

## **Committee of the Whole (Public Meeting) Report**

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**DATE:** Tuesday, March 02, 2021

**WARD:** 1

**TITLE: 2777100 ONTARIO INC.**

**ZONING BY-LAW AMENDMENT FILE Z.20.025**

**DRAFT PLAN OF SUBDIVISION FILE 19T-20V003**

**9675, 9687 AND 9697 KEELE STREET**

**VICINITY OF KEELE STREET AND BARRHILL ROAD**

**FROM:**

Jim Harnum, City Manager

**ACTION:** DECISION

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### **Purpose**

To receive comments from the public and the Committee of the Whole on Zoning By-law Amendment and Draft Plan of Subdivision Files Z.20.025 and 19T-20V003 for the subject lands shown on Attachment 1. The Owner seeks approval to permit five (3-storey) semi-detached dwellings (10 units) fronting on Keele Street, with rear garages and visitor parking accessed from a common element condominium road the subject lands, and to incorporate the heritage dwelling at 9697 Keele Street into the development by providing a new access and garage on the common element road as shown on Attachments 2 to 6.

### **Report Highlights**

- The Owner proposes five (3-storey) semi-detached dwellings (10 units) fronting on Keele Street, with rear garages and visitor parking accessed from a common element condominium road the subject lands, and to incorporate the heritage dwelling at 9675 Keele Street into the development by providing a new access and garage on the common element road
- A technical report prepared by the Development Planning Department will be considered at a future Committee of the Whole meeting

### **Recommendations**

1. THAT the Public Meeting report for Zoning By-law Amendment and Draft Plan of Subdivision Files Z.20.025 and 19T-20V003 (2777100 Ontario Inc.) BE RECEIVED, and any issues identified by the Development Planning Department be addressed in a comprehensive report to a future the Committee of the Whole.

### **Background**

Location: The subject lands (the ‘Subject Lands’) are municipally known as 9675, 9687 and 9697 Keele Street and are located on the east side of Keele Street, south of Major Mackenzie Drive, near Barrhill Road, as shown on Attachment 1. The Subject Lands are currently occupied by three residential dwellings, one of which is a heritage dwelling known as The Constable House. The surrounding land uses are shown on Attachment 1.

Previous Applications: The previous Owner submitted a proposal to rezone the Subject Lands to “RM2 Multiple Residential Zone” to permit a development containing 20 block townhouse units on a private road, which was considered at a Public Meeting held on September 9, 2015.

The current Owner acquired the Subject Lands in September 2020 and the previous files were closed.

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

2777100 Ontario Inc. (the ‘Owner’) has submitted the following applications (the ‘Applications’) for the Subject Lands shown on Attachment 1 to permit the development (the ‘Development’) shown on Attachments 2 to 6.

1. Zoning By-law Amendment File Z.20.025 to amend Zoning By-law 1-88 to rezone the Subject Lands from “R1 Residential Zone”, subject to site-specific Exception 9(663)

to “R5 Residential Zone” in the manner shown on Attachment 2, and to permit the site-specific zoning exceptions identified in Table 1 of this report.

2. Draft Plan of Subdivision File 19T-20V003, shown on Attachment 5, for a residential plan of subdivision consisting of the following:

Blocks/Road	Land Use	Area (ha)	Units
Blocks 1-4	Semi-Detached Dwellings and rear Garages	0.34	10
Block 5	Heritage Dwelling (existing)		1
Block 6	Road Widening	0.067	
Total		0.407	11 units

3. Site Development File DA.20.044 to permit the development of five (3-storey) semi-detached dwellings (10 units) with rear garages and visitor parking accessed from by a common element condominium road on the subject lands and to incorporate the heritage dwelling at 9675 Keele Street into the development by providing a new access and garage on the common element condominium road, as shown on Attachments 2 to 4.
4. Draft Plan of Condominium File 19CDM-20V007 shown on Attachment 6 to establish the common element ownership parcels on the Subject Lands.

The Site Development and Draft Plan of Condominium applications do not require a public meeting however, these related applications will be addressed in the future comprehensive technical report to Committee of the Whole.

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

- a) Date the Notice of Public Hearing was Circulated: February 5, 2021

The Notice of Public Hearing was also posted on the City's web-site at [www.vaughan.ca](http://www.vaughan.ca) and Notice Signs were installed on the property in accordance with the City's Notice Signs Procedures and Protocols.

- b) Circulation Area: 150 m radius from the Subject Lands and to those persons, or organizations that had requested notification

- c) Comments Received to date: As of February 9, 2021, the Development Planning Department has received one written comment, via email, from R. Conforti, dated December 8, 2020. The comment stated disagreement with the proposed rear garages on a common element condominium road behind the existing homes on Fifefield Drive.

Two resident calls were received requesting additional information. The information requested included the development layout, background studies, information on the tree inventory and tree removals plan and this information was provided via electronic links.

Any additional written comments received will be forwarded to the Office of the City Clerk to be distributed to the Committee of the Whole as a Communication. All written comments received will be reviewed by the Development Planning Department as input in the application review process and will be addressed in the final technical report to be considered at a future Committee of the Whole meeting.

### **Previous Reports/Authority**

The following is a link to the Committee of the Whole Public Meeting of September 2015 for previous Official Plan and Zoning By-law Applications.

[https://www.vaughan.ca/council/minutes\\_agendas/Extracts/32ph0909\\_15ex\\_3.pdf](https://www.vaughan.ca/council/minutes_agendas/Extracts/32ph0909_15ex_3.pdf)

### **Analysis and Options**

#### ***Vaughan Official Plan 2010 designates the Subject Lands Low-Rise Residential and permits Semi-Detached Dwellings subject to the Compatibility Criteria***

The Subject Lands are located within a “Community Area” as identified on Schedule 1 - Urban Structure of Vaughan Official Plan 2010 (‘VOP 2010’) and are also located within the “Urban Area” of VOP 2010.

The Subject Lands are designated “Low-Rise Residential” on Schedule 13 of VOP 2010. This designation permits semi-detached dwellings with no associated density requirement and a maximum height of 3-storeys.

In addition, the Subject Lands are also located within the Village of Maple Heritage Conservation District Plan (the ‘MHCDP’) and are subject to the policies of Section 12.2.1.1c (“Heritage Conservation Districts”) in Volume 2 of VOP 2010.

VOP 2010 recognizes new development will occur in a “Community Area” characterized by predominantly Low-Rise Residential housing and provides policies to address incremental change in a maturing neighbourhood. Development shall be sensitive to and respectful of the existing character of the area and be designed to reinforce the

physical character of the established neighbourhood where it is located. New development in “Community Areas” within established areas shall pay particular attention to local lot patterns, size and configuration and existing building types with similar setbacks.

VOP 2010 policies for new development within Established Communities provide a framework to ensure development respects the existing physical character of the area and the surrounding uses. The proposed semi-detached houses front onto Keele Street (an arterial road) and are located adjacent to existing detached dwellings and back onto existing detached dwellings on Fifefield Drive. The Development addresses the compatibility criteria for new development in an existing “Community Area” and is designed to respect and reinforce the existing physical character and uses of the surrounding area as they relate to lot configuration and size, built form and physical character of the surrounding developments. The Development conforms to the VOP 2010

***Amendment to Zoning By-law 1-88 is required to permit the proposed Development***

The Subject Lands are zoned “R1 Residential Zone” subject to site-specific Exception 9(663) by Zoning By-law 1-88, which does not permit the proposed Development. The Owner proposes to rezone the Subject Lands to “R5 Residential Zone”, shown on Attachment 2, together with the following site-specific zoning exceptions in Table 1:

Table 1

	<b>Zoning By-law 1-88 Standard</b>	<b>R5 Residential Zone Requirements</b>	<b>Proposed Exceptions to the R5 Residential Zone Requirements</b>
a.	Frontage on a Public Street	A lot must front onto a public street	Permit access to a detached dwelling and to freehold semi-detached lots from a common element condominium road
b.	Minimum Lot Frontage	7.5 m per unit	<ul style="list-style-type: none"> <li>• 6.7 m for semi-detached dwellings</li> <li>• 5.7 m for garages</li> </ul>
c.	Minimum Lot Area	225 m <sup>2</sup> per unit	<ul style="list-style-type: none"> <li>• Block 1 units - 123.5 m<sup>2</sup></li> <li>• Block 2 units - 121.7 m<sup>2</sup></li> <li>• Block 3 - 37.4 m<sup>2</sup></li> <li>• Block 4 - 37.4 m<sup>2</sup> for garages</li> </ul>

	<b>Zoning By-law 1-88 Standard</b>	<b>R5 Residential Zone Requirements</b>	<b>Proposed Exceptions to the R5 Residential Zone Requirements</b>
d.	Minimum Front Yard Setback	4.5 m to dwelling	<ul style="list-style-type: none"> <li>• Blocks 1 and 2 units - 2.6 m</li> <li>• Blocks 3 and 4 - 0.0 m for garages</li> </ul>
e.	Minimum Rear Yard Setback	7.5 m	<ul style="list-style-type: none"> <li>• Block 1 units - 0.4 m to common element condominium road</li> <li>• Block 2 units - 0.6 m to common element condominium road</li> <li>• Blocks 3 and 4 - 0.0 m for garages to common element condominium road</li> <li>• Block 5 - 3.7 m to east lot line for existing detached dwelling</li> </ul>
f.	Minimum Interior Side Yard Setback	<ul style="list-style-type: none"> <li>• 1.2 m on one side</li> <li>• 4.5 m on one side where there is no garage</li> </ul>	<ul style="list-style-type: none"> <li>• Block 1 and 2 units - 0.6 m</li> <li>• Blocks 3 and 4 - 0.0 m for garages</li> </ul>
g.	Minimum Exterior Side Yard Setback	<ul style="list-style-type: none"> <li>• 4.5 m and 6.4 m to garage facing the lot line</li> </ul>	<ul style="list-style-type: none"> <li>• Block 1 and 2 units - 1.2 m</li> <li>• Blocks 3 and 4 - 0.0 m for garages</li> </ul>
h.	Minimum Rear Yard Setback (to the east lot line behind Garages)	7.5 m	1.8 m setback and shall be maintained as a landscaped area behind garages
i.	Maximum Lot Coverage	50%	<ul style="list-style-type: none"> <li>• Block 1 units - 63.6%</li> <li>• Block 2 units - 63%</li> <li>• Block 3 and 4 - 100% for garages</li> </ul>
j.	Maximum Building Height	11 m	9.5 m

	<b>Zoning By-law 1-88 Standard</b>	<b>R5 Residential Zone Requirements</b>	<b>Proposed Exceptions to the R5 Residential Zone Requirements</b>
k.	Minimum Number of Parking Spaces	<ul style="list-style-type: none"> <li>• 2 spaces for each semi-detached unit</li> <li>• 3 spaces for detached unit</li> </ul>	<ul style="list-style-type: none"> <li>• Block 1 and 2 units - provide 2 spaces per dwelling unit within garages on Blocks 3 and 4</li> <li>• Block 4 - provides 2 parking spaces within a garage located off-site for the detached dwelling on Block 5 and access easements may be required</li> </ul>
l.	Minimum % of Soft Landscaping	60%	No soft landscaping required on Blocks 3 and 4 for garages
m.	Minimum % of Hard Landscaping	40%	No hard landscaping provided on Blocks 3 and 4 for garages
n.	Minimum % of Landscaped Area - Front Yard	<ul style="list-style-type: none"> <li>• 33% front yard landscaping required, 66% of which shall be soft for Blocks 1 - 4</li> </ul>	<ul style="list-style-type: none"> <li>• Block 1 units - 3%</li> <li>• Block 2 units - 3.1%</li> <li>• Blocks 3 and 4 no landscaping required for garages</li> </ul>
o.	Driveway Width at Property Line	7.5 m	6 m common element condominium road width
p.	Maximum Lot Coverage of Accessory Buildings (Garages)	10% of the lot area	100% maximum coverage on Blocks 3 and 4 for garages

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

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

	MATTERS TO BE REVIEWED	COMMENTS
a.	Conformity and Consistency with Provincial Policies and YROP	<ul style="list-style-type: none"> <li>The Applications will be reviewed in consideration of the statutory Provincial policies including the Provincial Policy Statement 2020 (the 'PPS'), A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2019, as amended (the 'Growth Plan'), and the policies of York Region Official Plan ('YROP 2010')</li> <li>The Applications have been reviewed in consideration of the compatibility criteria of infill development in Community Areas in VOP 2010</li> </ul>
b.	Appropriateness of the Proposed Rezoning and Site-Specific Zoning Exceptions	<ul style="list-style-type: none"> <li>The appropriateness of the proposed rezoning and the site-specific exceptions to By-law 1-88 required to permit the Development will be reviewed in consideration of the existing and planned surrounding land uses</li> </ul>
c.	Maple Heritage Conservation District Plan ('MHCDP')	<ul style="list-style-type: none"> <li>The Subject Lands are within the MHCDP and designated under Part V of the <i>Ontario Heritage Act</i></li> <li>The Development will be reviewed in consideration of the Volume 2 policies of VOP 2010 for conformity with the MHCDP, as well as the maximum building height (9.5 m)</li> <li>The Heritage Vaughan Committee must review the Development prior to consideration by Vaughan Council</li> </ul>
d.	Studies and Reports	<ul style="list-style-type: none"> <li>The Owner has submitted a number of studies and reports in support of the Applications, which are available on the city's website at <a href="http://maps.vaughan.ca/planit/">http://maps.vaughan.ca/planit/</a> (PLANit Viewer) and must be approved to the satisfaction of the City or respective approval authority. Additional studies and/or reports may be required as part of the application review process</li> </ul>



	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENTS</b>
e.	City of Vaughan City-Wide Urban Design Guidelines and Maple Streetscape and Urban Design Guidelines	<ul style="list-style-type: none"> <li>• The Development will be reviewed in consideration of the City of Vaughan City-Wide Urban Design Guidelines</li> <li>• The Subject Lands are within the Maple Streetscape and Urban Design Guidelines area and will be reviewed for conformity with the requirements of the document and an Enhanced Streetscape Maintenance payment for this section of Keele Street will be required, should the Applications be approved</li> </ul>
f.	Public Agency/Municipal Review	<ul style="list-style-type: none"> <li>• The Applications must be reviewed by York Region, external public agencies, and utilities, including the Public and Separate and French School Boards</li> </ul>
g.	Sustainable Development	<ul style="list-style-type: none"> <li>• The Applications will be reviewed in consideration of the City Vaughan's Policies and Sustainability Metrics Program. The Development must achieve a minimum Bronze Threshold Application Score</li> </ul>
h.	Cash -in-Lieu of Parkland	<ul style="list-style-type: none"> <li>• The Owner will be required to pay to the City of Vaughan cash-in-lieu of parkland dedication, prior to the issuance of a Building Permit, in accordance with the <i>Planning Act</i> and the City of Vaughan's Cash-in-Lieu of Parkland Policy, should the Applications be approved</li> <li>• The final value of the cash-in-lieu of parkland dedication will be determined by the Office of Infrastructure Development, Real Estate Department</li> </ul>
i.	Water and Servicing Allocation	<ul style="list-style-type: none"> <li>• The availability of water and sanitary servicing capacity for the Development must be identified and allocated by Vaughan Council, should the Applications be approved</li> <li>• If servicing allocation is unavailable, the Subject Lands will be zoned with a Holding Symbol "(H)" which will be removed once</li> </ul>

	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENTS</b>
		Vaughan Council identifies and allocates servicing capacity for the Subject Lands
j.	Road Widening, Access, Traffic and Parking	<ul style="list-style-type: none"> <li>• Keele Street is identified as a “Regional Transit Priority Network” by YROP 2010. A road widening for Keele Street is included in the Development and the location and design of the driveway proposed onto Keele Street must be approved by York Region</li> <li>• York Region will identify all required road widenings, conveyances, access requirements, turning lanes, site triangles and servicing for the Development</li> </ul>
k.	Site Development Application Review	<ul style="list-style-type: none"> <li>• The Owner submitted a Site Development Application to permit the proposed Development shown on Attachments 2 to 4 to be reviewed in consideration of, but not limited to, pedestrian and barrier free accessibility, site design, built form and building elevations and materials, tree protection, servicing, grading and storm water management, the location of the proposed visitor parking spaces, garbage and waste storage and placement of air conditioning units</li> <li>• Easements over the future condominium corporation lands in favour of the owner of the property with the heritage dwelling will be required to provide access to the proposed garage</li> <li>• The relationship between the proposed built form, building setbacks and design with the immediate neighbourhood and the heritage building on the site will be reviewed</li> </ul>
l	Draft Plan of Condominium Application	<ul style="list-style-type: none"> <li>• The Owner submitted a Draft Plan of Condominium Application to create a Condominium Corporation to address the tenure of the common elements (i.e. private road internal sidewalk, visitor parking and common landscape areas)</li> </ul>

	MATTERS TO BE REVIEWED	COMMENTS
m.	Draft Plan of Subdivision and Future Part Lot Control Applications	<ul style="list-style-type: none"> <li>The Owner submitted a Draft Plan of Subdivision to create two residential blocks and two garage blocks for the Development, a block for the heritage dwelling and a block for the road widening</li> <li>The Owner will need to submit a future Part Lot Control Application to create the individual lots for the semi-detached dwelling units, and garages if the Applications are approved</li> </ul>
n	Tree Removals along Keele Street	<ul style="list-style-type: none"> <li>The Owner submitted a Tree Inventory and Preservation Plan Report for the Development identifying two trees (Norway Maple) located within the York Region Keele Street road right-of-way for removal. York Region permission for removal and a tree compensation payment would be required should the Applications be approved. The report also recommends tree removals for 21 of 37 trees including the two trees noted above and requires preservation of the remaining trees. The City will review and approve of all private property tree removals. The Tree Preservation Plan and tree compensation for replacement trees must be in accordance with the City's Tree Protection and Preservation By-law.</li> </ul>

### **Financial Impact.**

There are not funding requirements associated with this report.

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

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

### **Conclusion.**

The preliminary issues identified in this report and any other issues identified through the processing of the Applications will be considered through a technical review, together with comments from the public and Vaughan Council expressed at the Public

Meeting or in writing, and will be addressed in a comprehensive report to a future Committee of the Whole meeting.

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

### **Attachments**

1. Context and Location Map
2. Site Plan and Proposed Zoning
3. Landscape Plan
4. Building Elevations
5. Draft Plan of Subdivision (File 19T-20V003)
6. Draft Plan of Condominium (File 19CDM-20V007)

### **Prepared by**

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### **Approved by**



Mauro Peverini, Acting Chief Planning Official

### **Reviewed by**



Jim Harnum, City Manager