

Committee of the Whole (1) Report

DATE: Tuesday, October 3, 2023

WARD: 1

TITLE: 11191 KEELE ST. GP INC.: ZONING BY-LAW AMENDMENT
FILE Z.21.036, DRAFT PLAN OF SUBDIVISION FILE 19T-
21V007 – 11191 KEELE STREET, VICINITY OF KEELE STREET
AND KIRBY ROAD

FROM:

Haiping Xu, Deputy City Manager, Planning and Growth Management

ACTION: DECISION

Purpose

To seek approval from the Committee of the Whole for Zoning By-Law Amendment and Draft Plan of Subdivision Applications to rezone the subject lands and create a single block through a draft plan of subdivision to permit 42 three-storey freehold townhouse units served by a private condominium road (common element), as shown on Attachments 3 to 6.

Report Highlights

- The Owner proposes to rezone and create a single block through a draft plan of subdivision on the subject lands to permit 42 three-storey freehold townhouses units on a condominium road.
- A Zoning By-Law Amendment and Draft Plan of Subdivision applications are required to implement the proposed 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 – The Growth Plan for the Greater Golden Horseshoe 2019 as amended, the York Regional Official Plan 2010 and meets the intent of Vaughan Official Plan 2010, and is considered to be compatible with the surrounding existing and planned land uses.

Recommendations

1. THAT Zoning By-law Amendment File Z.21.036 (11191 Keele St. GP Inc.) BE APPROVED, to rezone the subject lands from “A Agricultural Zone” to “RT1 (H) Residential Townhouse Zone” subject to a Holding Symbol “(H)” in the manner shown on Attachment 4, together with site-specific zoning exceptions identified in Attachment 7 of this report.
2. THAT the Holding Symbol “(H)” shall not be removed from the Subject Lands, or any portion thereof, until the following condition is satisfied:
 - a) Vaughan Council adopts a resolution allocating sewage and water capacity in accordance with the City’s approved Servicing Capacity Distribution Policy assigning capacity to the subject lands;
3. THAT Draft Plan of Subdivision File 19T-21V007 (11191 Keele St. GP Inc.) BE APPROVED SUBJECT TO THE CONDITIONS OF DRAFT PLAN OF SUBDIVISION APPROVAL identified on Attachment 1, to create one residential development block (Block 1) and sight triangle purposes (Blocks 2 and 3) to be conveyed to York Region, as shown on Attachment 3.

Background

Location: 11191 Keele Street (the ‘Subject Lands’). The Subject Lands and the surrounding land uses are shown on Attachment 2.

Date of Pre-Application Consultation Meeting: March 5, 2021

Date applications were deemed complete: October 7, 2021

Zoning By-Law Amendment, Draft Plan of Subdivision, Site Development and Draft Plan of Condominium Applications have been submitted to permit the proposed development

11191 Keele St. GP Inc. (the ‘Owner’) has submitted the following applications (the ‘Applications’) for the Subject Lands to permit the development of 42, three-storey freehold townhouse units served by a future privately owned and maintained common element condominium road (the ‘Development’), as shown on Attachments 3 to 6:

1. Zoning By-law Amendment File Z.21.036 to rezone the Subject Lands from “A Agricultural Zone” as shown on Attachment 2, to “RT1(H) Residential Townhouse Zone” subject to a Holding Symbol “(H)” in the manner shown on Attachment 4, together with the site-specific zoning exceptions identified in Attachment 7 of this Report.
2. Draft Plan of Subdivision File 19T-21V007, as shown on Attachment 3, consisting of Block 1 (1.01 ha) for technical purposes under the *Planning Act* to facilitate a future Draft Plan of Condominium (Common Elements). The future common

elements will consist of the private internal roads, walkways, visitor parking spaces, and private landscaped areas.

The Owner has also submitted Site Development Application File DA.22.065 and Draft Plan of Condominium File 19CDM-22V010. 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. The review of Site Development File DA.22.065 and Draft Plan of Condominium File 19CDM-22V010 is currently ongoing.

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

- *Date of Notice (Circulated 150 m from Subject Lands and to the expanded polling area as shown on Attachment 2): November 5, 2021*
- *Location of Notice Sign(s): Keele Street*
- *Date of Public Meeting(s): November 30, 2021, date ratified by Council December 10, 2021*

Previous Reports/Authority

[December 10, 2021, Committee of the Whole \(Public Meeting\), Item 2, Report No. 55](#)

Analysis and Options

The Development is consistent with the Provincial Policy Statement, 2020 (the 'PPS')

In accordance with Section 3 of the *Planning Act*, all land use decisions in Ontario "shall be consistent" with the PPS. The Development is consistent with Sections 1.1.3, 1.4.1 and 1.6.6.2 of the PPS encouraging development within Settlement Areas to make the efficient use of land and planned and existing infrastructure and services. The policies also contribute to providing for an appropriate range and mix of housing options and densities. The policies further facilitate active transportation and community connectivity. 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 ('Growth Plan')

The Growth Plan is intended to guide decisions 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 Development conforms to the policy framework of the Growth Plan as the built form would efficiently utilize the Subject Lands, existing infrastructure, municipal water and wastewater systems. The Development provides for residential townhouse units within a settlement area and a delineated built-up area that contributes to providing a mix of housing densities within the neighbourhood and makes more efficient use of the Subject Lands. In consideration of the above the Development conforms to the Growth Plan.

The Development conforms to the York Region Official Plan 2010 (the ‘YROP 2010’)

The York Region Official Plan 2022 (‘YROP 2022’) was approved by the Province on November 4, 2022. Policy 7.4.13 in YROP 2022 states that development applications which have been deemed complete prior to the date of the Plan’s approval shall be subject to the policies of the YROP 2010. The Zoning By-law Application and Draft Plan of Subdivision were deemed complete on October 7, 2021, and are therefore subject to the policies of YROP 2010.

The YROP guides economic, environmental and community building decisions across York Region. The Subject Lands are designated “Urban Area” on Map 1, “Regional Structure” of the YROP 2010. 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.”

Section 3.5.4 of the YROP 2010 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 consists of 42 townhouse units which contribute to adding to the variety of housing forms in the community. The Development conforms to the YROP 2010.

It is noted that in review of YROP 2022, the Development also conforms to YROP 2022.

The Development conforms to VOP 2010

The Subject Lands are located within a “Community Area” as identified on Schedule 1 - Urban Structure of VOP 2010. The Subject Lands are designated “Low-Rise Residential” by VOP 2010. The Official Plan permits the three-storey townhouse dwellings.

Section 9.1.2.2 of VOP 2010 identifies compatibility criteria for new development in a Community Area and requires new development be designed to respect and reinforce the physical character of the established neighbourhood. In addition, new development in a Community Area within established areas shall pay particular attention to local lot patterns, size and configuration, and existing building types with similar setbacks. Sections 9.1.2.2 to 9.1.2.4 of VOP 2010 requires townhouse dwellings to respect and reinforce the scale, massing, setbacks and orientation of other built and approved dwellings in the surrounding area.

The Development includes 42 townhouses dwellings ranging in lot frontage of 6 m to 9 m and lot depths of approximately 24 m. The townhouse dwellings will be three-storeys in height and will front onto the proposed private condominium road. The development will provide additional housing options in an appropriate low-rise built form that is compatible with the surrounding community.

The Owner is proposing the “RT1 Residential Townhouse Zone” category by Zoning By-law 1-88, consistent with the surrounding zoning to the immediate north fronting Keele Street. The rezoning will facilitate lot sizes (frontage and areas) consistent and compatible with the existing and planned surrounding development. The Development conforms to VOP 2010.

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

The Subject Lands are zoned “A Agricultural Zone” by Zoning By-law 1-88, as shown on Attachment 2. This zone does not permit the Development. The Owner is proposing to rezone the Subject Lands to “RT1(H) Residential Townhouse Zone” subject to a Holding Symbol “(H)” by Zoning By-law 1-88 in the manner shown on Attachment 4, together with the site-specific zoning exceptions identified in Attachment 7.

Minor modifications may be made to the zoning exceptions identified in Attachment 7 prior to the enactment of an implementing Zoning By-law, as required through the final review of Site Development File DA.22.065, should the Applications be approved.

The Development Planning Department supports the rezoning of the Subject Lands to “RT1(H) Residential Townhouse Zone” subject to a Holding Symbol “(H)” as the rezoning and proposed development standards implements the “Low-Rise Residential” designation of VOP 2010 and is consistent with the policies of the PPS, Growth Plan and YROP. The requested zoning exceptions identified are considered minor and are compatible with the character of the area and zoning standards in the surrounding community.

The Subject Lands will be zoned with the Holding Symbol “(H)”

A Holding Symbol “(H)” is recommended to be placed on the proposed zoning for the Subject Lands to address servicing and allocation for the Subject Lands. The Holding Symbol “(H)” shall not be removed from the Subject Lands, or any portion thereof, until the condition included in the Recommendation section of this report are addressed to the satisfaction of the City.

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

On October 20, 2021, Council enacted By-law 001-2021 as the new Vaughan Comprehensive Zoning By-law. As the Zoning Application deemed complete by the City October 7, 2021, and given Council’s direction on October 20, 2021, the Applications are transitioned under Zoning By-law 001-2021, as amended.

The Development Planning (‘DP’) Department supports the Applications, subject to conditions

Conceptual Site Plan and Subdivision Design

The proposed Draft Plan of Subdivision (File 19T-21V007) shown on Attachment 3 is to create one residential development block (Block “1”) for technical purposes under the *Planning Act* to facilitate a Draft Plan of Condominium (Common Elements). The

common elements consist of the private internal roads, walkways, visitor parking spaces, and private landscaped areas. The townhouse units will consist of three-storey dwellings that are 10.5 m in height and will be on future parcels of tied land as shown on Attachment 4.

Access to the Subject Lands will be via a full-moves access from Keele Street. Driveway access to the townhouse units will be via the common element road identified as shown on Attachment 4. All units will provide a minimum of 2 parking spaces per dwelling unit, which meets the requirements of Zoning By-law 1-88.

Archaeology

The Subject Lands have undergone a Stage 1 and 2 Archaeological Assessment. The DP Department, Urban Design and Cultural Heritage Division have no objections to the Development subject to the standard archaeological conditions being included in Attachment 1.

Sustainability Performance Metrics

The Development achieves an overall Sustainability Performance Metrics application score of 27 for the Draft Plan of Subdivision Application (bronze level). This score meets minimum threshold requirements.

Tree Protection Agreement

The Owner shall enter into a Tree Protection Agreement ('TPA') in accordance with Council enacted Tree By-Law 052-2018 given 84 trees are being removed from the Subject Lands. The Development proposes to plant 77 trees with the remaining 7 trees requiring cash-in-lieu. The Owner shall file a Tree Protection Application, enter into a TPA with the City and post the required securities in a Letter of Credit (based on the costs indicated in the arborist report) prior to the registration of the Draft Plan of Subdivision. A condition to this effect is included in Attachment 1.

Prior to the execution of the Site Plan Agreement, the Owner is required to satisfy all conditions of Draft Plan of Subdivision Approval in Attachment 1 and the final Draft Plan shall be registered on title.

Draft Plan of Condominium and Part Lot Control Applications are required to implement the Development

Should the Applications be approved, Draft Plan of Condominium File 19CDM-22V010 is required to establish the proposed condominium tenure and common elements of the Development, and to secure appropriate conditions of Draft Plan of Condominium approval. A Part Lot Control Application will also be required to create individual lots tied to the common element condominium (Parcels of Tied Land - 'POTLs') for future ownership.

Financial Impact

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

Operational Impact

The Development Engineering ('DE') Department supports the Applications, subject to the conditions in this report

The DE Department has provided the following comments:

Water Servicing

The Subject Lands are located within Pressure District 9, immediately south of the North Maple Reservoir. The Environmental Services Department has confirmed that water servicing capacity within Pressure District 9 is not available to service new growth, including this Development. An alternative interim water servicing option was analyzed that would connect to an existing stub off York Region's Pressure District 8 (1200 mm diameter sewer on Keele Street), which will require York Region approval. The interim solution would be in place until servicing capacity is available in northeast Vaughan through Pressure District 9.

Due to low pressures in Pressure District 8, booster pumping systems are proposed to achieve acceptable minimum service pressures for normal operating conditions for the Development. These pumps will be decommissioned by the future condominium cooperation upon the ultimate conversion from Pressure District 8 to Pressure District 9. The Owner shall address all remaining comments from the DE Department in a subsequent submission. A condition to this effect is included in Attachment 1.

Sanitary Servicing

The Subject Lands will be serviced by the existing sanitary sewer on Keele Street that drains south into the Maple/Langstaff Collector Trunk Sewer System. It is anticipated that local infrastructure improvements will be required in the future. A financial contribution from the Owner for infrastructure improvements will be required. A condition to this effect is included in Attachment 1.

Storm Servicing

Majority of the Subject Lands is tributary to the Keele Street roadside ditch draining north and a small portion of the subject Lands is tributary to a ditch draining south. The Stormwater Management Plan prepared by Fabian Papa & Partners dated June 15, 2023, includes an internal storm sewer network, on-site storage via underground stormwater storage chambers, and controlled discharged release rates to the receiving storm outlets at appropriate levels. Since there is no storm on Keele Street, it is proposed that the storm outlet from the Subject Lands will discharge to the exiting roadside ditch.

The Owner shall address all remaining comments from the DE Department in a subsequent submission. A condition to this effect is included in Attachment 1.

Noise Impact Study

The Owner submitted a Noise Report prepared by HGC Engineering, dated June 15, 2023, to investigate noise impact on the Subject Lands from road traffic and

surrounding land uses. The Noise Report recommends noise walls, central air conditioning, and noise warning clauses to be included in all offers of Purchase and Sale or Lease and registered on title to make future occupants of potential noise impacts. A condition to this effect is included in Attachment 1.

Environmental Engineering

The Owner submitted Site Screening Questionnaire, Phase One and Phase Two Environmental Site Assessment ('ESA') reports prepared by Fisher Engineering dated July 21, 2021 and July 28, 2022 and a Reliance Letter prepared by Fisher Engineering dated June 30, 2022. The materials indicated that the Development meets the applicable Ministry of Environment, Conservations and Parks Standards. The DE Department has reviewed the submissions and is satisfied with the ESA documents.

Servicing Allocation

Currently there is limited available city-wide servicing capacity however, York Region is expected to grant the City of Vaughan additional servicing capacity in the last quarter of 2023 as part of their capacity assignment to cycle to local municipalities. Therefore, it is recommended that a Holding Symbol ('H') be placed on the Subject Lands until such time that Vaughan Council adopts a resolution allocating sewage capacity and water supply capacity to the Subject Lands. A condition to this effect is included in the Recommendations section of this report.

Transportation

The Owner submitted a Transportation Impact Study prepared by Paradigm Transportation Solutions Limited dated June 2023. The DE Department has reviewed the submitted materials and have no objections.

The Development will have minimal impacts to the adjacent road network. The Development will be accessed by a single full-moves access on Keele Street. The Subject Lands will be served by an internal ring road with the westerly portion, parallel to Keele Street restricting to a one-way southbound direction. Sidewalks are provided on one side of the internal east-west segments of the ring road. Adequate pedestrian connections are provided to a multi-use path on Keele Street, which is currently under construction. The proposed parking supply fulfills the by-law requirement for both residents and visitors.

The Parks Infrastructure Planning Department ('PIPD') has no objection to the Applications, subject to conditions

PIPD has no objections to the Applications, subject to conditions and warning clauses identified in Attachment 1.

Cash-in-Lieu of the dedication of parkland is required

The Owner shall dedicate land and/or pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% of the value of the Subject Lands, prior to the issuance of a Building Permit, in accordance with the *Planning Act* and the City's Cash-in-Lieu of Parkland Dedication policy.

The Owner shall submit an appraisal of the Subject Lands, in accordance with Section 42 of the *Planning Act*, prepared by an accredited appraiser for approval by the Real Estate Department, and the approved appraisal shall form the basis of the cash-in-lieu payment. A condition to this effect is included in Attachment 1 of this report.

The School Boards have no objection to the Development

The York Region District School Board and York District Catholic School Board have no objection to, or any conditions of approval for the Applications, and will not require a new school for the Development. No comments were received from the Conseil Scolaire de District Catholique Centre Sud.

Other external agencies and various utilities have no objection to the Development

Alectra Utilities Corporation, Bell Canada, Hydro One and Enbridge Gas Distribution have no objections to the approval of the Applications, subject to their conditions contained in Attachment 1 of this report.

Canada Post has no objection to the Development, subject to Conditions of Approval

Canada Post has no objection to the Development, subject to the Owner installing mailbox facilities and equipment to the satisfaction of Canada Post. Conditions to this effect are included in Attachment 1 of this report.

Broader Regional Impacts/Considerations

York Region

The Subject Lands are located on Keele Street (Regional Road). York Region provided comments and Conditions of Approval for Draft Plan of Subdivision on August 10, 2023 as shown in Attachment 1.

York Region has advised that they reserve the right to provide further detailed technical comments and conditions through the related Site Development Application DA.22.065.

Metrolinx

The Subject Lands are located within 300 m of Metrolinx's Barrie GO line. Metrolinx has provided warning clauses to be inserted in all agreements, offers of purchase and agreements of purchase and sale. Conditions to this effect are included in Attachment 1.

Toronto and Region Conservation Authority ('TRCA')

The Subject Lands are located in a Source Water Protection vulnerable area referred to as a Wellhead Protection Area-Q2 (WHPA-Q2). As such, the Applications are subject to policies within the Credit Valley - Toronto and Region - Central Lake Ontario ('CTC') Source Protection Plan that need to be addressed through a site-specific water balance assessment. The TRCA has reviewed the Hydrogeological Assessment prepared by Fisher Engineering and the Functional Servicing and Stormwater Management Report prepared by Fabian Papa & Partners submitted in support of these Applications. The

TRCA has advised they have no objection to the Development, subject to the water balance mitigation strategy being carried out. A condition to this effect is included in Attachment 1.

Conclusion

The Development Planning Department is satisfied the Applications are consistent with the PPS, conforms with the Growth Plan, YROP 2010 and VOP 2010, and is appropriate for the development of the Subject Lands. The Development is considered appropriate and compatible with existing and planned surrounding land uses. Accordingly, the Development Planning Department can recommend approval of the Applications, subject to the recommendations in this report and Conditions of Approval in Attachment 1.

For more information, please contact: Daniela DeGasperi, Planner, at extension 8382.

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Attachments

1. Conditions of Draft Plan of Subdivision Approval (19T-21V007)
2. Context and Location Map
3. Draft Plan of Subdivision File 19T-21V007
4. Conceptual Site Plan and Proposed Zoning
5. Conceptual Landscape Plan
6. Conceptual Building Elevations (Typical - Blocks A & G)
7. Zoning By-law 1-88 Amendments

Approved by



Haiqing Xu, Deputy City Manager,
Planning and Growth Management

Reviewed by



Nick Spensieri, City Manager