

## Committee of the Whole (1) Report

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**DATE:** Tuesday, November 05, 2019

**WARD:** 1

**TITLE: LAURIER HARBOUR (KEELE) INC.  
OFFICIAL PLAN AMENDMENT FILE OP.15.020  
ZONING BY-LAW AMENDMENT FILE Z.15.019  
DRAFT PLAN OF SUBDIVISION FILE 19T-15V007  
SITE DEVELOPMENT FILE DA.17.068  
VICINITY OF KEELE STREET AND BARRHILL ROAD**

**FROM:**

Jason Schmidt-Shoukri, Deputy City Manager, Planning and Growth Management

**ACTION:** DECISION

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**Purpose**

To seek endorsement from the Committee of the Whole for Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision Files OP.15.020, Z.15.019 and 19T-15V007, which have been appealed to the Local Planning Appeal Tribunal, to: amend the compatibility criteria in Vaughan Official Plan 2010; rezone the subject lands shown on Attachment 2 from “R1 Residential Zone” and “R2 Residential Zone” to “RT1(H) Residential Townhouse Zone” with the Holding Symbol “(H)”, as shown on Attachment 3; to create a block on a registered plan of subdivision; and to seek approval from the Committee of the Whole for Site Development File DA.17.068 to permit the development of 8 semi-detached dwellings and 8 townhouse dwellings accessed by a private condominium road, as shown on Attachments 3 to 9.

## **Report Highlights**

- The Owner proposes to amend Vaughan Official Plan 2010 and Zoning By-law 1-88 to permit a residential development consisting of eight (8) semi-detached dwelling units and eight (8) townhouse dwelling units accessed by a private common element condominium road.
- Draft Plan of Subdivision and Site Development Applications are required to implement the proposed development.
- The Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision Applications have been appealed to the Local Planning Appeal Tribunal.
- The Development Planning Department supports the approval of the Official Plan and Zoning By-law Amendment, Draft Plan of Subdivision and Site Development Applications, as they are consistent with the Provincial Policy Statement 2014, conforms to A Place to Grow: the Growth Plan for the Greater Golden Horseshoe 2019, the York Region Official Plan 2010, and the “Community Area” policies of the Vaughan Official Plan 2010.

## **Recommendations**

That the Local Planning Appeal Tribunal be advised that City of Vaughan Council ENDORSES the following recommendations to permit the development of eight (8) semi-detached dwelling units and eight (8) townhouse dwelling units accessed by a private condominium road, as shown on Attachments 3 to 9:

1. THAT Official Plan Amendment File OP.15.020 (Laurier Harbour (Keele) Inc.) BE APPROVED, to amend Vaughan Official Plan 2010, Volume 1, for the Subject Lands shown on Attachment 2, specifically Section 9.1.2.3 respecting new development within an established “Community Area”.
2. THAT Zoning By-law Amendment File Z.15.019 (Laurier Harbour (Keele) Inc.) BE APPROVED, to amend Zoning By-law 1-88, specifically to rezone the Subject Lands from “R1 Residential Zone” and “R2 Residential Zone” to “RT1(H) Residential Townhouse Zone” with the Holding Symbol “(H)” in the manner shown on Attachment 3, together with the site-specific zoning exceptions identified in Table 1 of this report.
3. THAT the Holding Symbol “(H)” shall not be removed from the Subject Lands until the following matters have been addressed to the satisfaction of the City:
  - a) The design of the proposed shared access from Keele Street for the Subject Lands and 9773 Keele Street shall be approved by York Region;

- b) Shared water, sanitary, and stormwater servicing connections for the Subject Lands and the lands to the south municipally known as 9773 Keele Street shall be approved by the City and York Region;
  - c) Registered reciprocal access and servicing easements between the owners of the Subject Lands and 9773 Keele Street for shared road access and services shall be obtained from the Vaughan Committee of Adjustment. The Committee of Adjustment's decision shall be final and binding and any conditions of approval imposed by the Committee shall be satisfied; and
  - d) The Owner of the lands municipally known as 9773 Keele Street shall successfully obtain approval from Vaughan Council of the Official Plan and Zoning By-law Amendment, Draft Plan of Subdivision and Site Development applications for 9773 Keele Street.
4. THAT Draft Plan of Subdivision File 19T-15V007 (Laurier Harbour (Keele) Inc.) BE APPROVED to create one residential development Block ("Block 1") and one block to be conveyed to York Region for road widening purposes ("Block 2"), as shown on Attachment 3, subject to the Conditions of Draft Plan of Subdivision Approval in Attachment 1.
  5. THAT should the Local Planning Appeal Tribunal approve Official Plan and Zoning By-law Amendment Files OP.15.020 and Z.15.019 (Laurier Harbour (Keele) Inc.), either in whole or in part, that the Local Planning Appeal Tribunal withhold its final Order until such time that the implementing Official Plan and Zoning By-law Amendments are prepared to the satisfaction of the City.
  6. THAT should the Local Planning Appeal Tribunal approve Zoning By-law Amendment File Z.15.019, the Owner be permitted to apply for a Minor Variance application to permit minor adjustments to the in-effect Zoning By-law 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 comes into full force and effect.
  7. THAT City of Vaughan staff be directed to attend the Local Planning Appeal Tribunal Hearing in support of the Recommendations contained in this report.

That the City of Vaughan Council APPROVE the following recommendations:

1. THAT should the Local Planning Appeal Tribunal approve Official Plan Amendment File OP.15.020, Zoning By-law Amendment File Z.15.019 and Draft Plan of Subdivision File 19T-15V007, that Site Development File DA.17.068 (Laurier Harbour (Keele) Inc.) BE DRAFT APPROVED AND SUBJECT TO THE

FOLLOWING CONDITIONS to the satisfaction of the Development Planning Department, to permit the development of eight (8) semi-detached dwelling units and eight (8) townhouse dwelling units accessed by a private condominium road, as shown on Attachments 4 to 9:

- a) That prior to the execution of the Site Plan Agreement:
  - i) the Development Planning Department shall approve the final site plan, landscape plan, landscape cost estimate, and building elevations;
  - ii) the final landscape plan shall be designed in accordance with the Maple Streetscape and Urban Design Guidelines;
  - iii) the Development Engineering Department shall approve the final grading, erosion and sediment control, site servicing plans, functional servicing and stormwater management report, and construction management plan;
  - iv) the final implementing Zoning By-law for Zoning By-law Amendment File Z.15.019 shall be approved by the Local Planning Appeal Tribunal;
  - v) the final Draft Plan of Subdivision (File 19T-15V007) shall be registered;
  - vi) the Owner shall enter into a Tree Protection Agreement with the City in accordance with the Council adopted Tree By-law 052-2018;
  - vii) the Owner shall satisfy all requirements of the Environmental Services Department, Solid Waste Management Division; and
  - viii) the Owner shall satisfy all requirements of York Region;
- b) That the Site Plan Agreement shall include the conditions and warning clauses identified in this report, to the satisfaction of the City.

2. THAT Site Plan Development File DA.17.068 be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 16 residential units (52 persons equivalent). The allocation of said capacity may be revoked by Council resolution and/or in accordance with the City's current Servicing Capacity Distribution Protocol in the event that (at the discretion of the City) the development does not proceed with a building construction program within a reasonable timeframe.

## **Background**

The 0.33 ha subject lands (the 'Subject Lands') shown on Attachment 2 are located on the east side of Keele Street, south of Barrhill Road, and are municipally known as 9785 and 9797 Keele Street, and Block 176 on Registered Plan 65M-2407. Two (2) single detached dwellings occupy the Subject Lands and are proposed to be demolished to facilitate the proposed development.

The Subject Lands are intended to be developed with the adjacent lands to the south, known municipally as 9773 Keele Street, as shown on Attachment 9. Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Subdivision and Site Development Applications (9773 Keele Development Inc.- Files OP.17.001, Z.17.002, 19T-17V001 and DA.18.073) have been submitted for 9773 Keele Street to permit 11 three-storey townhouse dwellings and to restore and relocate the existing heritage dwelling (George Keffer House) located on the lands.

A single access from Keele Street and municipal servicing for the proposed development on the Subject Lands is intended to be shared with 9773 Keele Street. A technical report will be brought forward to a future Committee of the Whole Meeting for the development applications located at 9773 Keele Street.

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

On November 6, 2015, the City circulated a Notice of Public Hearing (the 'Notice') to all property owners within 150 m of the Subject Lands. A copy of the Notice was also posted on the City's website at [www.vaughan.ca](http://www.vaughan.ca) and a notice sign was installed on the Subject Lands in accordance with the City's Notice Signs Procedures and Protocols.

Vaughan Council on December 15, 2015, ratified the recommendation of the Committee of the Whole to receive the Public Hearing report of December 1, 2015, and to forward a comprehensive technical report to a future Committee of the Whole meeting. A recommendation to hold a Community Meeting with the local councillor, City staff, and residents in the area vicinity was also ratified by Council. The Community Meeting was held on March 24, 2016, at Vaughan City Hall.

The following deputations and written submissions were received by the Development Planning Department, and at the Public Hearing and Community Meeting:

### **Deputations**

- Ms. Jana Manolakos, Keele Street, Maple

- Mr. Bill Manolakos, Keele Street, Maple
- Ms. Pat Canizares, Keele Street, Maple
- Mr. Udo Schonberg, Naylor Street, Maple
- Ms. Rina Conforti, Keele Street, Maple
- Mr. Richard Lorello, Treelawn Boulevard, Kleinburg
- Reverend Robert Royal, St. Andrew's Presbyterian Church, Keele Street, Maple

### Written Submissions

- B. and J. Manolakos, Keele Street, email correspondence dated October 7, 2015
- P. Canizares, Keele Street, written correspondence dated December 1, 2015

The following is a summary of, and response to, the comments provided in the deputations and written submissions submitted at the Public Hearing of December 1, 2015, and written submissions received by the Development Planning Department:

a) Compatibility of the proposed development to the surrounding area and non-conformity to Vaughan Official Plan 2010

The proposed development does not meet the compatibility criteria of Vaughan Official Plan 2010 ('VOP 2010'), specifically policies 2.2.3.2, 2.2.3.3, 9.1.2.1 and 9.1.2.2.

### Response

VOP 2010 contains a number of policies that are applied and balanced prior to implementation. The Development Planning Department's review of VOP 2010 identifies Section 9.1.2.3, being the policies related to compatibility within established community areas, that require an Official Plan Amendment. Accordingly, the Owner's Official Plan Amendment application (File OP.15.020) seeks Council's approval to amend Section 9.1.2.3 to facilitate the proposed development.

The Owner, on September 9, 2019, submitted a revised development concept to the Development Planning Department to permit eight (8) semi-detached dwellings units fronting onto Keele Street and eight (8) townhouse dwelling units fronting onto a private road, accessed by a private condominium road via a shared driveway access from Keele Street with 9773 Keele Street, as shown on Attachments 4 to 9. The revised development concept, which replaced townhouse dwellings fronting onto Keele Street with semi-detached dwellings and relocated the proposed private amenity area and parking to the south of the

property, was submitted to address issues related to compatibility, massing and design and the concerns raised by residents at the Public Hearing on December 1, 2015.

The proposed development, as revised on September 9, 2019, maintains the goals, objectives and intent of the “Community Area” policies of VOP 2010, and provides an appropriate, but not identical, development to the surrounding residential community.

b) Non-conformity to the Maple Heritage Conservation District Plan with respect to scale, massing, and density

The Subject Lands are located within the “Residential Village Area” of the Maple Heritage Conservation District Plan (‘MHCDP’) and are designated under Part V of the *Ontario Heritage Act*. The Heritage Vaughan Committee on October 16, 2019, considered and approved recommendations to demolish the existing detached dwellings located on the Subject Lands and recommended the proposed development for approval. The recommendations identified in the October 16, 2019, Heritage Vaughan Report will be considered by Vaughan Council on November 19, 2019.

c) Traffic Impacts

The proposed development will increase traffic in the area.

Response

The Owner has submitted a Traffic Operation Assessment prepared by LEA Consulting and dated June 14, 2017. York Region has reviewed the proposed development and Traffic Operation Assessment and has no objections subject to the Owner satisfying draft plan of subdivision conditions. Further information regarding traffic and access can be found in the Regional Implications Section of this report.

d) Stormwater Management

How will stormwater be managed on the Subject Lands given the higher densities proposed?

## Response

Stormwater runoff from the combined properties of 9773 Keele Street and the Subject Lands will drain through an internal network of manholes and catch basins and be conveyed into two proposed underground stormwater storage tanks. One underground stormwater storage tank will be located within the property boundaries of 9773 Keele street and the other located on the Subject Lands. The stormwater runoff will be controlled and released by gravity flow into the York Region storm sewer system on Keele Street. For larger storm events exceeding the storage capacity of the stormwater storage system, an overland flow route will convey the stormwater runoff along the internal access road, proposed on the Subject Lands and 9773 Keele Street, to Keele Street.

On October 29, 2019, a notice of this Committee of the Whole meeting was sent to all individuals who made a deputation before the Committee or submitted written correspondence to the City regarding the Applications.

## **Previous Reports/Authority**

[Item 1, Report No. 45 of the Committee of the Whole \(Public Hearing\), December 1, 2015](#)

## **Analysis and Options**

***Official Plan Amendment, Zoning By-law Amendment, Daft Plan of Subdivision and Site Development Applications have been submitted to permit a residential development***

The Owner has submitted the following applications (the 'Applications') to permit the development of eight (8) semi-detached dwellings units fronting onto Keele Street and eight (8) townhouse dwelling units fronting onto a private road, all accessed by a private condominium road via a shared driveway access from Keele Street with 9773 Keele Street (the 'Development'):

1. Official Plan Amendment File OP.15.020 to amend VOP 2010, Volume 1, for the Subject Lands shown on Attachment 2, specifically Section 9.1.2.3 respecting new development within an established "Community Area".
2. Zoning By-law Amendment File Z.15.019 to amend Zoning By-law 1-88, specifically to rezone the Subject Lands from "R1 Residential Zone" and "R2 Residential Zone" subject to site-specific zoning Exception 9(495) to "RT1



Residential Townhouse Zone”, together with the site-specific zoning exceptions identified in Table 1 of this report.

3. Draft Plan of Subdivision File 19T-15V007 to permit one residential development block (“Block 1”) in order to create individual lots tied to the common element condominium for future ownership (“Parcels of Tied Land”), and one block to be conveyed to York Region for road widening purposes (“Block 2”), as shown on Attachment 3.
4. Site Development File DA.17.068 to permit the Development shown on Attachments 4 to 8.

***The Owner has appealed the Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision Applications to the Local Planning Appeal Tribunal (‘LPAT’)***

The Owner, on August 28, 2015, submitted Official Plan Amendment File OP.15.020, Zoning By-law Amendment File Z.15.019 and Draft Plan of Subdivision File 19T-15V007 to permit the development of 13 townhouse units over three blocks and two (2) semi-detached units accessed by a private condominium road, for a total of 15 residential units. On September 1, 2017, the Owner submitted Site Development File DA.17.068 in addition to the existing development applications to facilitate site plan approval of the Development. Site Development File DA.17.068 included a revised development proposal for 12 townhouse units over three (3) blocks and four (4) semi-detached units over two (2) blocks accessed by a private condominium road, for a total of 16 residential units.

The Owner, on April 24, 2018, appealed the Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision applications (the ‘Appealed Applications’) to the Local Planning Appeal Tribunal (‘LPAT’) under Subsections 22(7), 34(11) and 51(34), respectively, of the *Planning Act*. The appeal was the result of the failure of the City to make a decision on the Appealed Applications within the timeframes of the *Planning Act*. The Owner has not appealed Site Development File DA.17.068 to the LPAT.

One-day LPAT pre-hearing conferences (Case No. PL170643) for the Appealed Applications were held on June 4, 2018 and November 13, 2018. The LPAT, in their decision dated December 27, 2018, scheduled a five-day hearing for the Appealed Applications commencing on January 27, 2020.

***The Owner submitted a revised development concept on September 19, 2019***

The Owner, on September 9, 2019, submitted a revised development concept to the Development Planning Department to permit eight (8) semi-detached dwellings units fronting onto Keele Street and eight (8) townhouse dwelling units fronting onto a private road, all accessed by a private condominium road via a shared driveway access from Keele Street with 9773 Keele Street (the 'Development'). The revised development concept was submitted to address comments related to compatibility, massing and design, and comments made at the Public Hearing on December 1, 2015.

***The Development is consistent with the Provincial Policy Statement 2014***

In accordance with Section 3 of the *Planning Act*, all land use decisions in Ontario "shall be consistent" with the Provincial Policy Statement 2014 ('PPS'). The PPS provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong, healthy communities; the wise use and management of resources; and protecting public health and safety. The PPS recognizes that local context and character is important. Policies are outcome oriented, and some policies provide flexibility in their implementation provided that Provincial interests are upheld.

The *Planning Act* requires that Vaughan Council's planning decisions be consistent with the PPS. The Development Planning Department is of the opinion that the Development is consistent with provincial policies, specifically:

- Section 1.1.3.2 - settlement areas shall be the focus of growth and development based on densities and land uses which efficiently use land, infrastructure
- Section 1.1.3.4 - Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety
- Section 1.4.3 - planning authorities shall provide for an appropriate range and mix of housing types, directed to appropriate levels of infrastructure and public service facilities
- Section 1.6.6.2 - municipal sewage services and municipal water services are the preferred form of servicing for settlement areas. Intensification and redevelopment within settlement areas on existing municipal sewage services and municipal water services should be promoted, wherever feasible
- Section 1.7 d) - encouraging a sense of place, by promoting well-designed built form, cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes

The Subject Lands are located within a Settlement Area as defined by the PPS, and within the Urban Boundary on Schedule 1 “Urban Structure” of VOP 2010. The Development will contribute to providing growth within a defined Settlement Area (Section 1.1.3) with appropriate development standards that promote a compact building form (Section 1.1.3.4).

The Development will contribute to providing a range of housing types (semi-detached and townhouse dwellings) through a low-rise housing form within the area vicinity (Section 1.4.3) and will utilize existing municipal water and sanitary servicing connections located on Keele Street (Section 1.6.6.2). The Development was recommended for approval by the Heritage Vaughan Committee on October 16, 2019, and consists of a mix of Victorian and Georgian building styles in accordance with the MHCDP (Section 1.7). The Development is consistent with the PPS.

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

The Provincial Growth Plan, A Place to Grow: Growth Plan for the Greater Golden Horseshoe Growth Plan 2019 (‘Growth Plan’) is intended to guide decisions on a wide range of issues, including economic development, land use planning, urban form, and housing. The Growth Plan provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. Council’s planning decisions are required by the *Planning Act* to conform, or not conflict with, the Growth Plan.

The Development is consistent with the policy framework of the Growth Plan as the built form would utilize the Subject Lands more efficiently, make more efficient use of existing infrastructure, and provide housing at a density that is supportive of the Growth Plan objectives, specifically:

- Section 2.2.1.2.a) - directing growth to settlement areas that have existing or planned municipal water and wastewater systems
- Section 2.2.1.4.c) - provide a diverse range and mix of housing options, including second units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes
- Section 2.2.6.3 - that multi-unit residential developments incorporate a mix of unit sizes to accommodate a diverse range of household sizes and incomes
- Section 4.2.7 - implementing the goals and objectives of the municipal cultural heritage plan, and the conservation of cultural heritage resources

The Development is located within a Settlement Area, as defined by the Growth Plan, and will utilize existing municipal water and sanitary servicing connections located on Keele Street (Section 2.2.1.2). The Development provides for a mix of residential housing types (semi-detached and townhouse dwellings) that will assist in accommodating the needs of all household sizes (Section 2.2.1.4). The Development was recommended for approval by the Heritage Vaughan Committee on October 16, 2019, and consists of a mix of Victorian and Second Empire building styles in accordance with the MHCDP (Section 4.2.7). The Development conforms to the Growth Plan.

***The Development conforms to the York Regional Official Plan 2010***

The York Region Official Plan 2010 ('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. The "Urban Area" designation permits a range of residential, commercial, industrial and institutional uses, subject to additional policy criteria. 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 5.3.3 of the YROP identifies "local infill" as a municipal intensification strategy to meet York Regional intensification targets to 2031.

Keele Street is identified as a "Regional Transit Priority Network" on Map 11 "Transit Network" of the YROP. Section 7.2.24 of the YROP directs the potential for the construction of high occupancy vehicle lanes, dedicated transit lanes, with transit signal priority and other transit priority measures within a Regional Transit Priority Network. In addition, Section 7.2.53 of the YROP restricts vehicle access from developments adjacent to Regional roads (Keele Street) to maximize the efficiency of the Regional street system through techniques such as suitable local street access, shared driveways on Regional roads and interconnected properties.

The Development includes modest intensification in the form of eight (8) semi-detached dwellings and eight (8) townhouse dwellings that is considered to be "local infill" in accordance with Section 5 of the YROP. The Development is transit supportive given the proximity of existing YRT (Route 107) and GO Transit (Maple GO Station) services to the Subject Lands, and to Keele Street, a Regional Transit Priority Network identified in the YROP. The Development will be accessed by a shared driveway from 9773 Keele Street, as shown on Attachments 4 and 9, and will function as one interconnected development in accordance with Section 7.2.53 of the YROP. The Development conforms to the YROP.

York Region, on November 12, 2015, identified that Official Plan Amendment File OP.15.020 is a routine matter of local significance. In accordance with YROP policy 8.3.8, Official Plan Amendment File OP.15.020 does not adversely affect Regional planning policies or interests. York Region, on November 12, 2015, exempted Official Plan Amendment File OP.15.020 from approval by York Region Council. This allows the implementing Official Plan Amendment to come into effect following its adoption by the City of Vaughan and the expiration of the required appeal period, should the Applications be approved.

### ***An Amendment to VOP 2010 is required to permit the Development***

The Subject Lands are located within a “Community Area” and are located in proximity to a “Local Centre” on Schedule 1 “Urban Structure” of VOP 2010. Community Areas consist of predominantly low-rise housing forms with limited intensification. Keele Street is identified as a “Regional Transit Priority Network” on Schedule 10 “Major Transit Network” of VOP 2010.

Section 2.2.3 of VOP 2010 identifies the following policies (in part) for new development in “Community Areas”:

- That limited intensification may be permitted in Community Areas as per the land use designations on Schedule 13 and in accordance with the policies of Chapter 9 of VOP 2010. The proposed development must be sensitive to and compatible with the character, form and planned function of the surrounding context. (Section 2.2.3.3)
- Community Areas will provide most of the City’s low-rise housing stock and will function as complete communities (Section 2.2.3.1)
- New development in Community Areas that reinforces the existing scale, height, massing, lot pattern, building type character, form and planned function of the immediate local area is permitted (Section 2.2.3.2)

The Subject Lands are designated “Low-Rise Residential” on Schedule 13 “Land Use” of VOP 2010. Semi-detached and townhouse dwelling units up to three (3) storeys in height are permitted in the “Low-Rise Residential” designation, subject to the compatibility criteria identified in Section 9.1.2.3 of VOP 2010 and the development criteria identified in Sections 9.2.3.1 and 9.2.3.2 of VOP 2010.

Section 9.1.2.3 of VOP 2010 states (in part):

“Within the Community Areas there are a number of older, established residential neighbourhoods that are characterized by large lots and/or by

their historical, architectural or landscape value. They are also characterized by their substantial rear, front and side yards, and by lot coverages that contribute to expansive amenity areas, which provide opportunities for attractive landscape development and streetscapes. Often, these areas are at or near the core of the founding communities of Thornhill, Concord, Kleinburg, Maple and Woodbridge; and may also be part of the respective Heritage Conservation Districts.

In order to maintain the character of these areas the following policies shall apply to all developments within these areas:

- a. Lot frontage: In the case of lot creation, new lots should be equal to or exceed the frontages of the adjacent nearby and facing lots;
- b. Lot area: The area of new lots should be consistent with the size of adjacent and nearby lots;
- c. Lot configuration: New lots should respect the existing lotting fabric;
- d. Front yards and exterior side yards: Buildings should maintain the established pattern of setbacks for the neighbourhood to retain a consistent streetscape;
- e. Rear yards: Buildings should maintain the established pattern of setbacks for the neighbourhood to minimize visual intrusion on the adjacent residential lots;
- f. Building heights and massing: Should respect the scale of adjacent residential buildings and any city urban design guidelines prepared for these community areas;
- g. Lot coverage: In order to maintain the low density character of these areas and ensure opportunities for generous amenity and landscaping areas, lot coverage consistent with development in the area and as provided for in the zoning by-law is required to regulate the area of the building footprint within the building envelope, as defined by the minimum yard requirements of the zoning by-law.”

The Owner has submitted Official Plan Amendment File OP.15.020 to amend the compatibility criteria in Section 9.1.2.3 of VOP 2010 to permit the Development. The Development Planning Department has reviewed the proposed amendments to VOP 2010 as follows:

#### Area Context and Previous Development Approvals

The Subject Lands are located in proximity to predominately low-rise residential and commercial land uses. The lands located approximately 175 m north of

Barrhill Road that front onto Keele Street are located within a “Local Centre”, as identified on Schedule 1 “Urban Structure” of VOP 2010, and consist of a variety of land uses including multi-unit commercial plazas and multi-unit residential dwellings, including low-rise buildings and fourplexes. The lands located south of the Subject Lands consist primarily of single detached dwellings that front onto Keele Street.

The area of the Maple Village within approximately 250 m of the Subject Lands has experienced infill residential developments consisting of semi-detached dwellings, townhouse dwellings and low-rise mixed-use buildings. This includes the following approved development applications:

- Four (4) semi-detached dwelling units with a maximum building height of 9.5 m at the southwest corner of Keele Street and Merino Road (Files Z.14.029 and DA.14.055 - Centreville Homes (Merino) Inc.)
- Four (4) semi-detached dwellings units with a maximum building height of 9.5. m at 9850 Keele Street (Files Z.13.006 and DA.13.038 – Nancy DiManno)
- Eleven (11) three-storey townhouse units, four (4) three-storey semi-detached units and to convert the existing heritage dwelling (William Bailey Residence) into a mixed-use building with commercial space on the ground floor and a residential dwelling unit on the second floor at 9869, 9881 and 9891 Keele Street (Files OP.15.009, Z.15.037, 19T-15V015, and DA.15.090 - Empire Pace (Maple) Ltd)

The Development is also for a built form that is similar to the modest intensification including semi-detached, townhouse and low-rise buildings that has occurred on Keele Street between Major Mackenzie Drive and Rutherford Road.

#### Lot Configuration and Building Height

The Development shown on Attachments 4 to 8 consists of eight (8) semi-detached units fronting onto Keele Street and eight (8) townhouse dwelling units within two (2) blocks fronting onto a private condominium road. Each semi-detached unit is designed to appear as a single detached dwelling consistent with the scale and massing of existing Victorian and Second Empire brick houses in the Maple Heritage Conservation District.

The proposed semi-detached dwelling units will front onto Keele Street and provide a building form that is compatible in scale, massing and height (three-

storeys and 9.5 m) to the existing detached dwellings located south of the Subject Lands. The Development is within a one-storey height difference from the neighbouring heritage structures on the same block, and complement the immediate context of the block, through the proposed architectural style and height of the buildings.

The lot frontage of the proposed semi-detached dwellings varies from 6.55 m to 9.39 m and is consistent with the proposed semi-detached dwellings located at 9580 Keele Street (6.7 m to 9 m) and the southwest corner of Keele Street and Merino Road (7.25 m).

Parking for the proposed semi-detached units is located at the rear of each unit and accessed via the proposed private driveway interconnected with 9773 Keele Street, thereby eliminating the impact of parking and driveways on the Keele Street streetscape.

The transition from semi-detached dwellings fronting on Keele Street to townhouse dwelling units fronting onto a private road provides an appropriate built form transition from Keele Street, and establishes an appropriate progression of density that maintains the built form streetscape of Keele Street. The proposed three-storey townhouse units will measure 9.5 m in height and will have minimal impact on the Keele Street streetscape.

#### Building Setbacks and Coverage

The proposed front yard building setback of approximately 3 m, when combined with the proposed 6 m wide road widening of Keele Street, will provide a compact built form while respecting existing street views along Keele Street. The proposed front yard setback is also consistent with the setback that is proposed for the heritage dwelling (the George Keffer House) intended to be relocated as part of the proposed development at 9773 Keele Street.

The distance separation of 2.45 m between the semi-detached units is consistent with the varied building separations of 1.75 m to 4.5 m between detached dwelling units along Keele Street. The Development will have minimal impact to the existing exterior side and rear yard condition that exists on the adjacent property to the north (5 Barrhill Road). The proposed lot coverage of 46.5% for the Development reflects a minor increase to the permitted lot coverage of 40% for the existing residential lots zoned "R3 Residential Zone" that are located south of the Subject Lands.



## Summary of VOP 2010 Policies

The Development represents a limited form of intensification in accordance with Section 2.2.3.3 of VOP 2010 and is appropriate given the Subject Lands' proximity to a "Local Centre" and its area context with previous development approvals. The Development includes a compact built form that will maximize the usability of the lot and offer a variety in unit sizes while providing a consistent massing on Keele Street in the form of semi-detached dwellings. The Development provides an appropriate transition and progression of density to the proposed townhouse dwelling units located interior to the Subject Lands.

The Subject Lands are located along a "Regional Transit Priority Network", which envisions the potential for construction of high occupancy vehicle lanes, dedicated transit lanes, and other transit priority measures. The Development will utilize a shared access with 9773 Keele Street in accordance with the YROP. The Subject Lands are located within walking distance of the Maple Village Commercial Core and has direct access to existing transit stops at the Keele Street and Barrhill Road intersection.

The Development Planning Department is of the opinion that the Development meets the intent of the "Community Area" policies of VOP 2010, and is appropriate, but not identical to, the surrounding community. The Development Planning Department supports Official Plan Amendment File OP.15.020.

### ***The Applications were submitted prior to the approval of the Community Area Policy Review for Low-rise Residential Designations and OPA 15***

The Subject Lands are identified as an "Established Large-Lot Neighborhoods" in accordance with the "Community Area Policy Review for Low Rise Residential Designations" '(Official Plan Amendment 15 - 'OPA 15') of VOP 2010)' and Schedule 1B of VOP 2010. "Established Large-Lot Neighbourhoods" are characterized by large lots with minimum lot frontages of 21 m to 30 m.

Vaughan Council, on October 19, 2016, approved the Urban Design Guidelines for Infill Development in Established Low-Rise Residential Neighbourhoods (the 'Guidelines'), which clarifies VOP 2010 policy that apply to low-rise neighbourhoods. The Guidelines are typically applied to detached, semi-detached and townhouse units that are located in stable community areas, in accordance with Map 1 of the Guidelines.

Vaughan Council, on April 19, 2017, approved the Study recommendations and approved OPA 15 on September 27, 2018. York Region, on May 8, 2019, issued a Notice of Decision for OPA 15. On May 28, 2019, OPA 15 came into effect.

The Appealed Applications were deemed complete on September 24, 2015. Development applications are assessed and reviewed based on the existing policy framework at the time of a “complete” application. Site Development Application DA.17.068 was submitted on September 1, 2017, also pre-dating the approval of OPA 15. Therefore, the Applications are not subject to OPA 15 (Community Area Policy Review for Low Rise Residential Designations). However, the Development complies with the following sections of the Guidelines:

- Section 4.6 - the height of new dwellings should not exceed 9.5 m
- Sections 4.7 and 5.3 - front entrances should be prominent and well detailed and incorporate a porch or stoop
- Section 5.11 - each townhouse should have a private backyard fenced or screened with landscaping
- Section 5.12 - where common outdoor amenity is proposed in addition to private amenity space, the common space should be in a prominent location, visible and easily accessed from all units, and with plenty of exposure to sunlight
- Section 5.14 - the architecture and materials of new townhouses should respect and complement the character of the surrounding residential area
- Section 5.27 - visitor parking should be located close to the site entrances
- Section 5.34 - drainage should have no adverse impacts on the adjacent properties or public realm

The Development includes new dwellings with a maximum building height of 9.5 m and with front entrances that are prominent to Keele Street and incorporate a porch. Building materials for the Development include red brick for the main facades and beige brick accents with black or dark grey roof shingles, in accordance with the Heritage Vaughan recommendation that will be considered by Vaughan Council on November 19, 2019. Each townhouse dwelling includes a private backyard that is fenced and screened with landscape. A centralized amenity and visitor parking area is easily accessible for residents and is located on the south side of the Subject Lands for maximum sun exposure. Stormwater runoff from the Subject Lands and 9773 Keele Street will drain through an internal network of manholes and catch basins and be conveyed into two proposed underground stormwater storage systems. Stormwater runoff from the Subject Lands and 9773 Keele Street will drain through an internal network of manholes and catch basins and be conveyed into two proposed underground stormwater storage systems located under the proposed parkette and visitor parking area.

**The Development was recommended for approval by the Heritage Vaughan Committee**

The Subject Lands are located within the “Residential Village Area” of the MHCDP and are protected under Part V of the *Ontario Heritage Act*. The Heritage Vaughan Committee considered the Development and recommended it for approval on October 16, 2019. The Development Planning Department provided recommendations to approve the Development, subject to conditions. The recommendations of the Heritage Vaughan Committee identified in the October 16, 2019, Heritage Vaughan Report will be considered by Vaughan Council on November 19, 2019.

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

The Subject Lands are zoned “R1 Residential Zone” and “R2 Residential Zone” subject to site-specific zoning Exception 9(495) by Zoning By-law 1-88, as shown on Attachment 2, which permits single detached dwellings. The Owner is proposing to amend Zoning By-law 1-88 to rezone the Subject Lands to “RT1 Residential Townhouse Zone” together with the following site-specific zoning exceptions to the RT1 Zone standards:

Table 1

	<b>Zoning By-law 1-88 Standard</b>	<b>RT1 Residential Townhouse Zone Requirement</b>	<b>Proposed Exceptions to the RT1 Residential Townhouse Zone Requirement</b>
a.	Definition of “Lot”	Means a parcel of land fronting on a public street	Means a parcel of land fronting on a public street or private road
b.	Definition of “Street Townhouse”	Means a townhouse dwelling in which each dwelling unit is situated on its own lot, which abuts a public street	Means a townhouse dwelling in which each dwelling unit is situated on its own lot, which abuts a public or private street

	<b>Zoning By-law 1-88 Standard</b>	<b>RT1 Residential Townhouse Zone Requirement</b>	<b>Proposed Exceptions to the RT1 Residential Townhouse Zone Requirement</b>
c.	Definition of “Street Line”	Means the dividing line between a lot and a street or the dividing line between a lot and a reserve abutting a street	Means the dividing line between a lot and a street or a private road, or the dividing line between a lot and a reserve abutting a street or a private road
d.	Permitted Uses	Street Townhouse Dwelling	<ul style="list-style-type: none"> <li>• Semi-detached Dwelling</li> <li>• Street Townhouse Dwelling</li> </ul>
e.	Frontage on a Public Street	A lot must front onto a public street	Permit a lot to front onto a private road
f.	Minimum Lot Frontage	6 m / unit	5.6 m / unit (Blocks 5 and 6)
g.	Minimum Lot Area	180 m <sup>2</sup>	115 m <sup>2</sup> (Blocks 1 to 4) 101 m <sup>2</sup> (Blocks 5 and 6)
h.	Minimum Lot Depth	30 m	16.5 m (Blocks 1 and 2)  17 m (Blocks 3 and 4)  18 m (Blocks 5 and 6)

	<b>Zoning By-law 1-88 Standard</b>	<b>RT1 Residential Townhouse Zone Requirement</b>	<b>Proposed Exceptions to the RT1 Residential Townhouse Zone Requirement</b>
i.	Minimum Front Yard Setback	4.5 m	Blocks 1 to 4 - 3 m (Keele Street)  Blocks 5 and 6 - 3 m (Private Road)
j.	Minimum Rear Yard Setback	7.5 m	Blocks 1 to 4 - 3 m (Private Road)  Blocks 5 and 6 - 4.6 m (East Property Line)
k.	Minimum Rear Yard Setback to a Covered and Unenclosed Porch	7.5 m	Blocks 1 to 4 - 1.8 m (Private Road)
l.	Minimum Interior Side Yard Setback	1.2 m	1 m (Block 5 and North Property Line)  0.75 (Block 5 and 6)
m.	Minimum Exterior Side Yard Setback	4.5 m	3.24 m (Block 4)
n.	Minimum Front Yard Soft Landscaping (Private Road)	60%	Blocks 1 to 4 - 49% (Keele Street)  Blocks 5 and 6 - 21% (Private Road)
o.	No Encroachment Zone for Unenclosed Porches (Covered or Uncovered) Cold Cellars, Architectural Features and Balconies	1.5 m	1.2 m (Block 5)

	<b>Zoning By-law 1-88 Standard</b>	<b>RT1 Residential Townhouse Zone Requirement</b>	<b>Proposed Exceptions to the RT1 Residential Townhouse Zone Requirement</b>
p.	Encroachment of Steps into the Minimum Interior Garage Width	Not Permitted	Permit two (2) risers to encroach into the minimum garage width

The Development Planning Department supports the proposed site-specific zoning exceptions for the following reasons:

Definitions, Frontage on a Public Street and Permitted Uses

The proposed definitions are technical in nature, as the Development will contain freehold lots having access from a private common element condominium road. This will ensure zoning compliance for the future freehold lots. The proposed exceptions for frontage on a public street and the use of semi-detached dwellings will provide an appropriate built form transition and progression of density from semi-detached dwellings fronting onto Keele Street to townhouse dwellings fronting onto the proposed private common element condominium road.

Lot Areas, Frontage and Depth

The proposed lot frontage, lot area and lot depth requirements will facilitate an appropriate housing form while maintaining a suitable integration into the existing adjacent low-rise residential area, and are consistent with other similar infill developments along Keele Street between Rutherford Road and Major Mackenzie Drive.

Setbacks and Encroachments

The proposed setbacks and encroachments are appropriate as the Development represents a compact built form that will maximize the usability of the Subject Lands and offer a variety of unit sizes, while providing a consistent and attractive public realm on Keele Street.

Zoning By-law 1-88 permits a maximum building height of 11 m in an “RT1 Residential Townhouse Zone”; however, the implementing Zoning By-law will restrict the maximum building height to 9.5 m in accordance with the MHCDP, should the Applications be

approved. The proposed development standards will facilitate local infill that is consistent with other similar developments in the area.

***A Holding Symbol “(H)” is recommended for the Subject Lands to ensure appropriate access and servicing through a comprehensive development with the Subject Lands and 9773 Keele Street***

The Subject Lands are planned to be developed with 9773 Keele Street, the adjacent lands to the south, as shown on Attachment 2, 4 and 9. Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Subdivision and Site Development Applications (9773 Keele Development Inc.- Files OP.17.001, Z.17.002, 19T-17V001 and DA.18.073) have been submitted for 9773 Keele Street to permit 11 three-storey townhouse dwellings and to restore and relocate the existing heritage dwelling (the George Keffer House) located on the lands.

The Development is proposed to share access from Keele Street, as shown on Attachment 4, and municipal servicing with 9773 Keele Street. In order to ensure that appropriate access and servicing is obtained for the Development and that the Subject Lands and 9773 Keele Street are developed comprehensively, the Development Planning Department recommends that the Subject Lands be zoned with the Holding Symbol “(H)”, should the LPAT approve the Appealed Applications.

The Holding Symbol “(H)” shall not be removed from the Subject Lands, or any portion thereof, until the following conditions are met to the satisfaction of the City of Vaughan or York Region:

- a) The design of the proposed shared access from Keele Street for the Subject Lands and 9773 Keele Street shall be approved by York Region;
- b) Shared water, sanitary, and stormwater servicing connections for the Subject Lands and the lands to the south municipally known as 9773 Keele Street shall be approved by the City and York Region;
- c) Registered reciprocal access and servicing easements between the landowners of the Subject Lands and 9773 Keele Street for shared road access and services shall be obtained from the Vaughan Committee of Adjustment. The Committee of Adjustment’s decision shall be final and binding and any conditions of approval imposed by the Committee pursuant to the *Planning Act* shall be satisfied; and
- d) The Owner of the lands municipally known as 9773 Keele Street shall successfully obtain approval from Vaughan Council of the Official Plan and

Zoning By-law Amendment, Draft Plan of Subdivision and Site Development applications for 9773 Keele Street.

A condition to this effect is included in the Recommendations of this report.

***The Planning Act enables a municipality to pass a resolution to permit the Owner to apply for a future Minor Variance application(s), 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 an Owner from applying for a Minor Variance application(s) to the Vaughan Committee of Adjustment before the second anniversary of the day on which the implementing Zoning By-law for the Subject Lands came into effect. However, the *Planning Act* also enables Council to pass a resolution to allow an Owner to apply for a Minor Variance Application(s) to permit minor adjustments to the implementing Zoning By-law, prior to the two-year moratorium.

Should the LPAT approve Zoning By-law Amendment File Z.15.019, the Development Planning Department has included a Recommendation to permit the Owner to apply for a Minor Variance application(s) to address refinements to the Development that may arise through the final design and construction process. A condition to this effect is included in the Recommendations of this report.

***The Development Planning Department supports the Development, subject to the Recommendations in this Report***

### Site Plan

The Development shown on Attachments 4 to 8 consists of eight (8) semi-detached units and eight (8) townhouse units accessed by a private common element condominium road, for a total of 16 residential units. Access from Keele Street is proposed to be shared with 9773 Keele Street. The semi-detached units front onto Keele Street while the townhouse units front onto the proposed private common element condominium road.

A private amenity area programmed as a passive parkette is proposed at the south end of the Subject Lands. A community mailbox is proposed on the north side of 9773 Keele Street to serve the Development and the proposed development at 9773 Keele Street. Snow storage is proposed on the north side of the Subject Lands where the private common element condominium road terminates. Air conditioning units are proposed to be located in the rear yard on second-floor balconies for the semi-detached dwelling units, and in the rear yards of the townhouse dwelling units and are not visible



from Keele Street or the private road. Direct pedestrian walkways are proposed from Keele Street to the proposed semi-detached units. The Development Planning Department encourages the Owner to provide additional pedestrian connections from the proposed townhouse dwelling units to Keele Street and provide a sidewalk on one side of the private street.

Two (2) visitor parking spaces are proposed, inclusive of one (1) barrier-free space. Zoning By-law 1-88 requires 0.25 visitor parking spaces for each street townhouse dwelling unit. Semi-detached dwelling units do not require visitor parking spaces. The proposed two (2) visitor parking spaces (0.25 spaces / street townhouse dwelling unit x 8 street townhouse dwelling units = 2 spaces) complies with the visitor parking requirements of Zoning By-law 1-88. Two (2) parking spaces are provided for each semi-detached and townhouse unit including one space in a garage and the other on the driveway, in accordance with Zoning By-law 1-88.

### Landscape Plan

The landscape plan shown on Attachment 5 consists of a mix of deciduous and coniferous trees, shrubs and perennials. Concrete pavers are proposed for the pedestrian connections from Keele Street to the semi-detached dwellings. Six (6) deciduous trees are proposed along the frontage of Keele Street, and subject to approval by York Region. Ten (10) existing trees are located within the Keele Street right-of-way, and shall be retained, as further identified in the Regional Implications section of this report. A 1.8 m high wood fence together with deciduous trees is proposed along the east property line. The proposed passive parkette includes a mix of perennial shrubs and grasses and a deciduous tree.

The Subject Lands are located within the Maple Streetscape and Urban Design Guidelines ('MSUDG') Study Area. The Keele Street frontage of the Development shall be designed in accordance with the MSUDG including, but not limited to, a single row of red unit pavers on each side of the concrete sidewalk on Keele Street. The final site plan and landscape plan for the Development must be designed in accordance with the MSUDG and are subject to approval by York Region. Conditions to this effect are included in the Recommendations of this report.

The Site Plan Agreement will also include a clause requiring the Owner to provide a one-time payment of \$8,898.00 to the City of Vaughan for the maintenance of the enhanced landscape on the Keele Street right-of-way. The final maintenance fee amount will be determined through the approval of the landscape plan and landscape cost estimate to the satisfaction of the Development Planning Department. Accordingly,

the following clause will be included in the Site Plan Agreement in accordance with the Recommendations of this report:

“The Owner shall pay to the City of Vaughan a one-time payment of \$8,898.00 for the long term City maintenance of the enhanced landscape features within the Keele Street right-of-way to the satisfaction of the Development Planning Department.”

The Landscape Plan shown on Attachment 5 consists of a mix of deciduous and coniferous trees, shrubs and perennials. Three (3) Nine (9) existing trees are proposed to be retained within the Keele Street right-of-way, together with six (6) new additional deciduous. A double row of trees along the frontage of Keele Street. A 1.8 m high wood fence is proposed in accordance with the Maple Heritage Streetscape Plan. A total of 27, 1.5 m high cedar trees are proposed along the north property line to satisfy the condition imposed by the LPAT Decision to reduce overlook into the rear yard of 9580 Keele Street, the abutting property located north of the Subject Lands. A 1.8 m high concrete entry feature with perennial shrubs and grasses is proposed along the south portion of the driveway entrance adjacent to Block 5. Red unit pavers are proposed along the proposed sidewalk in accordance with the Maple Heritage Streetscape Plan.

### Building Elevations

The building elevations shown on Attachments 6 to 8 consist of three-storey semi-detached and townhouse dwellings measuring 8.42 to 8.56 m in height from the mid-point of the roof. Building materials include red brick for the main facades and beige brick accents with black or dark grey CertainTeed roof shingles. The window and door materials for all units will be wood or vinyl.

The building elevations represent an architectural mix of individual Victorian Gothic and Ontario Second Empire examples in accordance with the MHCDP. The building elevations conform to the architectural styles in materials, proportions and colour palette, and respect the existing building design in the neighbourhood. Together, they are in keeping with the heritage building styles of the MHCDP and are sympathetic to the architectural style that would be prevalent to a main street residential setting on Keele Street.

The proposed building elevations shown on Attachments 5 to 7 consist of three-storey semi-detached and townhouse dwellings ranging in height from 8.88 m to 9.42 m. The proposed dwellings are inspired by the Victorian Vernacular style in accordance with Section 9.1 of the MHCDP. This style has been adapted to be simpler and more restrained to be distinguishable as a product of its own time.

The Development includes two separate material schemes between alternating blocks, as shown on Attachment 7. The first material scheme includes red brick for the main facades and beige brick accents with black CertainTeed roof shingles. The second material scheme includes beige brick for the main facades and red brick accents with dark grey CertainTeed roof shingles. The window and door materials for all units will be wood or vinyl. Frosted glass is proposed on the north elevation of Block 1, as shown on Attachment 6, to satisfy the condition imposed by the LPAT Decision to reduce overlook into the rear yard of 9580 Keele Street, the abutting property located north of the Subject Lands.

Prior to the execution of the Site Plan Agreement, the final site plan, building elevations, landscape plan and landscape cost estimate for the Development must be approved to the satisfaction of the Development Planning Department. A condition to this effect is included in the Recommendations of this report.

***The Development Planning Department has no objection to the Draft Plan of Subdivision, subject to Conditions of Approval***

The proposed Draft Plan of Subdivision ('Draft Plan') (File 19T-15V007) shown on Attachment 3 is for the purpose of creating one residential development block ("Block 1") to implement the Development, and one block to be conveyed to York Region for road widening purposes ("Block 2"). 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. A condition to this effect is included in the Recommendations of this report.

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

Should the Applications be approved, a Draft Plan of Condominium application 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") for future ownership.

***A Tree Protection Agreement is required***

The Owner has submitted an Arborist Report and Tree Preservation Plan prepared by Baker Turner Inc. and dated August 2019. Based on the City's Replacement Tree Requirements under the City's Tree Protection Protocol, 69 replacement trees are required on the Subject Lands. Eighteen (18) large shade deciduous and three (3) ornamental Twenty-seven (27) trees (at one-half tree compensation = 1.5 trees) are

proposed, requiring a cash-in-lieu contribution of \$26,950 at \$550 per tree for the remaining 49 trees required (69 trees - 20 trees (rounded from 19.5 trees) = 49 trees x \$550). Standard conditions to this effect are included in the Site Plan Agreement.

The Owner shall enter into a Tree Protection Agreement with the City prior to finalizing the Site Plan Agreement in accordance with the City's Tree By-law 052-2018. Upon finalization of the landscape plan, the Owner shall quantify the value of tree replacements using the Urban Design Tree Replacement Valuation outlined in the City's Tree Protection Protocol. The Owner shall not remove trees without written approval by the City. A condition to this effect is included in the Recommendations of this report.

***The Development Engineering Department has no objection to the Development, subject to conditions***

The Development Engineering ('DE') Department has reviewed the Applications and provides the following comments:

a) Road Network

Access to the Subject Lands is proposed from Keele Street through a shared mutual access with 9773 Keele Street, aligned opposite Merino Road forming the fourth leg of the intersection. The Subject Lands are subject to the future Keele Street road widening and York Region approval.

b) Municipal Services

The Owner has submitted a Functional Servicing & Stormwater Management Report ('Servicing Report') prepared by C.F. Crozier and Associates Inc. dated August 2017, with revisions dated September 2019. The Servicing Report identifies the proposed servicing scheme for the Development and the proposed development located at 9773 Keele Street. Water, sanitary, and stormwater servicing for the Subject Lands is proposed via a shared services connection with 9773 Keele Street. The shared servicing between the two properties will ultimately connect to the existing municipal and Regional services on Keele Street.

i) Water Servicing

The Subject Lands are proposed to be serviced by an existing 300 mm watermain located on Keele Street. A 200 mm internal watermain is proposed to extend through a shared servicing easement area into the Subject Lands from 9773 Keele Street. The water service connection will

be equipped with a valve and chamber at the property line at 9773 Keele Street, and at the property line between 9773 Keele Street and the Subject Lands.

Based on the Development, and in conjunction with the development at 9773 Keele Street, an internal watermain service with a single service connection for multiple municipal addresses for the two independent developments is not permitted. The City will require each municipal address to have a single water connection for both domestic and fire lines.

ii) Sanitary Servicing

A 200 mm sanitary sewer service connection for the Subject Lands is proposed to connect to the existing manhole and 450 mm sanitary sewer on Keele Street. The proposed 200 mm service connection will also connect the existing manhole to a proposed control manhole at the west property line of 9773 Keele Street.

The Owner is required to provide approvals from the Ministry of the Environment, Conservation and Parks (MECP) for the private wastewater works, as the sanitary sewer will be servicing more than one property. Alternatively, the Owner shall provide confirmation from MECP that there is no need for such approvals. Conditions to this effect are included in Attachment 1.

In conjunction with the development at 9773 Keele Street, a single service connection for the internal sanitary sewer will require a registered easement and/or mutual servicing agreement between the individual landowners acknowledging the sewer works and future maintenance to the satisfaction of the City. Conditions to this effect are included in the Recommendations of this report as part of the removal of the Holding Symbol "(H)".

The DE Department accepts the proposed sanitary service connection subject to a mutual connection with 9773 Keele Street and a servicing easement registered on title, to the satisfaction of the City.

iii) Stormwater Management

The Subject Lands are occupied by two detached dwellings with landscaped and impervious areas, including two asphalt driveways, walkways and patios. Current runoff for the Subject Lands generally flows

overland from east to west and discharges to the existing York Region storm sewer on Keele Street.

The adjacent property at 9773 Keele Street consists of one detached dwelling with landscaped and impervious areas, including an asphalt driveway. The runoff from 9773 Keele generally flows overland from north-east to south-west and discharges into the storm sewer on Keele Street.

Stormwater runoff from the combined properties of 9773 Keele Street and the Subject Lands will drain through an internal network of manholes and catch basins and be conveyed into two proposed underground stormwater storage tanks via a single service connection, located under the proposed parking area and parkette. One underground stormwater storage system will be located within the property boundaries of 9773 Keele Street and the other located on the Subject Lands. The stormwater runoff will be controlled and released by gravity flow into the York Region storm sewer system on Keele Street. For larger storm events exceeding the storage capacity of the stormwater storage system, an overland flow route will convey the stormwater runoff along the internal access road, proposed on the Subject Lands and 9773 Keele Street, to Keele Street.

The Owner is required to provide approvals from the MECP for the private stormwater works, as the stormwater system will be servicing more than one property. Alternatively, the Owner shall provide confirmation from MECP that there is no need for such approvals. Conditions to this effect are included in Attachment 1.

In conjunction with the development at 9773 Keele Street, a single service connection for the internal storm sewer network will require a registered easement and/or mutual servicing agreement between the individual landowners acknowledging the storm sewer works and future maintenance to the satisfaction of the City. Conditions to this effect are included in the Recommendations of this report as part of the removal of the Holding Symbol "(H)".

The DE Department accepts the proposed stormwater management scheme subject to a servicing easement registered on title to the satisfaction of the City.

c) Environmental Engineering

The Owner has submitted a Phase One Environmental Site Assessment ('ESA') prepared by Try Environmental Services Inc. and dated May 14, 2018. The DE Department has reviewed the Phase One ESA and advise that the findings identify areas of potential environmental concern ('APECs') associated with former heating oil storage tanks located in the basements of the residential houses on the Subject Lands. Prior to final approval of the Draft Plan, the City will require the Owner to undertake and provide a Phase Two ESA report to address these APECs.

d) Environmental Noise Assessment

The Owner has submitted an Environmental Noise Feasibility Study prepared by Valcoustics Canada and dated September 18, 2019 ('Noise Report'). The Noise Report identifies no major or significant noise sources influencing the Subject Lands and concludes that there are no sound barriers required for noise control purposes. The Noise Report also identifies the following noise warning clauses for inclusion in the Site Plan Agreement:

- i) "Purchasers/tenants are advised that despite the inclusion of noise control features in the development and within the building units, sound levels due to increasing road traffic may on occasions interfere with some activities of the dwelling occupants as the sound level exceed the Municipality's and the Ministry of the Environment, Conservation and Parks noise criteria."
- ii) "This unit has been supplied with an air conditioning system which will allow windows and exterior doors to remain closed, thereby reducing the indoor sound levels to within the City's and the Ministry of the Environment, Conservation and Parks noise criteria."
- iii) "This dwelling unit has been fitted with a forced air heating system and the ducting, etc. was sized to accommodate central air conditioning. Installation of central air conditioning will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the Municipality's and the Ministry of the Environment, Conservation and Parks noise criteria. (Note: The location and installation of the outdoor air conditioning device should be done so as to minimize the noise impacts. Air conditioners of 38,900 BTU/hour or less should have a maximum sound power emission rating of 7.6 bels as per ARI Standard 270.)"

Conditions to include the noise warning clauses in the Site Plan Agreement are included in the Recommendations of this report.

The final site servicing and grading plan, erosion and sediment control plan, Noise Report and Servicing Report must be approved to the satisfaction of the DE Department. Conditions to this effect are included in the Recommendations of this report and Attachment 1.

***Sewage and Water Allocation is available for the Development***

On February 21, 2018, the City's latest annual servicing capacity allocation strategy report was endorsed by Vaughan Council. Further, York Region assigned short-term growth capacity (2019-2026) to Vaughan in September 2019. An allocation resolution is included in the Recommendations of this report.

***The Development Planning Department has no archaeological concerns, subject to standard conditions***

The following standard clauses shall be included in the Site Plan Agreement for the Subject Lands, as noted in the Recommendations of this report:

- i) Should archaeological resources be found on the property during construction activities, all work must cease, and both the Ontario Ministry of Tourism, Culture and Sport and the City of Vaughan's Development Planning Department shall be notified immediately.
- ii) In the event that human remains are encountered during construction activities, the Owner must immediately cease all construction activities. The Owner shall contact the York Regional Police Department, the Regional Coroner and the Registrar of the Cemeteries Regulation Unit of the Ministry of Consumer and Business Services.

***The Toronto and Region Conservation Authority has no objection to the Application***

The Subject Lands are located outside of the Toronto and Region Conservation Authority's ('TRCA') regulated area; however, the Subject Lands are located within a Source Water Protection Area ('WHPA-Q2') and requires water balance to meet pre-to-post infiltration rates. The TRCA is satisfied with the site Water Balance Assessment submitted as part of the Servicing Report prepared by C.F. Crozier and Associates Inc.



and dated August 2017, with revisions dated September 2019, and have no objections to the Applications.

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

The Owner is required to pay to the City by way of certified cheque, cash-in-lieu of the dedication of the parkland equivalent to 5% or 1 ha per 300 units 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 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 Vaughan Real Estate Department, and the approved appraisal shall form the basis of the cash-in-lieu payment. Standard conditions to this effect are included in the Site Plan Agreement.

***Development Charges are Applicable to the Development***

The Owner shall pay to the City applicable Development Charges in accordance with the Development Charges By-laws of the City of Vaughan, Region of York, York Region District School Board and York Catholic District School Board. Standard conditions to this effect are included in the Site Plan Agreement.

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

The Owner is proposing private waste collection to service the Development. The Development is eligible for future curbside municipal waste collection subject to an onsite inspection by the Environmental Services Department, Solid Waste Management Division, and the execution of a servicing agreement with the City. The Owner is required to satisfy all requirements of the Environmental Services Department, Solid Waste Management Division. A condition to this effect is included in the Recommendations of this report.

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

Canada Post Corporation has no objection to the Applications, subject to their conditions of approval included in Attachment 1.

### ***The School Boards have no objection to the Development***

The York Region District School Board and York District Catholic School Board have advised that they have no objection to or any conditions of approval for the Development. No comments were received from the Conseil Scolaire de District Catholique CentreSub.

### ***The various utilities have no objection to the Development, subject to Conditions of Approval***

Alectra Utilities Corporation and Enbridge Gas have no objection to the Development subject to the Draft Plan of Subdivision conditions identified in Attachment 1. Bell Canada and Rogers have no objections to the Applications.

### **Financial Impact**

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

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

The Subject Lands are located on Keele Street, a Regional right-of-way under the jurisdiction of York Region. York Region, on October 10, 2019, provided comments on the Applications.

Through Draft Plan of Subdivision File 19T-15V007, the Owner is required to convey land measured at 21.5 m from the centre line of Keele Street for road widening purposes, shown as “Block 2” on Attachment 3. The Owner is also required to dedicate a portion of land to facilitate a 5 m by 5 m sight triangle at the northeast corner of Keele Street and the proposed driveway access at 9773 Keele Street.

The Owner has submitted a Traffic Operation Assessment prepared by LEA Consulting and dated June 14, 2017. York Region has reviewed the Development and Traffic Operation Assessment and has no objections subject to the Owner satisfying Draft Plan conditions identified in Attachment 1.

Access for the Development is proposed via a full moves driveway from Keele Street to the Subject Lands via an access easement from 9773 Keele Street. The proposed access aligns with Merino Road, forming the fourth leg of the intersection at Keele Street and Merino Road. York Region has no objection to the proposed access to serve the Development and will not require the construction of exclusive left turn lanes. Improvements to Keele Street, including an exclusive left turn land, are not proposed in York Region’s 10-year capital plan. However, York Region has advised that it will conduct a more comprehensive review in the future for improvements on Keele Street

north of Barrhill Road and south of Merino Road, with appropriate mitigation measures implemented at that time.

Ten (10) trees are located within the Keele Street right-of-way. York Region has advised that the existing curb alignment on Keele Street will remain unchanged as part of the Development, and that the existing trees located within the Keele Street right-of-way shall be preserved.

Any direct connection to a York Region water system requires approval from York Region. The Owner is required to enter into an encroachment permit for the proposed landscape within York Region's right-of-way.

The Owner is required to satisfy all requirements of York Region prior to the execution of the Site Plan Agreement. A condition to this effect is included in the Recommendations of this report and in Attachment 1.

## **Conclusion**

The Development Planning Department has reviewed the Applications in consideration of the PPS, Growth Plan, York Region and City Official Plan policies, the comments received from City Departments, external public agencies, the public, and the surrounding area context. The Development Planning Department is of the opinion that the Applications are consistent with the Provincial Policy Statement 2014, conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2019, and conforms to the YROP. The Applications maintain the intent of the "Community Area" policies of VOP 2010 and provide a development that is appropriate, but not identical to, the surrounding residential community. The Development Planning Department recommends that the Applications be approved, subject to the Recommendations in this report and conditions of approval in Attachment 1.

**For more information**, please contact: Mark Antoine, Senior Planner, Development Planning Department, Extension 8212

## **Attachments**

1. Conditions of Draft Plan of Subdivision Approval
2. Context and Location Map
3. Draft Plan of Subdivision File 19T-15V007 and Proposed Zoning
4. Site Plan
5. Landscape Plan
6. Building Elevations - Semi-Detached Units (Blocks 1 and 2)
7. Building Elevations - Townhouse Units (Block 5)

8. Keele Street Building Elevations
9. Context Plan (9773 Keele Street)

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