

Committee of the Whole (1) Report

DATE: Tuesday, March 2, 2021

WARD(S): 1

TITLE: 9773 KEELE DEVELOPMENTS INC.

OFFICIAL PLAN AMENDMENT FILE OP.17.001

ZONING BY-LAW AMENDMENT FILE Z.17.002

DRAFT PLAN OF SUBDIVISION FILE 19T-17V001

SITE DEVELOPMENT FILE DA.18.073

9773 KEELE STREET

VICINITY OF KEELE STREET AND BARRHILL ROAD

FROM:

Jim Harnum, City Manager

ACTION: DECISION

Purpose

To seek approval from the Committee of the Whole for Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Subdivision and Site Development application for the subject lands shown on Attachment 3. The Owner proposes to: amend the compatibility criteria of Vaughan Official Plan 2010; rezone the subject lands from “R1 Residential Zone” to “RT1 Residential Townhouse Zone”; create a block on a registered plan of subdivision; permit the development of 11, 3-storey townhouse units accessed by a private common element condominium road; and relocate the George Keffer House heritage dwelling on the subject lands, as shown on Attachments 4 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 11, 3-storey townhouse units accessed by a private common element condominium road and the relocation of the George Keffer House heritage dwelling

Report Highlights Continued

- Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Subdivision and Site Development 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, the York Region Official Plan 2010, and the “Community Area” policies of Vaughan Official Plan 2010

Recommendations

1. THAT Official Plan Amendment File OP.17.001 (9773 Keele Developments Inc.) BE APPROVED, to amend Vaughan Official Plan 2010, Volume 1, for the Subject Lands shown on Attachment 3, specifically Sections 9.1.2.2 and 9.1.2.3 respecting new development within an established “Community Area”.
2. THAT Zoning By-law Amendment File Z.17.002 (9773 Keele Developments Inc.) BE APPROVED, to amend Zoning By-law 1-88 to rezone the Subject Lands from “R1 Residential Zone” to “RT1 Residential Townhouse Zone” in the manner shown on Attachment 4, together with the site-specific zoning exceptions identified in Table 1 of this report.
3. THAT the Owner be permitted to apply for a Minor Variance Application(s) to the Vaughan Committee of Adjustment, if required, before the second anniversary of the day on which the implementing Zoning By-law for the Subject Lands comes into effect, to permit minor adjustments to the implementing Zoning By-law.
4. THAT Draft Plan of Subdivision File 19T-17V001 (9773 Keele Developments Inc.) BE DRAFT APPROVED SUBJECT TO THE CONDITIONS included in Attachment 1, to create one residential development block (Block 1) and one block to be conveyed to York Region for road widening and sight triangle purposes (Block 2) with 0.3 m reserves (Blocks 3 and 4), as shown on Attachment 4.
5. THAT Site Development File DA.18.073 (9773 Keele Developments Inc.) BE DRAFT APPROVED SUBJECT TO THE CONDITIONS and warning clauses included in Attachment 2, to the satisfaction of the Development Planning Department, to permit the development of 11, 3-storey townhouse units and the relocation of the George Keffer House heritage dwelling, as shown on Attachments 5 to 9.

6. THAT Vaughan Council adopt the following resolution for the allocation of water and sewage servicing capacity:

“THAT Site Development File DA.18.073 be allocated servicing capacity from the York Sewage Servicing/Water Supply System for 12 residential units (37 persons equivalent). The allocation of said capacity may be redistributed (at the discretion of the City) in accordance with the City’s Servicing Capacity Allocation Policy if the development does not proceed to registration and/or building permit issuance within 36 months.”

Background

The subject lands (the ‘Subject Lands’) are 0.33 ha in size and are located on the east side of Keele Street, south of Barrhill Road, and are municipally known as 9773 Keele Street, as shown on Attachment 3. A single detached dwelling occupies the Subject Lands and is known as the George Keffer House heritage dwelling (‘George Keffer House’) and is proposed to be relocated closer to Keele Street.

The Subject Lands are intended to provide access and servicing for the adjacent lands to the north, known municipally as 9785 and 9797 Keele Street (Laurier Harbour (Keele) Inc.), as shown on Attachment 10. The development of the lands to the north of the Subject Lands was previously endorsed by Council on November 19, 2019 and approved by the Local Planning Appeal Tribunal (LPAT) on January 30, 2020 (File PL170643) to permit a residential development consisting of eight semi-detached dwelling units and eight townhouse dwelling units accessed by a private common element condominium road.

The lands located at 9785 and 9797 Keele Street were zoned “RT1(H) Residential Townhouse Zone” with a “Holding Symbol” to ensure appropriate access and servicing were provided and coordinated with the Subject Lands. In addition, the Vaughan Committee of Adjustment, on February 27, 2020, approved Consent File B001/20 to permit easements for access and servicing from the Subject Lands subject to conditions. These conditions of approval must be fulfilled prior to the execution of the Site Plan Agreement for the Subject Lands. A condition to this effect is included in Attachment 2 of this report.

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

The City on November 10, 2017 circulated a Notice of Public Meeting (the ‘Notice’) for the Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision Applications 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 and a Notice Sign was installed on the Subject Lands in accordance with the City's Notice Signs Procedures and Protocols.

Vaughan Council on January 30, 2018, ratified the recommendation of the Committee of the Whole to receive the Public Meeting report of January 23, 2018, and to forward a comprehensive technical report to a future Committee of the Whole meeting. Vaughan Council also directed a community meeting be held with the Local and Regional Councillor, the applicant, members of the community and appropriate staff. A community meeting was held on March 20, 2018 at the City of Vaughan municipal offices. Deputations were made by the following individuals at the Public Meeting and written comments were received by the Development Planning Department:

Deputations

- Ryan Mino-Leahan, KLM Planning Partners Inc., Jardin Drive
- Jana Manolakos, Keele Street, Maple
- Richard Lorello, Treelawn Boulevard, Kleinburg

Written Submissions

- William Manolakos, Keele Street, dated March 5, 2017
- J.Sirianni, email dated March 30, 2017

The following is a summary of the comments presented at the Public Meeting and provided in the written correspondence received to date. The comments have been organized by theme and a response is provided below:

Traffic

The proposed development will increase density and traffic in the area.

Response

The Owner has submitted a Traffic Operations Assessment prepared by LEA Consulting Ltd. dated June 6, 2018. York Region has reviewed the proposed development and submission materials and has no objections to the development subject to the Owner satisfying draft plan of subdivision conditions.

Compatibility of the proposed development to the surrounding area and non-conformity to Vaughan Official Plan and townhouse guideline requirements

The proposed development does not meet the compatibility criteria of Vaughan Official Plan 2010 (VOP 2010), specifically policies related to established neighbourhoods, infill and townhouse development.

Response

The Owner has submitted an application seeking Council's approval to amend Sections 9.1.2.2 and 9.1.2.3 of VOP 2010 to permit the proposed development.

In addition, Section 9.1.2.4 of VOP 2010 allows for limited intensification. The Owner has revised proposal by reducing the total number of dwelling units from reducing the total number of dwelling units from 12 to 11 townhouse units and the number of units in a row from 7 to 6, in conformity with development criteria that apply to townhouses (Section 9.2.3.2 of VOP 2010).

The "Urban Design Guidelines for Infill Development in Established Low-Rise Residential Neighbourhoods" state the following:

"Townhouse developments on arterial streets may have a greater density and mass than existing development in the surrounding established residential area but should have a relationship to the street and adjacent properties that is consistent with the prevailing pattern of building orientation, setbacks and landscaping".

Additional detail on the townhouse guidelines analysis is provided further in the report below.

The Development Planning Department on February 19, 2021 mailed and emailed a non-statutory courtesy notice of this Committee of the Whole meeting. This notice was sent to all individuals who made a deputation at the Committee of the Whole or submitted written correspondence to the City regarding the applications, and to those individuals who attended the March 20, 2018 community meeting.

Previous Reports/Authority

Previous reports related to this development proposal can be accessed at the following links:

[9773 Keele Developments Inc. January 23, 2018 Public Hearing Report](#)

[9773 Keele Developments Inc. January 20, 2021 Heritage Vaughan Report](#)

[Laurier Harbour \(Keele\) Inc. November 19, 2019 Committee of the Whole Report](#)

Analysis and Options

Official Plan and Zoning By-law Amendment, Draft Plan of Subdivision and Site Development applications have been submitted to permit the proposed development

9773 Keele Developments Inc. (the 'Owner') has submitted the following applications (the 'Applications') for the Subject Lands to permit the development of 11, 3-storey townhouse units accessed by a private common element condominium road and the relocation of the George Keffer House, as shown on Attachments 5 to 9 (the 'Development'):

1. Official Plan Amendment File OP.17.001 to amend VOP 2010, Volume 1, for the Subject Lands shown on Attachment 3, specifically Sections 9.1.2.2 and 9.1.2.3 respecting new development within an established "Community Area".
2. Zoning By-law Amendment File Z.17.002 to amend Zoning By-law 1-88, specifically to rezone the Subject Lands from "R1 Residential Zone" 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-17V001 to permit one residential development block (Block 1) and one block to be conveyed to York Region for road widening and site triangle purposes (Block 2) with a 0.3 m reserve (Blocks 3 and 4), as shown on Attachment 4.
4. Site Development File DA.18.073 to permit the Development shown on Attachments 5 to 9.

The Development is consistent with the Provincial Policy Statement, 2020

In accordance with Section 3 of the *Planning Act*, all land use decisions in Ontario "shall be consistent" with the Provincial Policy Statement, 2020 ('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 the importance of the local context and character. Policies are outcome oriented, and some policies provide flexibility in their implementation provided Provincial interests are upheld. The *Planning Act* requires that Council's planning decisions be consistent with the PPS.

The Development is consistent with the PPS, specifically the following:

- Section 1.1.3 - settlement areas being the focus of development based on densities and land uses which efficiently use land
- 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 - promoting intensification and redevelopment within settlement areas to optimize the use of services on existing municipal sewage services and municipal water services should be promoted, wherever feasible
- Section 1.7.1 - 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
- Section 2.6.1 - significant built heritage resources and significant cultural heritage landscapes shall be conserved

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 with appropriate development standards promoting a compact building form.

The Development will contribute to providing a range of housing types through a low-rise housing form within the area, while conserving the existing George Keffer House. The Development will utilize existing municipal water and sanitary servicing connections located on Keele Street.

The Heritage Vaughan Committee (‘HVC’) Development recommended approval of the Development on January 20, 2021, and the design of the townhouses is in accordance with the Maple Heritage Conservation District (‘MHCD’) Plan. Vaughan Council on January 26, 2021, ratified HVC’s recommendation. 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

The Growth Plan, A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2019 (‘Growth Plan’) as amended is intended to guide decision making on the development of land by encouraging a compact built-form, transit supportive communities, diverse land uses, and a range of mix of housing types. The Growth Plan

encourages the concentration of population and employment growth within the settlement areas and promotes the development of complete communities offering a mix of housing types, access to local amenities and connections to municipal water and wastewater systems.

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 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. The Development provides for a mix of housing types and will assist in accommodating the needs of all household sizes.

The HVC on January 20, 2021, recommended approval of the Development. Vaughan Council on January 26, 2021, ratified HVC's recommendation. The existing heritage dwelling having Victorian vernacular design elements will be preserved in accordance with the MHCD Plan. The Development conforms to the Growth Plan.

The Development conforms to 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 identifies 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 access adjacent to Regional roads 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 11 townhouse dwellings and the relocation of the existing George Keffer House, all considered to be “local infill” in accordance with Section 5 of YROP. The Development is transit supportive given the proximity of York Region Transit (‘YRT’) (Route 107) along Keele Street. Access to the Development will be shared by a driveway on the Subject Lands with the lands to the north, as shown on Attachments 5 and 10, and will function as one interconnected development in accordance with Section 7.2.53 of YROP. The Development conforms to the YROP.

York Region, on September 29, 2017, identified Official Plan Amendment File OP.17.001 is a routine matter of local significance and it has been exempted 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 in proximity to a “Local Centre” on Schedule 1 “Urban Structure” of VOP 2010. Community Areas consist of predominately 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. 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 Sections 9.1.2.2 and 9.1.2.3 of VOP 2010 and the development criteria identified in Section 9.2.3.2 of VOP 2010.

Section 9.1.2.2 of VOP 2010 states:

“That in Community Areas with established development, new development be designed to respect and reinforce the existing physical character and uses of the surrounding area, paying particular attention to the following elements:

- a. the local pattern of lots, streets, and blocks;
- b. the size and configuration of lots;
- c. the building type of nearby residential properties;
- d. the heights and scale of nearby residential properties
- e. the setback of buildings from the street;
- f. the pattern of rear and side-yard setbacks;
- g. conservation and enhancement of heritage buildings, heritage districts and cultural heritage landscapes; and
- h. the above elements are not meant to discourage the incorporation of features that can increase energy efficiency (e.g. solar configuration, solar panels) or environmental sustainability (e.g. natural lands, rain barrels).”

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; and
- 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.”

Section 9.2.3.2 of VOP 2010 in part states:

- “b. In Established Community Areas, the scale, massing, setback, and orientation of new Townhouses will respect and reinforce the scale, massing, setback and orientation of other built and approved development in the surrounding area.”

The Owner has submitted Official Plan Amendment File OP.17.001 to amend the compatibility criteria in Sections 9.1.2.2 and 9.1.2.3 of VOP 2010 to permit the Development. The Development Planning Department has reviewed the proposed amendment 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 fronting 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 and built development applications:

- Eight semi-detached dwelling units (3-storeys with a maximum building height of 9.5 m) and eight townhouse units at the abutting site to the north at 9785 and 9797 Keele Street (Laurier Harbour (Keele) Inc.)
- Four semi-detached dwelling units at the southwest corner of Keele Street and Merino Road (Centreville Homes (Merino) Inc.)
- Four semi-detached dwelling units at 9850 Keele Street (Nancy DiManno)
- Eleven 3-storey townhouse units, four 3-storey semi-detached units and converted heritage dwelling (William Bailey Residence) into a mixed-use building at 9869, 9881 and 9891 Keele Street (Empire Pace (Maple) Ltd.)

The Development represents 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 5 to 9 consists of the relocation of the George Keffer House abutting Keele Street with two (2) blocks of townhouses situated behind the heritage dwelling containing a total of 11 townhouse dwelling units. There are no proposed alterations to the George Keffer House affecting its current massing, height or proportions, and a garage addition sympathetic to the style of the house will be added.

The George Keffer House has a height of 6.6 m and the proposed three-storey townhouse units would measure 10.7 m to the peak. The flankage elevation will have minimal impact on the Keele Street streetscape as it located in the rear of the preserved George Keffer House. Cultural Heritage Staff is satisfied the new construction is in keeping with the requirements of the Maple Heritage Conservation District ('MHCD').

Building Setbacks

The proposed front yard building setback to the relocated George Keffer House is 1.45m, and when combined with the proposed 6.33 m wide road widening of Keele Street, will provide a built form while respecting existing street views along Keele Street. The proposed front yard building setback to the relocated George Keffer House is 1.45m, and when combined with the proposed 6.33 m wide road widening of Keele Street, will provide a 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 Council endorsed and LPAT approved semi-detached and townhouse units to the north at 9785 and 9797 Keele Street.

Buildings B and C will be located behind the George Keffer House and with front yard setbacks ranging from 6 m to 8.19 m to accommodate 1 parking spot on the driveway and 1 parking spot within the garage. A rear yard amenity area is provided with rear yard setbacks ranging from 7 m to 8.92 m.

The Development was recommended for approval by the Heritage Vaughan Committee

The Subject Lands are located within the “Residential Village Area” of the MHCD Plan and are protected under Part V of the *Ontario Heritage Act*. The Subject Lands are identified as a contributing property and contains the George Keffer House. The Owner seeks to maintain the existing heritage structure with some modifications to retain the core heritage attributes identified in the MHCD Plan Inventory, and to create a greater visual presence for the “main house” from the public realm and provide greater prominence on the Subject Lands.

The transition from the existing George Keffer House fronting onto 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 HVC considered the Development and recommended it for approval on January 20, 2021. The recommendations of the HVC were considered by Vaughan Council on January 26, 2021 and the recommendations were ratified.

A Conservation Plan is required for the George Keffer House in order to assess the interior of the dwelling and determine the cost of relocation and restoration. The Owner will be required to submit a Letter of Credit calculating the cost of relocation and restoration prior to the execution of the Site Plan Agreement. A condition to this effect is included in Attachment 2.

Summary of Planning Policy

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, maximizes the usability of the lot, provides a consistent massing on Keele Street, and preserves the existing George Keffer House and

townhouse dwellings in the rear. The proposed rear yard setbacks for the townhouses abutting the existing detached dwellings to the east have a 7.5 m rear yard complying with the requirements of Zoning By-law 1-88. 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 9785 and 9797 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.

In consideration of the applicable Provincial policies and Regional and City Official Plan policies outlined in this report, the Owner has demonstrated the Development provides an appropriate low-rise residential built form that is compatible, but not identical, with the surrounding community. The Development Planning Department is of the opinion that the Development is consistent with the policies of the PPS and conforms to the Growth Plan and the YROP and maintains the intent of VOP 2010 and the MHCD Plan.

The VOP 2010 amendments resulting from the “Community Area Policy Review for Low-Rise Residential Designations” within Established Large-Lot Neighbourhoods does not apply

The Subject Lands are identified as a “Established Large-Lot Neighbourhood” 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’), clarifying VOP 2010 policy that applies to low-rise neighbourhoods. The Guidelines apply to the Subject Lands. 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 Applications were deemed complete on February 21, 2017. Development applications are assessed and reviewed based on the existing policy framework at the

time of a “complete” application. Site Development File DA.18.073 was submitted September 5, 2018, also pre-dating the approval of OPA 15. Therefore, the Applications are not subject to OPA 15 . However, the Development is subject to the following sections of the Guidelines:

- Section 4.2 - development should reflect established streetscape character
- Sections 4.7 and 5.3 - front entrances should be prominent and well detailed
- Section 4.10 - building finishes should be consistent with material used in immediate area
- Section 5.7- townhouse unit flanking the street should include windows and details consistent with the front elevation
- Section 5.8 - height and massing of townhouses compatible with adjacent neighbourhood. Townhouse blocks shall not contain more than 6 units
- Section 5.9 – separation between townhouse block should be generally 6 m
- Section 5.11 - each townhouse should have a private backyard fenced or screened with landscaping
- 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

Overall, the Development is consistent with the above noted sections of the Guidelines. More specifically, it includes the preservation and relocation of the existing heritage dwelling fronting Keele Street. The townhouses being proposed are located behind the George Keffer House.

The flanking unit contains an architectural detail that is visible from Keele Street with front entrances that incorporate a porch. Building materials for the Development include red and dark red brick with beige brick trim, charcoal coloured shingles, and wood in keeping with the acceptable materials found in the MHCD Plan.

Each townhouse dwelling includes a private fenced backyard. A centralized visitor parking area is easily accessible for residents and is located on the north side of the Subject Lands.

Stormwater runoff will drain through an internal network shared with 9785 and 9797 Keele Street into two proposed underground stormwater storage systems.

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

The Subject Lands are zoned “R1 Residential Zone” by Zoning By-law 1-88, as shown on Attachment 3, permitting 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:

	Zoning By-law 1-88 Standard	RT1 Residential Townhouse Zone Requirements	Proposed Exceptions to the RT1 Residential Townhouse Zone Requirements
a.	Definition of a “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 townhouse dwelling in which each dwelling unit is situated on its own lot, which abuts a public or private street
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.	Definition of “Street”	Means a street or a highway under the jurisdiction of the City	Means a street or private road owned and maintained by a future Condominium Corporation
e.	Permitted Uses	Street townhouse Dwelling	- Street townhouse dwelling - Detached dwelling

	Zoning By-law 1-88 Standard	RT1 Residential Townhouse Zone Requirements	Proposed Exceptions to the RT1 Residential Townhouse Zone Requirements
f.	Frontage on a Public Street	A lot must front onto a public street	Permit a lot to front onto a private road
g.	Minimum Lot Frontage	6 m / unit	5.7 m / unit for Building B (Attachment 5)
h.	Minimum Lot Area	162 m ²	135 m ² for Buildings B and C
i.	Minimum Lot Depth	27 m	20 m (Unit B5) 22 m (Building C)
j.	Minimum Front Yard Setback	4.5 m	2 m for Unit B5 (Attachment 5)
k.	Minimum Rear Yard Setback	7.5 m	7.46 m for Building A 7 m for Building B (Attachment 5)
l.	Minimum Exterior Yard Setback	4.5 m	1.45 m for Building A 0.7 m for Unit B5 (Attachment 5)
m.	Minimum Interior Yard Setback	1.2 m	0.7 m for Building A and Unit B1, Building B (Attachment 5)
n.	Maximum Encroachment	1.8 m stair encroachment in the rear yard	2.8 m for Unit B5, Building B (deck and stairs)

	Zoning By-law 1-88 Standard	RT1 Residential Townhouse Zone Requirements	Proposed Exceptions to the RT1 Residential Townhouse Zone Requirements
o.	Minimum No Encroachment Zone	A 1.5 m no encroachment zone in the exterior yard	1.45 m to the main wall (Building A) 0.5 m for Unit B5
p.	Maximum Driveway Width	No requirement for driveway width for lots less than 6 m	3.6 m driveway width for a lot with a frontage of 5.7 m and 6 m (Buildings B and C)

The Development Planning Department supports the rezoning of the Subject Lands to “RT1 Residential Townhouse Zone” and the site-specific zoning exceptions identified in Table 1, as the rezoning and proposed development standards facilitates local infill that is consistent with other similar developments and compatible with the surrounding area and consistent with the policies of the PPS, Growth Plan and YROP, maintains the intent of VOP 2010 and in accordance with the MHCD Plan.

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.

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 has no objection to the Development, subject to the conditions in Attachments 1 and 2

The proposed Development shown on Attachments 5 to 9 includes the adaptive reuse of the George Keffer House as a heritage asset, complemented by 11 townhouse units accessed by a private common element condominium road.

The proposed site plan includes a shared access for the property to the north. A proposed pedestrian walkway connects the development to the sidewalk on Keele Street.

Two (2) parking spaces are provided for each townhouse unit and a new garage for the George Keffer House. One space in the garage and the other space on the driveway leading to the garage, in accordance with Zoning By-law 1-88.

Four (4) visitor parking spaces are proposed, including one (1) barrier-free space. Zoning By-law 1-88 requires 0.25 visitor parking spaces for each townhouse dwelling unit, or 3 parking visitor spaces in this case. The detached dwelling unit does not require a visitor parking space. The proposed 4 visitor parking spaces exceed the requirement of Zoning By-law 1-88.

Landscape Plan

The landscape plan shown Attachment 6 consists of a mix of deciduous and coniferous trees, shrubs, and perennials. An internal concrete walkway is proposed for the pedestrian connection from Keele Street to the townhouses.

Three (3) deciduous trees are proposed along the Keele Street frontage, and subject to approval by York Region. Nine (9) existing trees are located within the Keele Street right-of-way and shall be retained.

The Subject lands are located within the Maple Streetscape and Urban Design Guidelines ('MSUDG') Study Area. According to the MSUDG, the Keele Street frontage of the Development shall be designed to include the replacement of the existing single row of red unit pavers on each side of the concrete and the existing bench. 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. The Site Plan Agreement will also include a clause requiring the Owner to provide a one-time payment of \$1,200.00 to the City of Vaughan for the long-term maintenance of the enhanced landscape features within the Keele Street right-of-way by the City to the satisfaction of the Development Planning Department. A clause will be included in the Site Plan Agreement to this effect.

Building Elevations and Height

The building elevations shown on Attachments 7 to 9 consist of the relocated George Keefer House and the eleven (11) three-storey townhouse dwellings. The building heights for the Development include the George Keefer House measuring 6.6 m to mid-point of the roof and the townhouses located behind the George Keefer measuring 10.7m from the mid-point of the roof to the peak of the roof.

Building materials include red and dark red coloured brick with beige accent brick, charcoal coloured shingles and wood in keeping with the acceptable material list of the MHCD Plan guidelines.

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.

A Tree Protection Agreement is required

The Owner submitted an Arborist Report and Tree Preservation Plan prepared by The Tree Specialists Inc. dated November 16, 2016 and revised March 25, 2020. The Arborist Report identify 8 mature trees abutting Keele Street within York Region's right-of-way that will be preserved and protected during construction. Based on the City's Replacement Tree Requirements under the City's Tree Protection Protocol, the Arborist Report has confirmed 51 replacement trees are required on the Subject Lands. Eight (8) new trees are proposed in the landscape plan, requiring a cash-in-lieu contribution for the remaining 43 trees at \$550.00 per tree for a total of \$23,650.00.

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 Protection By-law 052-2018. The Owner shall not remove any trees without written approval by the City. A condition to this effect is included in Attachment 2 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') shown on Attachment 4 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 and sight triangle purposes (Block 2) with 0.3 m reserves (Blocks 3 and 4). Prior to the execution of the Site Plan Agreement, the Owner shall satisfy all conditions of Draft Plan of Subdivision Approval contained 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 - 'POTLs') for future ownership.

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

The Development Engineering ('DE') Department has provided the following comments:

a) Road Network

Access is proposed via Keele Street through a shared mutual access with the abutting property to the north at 9785 and 9797 Keele Street. The proposed access aligns with Merino Road and the shared access road will connect to Keele Street, 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 November 13, 2020. The Servicing Report identifies the proposed shared water, sanitary, and stormwater servicing scheme for the Development and the adjacent development located at 9785 and 9797 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 watermain located on Keele Street. An internal watermain is proposed to extend through a shared servicing easement area (B001/20) with the adjacent site located at 9785 and 9797 Keele Street.

The water service connection will be a fully looped water service with each unit having an individual domestic water service and water meter. A fire hydrant is proposed on the site for protection and watermain flushing.

ii) Sanitary Sewer Network

A sanitary sewer service connection for the Subject Lands is proposed to connect to the existing manhole and sanitary sewer on Keele Street. The proposed service connection will also connect the existing manhole to a proposed control manhole at the west property line. The proposed sanitary sewer will extend through the Subject Lands, with sewer connections to each townhouse unit and detached dwelling.

The proposed sanitary service connection is acceptable for both the Subject Lands and the lands to the north (9785 and 9797 Keele Street). The conditions of approval for Committee of Adjustment B001/20 include a mutual connection with the abutting development, a service easement (registered on title) and a mutual servicing agreement between the landowners of the two developments prior to the issuance of site plan approval and/or the issuance of any servicing permits. A condition to this effect is included in Attachment 2.

Based on the proposal the Owner will be required to:

- a) Provide the Ministry of the Environment, Conservation and Parks (MECP) approvals for the wastewater works, as the sewage systems will be servicing more than one property; or provide written confirmation from the MECP that the requirement for an Environmental Certificate of Approval ('ECA') application can be waived.
- b) The City's Focus Area Core Servicing Strategy (December 2017) and draft Interim Servicing Study ('ISS') (April 2020) identify surcharging in several segments of the existing sanitary sewer on Keele Street, upstream and downstream of the proposed development. Surcharging is not permitted per the City's design criteria, however, based on the conclusions of the City's ISS and associated flow monitoring data, the development proposal may be adequately serviced in the interim with minimal surcharging to the City's existing Keele Street sanitary sewer. It is anticipated that local infrastructure improvements will be required in the future,

therefore a financial contribution in the amount of \$16,100 is required. A condition to this effect is included in Attachment 2.

iii. Storm Sewer Network

The runoff from the Subject Lands generally flows overland from north-east to south-west and discharges into the storm sewer system on Keele Street. The pre-development condition of the Subject Lands considers the Subject Lands to be one drainage catchment area, with its outlet being the storm sewer system on Keele Street.

iv. Noise Feasibility Study

An Environmental Noise Feasibility Study prepared by Valcoustics Canada Ltd., dated December 2016 was submitted in support of the Applications and the DE Department has no further comments, however an updated noise study is required including warning clauses for the future occupants of the Subject Lands and shall be included in the site plan agreement. The warning clauses must also be included in all Offers of Purchase and Sale or Lease for all lots/units and to the satisfaction of the City. A clause and the preliminary warning clauses are included in Attachment 2.

The City will require an updated Noise Feasibility Study with site specific warning clauses and the detailed design of any noise attenuation features prior to the issuance of site plan approval.

v. Environmental Site Assessment

The DE Department has no objection to the Phase Two ESA by DS Consultants Ltd. dated February 5, 2018 and Reliance Letter by DS Consultants Ltd. dated October 2, 2019 submitted in support of the Applications.

Sewage and Water Allocation is available for the Development

On December 15, 2020, Vaughan Council endorsed its Allocation of Servicing Capacity Annual Distribution and Update and Allocation of Servicing Capacity Policy.

Accordingly, servicing capacity for this Development is available and unrestricted. 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 Subject Lands during construction activities, all work must cease, and both the Ontario Ministry of Heritage, Sport, Tourism and Culture Industries and the City of Vaughan's Development Planning Department, Urban Design and Cultural Heritage Division 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.
- iii) In the event of a future development application that involves further soil disturbance an archaeological assessment by a professional licensed archaeologist may be required and conditions of approval may apply.

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 Functional Servicing and Stormwater Management Report, prepared by Crozier and Associates, dated December 2019, and Hydrogeological Investigation, prepared by DS Consultants Ltd, dated June 18, 2018 each included water balance assessment information. TRCA staff have reviewed this component of the report and are satisfied with the analysis and mitigation strategy proposed. The Development meets the intent of the Source Protection Plan. A condition to this effect is included in Attachment 2.

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 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 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 Attachment 2 of this report.

Development Charges are Applicable to the Development

The Financial Planning and Development Finance Department requires the Owner to satisfy all conditions, financial or otherwise, regarding matters the City may consider necessary, including paying all applicable development charges in accordance with the City of Vaughan, Region of York, York Region District School Board and York Catholic District School Board Development Charge By-laws.

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

The Owner is proposing private waste collection to service the Development. The Development maybe eligible for future 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 will be required to satisfy all requirements of the Environmental Services Department, Solid Waste Management Division. A condition to this effect is included in the Attachment 2 of this report.

Canada Post has no objection to the Development, subject to 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 Centre Sud.

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

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

Financial Impact

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

Broader Regional Impacts/Considerations

York Region has no objection to the Development subject to their conditions of approval included in Attachment 1. York Region on September 29, 2017, exempted Official Plan Amendment File OP.17.001 (9773 Keele Developments Inc.) from Regional approval on the basis this Development does not adversely affect Regional planning policies or interests and is of local significance.

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 Attachment 1.

Conclusion

The Development Planning Department has reviewed the Applications in consideration of the PPS, Growth Plan, YROP and VOP 2010 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 PPS, conforms to the Growth Plan 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 the Applications be approved, subject to the Recommendations in this report and conditions of approval in Attachments 1 and 2.

For more information, please contact: Margaret Holyday, Senior Planner, Development Planning Department, extension 8216.

Attachments

1. Conditions of Draft Plan of Subdivision Approval
2. Conditions of Site Plan Approval
3. Location and Context Map
4. Proposed Zoning and Draft Plan of Subdivision File 19T-17V001
5. Site Plan
6. Landscape Plan
7. Building Elevations - Building A (George Keffer House)
8. Building Elevations - Building B
9. Building Elevations - Building C
10. Context Plan (9773, 9785 & 9797 Keele Street)

Prepared by

Margaret Holyday, Senior Planner, extension 8216

Nancy Tuckett, Senior Manager of Development Planning, extension 8529

Bill Kiru, Acting Director of Development Planning, extension 8633

Approved by



Mauro Peverini, Acting Chief Planning Official

Reviewed by



Jim Harnum, City Manager