

Committee of the Whole (Public Meeting) Report

DATE: Tuesday, April 4, 2023 **WARD:** 4

TITLE: QF DEVELOPMENT GROUP (BT) INC.
OFFICIAL PLAN AMENDMENT FILE OP.22.022
ZONING BY-LAW AMENDMENT FILE Z.22.043
87 KEATLEY DRIVE
VICINITY BATHURST STREET AND QUEEN FILOMENA
AVENUE

FROM:

Haiqing Xu, Deputy City Manager, Planning and Growth Management

ACTION: FOR INFORMATION

Purpose

To receive comments from the public and the Committee of the Whole on applications to redesignate and rezone the subject lands to permit a 15-storey residential apartment building containing 296 units, a floor space index of 4.0 times the area of the lot and 355 parking spaces within three levels of underground parking, as shown on Attachments 2 to 4.

Report Highlights

- The Owner proposes a 15-storey residential apartment building containing 296 units, a floor space index of 4.0 times the area of the lot and 355 parking spaces.
- Official Plan and Zoning By-law Amendment Applications are required to permit the proposed development.
- This report identifies preliminary issues to be considered in a comprehensive report to be prepared by the Development Planning Department at a future Committee of the Whole meeting.

Recommendations

1. THAT the Public Meeting report for Official Plan and Zoning By-law Amendment Files OP.22.022 and Z.22.043 (QF Development Group (BT) Inc.) BE

RECEIVED, and that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole.

Background

Location: 87 Keatley Drive (the 'Subject Lands'). The Subject Lands are currently vacant. The surrounding land uses are shown on Attachment 1.

Date of Pre-Application Consultation Meeting: December 13, 2022

Official Plan and Zoning By-law Amendment Applications have been submitted to permit the proposed development

QF Development Group (BT) Inc. (the 'Owner') has submitted the following applications (the 'Applications') for the Subject Lands to permit a 15-storey residential apartment building containing 296 units, a floor space index ('FSI') of 4.0 times the area of the lot and 355 parking spaces within three levels of underground parking (the 'Development') as shown on Attachments 2 to 4:

1. Official Plan Amendment File OP.22.022 to redesignate the Subject Lands from "Low-Rise Mixed-Use" with a maximum permitted height of 4-storeys and a maximum floor space index ('FSI') of 1.5 times the area of the lot to "High-Rise Residential" with a maximum building height of 15-storeys and a maximum FSI of 4.0 times the area of the lot, in the Vaughan Official Plan ('VOP 2010'), to permit the Development.
2. Zoning By-law Amendment File Z.22.043 to amend Zoning By-law 1-88 and Zoning By-law 001-2021 as follows:
 - rezone the Subject Lands from C3(H) Local Commercial Zone with the Holding Symbol "(H)" and RD4 Residential Detached Zone Four subject to site-specific Exception 9(1385) by Zoning By-law 1-88 as shown on Attachment 1, to RA3 Apartment Residential Zone in the manner shown on Attachment 2, together with the site-specific zoning exceptions identified in Table 1 of this report; and
 - rezone the Subject Lands from NC(H) Neighbourhood Commercial Zone with the Holding Symbol "(H)" and R4 Fourth Density Residential Zone both subject to site-specific Exception 14.1014 by Zoning By-law 001-2021 as shown on Attachment 1, to RM3 Multiple Residential Three Zone in the manner shown on Attachment 2, together with the site-specific zoning exceptions identified in Table 2 of this report.

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

- a) Date the Notice of Public Meeting was circulated: March 10, 2023.

The Notice of Public Meeting was also posted on the City's website at www.vaughan.ca and Notice Signs were installed along Bathurst Street, Queen Filomena Avenue and Keatley Drive in accordance with the City's Notice Signs Procedures and Protocols.

- b) Circulation Area: To all property owners within and extended polling radius of the Subject Lands as shown on Attachment 1 and to the Upper Thornhill & Area Community Association and to anyone on file with the Office of the City Clerk having requested notice.
- c) The following is a summary of written comments received as of March 14, 2023.
- Hoda Farhatnia, Keatley Drive, emails dated January 24, 2023
 - Andrew Zheng, no address provided, email dated January 24, 2023
 - Tina Yao, no address provided, email dated January 25, 2023
 - Julie Gu, Keatley Drive, email dated January 26, 2023
 - Scot Lass, no address provided, email dated January 26, 2023
 - Jodie Bowen, Keatley Drive, email dated January 28, 2023
 - Kyrill Alyoshin, Giordano Way, email dated January 31, 2023
 - Anna Svirski, Ferretti St, email dated February 14, 2023
 - Vadim Sluzky, Ferreti St, email dated February 16, 2023
 - Sucharita Mishra, Baldry Avenue, email dated March 5, 2023

The comments are organized by theme as follows:

Access, Traffic and Parking

- the Development will increase traffic congestion in the area and impact vehicle and pedestrian safety

Density, Built Form and Land Use

- the Development will be the tallest building in the area and is not compatible with the surrounding context and character
- the Development will block sunlight to existing dwellings
- the Subject Lands were intended to be for commercial uses for the Community

Air and Noise Pollution and Environmental Issues

- the construction of the proposed building will bring years of air and noise pollution which can lead to health problems
- high-rise Buildings create safety issues for birds

School Capacity and Neighbourhood Safety

- the school capacity at nearby schools is already strained
- the construction vehicles and increased traffic will create a safety hazard for children playing in the community

Other

- The Development will have a negative impact on the property values of the surrounding area

The Upper Thornhill Estates community also submitted a petition regarding the Applications that has over 1,400 signatures.

Any additional written comments received will be forwarded to the Office of the City Clerk to be distributed to the Committee of the Whole as a Communication and be reviewed and addressed by the Development Planning Department in a future comprehensive report to the Committee of the Whole.

Previous Reports/Authority

None.

Analysis and Options

An amendment to VOP 2010 is required to permit the Development

Official Plan Designation:

- “Community Area” on Schedule 1 – Urban Structure by VOP 2010
- The Subject Lands are designated “Low-Rise Mixed-Use” on Schedule 13 – Land Use by VOP 2010 with a maximum building height of 4-storeys and a maximum FSI of 1.5 times the area of the lot
- The Owner proposes to redesignate the Subject Lands to “High-Rise Residential” with a maximum building height of 15-storeys and a maximum FSI of 4.0 times the area of the lot
- An amendment to VOP 2010 is required to permit the proposed building height and density

Amendments to Zoning By-law 1-88 are required to permit the development

Zoning By-law 1-88:

- The Subject Lands are zoned C3(H) Local Commercial Zone with the Holding Symbol “(H)” and RD4 Residential Detached Zone Four by Zoning By-law 1-88 and are subject to site-specific exception 9(1385)
- These Zones do not permit the Development
- The Owner proposes to rezone the Subject Lands to the RA3 Apartment Residential Zone, together with the following site-specific zoning exceptions:

Table 1:

	Zoning By-law 1-88 Standard	RA3 Residential Zone Requirement	Proposed Exceptions to the RA3 Residential Zone Requirement
a.	Permitted Uses	<ul style="list-style-type: none"> - Apartment Dwelling - Day Nursery 	Permit the following additional uses: <ul style="list-style-type: none"> - Block Townhouses

	Zoning By-law 1-88 Standard	RA3 Residential Zone Requirement	Proposed Exceptions to the RA3 Residential Zone Requirement
			<ul style="list-style-type: none"> - Eating Establishment; - Eating Establishment; convenience - Eating Establishment; take out - Store, Retail - Store, Convenience Retail - Office, Business and Professional - Personal Service Shop - Bank - Health Centre - Pharmacy - Hotel and accessory uses
b.	Minimum Lot Area	67 m ² per unit	22 m ² per unit
c.	Minimum Front Yard (Bathurst Street)	7.5 m	3 m
d.	Minimum Rear Yard (Keatley Drive)	7.5 m	7 m
e.	Minimum Exterior Side Yard	7.5 m	3 m
f.	Minimum Parking Requirements	<p style="text-align: center;"><u>Residential</u></p> <p style="text-align: center;">1.5 spaces/unit x 296 units = 444 spaces</p> <p style="text-align: center;"><u>Visitor</u></p> <p style="text-align: center;">0.25 spaces/unit x 296 units = 74 spaces</p> <p style="text-align: center;">Total Parking Required = 518 spaces</p>	<p style="text-align: center;"><u>Residential</u></p> <p style="text-align: center;">1 spaces/unit x 296 units = 296 spaces</p> <p style="text-align: center;"><u>Visitor</u></p> <p style="text-align: center;">0.2 spaces/unit x 296 units = 59 spaces</p> <p style="text-align: center;">Total Parking Required = 355 spaces</p>
g.	Minimum Amenity Area	<p>171 One Bedroom Unit x 20 m²/unit = 3,420 m²</p> <p>113 Two Bedroom Unit x 55 m²/unit = 6,215 m²</p>	A combined total amenity of 2,501 m ²

	Zoning By-law 1-88 Standard	RA3 Residential Zone Requirement	Proposed Exceptions to the RA3 Residential Zone Requirement
		12 Three Bedroom Unit x 90 m ² /unit = 1,080 m ² Total required amenity area = 10,715 m ²	
h.	Maximum Building Height	44 m	60 m

Additional zoning exceptions may be identified through the detailed review of the Applications and will be considered in a comprehensive report to a future Committee of the Whole meeting.

Zoning By-law 001-2021:

- The Subject Lands are zoned NC(H) Neighbourhood Commercial Zone with the Holding Symbol “(H)” and RD4 Fourth Density Residential Zone by Zoning By-law 001-2021 and subject to site-specific exception 14.1014
- These Zones do not permit the Development
- The Owner proposes to rezone the Subject Lands to the RM3 Multiple Residential Three Zone, together with the following site-specific zoning exceptions:

Table 2:

	Zoning By-law 001-2021 Standard	RM3 Zone Requirement	Proposed Exceptions to the RM3 Zone Requirement
a.	Minimum Lot Area	65 m ² per unit	22 m ² per unit
b.	Minimum Front Yard (Bathurst Street)	7.5 m	3 m
c.	Minimum Rear Yard (Keatley Drive)	7.5 m	7 m
d.	Minimum Interior Side Yard	7.5 m	5 m
e.	Minimum Exterior Side Yard	7.5 m	3 m
f.	Maximum Building Height	48 m	60 m

	Zoning By-law 001-2021 Standard	RM3 Zone Requirement	Proposed Exceptions to the RM3 Zone Requirement
g.	Maximum Podium Height	20 m	28.5 m
h.	Minimum Amenity Area	171 One Bedroom Unit x 20 m ² /unit = 3,420 m ² 113 Two Bedroom Unit x 55 m ² /unit = 6,215 m ² 12 Three Bedroom Unit x 90 m ² /unit = 1,080 m ² Total required amenity area = 10,715 m ²	A combined total amenity of 2,501 m ²
i.	Minimum Parking Requirements	<u>Residential</u> 1 space/unit x 296 units = 296 spaces <u>Visitor</u> 0.2 spaces/unit x 296 units = 60 spaces Total Parking Required = 356 spaces	<u>Residential</u> 1 space/unit x 296 units = 296 spaces <u>Visitor</u> 0.199 spaces/unit x 296 units = 59 spaces Total Parking Required = 355 spaces
j.	45 Degree Angular Plan	The building must meet the requirements of the 45 degree angular plane	The building does not meet the requirements of the 45 degree angular plane

Additional zoning exceptions may be identified through the detailed review of the Applications and will be considered in a technical report to a future Committee of the Whole meeting.

Council enacted Zoning By-law 001-2021 on October 20, 2021 as the new Vaughan Comprehensive Zoning By-law

Applications to amend both Zoning By-law 1-88 and Zoning By-law 001-2021 are required because Zoning By-law 001-2021 is not in force for the Subject Lands due to it being under appeal.

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

	MATTERS TO BE REVIEWED	COMMENT(S)
a.	Conformity and Consistency with Provincial Policies, York Region and City Official Plan Policies	<ul style="list-style-type: none"> ▪ The Applications will be reviewed for consistency and conformity with the Provincial Policy Statement, 2020 (the ‘PPS’), A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended (the ‘Growth Plan’) and the policies of the York Region Official Plan, 2022 (‘YROP’) and VOP 2010 ▪ The Application will also be reviewed in consideration of the VOP 2010 compatibility criteria for new development in established community areas (Official Plan Amendment 15) and the 45-degree angular plane criteria
b.	Appropriateness of Amendments to VOP 2010 and Zoning By-laws	<ul style="list-style-type: none"> ▪ The appropriateness of the amendments to VOP 2010 will be reviewed in consideration of the proposed land use designation transition to the existing neighbourhood, building height and density, uses, access, lot coverage, landscaping, setbacks, amenity areas, parking and compatibility with the existing surrounding uses ▪ The appropriateness of the rezoning and site-specific exceptions will be reviewed in consideration of the existing and planned surrounding land uses ▪ It is noted that the requested site-specific zoning exceptions request uses (ie. block townhouses, a hotel, retail/commercial uses) that are not proposed on the current submitted drawings. The draft by-law will need to match what is being proposed.
c.	Studies and Reports	<ul style="list-style-type: none"> ▪ The Owner submitted studies and reports in support of the Applications available on the city’s website at https://maps.vaughan.ca/planit/ (PLANit Viewer) and must be approved to the satisfaction of the City or respective approval authority. Additional studies and/or reports may be required as part of the application review process
d.	Allocation and Servicing	<ul style="list-style-type: none"> ▪ The availability of water and sanitary servicing capacity for the Development must be identified and allocated by Vaughan Council, if the applications are approved. If servicing allocation is unavailable, the lands will be zoned with a Holding Symbol “(H)”, which will be removed once

	MATTERS TO BE REVIEWED	COMMENT(S)
		servicing capacity is identified and allocated to the lands by Vaughan Council
e.	Urban Design Guidelines	<ul style="list-style-type: none"> ▪ The Development will be reviewed in consideration of the City of Vaughan City-wide Urban Design Guidelines, the Block 12 Community Architectural Guidelines and the Block 12 Landscape Master Plan and Urban Design Guidelines including the requirement for a 45 degree angular plane
f.	Design Review Panel ('DRP')	<ul style="list-style-type: none"> ▪ The Development must be reviewed by the DRP either prior to the Applications proceeding to the Committee of the Whole or prior to a future Site Development Application is finalized
g.	Public Agency/Municipal Review	<ul style="list-style-type: none"> ▪ The Applications must be reviewed by York Region and the Toronto and Region Conservation Authority and external public agencies and utilities, municipalities, and the Public, Separate, and French School Boards
h.	Parkland Dedication	<ul style="list-style-type: none"> ▪ The Applications will be reviewed in consideration of the requirements of the <i>Planning Act</i> and the City of Vaughan's Parkland Dedication Policy.
i.	Community Benefits Charges	<ul style="list-style-type: none"> ▪ The development meets the criteria for Community Benefits Charges ('CBC') being 5 or more storeys and 10 or more units. The City passed the CBC By-law on September 14, 2022, which is therefore the applicable mechanism used to collect community benefits
j.	Affordable Housing	<ul style="list-style-type: none"> ▪ The Applications will be reviewed in consideration of Provincial, Regional and City policies to ensure that the Development provides an appropriate level, range and mix of unit sizes
k.	City's Tree Protection Protocol ('TPP')	<ul style="list-style-type: none"> ▪ There are 14 trees on the Subject Lands, 2 of which are required to be removed to accommodate the proposed development ▪ The Development will be reviewed in accordance with the City's Tree Protection Protocol, for the protection and the replacement of any tree(s) should they be damaged during construction, if the Applications are approved

	MATTERS TO BE REVIEWED	COMMENT(S)
i.	Traffic Impacts and Access	<ul style="list-style-type: none"> ▪ The Transportation Impact Study will be reviewed in accordance with the City's Transportation Impact Study Guidelines to the satisfaction of the Development Engineering Department ▪ The proposed traffic generated by the development at the requested density will be reviewed in consideration of existing traffic conditions at Queen Filomena Avenue and Bathurst Street ▪ Matters including the driveway entrance, parking, ramps to the underground parking garage, truck manoeuvring, bicycle parking and Transportation Demand Management requirements are required to be reviewed to the satisfaction of the Development Engineering Department
m.	Required Applications	<ul style="list-style-type: none"> ▪ Should the Applications be approved, the Owner will be required to submit a Site Plan Application to be reviewed by City staff ▪ In accordance with Bill 109, the approval of Site Development Applications has been delegated to the City of Vaughan Director of Development Planning and/or the Director of Policy Planning and Special Projects for approval ▪ Should the Applications be approved, the Owner will be required to submit a Draft Plan of Condominium Application if condominium tenure is desired. The Draft Plan of Condominium Application would be reviewed through a future technical report and considered by Vaughan Council
n.	Road Widening, Access and Traffic	<ul style="list-style-type: none"> ▪ The Subject Lands are located on Bathurst Street, an arterial road under the jurisdiction of York Region ▪ York Region will identify any required land conveyances
o.	The Applications have been Deemed Incomplete	<ul style="list-style-type: none"> ▪ The Owner is required to submit the following material for the Applications to be deemed complete: <ul style="list-style-type: none"> ○ Geotechnical Report ○ Hydrogeological Report

Financial Impact

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

Operational Impact

Development Planning staff have circulated the Applications to internal City Departments for review.

Broader Regional Impacts/Considerations

The Applications have been circulated to the York Region Community Planning and Development Services Department and the City of Richmond Hill for review and comment. Any issues will be addressed when the technical report is considered.

According to York Region, the Development represents a significant increase in height and density and will have cumulative impacts on York Region's road network and water and wastewater systems and appear not to conform with the planned urban structure and intensification hierarchy. Therefore, exemption of the proposed Official Plan Amendment Application has been denied by York Region at this time. The final approval of the Official Plan Amendment will be forwarded to York Region Council.

Conclusion

The preliminary issues identified in this report and any other issues identified through the processing of the Applications will be considered in the technical review of the Applications. Comments from the public and Vaughan Council expressed at the Public Meeting or in writing will be addressed in a comprehensive report to a future Committee of the Whole meeting.

For more information, please contact Daniela DeGasperis, Planner, Development Planning Department, ext. 8382.

Attachments

1. Context and Location Map
2. Site Plan and Proposed Zoning
3. Landscape Plan
4. Building Elevations

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