

October 16, 2012

City of Vaughan  
2141 Major Mackenzie Drive,  
Vaughan, Ontario  
L6A 1T1

C 12	
COMMUNICATION	
CW (PH) -	OCT 16/12
ITEM -	6

**ATTENTION:** Members of Council  
Development Planning Department

**RE: FILE NUMBER OP.12.007 AND Z.12.016**

We have been residents of the village of Maple for approximately twenty-nine years and for the most part extremely happy with our quality of life in this neighbourhood.

On March 30, 1998, there was an application brought to the Committee of the Whole for Official Plan and Zoning Amendments to this same block. In 1998, the plan was for 136 residential units, 1457 sq.m. commercial and a total of 325 parking spaces for all.

At that time, we, the residents of this neighbourhood abutting this proposal, banded together as Maple Ratepayers Association with numerous concerns stemming from the proposed increased density compared to our neighbourhood at R1 and R1V at 8/hectare density; the increased through traffic generated on interior streets; on street parking on the interior streets; as well as added traffic to Keele and Major Mackenzie.

Also, the possible negative impact resulting from the design/mass/height of the buildings and compatibility with existing development concerned us; as well as the precedence setting to the interior of our neighbourhood.

In Spring 2000, the applications had been modified down to 108 block townhouses units and an increased 1750 sq.m. commercial use. These applications went before the Ontario Municipal Board and were refused and the appeals were dismissed. The reason given was as follows—"given the established character of Maple, the Board finds that the subject proposal is too dense and intense, too high and too massive to be compatible within its community." The Vice-Chair, D.L. Santo, continues to say—"After considering the evidence and with the benefit of the walkabout, I am not opposed to townhouses acting as the transition and buffer. I find townhouses can be compatible with other lower density forms of residential. Height and intensity though can create negative impacts."

Years later and along the way, the City did eventually change the Zoning to RM2(H) to accommodate a 40 unit townhouse plan for this block. Now, instead of going forward with this project, we are presented with these applications that are more intense than the one presented in 1998.

Our concerns pertaining to the current applications have not changed from those presented to Council in 1998. If anything, they have become even more intensified as a result of the increased development proposed set on a smaller parcel of land.

OPA 350 clearly states that the objectives in development within the Maple Commercial Core Area include the following:

**To ensure harmonious interface between the commercial core area and the adjacent land uses, development with the Maple Commercial Core areas shall be in a scale and form which is complimentary and compatible with adjacent low density residential development. These areas shall be developed with low rise buildings incorporating a residential design and scale.**

Based on the objectives of OPA 350, our experiences with the previous proposal and the Decision of the OMB on June 14, 2000—OP.12.007 and Z.12.016 would result in negative impact conditions and should not be allowed to go forward. We have our concerns that these applications may not fulfill nor conform with the Maple Commercial Core Area policies of OPA 350. They would not be compatible with current development in the immediate area (two-storey buildings existing on the block vs four-storey proposal). The urban design and conformity with the Maple Streetscape and Urban Design Guidelines causes concern, as well as the traffic implications of the proposed development.

We do wish that this block can be developed with the least amount of impact to neighbourhood and with positive results that would be appreciated and enjoyed by the Maple community as a whole.

Sincerely,

A handwritten signature in black ink, appearing to read 'M. Sammut', with a long horizontal stroke extending to the right.

Mrs. Maria Sammut  
9 Welton Street  
Maple, Ontario  
L6A3Y3

ISSUE DATE:  
Jun. 14, 2000

DECISION/ORDER NO:  
0894



JUN 19 2000

PL991072

Ontario Municipal Board  
Commission des affaires municipales de l'Ontario

G. D'Orio, P. Bozzo, L. Dillio, C. Santone, E. Johnson, D. Zeni and P. Pasquini have appealed to the Ontario Municipal Board under subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, from Council's refusal or neglect to enact a proposed amendment to Zoning By-law 1-88, as amended, of the City of Vaughan to redone lands respecting lands known municipally as 9964 and 9980 Keele Street, 2269, 2273, 2279, 2285 and 2291 Major Mackenzie Drive, 8, 10 and 12 Church Street and 1 Jackson Street, from "R1" Single Family Detached Zone and "C1" Restricted Commercial Zone to "RM2(H)" Multiple Residential Holding Zone (RM2(H)(891)) with a site specific exception for mixed-use development to permit the development and use of 1,750 square metres of commercial uses and 108 block townhouse units

City's File Number: Z.97.109

OMB File Number: Z990159

G. D'Orio, P. Bozzo, L. Dillio, C. Santone, E. Johnson, D. Zeni and P. Pasquini have appealed to the Ontario Municipal Board under subsection 22(7) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, from Council's refusal or neglect to enact a proposed amendment to the Official Plan for the City of Vaughan to redesignates lands respecting lands known municipally as 9964 and 9980 Keele Street, 2269, 2273, 2285 and 2291 Major Mackenzie Drive, 8, 10 and 12 Church Street and 1 Jackson Street, from "Maple Commercial Area" and "Low Density Residential" to a designation that would permit a mixed use residential/commercial development

City's File Number: OP.97.026

OMB File Number: O990181

G. D'Orio, P. Bozzo, L. Dillio, C. Santone, E. Johnson, D. Zeni and P. Pasquini have appealed to the Ontario Municipal Board under subsection 41(12) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, determination and settlement of details of a site plan for lands respecting lands known municipally as 9964 and 9980 Keele Street, 2269, 2273, 2279, 2285 and 2291 Major Mackenzie Drive, 8, 10 and 12 Church Street and 1 Jackson Street, in the City of Vaughan

City File Number: DA.00.007

OMB File Number: M000016

**APPEARANCES:**

Parties

Counsel\*/Agent

G. D'Orio, P. Bozzo, L. Dillio, C. Santone,  
E. Johnson, D. Zeni and P. Pasquini

M. L. Flynn-Guglietti\*

City of Vaughan

O. Fatigati\*

Maple Ratepayers Association

M. Sammut

Anita Bacher (9986 Keele Street)

C. Bacher

DECISION DELIVERED BY D. L. SANTO AND ORDER OF THE BOARD

The planning instruments identified in the title of proceedings are necessary to effect a redevelopment scheme for the southwest corner of Major Mackenzie Drive and Keele Street in the historic Village of Maple. With the exception of 9994 and 9986 Keele Street, the two properties located at the very corner of the intersection, the entire block south to Church Street and west to Jackson Street is included in this redevelopment scheme.

A group of individual property owners have formed an association for the purposes of the redevelopment proposal under the leadership of Dr. G. D'Orio. The scheme, as proposed, is opposed by the City, the incorporated Maple Ratepayers Association and the abutting property owner of 9986 Keele Street.

The owners of 9994 Keele Street, the delapidated and boarded-up building at the corner, was not represented nor did anyone appear. The Board was advised that 9994 Keele Street demonstrated no interest throughout the entire public process that the applications were put through.

In essence, the opposition relates to the magnitude of the project, the heights, the densities, the parking, the massing of the specific project, as depicted in Exhibits No. 8a, 8b, 8c and 8d, and the impacts of such a project on the extremely low density residential community adjoining.

No one is opposed to the redevelopment of this particular block. All parties and witnesses recognize an urgent need to redevelop this corner within the historic Village of Maple and accept that redevelopment necessitates a higher density of use and form.

The scheme, as shown in Exhibit No. 4a, consists of 2 four-storey mixed use buildings, one fronting on Keele Street the other on Major Mackenzie Drive. Ground floor commercial is proposed with the upper floors proposed for 107 condominium residential apartments. Jackson and Church Streets are flanked by 14 row townhouses in two sections, each fronting one of the streets. A parkette is proposed separating the two townhouse sections at the corner of Jackson and Church Streets. Some 303 parking spaces are planned, mainly within an underground structure, as well as an elevated landscaped terrace covering the proposed surface parking assigned for the commercial ground floor use located in the interior of the block.

The elevated landscaped terrace will provide a private outdoor amenity space for residents of the project. Architecturally, the project represents an exciting and dynamic change to historic Maple. It introduces a welcome mix of higher density residential units than the present predominance of low density detached residential units. However, the density proposed works out to be 116 units per hectare and 1.41 fsi as compared to the prevailing density of 7 to 8 units per hectare found in the long established residential community to the south and west.

Therefore, issues of compatibility, interface and transition between the two areas are paramount. In addition, a number of the existing houses have been identified as historically significant, although not designated under the *Heritage Act*. There is an effort by a number of the parties to preserve and incorporate the historic elements to the fullest extent possible.

The Board heard evidence from two qualified land use planners, Lorelei Jones and Edward Davidson, a qualified architect, Nino Rico, a number of concerned residents and the City's Director of Engineering. In addition, the Board, in the presence of all of the parties, walked the perimeter of the entire block and drove by the site each day to and from the City's municipal offices, as did all of the parties, located to the east of the subject site on Major Mackenzie Drive.

The evidence is that Nino Rico had previously been retained by the City to prepare an urban design streetscape guideline for the core of the Maple Community. The guideline was prepared and adopted by the City in 1997 and called the "Maple Streetscape Urban Design Guideline" (MSUDG). This exercise generated the interest of the proponents and encouraged them to proceed with the proposal. The proponents then retained Nino Rico to design the subject project. There is no question of the similarity of the two works. It was then put to the Board by the proponents that the subject project conforms with the MSUDG, as adopted by City Council.

The Board found Nino Rico to be a credible and competent architect in the field of urban design and streetscape revitalization.

The Board agrees that revitalization is necessary for Maple and as such dense mixed use developments with a significant residential component is an essential ingredient for a thriving and active core of a historic village. The subject proposal has all of the necessary ingredients to create an exciting streetscape. The question is, should it be at the density and intensity proposed?

On the walk about and through extensive photographs, the Board was provided with a view of new and existing development flanking both Major Mackenzie Drive and Keele Street. There does not appear to be much opportunity to match this type of intense direct street related urban form on the other three blocks of the intersection.

The recent development on the northwest corner, occupied by a Shoppers Drug Mart and designed after the MSUDG was adopted, is "unfortunate". One cannot dictate taste. Although it sports a clock tower, it is not street related, nor does it create any on-street excitement or activity. The southeast corner is occupied by the historic "Beaverbrook House", which is the community centre for the senior's residence to the east and to the south is a medical office building. Further to the east, adjacent to the senior's complex, is the City's municipal building. None of these structures incorporate any of the features for street related activity, as outlined in the MSUDG, and were built well before. The northeast corner is presently occupied by a suburban type plaza and to the north is a recently developed project, which incorporates a historic structure, and is moderately low in intensity. There may be a modest opportunity to redevelop the corner plaza property.

To the north and south on Keele Street, within the core, new commercial establishments in plaza format, with parking in the front, have been built. Part of the core also consists of a large community centre/library complex with an extensive parking area in the front. None of these fairly new structures incorporate features of the MSUDG, being parking at the rear or underground or reflects any street related urban design features nor create any "on street" excitement. As these are fairly recent developments, it is unlikely that intensive redevelopment of any these properties are imminent or achievable.

The Board was advised of a high density redevelopment scheme proposed for the lands to the north of and surrounding the Shoppers Drug Mart complex, proposed by Ton Lu Holdings. This proposal is opposed by the City and a hearing before this Board is to occur.

The Board was not given any evidence to determine whether or not the Ton Lu Holdings proposed development incorporates the features of the MSUDG. All the Board knows is that the Shoppers Drug Mart edifice occupies and dominates the focal point of that corner and as said previously, is unfortunate.

In addition, the focal point of the subject corner is not part of this proposal. The two corner properties are excluded from the redevelopment scheme, although the architect did

provide the Board with scenarios to incorporate them should they undergo redevelopment in the future.

Therefore, with the exception of the yet undetermined Ton Lu Holdings project, the subject is somewhat of a stand-alone scheme in the midst of a community with relatively limited potential or possibility of further intensification of the nature proposed by the MSUDG and certainty at the intensity of the subject proposal.

Given the established character of Maple, the Board finds that the subject proposal is too dense and intense, too high and too massive to be compatible within its community. Therefore, all of the applications are refused and the appeals are dismissed.

The Board so Orders.

However, all parties indicated the need for redevelopment and one asked the Board "not to drive Dr. D'Orio away". A catalyst is certainly needed to spawn further infill projects where they can be fitted in. The MSUDG represents a fine piece of work and establishes appropriate design principles and elements.

After considering the evidence and with the benefit of the walkabout, I am not opposed to townhouses acting as the transition and buffer. I am not opposed to expanding the core to incorporate the entire block. I find both perfectly acceptable given the location.

I find townhouses can be compatible with other lower density forms of residential. Height and intensity though can create negative impacts. In this regard there may be room for discussion. Certainly the opponents made it known that they are prepared to work with Dr. D'Orio to create a development scheme less intensive and one that is financially viable.

In that regard, the evidence of Mr. Davidson was helpful. In limiting the size of the underground parking structure, fewer units may be financially viable and a larger portion of the historic dwellings preserved. The townhouse units can be provided with their own garage and driveway thereby reducing their height to accommodate the elevated rear terrace. Most of the opponents could support three-storey structures in the two buildings fronting Major Mackenzie Drive and Keele Street and could support a less intensive townhouse form on the other two streets.

Therefore, should a settlement amongst the parties at this hearing be fully reached, the Board can reopen this matter pursuant to section 43 of the *Ontario Municipal Board Act*

for the purposes of dealing with all of the necessary instruments to affect a redevelopment scheme reflective of the terms of the settlement. Minimal evidence would be needed.

It is not necessary that this Member be seized of the matter should a full and complete agreement amongst the parties be reached.

Should a full agreement not be reached, new applications must be processed through the legislated process.

A handwritten signature in cursive script, appearing to read "D. Santo".

D. L. SANTO  
VICE-CHAIR