10 spaces (5 units @ 2 spaces/unit) + Visitor Parking - 0 spaces <p>Total Townhouse Parking Required - 10 spaces</p> <p>3) <u>Existing Heritage Dwelling</u></p> <ul style="list-style-type: none"> Residential Parking - 1 space + Visitor Parking - 0 space + Live/work Unit Commercial Parking - 3 spaces (90 m² @ 3 spaces/100 m²) <p>Total Required Parking for the Heritage Dwelling - 4 spaces</p> <p>a) <u>Total Parking Proposed for Entire Development with Ground Floor Live/Work Units within Building "A"</u></p> <p>97 parking spaces*</p>
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		b) <u>Total Parking Required for Entire Development with Ground Floor Commercial Units within Building "A"</u> 142 parking spaces	b) <u>Total Parking Proposed for Entire Development with Ground Floor Commercial Units within Building "A"</u> 97 parking spaces* *6 lay-by parking spaces are proposed on Keele Street (not included in above calculation for zoning purposes)
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As a result of the changes above, the justification provided for these exceptions to Zoning By-law 1-88 in Sections (c), (e) and (h) of the technical report must also be amended as follows:

c) Definition of a "Live/Work" Unit

The Owner has requested that the 6 ground floor units in Building "A" facing Keele Street be permitted to be used as live/work units (maximum 50% of the gross floor area of each unit devoted as commercial uses), a full commercial unit or a combination thereof. This request provides the Owner with the flexibility to market these units to a broader range of perspective purchasers, and therefore, increase the opportunity that these units will be occupied. In addition, OPA #350, as amended by OPA #533, requires that a minimum 70% of the frontage of the building at grade level be used for street related commercial uses. This request would conform to the Official Plan.

e) Building Height

The building height of 11.2 m for Building "A" was a typographical error and should correctly read 11.8 m, which is permitted by the Maple Heritage Conservation District Plan.

h) Minimum Number of Required Parking Spaces

The Parking Study dated July 9, 2013, prepared by Cole Engineering in support of this proposal identified the 6 ground floor units (411.73 m²) in Building "A" as being devoted entirely to commercial uses in addition to the 56 residential units. As use of these 6 units entirely for commercial uses would generate a minimum parking requirement that is higher than with the provision of 6 live/work units, the proposed parking supply of 97 spaces can be supported.

iii) Servicing

The Vaughan Development/Transportation Engineering Department has advised that servicing capacity for the additional 6 live/work units in Building "A" is available, and therefore, the recommendation respecting servicing and the technical report must be amended to reference servicing for the entire site development being allocated for 67 units instead of 61.

iv) Attachments #3 and #6 (Site Plan and Landscape Plan)

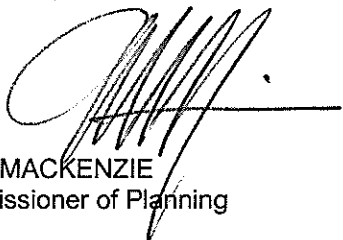
Attachments #3 (Site Plan) and #6 (Landscape Plan) make reference to 56 total units and must be replaced with the Attachments #3 and #6 in this Communication, to accurately reflect the number of units (62) proposed for Building "A".

Conclusion

The technical report (Item #38 of Report #52) respecting Zoning By-law Amendment and Site Development Files Z.12.042 and DA.13.033 (Empire Pace (Maple) Ltd.) for consideration by the Committee of the Whole on November 26, 2013, identifies Building "A" of the proposed development as consisting of 56 units (50 apartment units and 6 live-work units), whereas 62 units (56 apartment units and 6 live-work/commercial units) are actually proposed. Accordingly, the report must be revised as identified in this Communication to address changes to the recommendation and in the body of the staff report to accurately reflect the proposed number of units in Building "A" of the development. In addition, Attachments #3 and #6 of the report must be deleted and replaced with the corresponding corrected Attachments #3 and #6 appended to this Communication. The balance of the report remains unchanged.

Should the Committee concur, the recommendations in the technical report and the revised recommendations in this Communication, can be adopted.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'J. Mackenzie', written over a horizontal line.

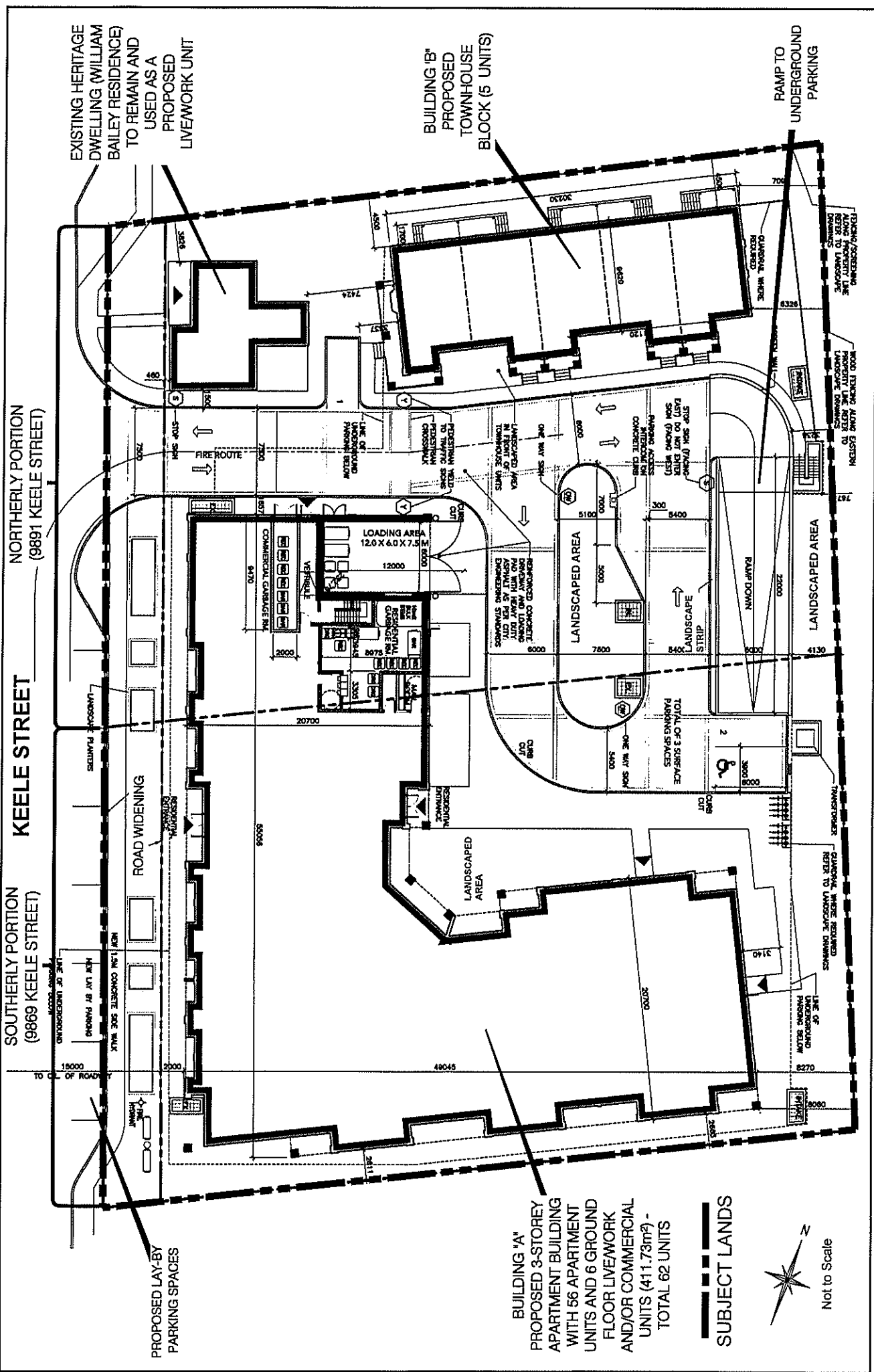
JOHN MACKENZIE
Commissioner of Planning

Attachments

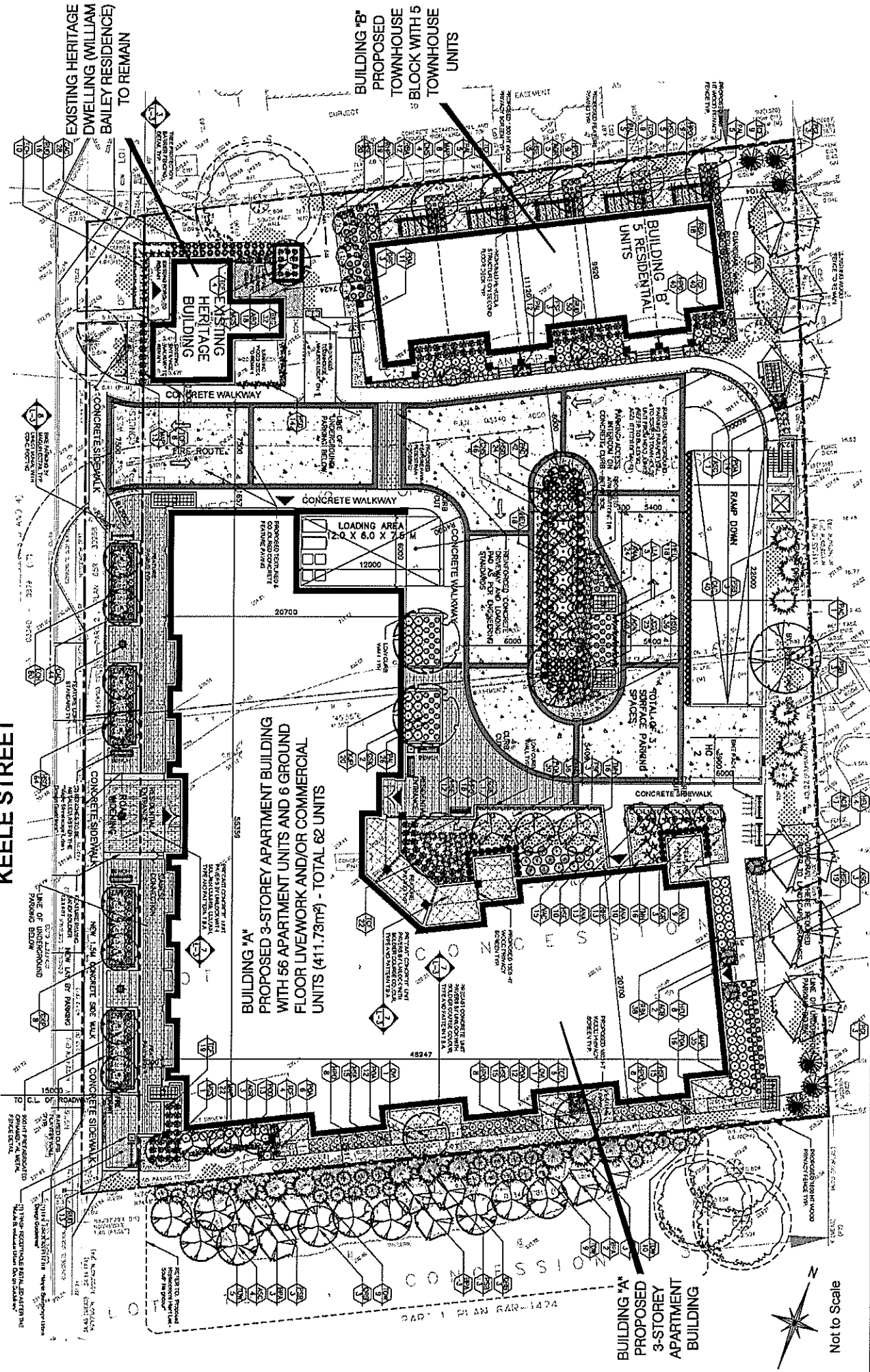
Revised Attachment #3 - Site Plan
Revised Attachment #6 - Landscape Plan

MH/cm

Copy to: Barbara Cribbett, Interim City Manager
Jeffrey A. Abrams, City Clerk
Grant Uyeyama, Director of Development Planning



KEELE STREET



Landscape Plan

Location: Part of Lot 20,
Concession 3

Applicant:
Empire Pace (Maple) Ltd.

NRDFT1 ATTACHMENTS\DA\06.13.033.dwg



Attachment

Files: Z.12.042 &
DA.13.033

Date:
November 26, 2013

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