

## **CITY OF VAUGHAN**

### **EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 28, 2022**

Item 22, Report No. 30, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 28, 2022.

**22. SHAREWELL INVESTMENTS INC. OFFICIAL PLAN AMENDMENT FILE OP.20.016 ZONING BY-LAW AMENDMENT FILE Z.20.043 - 9929 KEELE STREET VICINITY OF KEELE STREET AND MAJOR MACKENZIE DRIVE**

**The Committee of the Whole recommends:**

- 1) That the recommendations contained in the report of the Deputy City Manager, Planning and Growth Management, dated June 21, 2022, be approved; and**
- 2) That Communication C26 from Ryan Guetter, Executive Vice President and Sandra K. Patano, Vice President, Weston Consulting, Millway Avenue, Vaughan, dated June 20, 2022, be received.**

**Recommendations**

- 1. THAT Official Plan Amendment File OP.20.016 (Sharewell Developments Inc.) BE APPROVED, to amend Vaughan Official Plan 2010 for the subject lands shown on Attachment 1, to increase the maximum permitted building height from 3 to 4-storeys and the maximum permitted Floor Space Index from 1.25 to 1.4 times the area of the lot;**
- 2. THAT Zoning Amendment File Z.20.043 (Sharewell Development Inc) BE APPROVED, to amend Zoning By-law 1-88 to rezone the subject lands from “C1 Restricted Commercial Zone” subject to site-specific Exception 9(157), to “RA2(H) Apartment Residential Zone”, subject of the “(H)” Holding Symbol, as shown on Attachment 2, together with the site-specific zoning exceptions identified in Table 1 of this report. including a provision for as red-lined on Attachment 2;**
- 3. THAT the implementing Zoning By-law Amendment include the following provisions:**
  - a) Site-specific parking requirements for Restaurant use shall be 6 spaces/100 m<sup>2</sup> GFA;**
  - b) Site-specific parking requirement for Visitor Parking shall be 0.2 space/unit; and,**
  - c) The canopy overhang for the main building entrance to encroach a maximum of 2 m into the front yard setback.**

## **CITY OF VAUGHAN**

### **EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 28, 2022**

#### Item 22, CW Report 30 – Page 2

4. THAT the implementing Zoning By-law Amendment include the provision for a monetary contribution of \$200,000.00 pursuant to Section 37 of the Planning Act towards the following potential community benefits, to be finalized and implemented through a Section 37 Density Bonusing Agreement executed between the Owner and the City of Vaughan in return for the increase in the maximum permitted building height and Floor Space Index, to the satisfaction of the City for:
  - i. recreational improvements for the Maple Community Centre to contribute to the provision of equipment to provide for an outdoor synthetic ice surface in the area of the existing tennis courts; and
  - ii. the remaining unused portion of the above noted contribution shall be placed into the account identified for Public Art Reserve for a future art, design and sculpture for future public art within the identified areas of the Maple Core
5. THAT prior to the enactment of the implementing Zoning By-law, the Owner shall enter into and execute a Section 37 Bonusing Agreement with the City to secure the contribution and pay to the City the Section 37 Agreement surcharge fee in accordance with the in-effect Tariff of Fees for Planning Applications;
6. THAT the implementing Zoning By-law Amendment include the Holding Symbol “(H)” which shall not be removed from the subject lands, or any portion thereof, until the following conditions are addressed to the satisfaction of the City:
  - i. Vaughan Council adopts a resolution allocating sewage and water supply capacity in accordance with the City’s approved Servicing Capacity Distribution Protocol assigning capacity;
  - ii. the Owner shall submit and obtain approval of a Site Development Plan Application to facilitate the development, addressing all the comments provided through Official Plan and Zoning By-law Amendment Files OP.20.016 and Z.20.043 of the subject lands and satisfy all requirements of York Region;
  - iii. the Owner shall submit a Noise Report for the development;
7. THAT The Owner be permitted to apply for a Minor Variance Application(s) to the Vaughan Committee of Adjustment, if required, before the second anniversary of the day on which the implementing Zoning By-law for the subject lands came into effect, to permit minor adjustments to the implementing Zoning By-law.

## Committee of the Whole (2) Report

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**DATE:** Tuesday, June 21, 2022

**WARD:** 1

**TITLE:** SHAREWELL INVESTMENTS INC.

**OFFICIAL PLAN AMENDMENT FILE OP.20.016**

**ZONING BY-LAW AMENDMENT FILE Z.20.043**

**9929 KEELE STREET**

**VICINITY OF KEELE STREET AND MAJOR MACKENZIE DRIVE**

**FROM:**

Haiqing Xu, Deputy City Manager, Planning and Growth Management

**ACTION:** DECISION

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### **Purpose**

To seek approval from the Committee of the Whole for applications to amend the Official Plan and Zoning By-law on the subject lands shown on Attachment 1, to permit the development of a 4-storey mixed-use building containing 114 dwelling units and 964 m<sup>2</sup> of ground floor commercial uses with a Floor Space Index ('FSI') of 1.4 times the area of the lot, as shown on Attachments 2 to 6.

### **Report Highlights**

- The Owner seeks approval to amend Vaughan Official Plan 2010 and Zoning By-law 1-88 to permit a 4-storey mixed-use building containing 114 dwelling units and 964 m<sup>2</sup> of ground floor commercial uses with a Floor Space Index of 1.4 times the area of the lot
- An Official Plan and Zoning By-law Amendment are required to permit the development
- The Development Planning Department supports the approval of the applications as they are consistent with the Provincial Policy Statement 2020, conforms to A Place to Grow – Growth Plan for the Greater Golden Horseshoe 2019, as amended, the York Region Official Plan 2010 and are compatible with the existing and planned land uses in the surrounding area

## **Recommendations**

1. THAT Official Plan Amendment File OP.20.016 (Sharewell Developments Inc.) BE APPROVED, to amend Vaughan Official Plan 2010 for the subject lands shown on Attachment 1, to increase the maximum permitted building height from 3 to 4-storeys and the maximum permitted Floor Space Index from 1.25 to 1.4 times the area of the lot;
2. THAT Zoning Amendment File Z.20.043 (Sharewell Development Inc) BE APPROVED, to amend Zoning By-law 1-88 to rezone the subject lands from “C1 Restricted Commercial Zone” subject to site-specific Exception 9(157), to “RA2(H) Apartment Residential Zone”, subject of the “(H)” Holding Symbol, as shown on Attachment 2, together with the site-specific zoning exceptions identified in Table 1 of this report. including a provision for as red-lined on Attachment 2;
3. THAT the implementing Zoning By-law Amendment include the following provisions:
  - a) Site-specific parking requirements for Restaurant use shall be 6 spaces/100 m<sup>2</sup> GFA;
  - b) Site-specific parking requirement for Visitor Parking shall be 0.2 space/unit; and,
  - c) The canopy overhang for the main building entrance to encroach a maximum of 2 m into the front yard setback.
4. THAT the implementing Zoning By-law Amendment include the provision for a monetary contribution of \$200,000.00 pursuant to Section 37 of the *Planning Act* towards the following potential community benefits, to be finalized and implemented through a Section 37 Density Bonusing Agreement executed between the Owner and the City of Vaughan in return for the increase in the maximum permitted building height and Floor Space Index, to the satisfaction of the City for:
  - i. recreational improvements for the Maple Community Centre to contribute to the provision of equipment to provide for an outdoor synthetic ice surface in the area of the existing tennis courts; and
  - ii. the remaining unused portion of the above noted contribution shall be placed into the account identified for Public Art Reserve for a future art, design and sculpture for future public art within the identified areas of the Maple Core



5. THAT prior to the enactment of the implementing Zoning By-law, the Owner shall enter into and execute a Section 37 Bonusing Agreement with the City to secure the contribution and pay to the City the Section 37 Agreement surcharge fee in accordance with the in-effect Tariff of Fees for Planning Applications;
6. THAT the implementing Zoning By-law Amendment include the Holding Symbol “(H)” which shall not be removed from the subject lands, or any portion thereof, until the following conditions are addressed to the satisfaction of the City:
  - i. Vaughan Council adopts a resolution allocating sewage and water supply capacity in accordance with the City’s approved Servicing Capacity Distribution Protocol assigning capacity;
  - ii. the Owner shall submit and obtain approval of a Site Development Plan Application to facilitate the development, addressing all the comments provided through Official Plan and Zoning By-law Amendment Files OP.20.016 and Z.20.043 of the subject lands and satisfy all requirements of York Region;
  - iii. the Owner shall submit a Noise Report for the development;
7. THAT The Owner be permitted to apply for a Minor Variance Application(s) to the Vaughan Committee of Adjustment, if required, before the second anniversary of the day on which the implementing Zoning By-law for the subject lands came into effect, to permit minor adjustments to the implementing Zoning By-law.

## **Background**

The subject lands (the ‘Subject Lands’) as shown on Attachment 1, are municipally known as 9929 Keele Street and are located on the east side of Keele Street, south of Major MacKenzie Drive. The Subject Lands are 0.76 ha in size and are developed with a plaza containing two commercial buildings. The Subject Lands are located within the Maple Heritage Conservation District and the surrounding land uses are shown on Attachment 1.

### ***Official Plan and Zoning By-law Amendment Applications have been submitted to permit a 4-storey mixed use apartment building***

Sharewell Developments Inc. (the ‘Owner’) has submitted the following applications (the ‘Applications’) to permit a 4-storey mixed-use apartment building with 114 residential dwelling units and 964 m<sup>2</sup>- of at-grade commercial uses having a total Floor Space Index (‘FSI’) of 1.4 times the area of the lot and 173 parking spaces including 136 underground parking spaces and 37 surface parking spaces for commercial use (the ‘Development’) as shown on Attachments 2 to 6:

1. Official Plan Amendment File OP.20.016 to amend the Vaughan Official Plan 2010 ('VOP 2010') "Low-Rise Mixed-Use" designation to increase the maximum permitted building height from 3-storeys to 4-storeys and increase the maximum permitted FSI from 1.25 to 1.4 times the area of the lot; and,
2. Zoning By-law Amendment File Z.20.043 to amend Zoning By-law 1-88, to rezone the Subject Lands from "C1 Restricted Commercial Zone" subject to site-specific Exception 9(157), to "RA2 Apartment Residential Zone" in the manner shown on Attachment 2, together with the site-specific zoning exceptions identified in Table 1 of this report.

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

On March 12, 2021, a Notice of Public Meeting (the 'Notice') was circulated to all property owners within 150 m of the Subject Lands and to anyone on file with the Office of the City Clerk. At the time of sending the Notice there was no ratepayer's association registered with the Office of the City Clerk. A copy of the Notice was also posted on the City's website at [www.vaughan.ca](http://www.vaughan.ca) and a sign was installed on the Subject Lands facing Keele Street in accordance with the City's Notice Signs Procedures and Protocols.

Vaughan Council on April 20, 2021, ratified the recommendation of the Committee of the Whole to receive the Public Meeting report of April 7, 2021, and to forward a comprehensive technical report to a future Committee of the Whole meeting. The following deputations were received at the Public Meeting and by the Development Planning Department after April 7, 2021:

Deputations:

- R. Guetter, Weston Consulting, presentation on behalf of Owner, April 7, 2021
- G. DiMartino, Trinity Point Developments (Sharewell Investments Inc., Owner), April 7, 2021

Resident email requests for information on Application

- G Lisi, by email, March 24, 2021, regarding site design, parking, height, and tree planting
- M. Cacciola, March 4, 2021, received Notice of Hearing, asked for information on proposal

No written comments were received for these Applications at or following the April 7, 2021, Public Meeting. The Owner and Agent presented the Applications to the Committee of the Whole statutory public meeting. There were no deputations from the public.

Vaughan Council on April 20, 2021, ratified the recommendation of Committee of the Whole to receive the Public Meeting report of April 7, 2021, and to forward a comprehensive technical report to a future Committee of the Whole meeting.

The Development Planning Department on June 14, 2022, emailed a non-statutory courtesy notice of this Committee of the Whole meeting to all individuals who submitted emailed correspondence to the City regarding the Applications.

### **Previous Reports/Authority**

Previous reports relating to the Subject Lands and these Applications are available at the following link:

Heritage Vaughan Committee:

[Heritage Vaughan Committee Report, Item 4, Report 6, October 20, 2021](#)

Heritage Vaughan Committee Council Extract:

[Council Extract Committee of the Whole Item 9, Report 58, December 10, 2021](#)

Public Hearing Report:

[Council Extract Public Meeting Item 5, Report No. 15, Committee of the Whole April 7, 2021](#)

### ***Heritage Vaughan Committee***

The Subject lands are within the Maple Heritage Conservation District ('MHCD') and therefore required consideration by the Heritage Vaughan Committee ('HVC'). The HVC considered the Development at 5-storey (4-storey + a mezzanine) with a height of 15.5 m and 114 units on October 20, 2021, and passed a motion to issue a Deferral, on the condition that the applicant provide a letter agreeing to freeze the 90-day timeline related to Council approval. The Owner did not issue the requested letter and the Development was brought before the HVC on November 24, 2021.

The Committee of the Whole (2) Report for the Demolition of Existing Non-Contributing building at 9929 Keele Street and Construction of a 5-Storey Mixed-Use Residential Building in the Maple Heritage Conservation District, dated October 20, 2021, recommended refusal of the Heritage Permit application for Subject Lands. At the November 24, 2021, meeting, the HVC endorsed the recommendations of the October 20, 2021, Development Planning Department's Heritage Report, which recommended refusal of the Heritage Permit application for Subject Lands as it did not meet the District's policies and guidelines in height, scale, massing and design. The Owner presented to the HVC that the Development represents a context appropriate development for the Subject Lands which is consistent and conforms with the PPS, Growth Plan, Region of York Official Plan 2010 ('YROP'), VOP 2010 and the Maple Heritage Conservation District policies. The HVC refusal was considered at the December 7, 2021, Committee of the Whole meeting, where Committee of the Whole received the HVC recommendation.

On December 10, 2021, Vaughan Council considered the HVC report and amended the recommendation, to the following:

“By approving that the demolition permit and the heritage permit be approved and that the heritage permit be issued for the proposed new construction under Section 42 of the *Ontario Heritage Act*, subject to the following conditions:

- a) The Development applications OP.20.016 and Z.20.043 and the future Site Plan application submitted under the Planning Act, R.S.O 1990, receive final approval before the issuance of the heritage permit; and
- b) That a community consultation meeting be facilitated by the applicant to present and discuss the revised proposal.”

#### Community Consultation Meeting

The Owner provided written notice of the meeting to the community within 150 m of the Subject Lands and held an online evening community consultation meeting on January 17, 2022. Approximately 20 members of the public attended along with the Local Councilor and two Regional Councillors. The Owner presented a revised site design, which included a 4-storey building from the previous 5-storey proposal with the same height of 15.5 m and responded to questions and comments regarding the Applications. Development Planning, Urban Design and Cultural Heritage staff attended the meeting to respond to technical questions on the Applications. One written submission, dated January 23, 2022, was received from a resident regarding the proposed building height discussed at the community meeting and another requesting notice of Council's decision.

- B. and J. Manolakos, by email, January 23, 2022, in opposition to the development as designed given the proposed building height
- M. Mosca, email March 16, 2022, requesting notice of Council's Decision

#### ***The Owner submitted a revised submission following the Community Meeting***

The Owner submitted a revised submission on February 28, 2022, to address comments from the review of the original application. The following summarizes the changes from the original proposal:

- total building gross floor area of 10,904 m<sup>2</sup>, reduced to 10,899 m<sup>2</sup>
- commercial floor area of 1422 m<sup>2</sup> on entire ground floor, revised to 964 m<sup>2</sup> on the northern portion of ground floor
- 95 dwelling units consisting of 1, 2 and 3 bedrooms, revised to 114 dwelling units consisting of 1 and 2-bedrooms
- No ground floor residential units, revised to ground floor residential units within the south portion of the building to provide active frontages along Keele Street
- building height of 17 m with a 5 m mechanical room (22 m total height), revised to 15.5 m with a 4.5 m mechanical room (20 m total height)
- rear yard setback of 9 m, revised to 9.4 m
- 3-storey rear step backs, revised to 2-storeys to fit within 45-degree angular plane

- Continuous front façade, revised with articulation to break up building length
- Surface visitor and commercial parking, revised to relocate visitor underground
- Outdoor amenity space, revised to include informal commercial patio fronting Keele Street
- South driveway, revised to address staff comments

The revised submission continues to propose a Development with a maximum building height of 4-storeys and a maximum FSI of 1.4 times the area of the lot as identified in the Official Plan Amendment Application.

## **Analysis and Options**

### ***The Applications are consistent with the Provincial Policy Statement, 2020***

Section 3 of the *Planning Act* requires that all land use decisions in Ontario “shall be consistent” with the Provincial Policy Statement, 2020 (the ‘PPS’). The PPS provides policy direction on matters of provincial interest related to land use planning and development. The PPS is applied province-wide, and the policies support the goal of enhancing the quality of life for all Ontarians. The key policy objectives include building strong communities, a strong economy, and a clean, healthy and safe environment.

The PPS policies recognize that local context and character is important. The *Planning Act* requires that Vaughan Council’s planning decisions be consistent with the PPS. The Development Planning Department has reviewed the Development in consideration of the policies of the PPS and is of the opinion that the Development is consistent with the PPS, specifically Section 1.1.3 regarding settlement areas being the focus of development based on densities and land uses to efficiently use land and Section 1.4.1 and 1.4.3 to provide for a range of housing types and densities to meet projected requirements of current and future residents.

The Development is consistent with the policies of the PPS identified above. The Development shown on Attachments 2 to 6 proposes a 4-storey building with residential apartment dwelling units along with ground floor commercial uses. The Subject Lands are located within a settlement area and the Development will add to the range and mix of housing types within the Maple community area and will make more efficient use of the Subject Lands, currently developed with a single storey commercial plaza.

The Development is within an area identified in the VOP 2010 as a “Local Centre” where appropriate levels of infrastructure and public service facilities exist. There are existing community facilities within the Maple community area and the Metrolinx Maple Go Station is within walking distance of the Development. The Development will use the existing infrastructure, the public service facilities, and resources more efficiently than the current commercial use on the Subject Lands.

The Development is also flanked by existing residential apartment buildings to the north and south. The Development will provide more housing options for current and future residents within the Maple community area while also being compatible with the existing built form along Keele Street. On this basis the Development is consistent with the PPS.

***The Development conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2019, as amended***

A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2019, as amended ('Growth Plan'), guides decision making on a wide range of issues, including economic development, land-use planning, urban form, and housing. Council's planning decisions are required by the *Planning Act* to conform, or not conflict with the Growth Plan.

The policy framework of the Growth Plan supports the achievement of complete communities that are designed to support healthy and active living and meet people's needs for daily living throughout an entire lifetime. The Growth Plan also prioritizes intensification and higher densities to make efficient use of land and infrastructure and support transit viability and supports a range and mix of housing options, including second units and affordable housing to serve all sizes, incomes, and ages of households.

The Development conforms with the policy framework of the Growth Plan, specifically, Section 2.2.1.2 directing growth to settlement areas having existing or planned municipal water and wastewater systems and, Section 2.2.1.4 providing a diverse range and mix of housing options to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes. The Development proposes a mixed-use built form that would utilize the Subject Lands more efficiently, make use of the existing infrastructure, and provide housing at densities that are supportive of the Growth Plan objectives. The Development is located in close proximity to Higher Order Transit as it is located near the limit for the MTSA for the Maple Go Station, and within the walking distance of the GO Station. The Development provides an opportunity to efficiently make use of the existing and planned transit infrastructure within the area. Accordingly, the Development conforms to and does not conflict with the Growth Plan.

***The Development conforms to the YROP***

The YROP guides economic, environmental and community building decisions across York Region. The Subject Lands are designated "Urban Area" by Map 1 Regional Structure of the YROP. Section 5.0 of the YROP states that "intensification within the Urban Area will accommodate a significant portion of the planned growth in the Region". The Subject Lands are located on Keele Street, which is identified as a "Regional Transit Priority Network" in the Region's Transit Network mapping and York Region encourages intensification and greater building heights within these areas to encourage intensification.

The YROP includes policies for the conservation of cultural heritage resources in the Region in Section 3.4 of the YROP. These policies include encouragement for local municipalities to consider urban design standards in core historic areas that reflect the area's heritage, character and streetscape. The Subject Lands are located within the MHCD and is subject to the policies of the MHCD Plan which includes policies to conserve the historical and cultural landscape of the Maple area. The Subject Lands

are within the Keele Street Enhanced Streetscape Plan area. The Development has been reviewed in consideration of the cultural heritage policies of the VOP 2010, as directed by the Section 3.4 Cultural Heritage policies of the YROP.

Section 3.5.4 Housing policies of the YROP, requires that “local municipal official plans and zoning by-laws permit a mix and range of housing types, lot sizes, unit sizes, functions, tenures and levels of affordability within each community.” It also states that “the mix and range of housing shall be consistent with Regional forecasts, and intensification and density requirements”. The Development includes apartment units which will diversify housing options in the community since a range of housing types and unit sizes would be provided.

Section 7.2.53 of the YROP restricts access from developments adjacent to regional roads, to maximize efficiency of the regional road network. The Development will utilize existing shared driveway with reciprocal easements with the development to the north (9973 Keele Street), for access to Keele Street.

YROP encourages pedestrian scale, safety, comfort and mobility, the enrichment of the existing area with attractive buildings, landscaping, and public streetscapes. The Development proposes a pedestrian scale streetscape along Keele Street with a walkway/breezeway, at grade connections through the building to the surface parking area at the rear of the building.

The YROP Map 12, identifies Major Mackenzie Drive as a Regional Rapid Transit Corridor and Keele Street is designated as a Regional Transit Priority Network. Both roads are served by public transit. The Maple Go Train Station, located east of the Subject Lands, represents a planned major transit station area (MTSA) by York Region through the Official Plan Review and Municipal Comprehensive Review Process. Although the Subject Lands are outside the MTSA, it is within walking distance of the station.

Map 7 of the YROP identifies the Oak Ridges Moraine Aquifer Vulnerability Areas and Watershed Boundaries. The Subject Lands are located to the west of the limits of the Area of Low Aquifer Vulnerability and are outside the Oak Ridges Moraine Conservation Plan boundary. The Subject Lands are also outside of any Key Hydrologic Features identified on Map 4 of the YROP.

In consideration of the above, the Development conforms to the YROP.

***The Development is designated “Low-Rise Mixed-Use” and is within a “Local Centre” within the Vaughan Official Plan, 2010***

The Subject Lands are located within a “Community Area” and are within a “Local Centre” on Schedule 1 of the VOP 2010. The Subject Lands are designated “Low-Rise Mixed-Use” by VOP 2010 with a site-specific maximum height of 3-storeys and a maximum FSI of 1.25 times the area of the lot identified on Schedule 13. This

designation permits residential units (including apartments), commercial and office uses in Low-Rise Buildings.

The Development proposes a 4-storey building at 1.4 times the area of the lot and does not conform to the maximum building height and maximum density provisions of VOP 2010. A site-specific Official Plan Amendment File OP.20.016 has been submitted for the Subject Lands, to increase the maximum building height to 4-storeys and the maximum Floor Space Index ('FSI') to 1.4, to implement the Development.

The VOP 2010 designates Major Mackenzie Drive as a "Regional Intensification Corridor" and "Regional Rapid Transit Corridor" on Schedule 10 of the VOP 2010. The Subject Lands are approximately 160 m south of Major Mackenzie Drive on Keele Street which is designated as a "Regional Transit Priority Network". While the Subject Lands are in proximity to a Regional Intensification Corridor and Rapid Transit Corridor, they are within the MHCD which exists to preserve the historical and architectural character of the Maple community. The Development is subject to the policies and guidelines of the MHCDP which addresses built form, land use, and urban design policies for all development within the MHCD. This is discussed in greater detail in the Cultural Heritage comments section of this report.

***The Development does not conform to VOP 2010 height and density provisions and the height restrictions of the MHCDP, however, Council Approved the Heritage Act applications with the condition that the Applications receive final approval***

The under the *Heritage Act*, the policies of a Heritage Conservation District prevail over municipal official plans. The MHCD Plan and VOP 2010 limits the height of buildings to 3-storeys. The Owner requested an amendment to VOP 2010 to permit an increase in the building height to 4-storeys.

The original development proposal submitted in December 2020 proposed a 4-storey building with a height of 17 m. Development Planning Staff met with the Owner to review the proposed height and discuss changes to reduce the building height. The Owner reduced the building height to 15.5 m and revised the rear of the building to achieve conformity with the angular plane and increased the rear yard setback.

The proposed height increase was considered by Vaughan Council regarding demolition and heritage permits for the Subject Lands on December 10, 2021. Council amended the recommendation of the HVC report and approved the demolition permit and the heritage permit with the conditions, that prior to the issuance of the heritage permit for the Development under Section 42 of the *Ontario Heritage Act*, that Development Applications OP.20.016 and Z.20.043 and a future Site Plan application receive final approval.

Development Planning staff had further discussions with the Owner following the Community Consultation Meeting, regarding the building height. On April 08, 2022, the Owner provided a letter from their consulting engineers (Jablonsky, Ast and Partners)



regarding the site-specific ground water and artesian condition. The letter states the following:

“Due to the high-water table, there will be a permanent hydrostatic uplift condition and the structure should be as heavy as possible to resist the uplift forces. If this is not accomplished, the structure could experience severe cracking and distress due to hydrostatic forces. The site conditions require that the minimum building height needs to be 15.5 m to accommodate increased structural requirements. We strongly recommend that the 2<sup>nd</sup> Floor be extended to cover the full footprint of the site and that the above grade structure be as robust as possible. Additional height and footprint will directly impact weight to resist uplift forces on a permanent basis.”

The proposed applications are consistent with Council’s Decision of December 10, 2021.

***The proposed rezoning and site-specific zoning exceptions identified in Table 1 would permit the Development***

The Subject Lands are zoned “C1 Restricted Commercial Zone” subject to site-specific Exception 9(157), which does not permit the Development. To implement the Development, the Owner is proposing to rezone the Subject Lands to “RA2(H) Apartment Residential Zone” with a “(H)” Holding Symbol under Zoning By-law 1-88 in the manner shown on Attachment 2, together with the site-specific zoning exceptions to By-law 1-88 as identified in Table 1 of this report.

Table 1:

	<b>Zoning By-law 1-88 Standard</b>	<b>RA2 Apartment Residential Zone Requirements</b>	<b>Proposed Exceptions to the RA2 Apartment Residential Zone</b>
a.	Minimum Lot Area Per Unit	80 m <sup>2</sup>	66.32 m <sup>2</sup>
b.	Minimum Front Yard Setback (Keele Street)	7.5 m	3 m
c.	Minimum Front Yard Setback Below Grade	1.8 m	1.5 m

	Zoning By-law 1-88 Standard	RA2 Apartment Residential Zone Requirements	Proposed Exceptions to the RA2 Apartment Residential Zone
d.	Minimum Amenity Area	52 One-bedroom units $\times 20 \text{ m}^2 = 1,040 \text{ m}^2$  62 two-bedroom units $\times 55 \text{ m}^2 = 3,410 \text{ m}^2$  Total = 4,450 m <sup>2</sup>	Total = 3,155 m <sup>2</sup>
e.	Minimum Required Parking	<u>Residential</u> 1.5 spaces/unit x 114 units = 171 spaces  <u>Visitor</u> 0.25 spaces/unit x 114 units = 29 spaces  <u>Commercial</u> 6 spaces/100 m <sup>2</sup> x 964 m <sup>2</sup> = 58 parking spaces  Total Parking Required = 258 spaces	<u>Residential</u> 1 space/unit x 114 units = 114 spaces  <u>Visitor</u> 0.19 spaces/unit x 114 units = 22 spaces <i>*The parking ratio shall be revised            to 0.2 spaces/unit x 114 units            = 23 spaces</i>  <u>Commercial</u> 2.7 spaces/100 m <sup>2</sup> x 192.8 m <sup>2</sup> = 6 spaces  (Restaurant Use) 4 spaces/100 m <sup>2</sup> x 771.2 m <sup>2</sup> = 31 spaces <i>*The parking ratio shall be revised            to 6 spaces/100m<sup>2</sup> for the            restaurant use</i>  *COMMERCIAL FLOOR AREA definition shall be used for the purpose of calculating the parking requirements for the ground floor commercial and restaurant uses

	<b>Zoning By-law 1-88 Standard</b>	<b>RA2 Apartment Residential Zone Requirements</b>	<b>Proposed Exceptions to the RA2 Apartment Residential Zone</b>
f.	Minimum Landscape Strip Width abutting Street	6 m	3 m, consisting of which includes hard landscape material and raised planters
g.	Permitted Uses	Apartment Dwelling Day Nursery	To permit the additional uses at grade: - Multiple Family Dwellings being (6 units, fronting onto Keele Street)– At Grade Commercial Uses: -Bank or financial institution -Business or professional office -Personal service shop -Photography studio -Retail Store -Eating Establishment -Eating Establishment, Take-Out -Eating establishment, Convenience -Club or Health Centre -Travel Agency
h.	Maximum Building Height	RA2 zone permits 44 m (MHCD limits max height to 3-floors)	15.5 m (plus 4.5 m mechanical penthouse) (height restriction added to address MHCD)
i.	Maximum GFA for a At Grade Commercial Uses	Not permitted	964 m <sup>2</sup>
j.	Canopy Encroachment into Front Yard	1.8 m	2 m as redlined on Attachment 2
k.	Landscape Strip Width Around Periphery of Outdoor Parking Area	3 m	1.5 m

#### The Owner Shall Amend Parking Ratio Calculations

The parking exceptions proposed by the Owner for restaurant use is a ratio of 4 spaces per 100 m<sup>2</sup> of GFA and for Residential Visitor Parking is 0.19 spaces per unit. The Transportation Engineering Department does not agree with the Owner's proposed parking ratios. The Development Planning Department requests that the proposed parking ratios be amended to a minimum of 6 parking spaces per 100 m<sup>2</sup> for restaurant use and 0.2 spaces per unit for residential visitor parking. A Recommendation to this effect is included the Recommendation Section of this report.

#### Canopy Encroachment into Front Yard Setback Red-lined

The Development Planning Department can support the other proposed site-specific exceptions to Zoning By-law 1-88 identified in Table 1 other than the parking ratio above. However, Development Planning requires that the canopy in the front yard, shall be setback a minimum of 1 m from Keele Street to provide an adequate setback from the York Region right-of-way. Staff have redlined the Site Plan to have a minimum 1 m setback as shown on Attachment 2 since a 0 m setback is not appropriate. The Conceptual Site Plan is redlined, and a 2 m setback is included as a Recommendation of this report.

#### Building Height Exception

The Development Planning Department can support the proposed maximum height due to the requirement of the site-specific groundwater and artesian condition. Other proposed site-specific development standards to implement the Development are similar to other similar mixed-use buildings in Vaughan.

#### ***Council enacted By-law 001-2021 as the new Vaughan Comprehensive Zoning By-law***

On October 20, 2021, Council enacted Zoning By-law 001-2021 as the new Vaughan Comprehensive Zoning By-law. A notice of passing was circulated on October 25, 2021, in accordance with the *Planning Act*. The last date for filing an appeal to the Ontario Land Tribunal ('OLT') in respect of By-law was November 15, 2021. Zoning By-law 001-2021 is currently under appeal and, when in force, will replace Zoning By-law 1-88, as amended. Until such time as Zoning By-law 001-2001 is in force, the Owner will be required to demonstrate conformity with both Zoning By-law 001-2021 and 1-88, as amended, unless the transition provision under By-law 001-2021 applies.

#### ***The Planning Act permits Vaughan Council to pass a resolution to permit the Owner to apply for a Minor Variance application, if required, within 2 years of a Zoning By-law coming into full force and effect***

Section 45(1.3) of the *Planning Act* restricts a landowner from applying for a Minor Variances application, if required, within 2 years of the day in which a Zoning By-law was amended. The *Planning Act* also permits Council to pass a resolution to allow an Owner to apply for a Minor Variance application(s) within 2 years of the passing of a zoning by-law amendment.

Should Council approve Zoning By-law Amendment File Z.20.043, the Development Planning Department has included a Recommendation to permit the Owner to apply for Minor Variance application(s), if required, in advance of the two-year moratorium in order to address minor zoning deficiencies that may arise through the finalization and construction of the Development.

***A Holding Symbol “(H)” is being added to the Subject Lands until conditions for the removal of the Holding Symbol “(H)” have been satisfied***

The Development Planning Department recommends a Holding Symbol “(H)” be placed on the Subject Lands until the Development Engineering Department has confirmed sufficient servicing capacity is available for the Development. A Site Development Application is required to implement the Development. As noted in the Development Engineering Department comments, confirmation of sufficient servicing capacity for the Development from the York Sewage servicing / Water Supply System for 114 dwelling units will be confirmed through Council’s approval of the Recommendations of the future Site Development Application report.

Therefore, the Subject Lands shall be zoned “RA2(H) Apartment Residential Zone” with the “(H)” Holding Symbol which shall remain in-effect until confirmation of sufficient servicing capacity for the Development from the York Sewage servicing / Water Supply System is confirmed through Council’s approval of the Recommendations for the future Zoning By-law Application (Removal of Holding Symbol).

***The Owner is required to execute a Section 37 Bonusing Agreement for the proposed increase in building height and floor space index in exchange for community benefits***

Vaughan Council has the authority under Section 37(1) of the *Planning Act*, in a By-law enacted under Section 34 of the *Planning Act*, to authorize an increase to the building height and/or FSI of the Development above what is otherwise permitted within the official plan in return for the provision of comment benefits.

To determine the uplift value and Section 37 contribution, the City calculated the uplift value of the Subject Lands based on the policies of the VOP 2010 and the City’s Guidelines for the Implementation of Section 37 Benefits. Based on the policies of VOP 2010 and the City’s Guidelines for the Implementation of Section 37 Benefits, the Owner and the City have agreed to a monetary contribution of \$200,000.00. This contribution will be included in the implementing Zoning By-law and secured through a Section 37 Density Bonusing Agreement, executed between the Owner and the City prior to the enactment of the Zoning By-law, to the satisfaction of the City. The contribution will be directed towards one or a combination of the following potential community benefits prior to the execution of the Density Bonusing Agreement:

- I. recreational improvements for the Maple Community Centre to contribute to the provision of equipment to provide for an outdoor synthetic ice surface in the area of the existing tennis courts; and

- II. the remaining unused portion of the above noted contribution shall be placed into the account identified for Public Art Reserved for a future art, design and sculpture for future public art within the identified areas of the Maple Core

The Owner will be required to pay the Section 37 Bonusing Agreement Surcharge Fee in accordance with the “Tariff of Fees By-law for Planning Applications”, in effect at the time of the execution of the Section 37 Agreement. Conditions to this effect are included in the Recommendations of this report.

***Site Development and Draft Plan of Condominium Applications are required to implement the Development***

Should the Applications be approved, a Site Development application is required to establish the site design, provide for the dedication of road widenings to York Region and to register the required Site Plan Agreement on the Subject Lands. A Draft Plan of Condominium (Standard) application is required to establish the proposed condominium tenure for the proposed units.

***The Development Planning Department, Urban Design and Cultural Heritage Division has no objection to the Development***

The Cultural Heritage Division of the Development Planning Department has not identified the Subject Lands as being within an area of archaeological potential. However, the Subject Lands are within the MHCD Core and are designated under Part V of the *Ontario Heritage Act*. The Subject Lands were developed as a commercial plaza in the 1990's and is a non-contributing property within the MHCD. The Development was reviewed under the MHCD Plan enacted in 2007 and VOP 2010. The MHCD Plan recognizes that there is an opportunity for sympathetic development of the Subject Lands within the policies of the Plan and that policies of these plans permit the proposed use.

The MHCD Plan contains policies to limit development within the MHCD as follows:

- Maximum building height within the MHCD Core is 11.8 m
- Maximum allowable floors within the MHCD Core is 3-floors and the VOP 2010 also permits a maximum height of 3-storeys within the Maple Local Centre for the Subject Lands
- MHCD Plan policies precede VOP 2010 policies (except where health and safety issues exist)

All planning applications, demolitions and new construction must be consistent with the MHCD Plan and Guidelines as applicable to the Commercial Core of the District, outlined in Section 9.5.3 of the MHCD Plan. As noted within this report, Council approved the demolition and heritage reports for this Development conditional on the approval of the applications subject of this report, which can be supported due to the requirements of the site-specific groundwater and artesian condition.

The Cultural Heritage Impact Assessment Report ('CHIA') prepared by GBCA Architects and dated December 17, 2020, for the Subject Lands was submitted in support of these Applications. The CHIA concludes that no heritage resources will be lost through the Development and no adjacent heritage resources will be affected physically or visually. No mitigative options are required for the Development.

The CHIA indicates the Development for a residential/commercial mixed-use building is not a building type historically found in the former Village of Maple. The Development does not adhere to the City's maximum height policies and suggests that the proposed additional height/storeys be mitigated through the building design, setting the 4<sup>th</sup> floor back and including the use of building materials to reduce the visual impact of the building height.

The CHIA compares the height of the adjacent buildings to the north and south as:

- 9973 Keele Street, approved in September 2006 (prior to MHCD in 2007, and not considered designated at that time), 3-storeys, 13.1 m, pitched roof design, Council approved Site Plan considered to be sympathetic to the neighbourhood
- 9901-9907 Keele Street, approved in 2005 (prior to MHCD, 3 storeys, 14.35 m, pitched roof design, incorporated existing heritage house, also considered to be sympathetic to neighbourhood

The CHIA notes the architectural style of the Development as being of "its own time". The architectural style does not conform to the design policies of Section 4.6.1 of the MHCD Plan as it does not reflect historic commercial styles of the MHCD Plan. The adjacent properties were developed prior to the enactment of the 2007 MHCD Plan and not considered comparable examples for the allowable maximum building height under the MHCD Plan.

#### Conceptual Site Plan

The Development, shown on Attachments 2 to 4, consists of a 4-storey mixed-use building with 114 dwelling units (containing a mix of 1 and 2-bedroom units, including six ground floor dwelling units fronting Keele Street), and 964 m<sup>2</sup> of commercial ground floor area fronting on Keele Street. A 6 m driveway wraps around the building to provide access to the underground parking area for residents and visitors and to 37-surface parking spaces at the rear of the building under the 2<sup>nd</sup> floor outdoor amenity area. Layby parking is proposed within the Keele Street right-of-way consistent with the layby parking provided on Keele Street in front of the adjacent development to the south and is not included in the parking calculation for the site. The layby parking and the driveway access design is subject of York Region Approval through a future Site Development Application.

The existing Keele Street municipal sidewalk will provide a pedestrian connection to the pedestrian pathway in the breezeway through the center of the building. This will provide a pedestrian link between the surface parking at the rear of the building and the

ground floor commercial uses fronting Keele Street. Commercial parking, and access to the underground (one-level) and loading area will not be visible from Keele Street.

Development Planning Department Cultural Heritage staff did not support the Development as proposed since it exceeds the maximum allowable height and maximum allowable number of storeys permitted by the MHCD Plan. Although other existing developments in the surrounding area exceed the current maximum height and maximum storey policies of the current MHCD Plan, these developments pre-date the enactment of the current in effect MHCD Plan.

Cultural Heritage staff recommended the Owner revise the Development to achieve a 12.2 m maximum building height accommodating 4-storeys. However, the Owner revised the site design to reduce the maximum building height from 17 m to 15.5 m; increase the rear setback; stepped the building down to 2-storeys at the rear to fit within the 45-degree angular plane; step the 4<sup>th</sup> floor back from the edges along the street frontage and sides; and articulated the building façade to reduce the appearance of a long building using recessed balconies and roof top cornices, to be consistent with the intent of the MHCD Plan Urban Design Guidelines, and to maintain the appearance of a 3-storey building façade.

The Owner advised that strict adherence to the MHCD Plan height policies was not feasible since the Subject Lands are designed to address ground water conditions and avoid piercing the aquifer. The Development also proposes a ground floor height higher than the City's recommended 4.5 m clearance. The Owner requested a 5 m ground floor height to address the demand for ground floor commercial units with sufficient clearances for equipment required by most commercial users. This revised design proposes the overall building height of the building at a maximum 15.5 m for the Development.

#### Conceptual Landscape Plan

The Conceptual Landscape Plan shown on Attachment 3, includes pedestrian oriented streetscaping along Keele Street, a pedestrian pathway through the breezeway through the ground floor of the building, and outdoor seating in front of the commercial units and in the breezeway. The outdoor amenity area for residents is a landscaped terrace on the 2<sup>nd</sup> floor, located above the surface parking area on the east side of building. Raised garden planters, shrubs, and trees in planters, and artificial turf provide landscaped areas to frame the outdoor barbeque, dining, seating, and lounge areas. Privacy fencing and landscaping on the property lines separate the Development from the existing adjacent residential uses.

The Subject Lands are within the Keele Street Enhanced Streetscape Plan area. Trees along Keele Street are proposed to be replaced along with existing trees along the east property line. Lay-by parking along Keele Street is proposed to enhance the heritage context similar to the street parking provided to the south. The final Landscape Plan will be reviewed through the future Site Development Application for the Development and shall be in accordance with the Maple Streetscape and Urban Design Guidelines. The



Owner shall be required to pay to the City of Vaughan a one-time fee for the maintenance of the enhanced landscape features within the Keele Street right-of-way, to the satisfaction of the Vaughan Development Planning Department prior to the future Site Plan Agreement.

A Tree Preservation Plan, an Arborist Report, a Landscape Plan and Landscape Cost Estimate shall be submitted in support of the future Site Development Application and shall be to the satisfaction of the Development Planning Department.

#### Conceptual Building Elevations

The building elevations shown on Attachment 4, are conceptual. A Site Development Application is required to implement the Development. The proposed building design for the Development does not mimic historic styles of architecture from the MHCD Plan area since mixed-use commercial residential building types were not found within the Village of Maple.

The massing of the proposed building and the building materials differ from the adjacent buildings to the north and south, which as noted earlier in this report, were approved prior to the enactment of the current MHCD Plan. The Development will include traditional features such as front cornices on shops, grid fenestration, roof top cornices to incorporate design features consistent with traditional with architecture along the main facade.

The Development proposes a hybrid architectural style that blends the 1900s “Vernacular Town Shop” and contemporary style. The proposed building is taller than adjacent buildings to the north and south which have pitched rooflines. The MHCD Plan does not include concessions for buildings with more than 3 floors. The main façade of the building is inspired by Vernacular Town Shop style, with a contemporary architectural style utilizing concrete and glass proposed on the 4<sup>th</sup> floor, which steps back from the Keele Street frontage as shown on Attachment 4. The contemporary style architecture is proposed for the entire east facade of the building (rear) which is not visible from Keele Street. The proposed architectural style is not in keeping with MHCD Plan policies and guidelines; the building elevations shall be reviewed in a future Site Development Plan Application and shall be to the satisfaction of the City prior to final site plan approval.

#### ***The Policy Planning and Special Programs (‘PPSP’) Department has no objection to the approval of the Development***

Since the Subject Lands are not located in the vicinity of any natural heritage features the PPSP Department has no objection to the Development.

#### ***Infrastructure Planning and Corporate Asset Management Department (‘IPCAM’) has no objection to the Development***

IPCAM has no objection to the Development. The Subject Lands will be serviced by the existing water and municipal sanitary sewer network located on Keele Street. The City’s Focus Area Core Servicing Strategy (December 2017) and draft Interim Servicing

Study ('ISS') (draft April 2020) identified surcharging in segments of the existing sanitary sewer on Keele Street, around the Development. Surcharging is not permitted.

The ISS and associated flow monitoring data, concludes that the Development may adequately be serviced in the interim with minimal surcharging to the City's existing Keele Street sanitary sewer. It is anticipated that local infrastructure improvements will be required in the future and the Owner shall be required to provide the City with a one-time financial contribution in the amount of \$111,078.00 (based on 297 persons equivalent X \$374 per person) which represents the Owner's proportionate share of the required sanitary system improvements on Keele Street for this Development. This calculation is based on the sanitary sewer system upgrades identified in the City's Focus Area Core Servicing Strategy. The Owner shall provide this contribution prior to final approval of a future Site Development Application.

***Development Engineering ('DE') Department has no objection to the Development, subject to conditions***

The DE Department has reviewed the Applications and has no objection to the Development. The DE Department provides the following comments:

Sewage and Water Allocation

The availability of servicing capacity will be assessed through a future Site Development Application. Sewer and Water Servicing capacity will be allocated by Council resolution through a subsequent report to the Committee of the Whole on the future Site Development file for the Development of the Subject Lands. In the meantime, a "(H)" Holding Symbol Provision will be placed on the Subject Lands until the Council Resolution is approved to allocate servicing capacity to the future Site Development Application.

Storm Sewer Network

The on-site stormwater management ('SWM') system connects to an existing 1050 mm diameter storm sewer along Oakdale Road (east of the site) via a private storm sewer easement. This easement contains existing stormwater infrastructure in relation to the Subject Lands. To provide quantity controls for the Development, the Owner proposes to control site flows using underground stormwater storage below the proposed drive isles on the eastern side of the site to detain site flows. Site control flows will pass through the site control manhole, from which a service connection will be maintained through the existing easement east of the Subject Lands, to facilitate drainage to Oakdale Road. The Development also proposes to receive attenuate flows from the external property abutting the north property boundary of the Subject Lands (approximately 0.23 ha from 9973 Keele Street) within the proposed SWM system to maintain the existing drainage patterns and the downstream municipal sewer capacities.

Quality control is proposed via an on-site filter unit to be placed upstream of the site's control manhole and sized to provide 80% Total Suspended Solid removal. The first 5 mm on site will be retained within a water re-use tank to provide the minimum site erosion protection.

For quantity control, the proposed control device must be located within an accessible location. An access/maintenance easement may be required for the City operations staff to access the control manhole for future maintenance, monitoring, etc. The Owner is required to provide more information and details to illustrate the location of a proposed easement. This will be reviewed through the future Site Development Application.

#### Additional Required Applications and Agreements

The Owner will require future approvals for any temporary and permanent dewatering system that is required for the Development and shall enter into an agreement and/or permit to obtain permission for the discharge of ground water as required by the City. The installation of any proposed services within the City right-of way after acceptance of the Site Servicing Plan and a Development Agreement being entered into with the DE Department may be required and shall be acceptable to the City. Where excavation and shoring are required for the Development, the Owner shall enter into an agreement and/or permit as required by the City or York Region, including an Encroachment Agreement/permit any payment of associated fees. These agreements shall be executed prior the approval of the future Site Development Application.

#### Groundwater Discharging

The Hydrogeological Investigation Report ('HIR') provided by EXP Services Inc. dated October 27, 2021 in support of the Development, indicate both permanent and temporary construction dewatering may be required.

During the temporary dewatering condition, the Owner proposes to discharge flows to the storm sewer on Oakdale Road. The HIR indicates that a suitable water quality treatment system should be provided, if deemed necessary, to ensure groundwater discharge remains within the quality limits of the downstream storm sewer. In the construction phase, should the construction stormwater release rate to the storm sewer (i.e., storm flows plus groundwater rate) not be able to be maintained below the allowable site release rate noted in the Functional Servicing Report, supplementary storage methods should be used to maintain this rate. This includes the storage and haulage of excess flows off site during construction operations.

#### Environmental Site Assessment ('ESA')

The ESA for the Subject Lands indicate the soil and groundwater samples meet the applicable standards and no further studies are required. The Owner shall provide the City with the Ministry of the Environment, Conservation and Parks ('MECP') Record of Site Conditions ('RSC') in accordance with O.Reg 153/04 (as amended) prior to the execution of a future Site Plan Agreement for the future Site Development Application for Subject Lands.

#### Noise and Vibration Impact Study

A Noise and Vibration Impact Study has not been submitted for these Applications. This study shall be required for the future Site Development Application and shall be to the satisfaction of the City of Vaughan prior the execution of a future Site Plan Agreement for the Subject Lands. The City shall ensure that any noise control measures, and warning clauses recommended in the study are included in the implementing Site Plan Agreement for the future Site Development Application for the Subject Lands.

#### Transportation Engineering Comments

The Development proposes two access points on Keele Street, which will require the Region's approval through a future Site Development Application. The northerly access proposes a right-in-only partially shared driveway with the existing residential building to the north and includes existing reciprocal easements with the residential condominium at 9937 Keele Street.

Vehicles exiting the underground of the Development will turn right and loop around the rear of the building to exit the Subject Lands via the southern access. The southern access does not include shared easements with the neighbouring building to the south.

One loading space is proposed and is accessed from the north driveway. Waste will be stored in the building within separate residential garbage room and commercial garbage rooms. Truck turning movements and the waste management plan details will be reviewed through the future Site Development Application and shall be to the satisfaction of the City.

The Transportation Engineering Division ('TE Division') reviewed the Traffic Impact Study ('TIS') Update by LEA Consulting dated January 2022 and recommends, that the parking and loading requirements follow the conservative requirements between By-law 1-88 and By-law 001-2021. The proposed parking represents a 33% reduction under By-law 1-88 and requires a parking reduction justification. TE Division advised that the parking justification in the TIS should be revised to include the IBI Standards review Project Synopsis. If the proposed parking supply does not meet the IBI requirements, proxy surveys would be required for further parking reduction justification in accordance with the requirements of Vaughan's Parking Study Guidelines.

The Owner provided an Addendum to the TIS dated May 31, 2022, regarding the proposed parking ratios for the Development. The TE Division comments remain the same regarding the proposed parking rates based on the split between the commercial and restaurant uses proposed by for 964 m<sup>2</sup> of non- residential GFA in the Development. The Development Planning Department recommends applying the parking ratios in By-law 001-2021 for the restaurant and residential visitor parking uses. Parking compliance will be determined at the Future Site Plan Application stage for GFA of permitted uses.

The future Site Development Application will require an updated transportation report and plans. The Owner shall address the May 18, 2022, comments of the TE Division in

a future Site Plan Application. Shared access reciprocal easements, and the provision of 3 parking spaces for the exclusive use of the condominium building to the north at 9937 Keele Street shall be registered on title prior to the final Site Plan Approval to the satisfaction of the City.

***The Forestry Operations Division of the Parks, Forestry and Horticulture Operations Department has no objection to the Development, subject to conditions***

The Forestry Operations Division has reviewed the Tree Inventory and Preservation Plan Report prepared by Kuntz Forestry Consulting Inc. (dated April 2020, revised December 2020) and advised a Tree Protection Agreement between the Owner and the Development Planning Department will be required to protect public and private trees during development. Vaughan's standard tree protection details shall be shown on the tree protection plan and in the arborist report and all tree protection and preservation methods must be in accordance with Vaughan's Tree Protection By-law 052-2018. The tree protection plan and agreement shall be to the satisfaction of the City prior to the execution of the Site Plan Agreement for the future Site Development Application.

***The Parks Infrastructure Planning and Development ('PIPD') Department has no objection to the approval of the Development***

The PIPD Department has no objection to the Development subject to the Owner meeting the City's cash-in-lieu of Parkland Dedication requirements.

***Cash-in-Lieu of the Dedication of Parkland is required***

The Owner shall pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland at a rate of 1 ha. per 500 units, or at a fixed unit rate (for the dwelling units) and shall pay cash-in-lieu of the dedication of parkland equivalent to 2% of the value of the subject lands, in accordance with Section 42 of the *Planning Act* and the City of Vaughan Cash-in-Lieu Policy, prior to the issuance of a Building permit for the Development. The Owner shall submit an appraisal of the Subject Lands prepared by an accredited appraiser for approval by the Vaughan Real Estate Department, and the approved appraisal shall form the basis of the cash-in-lieu payment. A condition will be included in a future Site Plan Agreement.

***The Financial Planning and Development Finance Department has no objection to the Development***

The Financial Planning and Development Finance Department has no objection to the Development. The Owner shall pay to the City of Vaughan, all applicable Development Charges in accordance with the Development Charges By-law of the City of Vaughan Region of York, York Region District School Board and York Catholic District School Board. Comments and conditions will be provided on the future Site Development Application for the Subject Lands and a clause for the payment of Development charges shall be included as a standard condition in the Site Plan Agreement.

***The Environmental Services Department Solid Waste Management Division has no objection to the Development, subject of conditions***

The Waste Management Division will review the details of proposed Development through a future Site Development Application. The Owner shall submit a Waste Collection Design Standards form and a truck maneuvering plan to the satisfaction of the Waste Management Division. Garbage and recycling will be required to serve the residential and commercial components of the Development. Garbage and Recycling will be picked up privately via the loading area. The Site Plan Agreement will include a standard clause requiring private waste collection services for the Development. All conditions of the Waste Management Division shall be satisfied prior to the approval of the future Site Development Application.

***Vaughan Fire and Rescue Service supports the Development***

Vaughan Fire and Rescue Service supports the Development subject to the Owner satisfying all Building Code requirements and providing a minimum level of fire safety and protection at the building construction stage of development.

***The Toronto and Region Conservation Authority ('TRCA') has no objection to the Applications, subject to conditions***

The Source Protection Plan under the *Clean Water Act, 2006*, developed for the Credit Valley, Toronto and Region and Central Lake Ontario ('CTC') Source Protection Region has been in effect since December 31, 2015, and the Subject Lands are located within the WHPA-Q2 area and subject to Source Protection Plan Policies ('SPP'). A water balance assessment will be required to be reviewed through a Site Development Application to ensure the site meets the SPP standard practices. In accordance with the REC-1 policy of the CTC SPP, new development and site alteration under the *Planning Act* is required to implement best management practices, such as Low Impact Development ('LID'), with the goal of maintaining predevelopment recharge. TRCA has requested a site-specific Water Balance to be submitted for the Development. This Water Balance report and associated engineering drawings will be required to be included in the future Site Development Application. Any required water balance mitigation strategies identified in the report shall be address in conditions of approval for a future Site Development Application.

***The School Boards have no objection to the Applications***

The York Catholic School Board and York District School Board have no objections to the approval of the Applications. No Comments were received from the Conseil Scolaire de District Catholique Centre Sud.

***The various utilities have no objection to the Development, subject to conditions***

Bell Canada, Alectra Utilities, Enbridge Gas, Rogers Telecommunications have no objections to the Development, subject to the Owner coordinating servicing connections and easements prior to the commencement of any site works. The Owner shall address all comments from the utility companies through a future Site Development Application for this Development prior to the execution of the Site Plan Agreement.

***Canada Post has no objection to the Development, subject to conditions***

Canada Post Corporation has reviewed the Development and has determined that the completed project will be serviced by centralized mail delivery provided for the residential and commercial units. Since the Development proposes more than 100 units, a secure rear-fed, mail room which also services the commercial units shall be required in accordance with Canada Post's Delivery Standards. The Owner should contact Canada Post during the design stage of the Development to determine postal codes for the Development.

### **Financial Impact**

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

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

The Applications have been circulated to York Region Community Planning and Development Services for review and comment. York Region exempted this Official Plan Amendment application from approval by Regional Planning Committee and Council to allow the Official Plan Amendment to come into effect following its adoption by the City of Vaughan upon the expiration of the required appeal period.

The Subject Lands are located on Keele Street which is a York Region Road. The right-of-way, road widenings, conveyances, access requirements (including shoring, changes to the proposed shared access easement with the existing residential development to the north), turning lanes, sight triangles, layby parking spaces on Keele Street and servicing for the Development, will be reviewed through a future Site Development Application and may include conditions for York Region Site Plan Approval.

### **Conclusion**

The Development Planning Department has reviewed the Applications, in consideration of the applicable Provincial Policies, YROP and VOP 2010 policies, comments received from City Departments, external public agencies and the surrounding area context.

Council considered this Development on December 10, 2021 through the demolition and heritage permit applications under the *Heritage Act*. Council approved the demolition permit and the heritage permit for the Subject Lands. Council required that the heritage permit for the new construction under Section 42 of the *Ontario Heritage Act*, be issued subject to the Conditions that the Development Applications under OP.20.106 and Z.20.043 and a future Site Development Application under the *Planning Act*, receive final approval prior to the issuance of the heritage permit, and that a community consultation meeting be facilitate by the Applicant to present and discuss the revised proposal.

The Development Planning Department is satisfied that the Applications are consistent with the PPS and conform to the Growth Plan and the YROP 2010. Council approved the demolition and heritage permits for the Subject Lands. The Development is compatible with the surrounding area context. In consideration of the above, the

Development Planning Department can support the approval of the Applications subject to the Recommendations in this report.

Future applications for Site Plan Approval and Draft Plan of Condominium (Standard) will be required to fully implement the Development and will be submitted through separate applications.

**For more information**, please contact: Laura Janotta, Planner, Development Planning Department, 8634

### **Attachments**

1. Context And Location Map
2. Proposed Zoning and Site Plan (Red-lined)
3. Conceptual Landscape Plan
4. Conceptual Building Elevations
5. Ground Floor Commercial Breezeway Keele Street Frontage
6. Ground Floor Residential Units Keele Street Frontage

### **Prepared by**

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Nancy Tuckett, Director of Development Planning ext. 8529

### **Approved by**



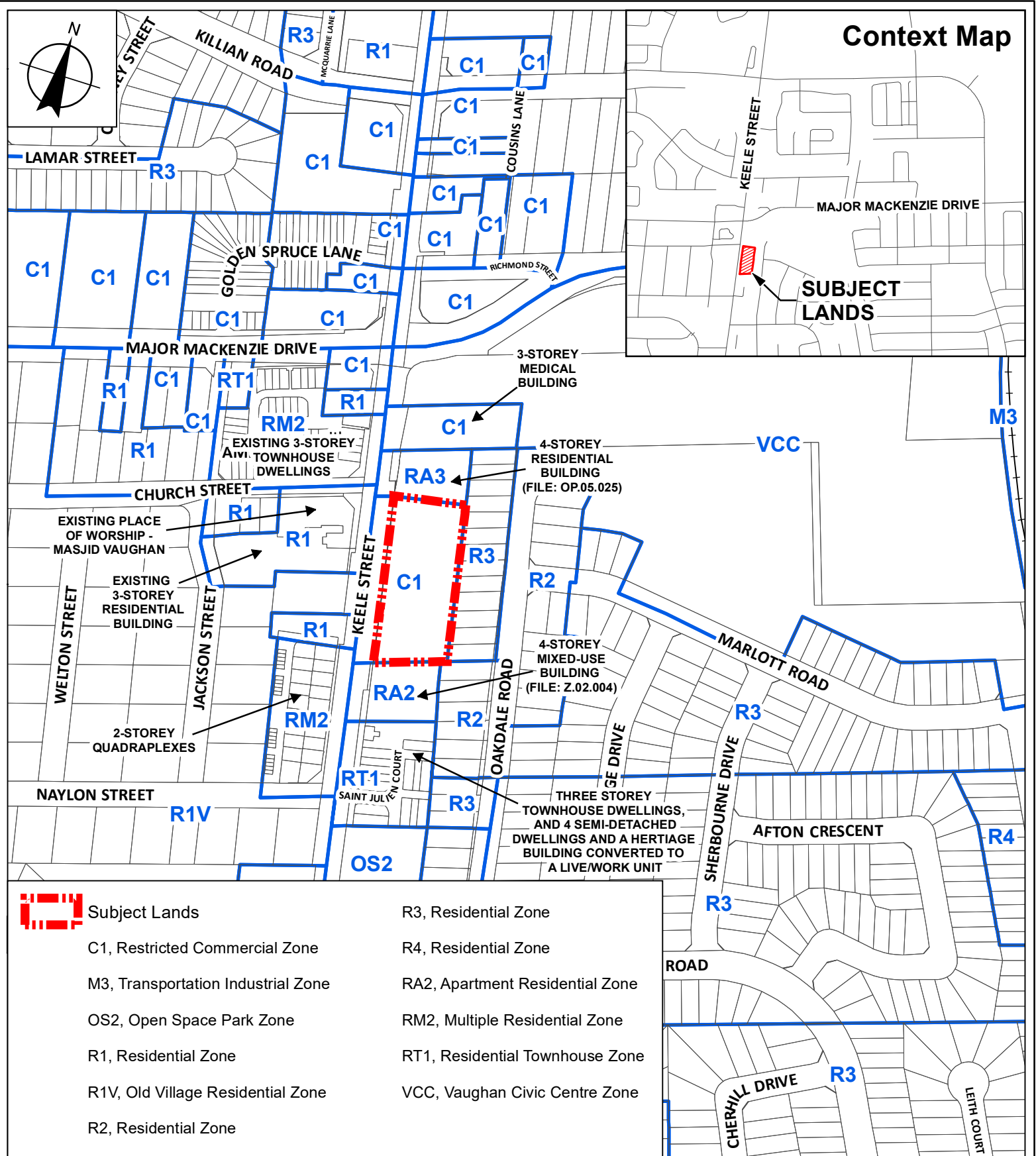
Haiqing Xu, Deputy City Manager,  
Planning and Growth Management

### **Reviewed by**



Nick Spensieri, City Manager





## Context and Location Map

**LOCATION:**  
Part of Lot 16, Concession 4  
9929 Keele Street

**APPLICANT:**  
Sharewell Investments Inc.



## Attachment

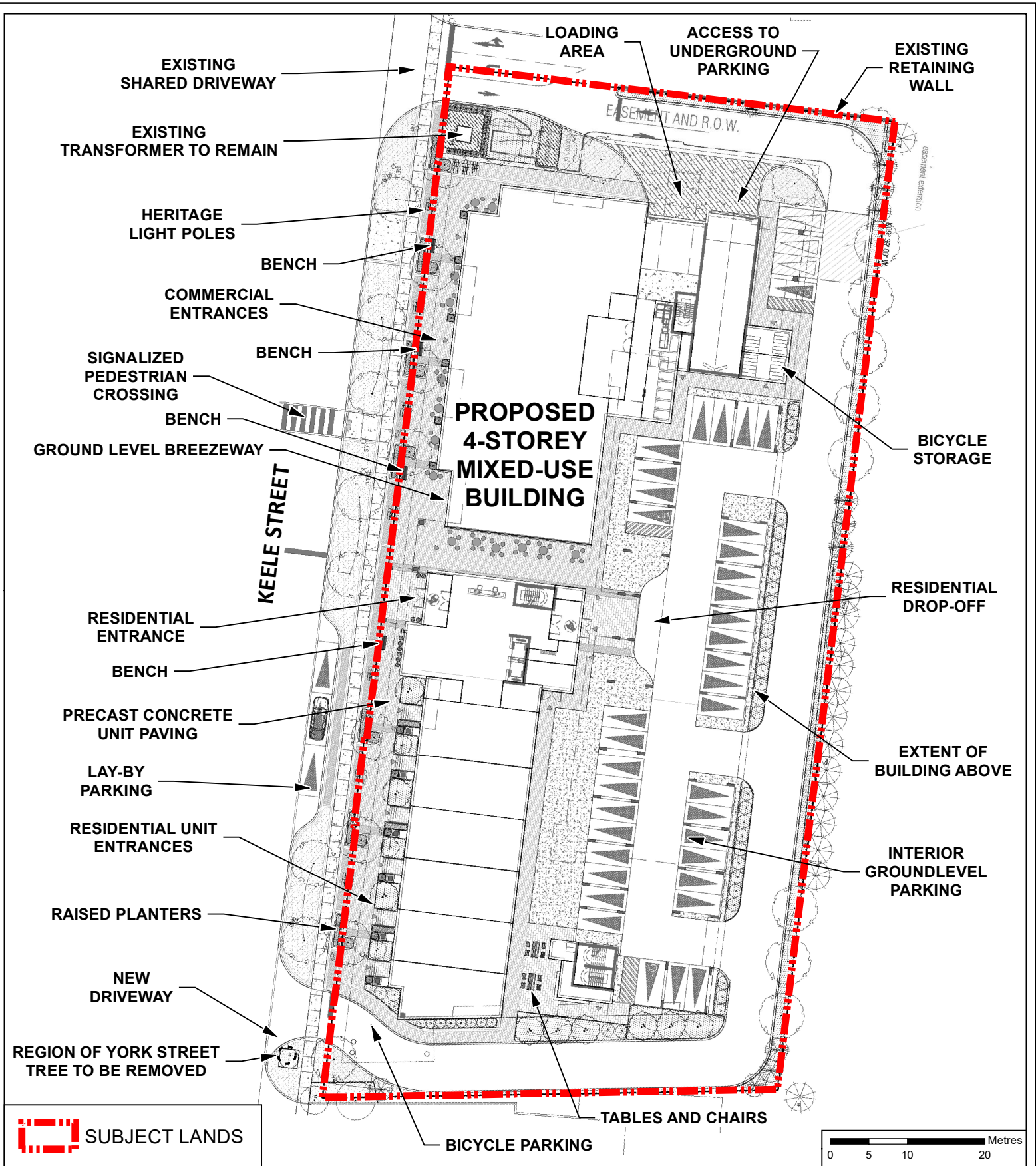
**FILES:**  
OP.20.016  
and Z.20.043

**DATE:**  
June 21, 2022

1



Created on: 5/19/2022



# Conceptual Landscape Plan

**LOCATION:**  
Part of Lot 16, Concession 4  
9929 Keele Street

**APPLICANT:**  
Sharewell Investments Inc.



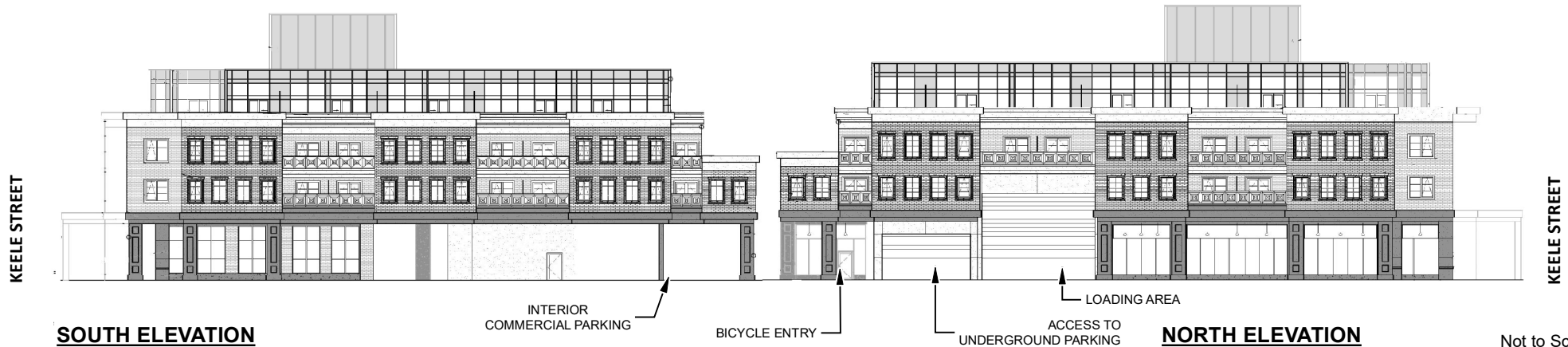
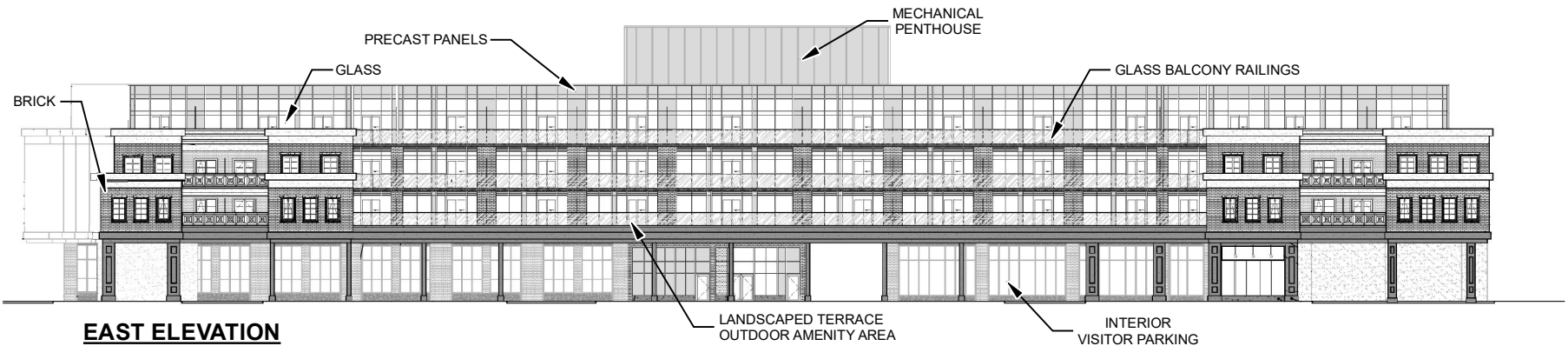
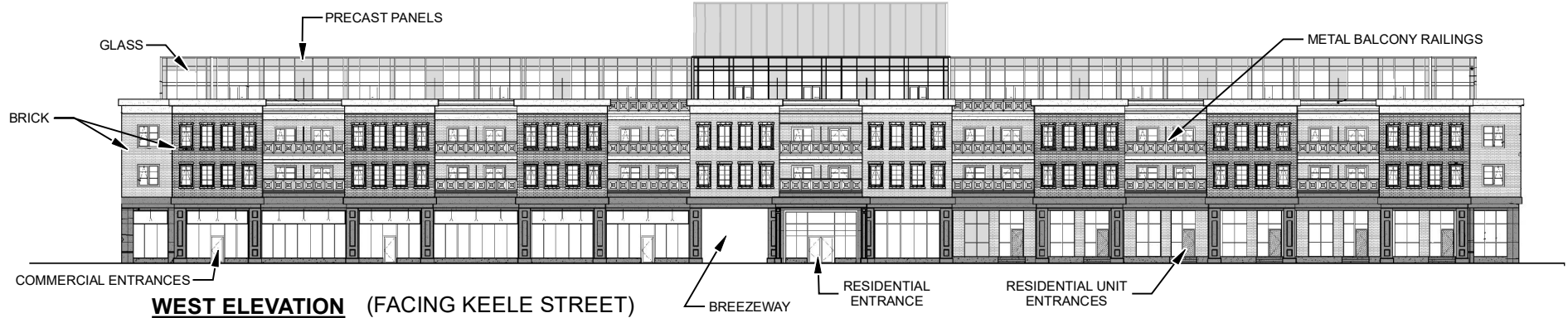
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**FILES:**  
OP.20.016  
and Z.20.043

**DATE:**  
June 21, 2022

**3**





# Conceptual Building Elevations

**LOCATION:**  
Part of Lot 16, Concession 4  
9929 Keele Street

**APPLICANT:**  
Sharewell Investments Inc.



# Attachment

**FILES:**  
OP.20.016  
and Z.20.043

**DATE:**  
June 21, 2022

# 4





Not to Scale

## Ground Floor Commercial Breezeway Keele Street Frontage

### LOCATION:

Part of Lot 16, Concession 4  
9929 Keele Street

### APPLICANT:

Sharewell Investments Inc.



## Attachment

FILES:  
OP.20.016  
and Z.20.043

DATE:  
June 21, 2022

# 5





Not to Scale

## Ground Floor Residential Units Keele Street Frontage

### LOCATION:

Part of Lot 16, Concession 4  
9929 Keele Street

### APPLICANT:

Sharewell Investments Inc.



## Attachment

**FILES:**  
OP.20.016  
and Z.20.043

**DATE:**  
June 21, 2022

# 6