

Committee of the Whole (Public Meeting) Report

DATE: Wednesday, April 7, 2021

WARD: 1

TITLE: SHAREWELL INVESTMENTS INC.

OFFICIAL PLAN AMENMENT FILE OP.20.016

ZONING BY-LAW AMENDMENT FILE Z.20.043

9929 KEELE STREET

VICINITY OF KEELE STREET AND MAJOR MACKENZIE DRIVE

FROM:

Jim Harnum, City Manager

ACTION: DECISION

Purpose

To receive comments from the public and the Committee of the Whole on applications to redesignate and rezone the subject lands shown on Attachment 1 to permit a 4-storey mixed-use building containing 95 residential dwelling units and 1,422 m² of ground floor commercial uses with a Floor Space Index of 1.4 times the lot area, as shown on Attachments 2 to 4.

Report Highlights

- The Owner proposes a 4-storey mixed use building containing 95 residential dwelling units and 1,422 m² of ground floor commercial uses with a Floor Space Index of 1.4 times the lot area
- This report identifies preliminary issues to be considered in a technical report to be prepared by the Development Planning Department at a future Committee of the Whole meeting

Recommendations

1. THAT the Public Meeting report for Official Plan and Zoning By-law Amendment Files OP.20.016 and Z.20.043 (Sharewell Investments Inc.) BE RECEIVED, and that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole.

Background

Location: 9929 Keele Street (the 'Subject Lands'), east side of Keele Street and south of Major MacKenzie Drive. The Subject Lands and the surrounding land uses are shown on Attachment 1.

Date of Pre-Application Consultation Meeting: August 9, 2019

Date applications were deemed complete: February 8, 2021

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

Sharewell Investments Inc. (the 'Owner') has submitted the following applications (the 'Applications') for the Subject Lands to permit the proposed development (the 'Development') as shown on Attachments 2 to 4:

1. Official Plan Amendment File OP.20.016 to amend the policies of Vaughan Official Plan 2010 ('VOP 2010') to increase the maximum permitted building height from 3-storeys to 4-storeys and the maximum permitted Floor Space Index (FSI) from 1.25 to 1.4 times the area of the lot.
2. Zoning By-law Amendment File Z.20.043 to rezone the Subject Lands from "C1 Restricted Commercial Zone" subject to site-specific Exception 9(157), to "RA2 Apartment Residential Zone" in the manner shown on Attachment 2, together with the site-specific zoning exceptions identified in Table 1 of this Report.

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

- a) Date the Notice of Public Meeting was circulated: March 12, 2021.

The Notice of Public Meeting was also posted on the City's web-site at www.vaughan.ca and a Notice Sign was installed along Keele Street in accordance with the City's Notice Signs Procedures and Protocols.

- b) Circulation Area: To all property owners within 150 m of the Subject Lands and to anyone on file with the Office of the City Clerk having requested notice.

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

Previous Reports/Authority

n/a

Analysis and Options

Amendments to Vaughan Official Plan 2010 are required to permit the Development

Official Plan Designation:

- “Local Centres” Intensification Area on Schedule 1 – Urban Structure by Vaughan Official Plan 2010 (‘VOP 2010’)
- “Low-Rise Mixed-Use” on Schedule 13 – Land Use by VOP 2010
- This designation permits residential dwelling units, office uses, and retail uses in low-rise buildings having a maximum building height of 3-storeys and maximum FSI of 1.25 times the area of the lot
- An amendment to VOP 2010 is required to increase the maximum building height to 4-storeys and the maximum FSI to 1.4 times the area of the lot

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

Zoning:

- “C1 Restricted Commercial Zone” by Zoning By-law 1-88, subject to site-specific Exception 9(157)
- This Zone does not permit residential uses
- The Owner proposes to rezone the Subject Lands to “RA2 Apartment Residential Zone” together with the site-specific zoning exceptions identified in Table 1 of this report to permit the Development shown on Attachments 2 to 4
- Additional zoning exceptions may be identified through the detailed review of the Applications and will be considered in a technical report to a future Committee of the Whole meeting

Table 1:

	Zoning By-law 1-88 Standard	RA2 Apartment Residential Zone Requirement	Proposed Exceptions to the RA2 Apartment Residential Zone Requirement
a.	Minimum Front Yard (Keele Street)	7.5 m	3 m
b.	Minimum Lot Area per Unit	80 m ²	79.59 m ² per unit
c.	Minimum Front Yard to Below Grade Parking Structure	1.8 m	1.5 (Keele Street)

	Zoning By-law 1-88 Standard	RA2 Apartment Residential Zone Requirement	Proposed Exceptions to the RA2 Apartment Residential Zone Requirement
d.	Front Yard Encroachment for Residential Entrance Canopy	0.5 m	3 m
e.	Permitted Uses	Apartment Dwelling Day Nursery	Permit the following additional uses on the Ground Floor - Bank of Financial Institution - Business or Professional Office - Club or Health Centre - Eating Establishment - Eating Establishment, Convenience - Eating Establishment, Take-Out - Personal Service Shop - Photography Studio - Retail Store - Travel Agency
f.	Minimum Parking Requirements	Residential 1.5 spaces/unit x 95 units = 143 spaces Visitor 0.25 spaces/unit x 95 units = 24 spaces Commercial 6 spaces/100 m ² x 1,122 m ² = 67 spaces Eating Establishment 16 /100 m ² x 300 m ² = 48 spaces Eating Establishment (Outdoor Patio) 125 m ² @ 16 spaces /100 m ² = 20 spaces	Residential Apartment Dwelling 1.16 spaces/unit x 95 units = 110 spaces Visitor 0.2 spaces/unit x 95 units = 19 spaces Commercial 2.8 spaces/100 m ² x 1547 m ² = 44 spaces (including Commercial and Eating Establishments with no required parking for outdoor patios associated with Eating Establishment

	Zoning By-law 1-88 Standard	RA2 Apartment Residential Zone Requirement	Proposed Exceptions to the RA2 Apartment Residential Zone Requirement
		Total Parking Required = 302 spaces	Total Proposed Parking = 173 residential spaces with 44 parking spaces dedicated to commercial uses
g.	Minimum Amenity Area	46 One Bedroom Units x 20 m ² /unit = 920 m ² 40 Two Bedroom Units x 55 m ² /unit = 2,200 m ² 9 Three Bedroom Units x 90 m ² /unit = 810 m ² Total required amenity area = 3,930 m ²	Provide a total amenity area of 3,185 m ² (34 m ² per unit)
h.	Minimum Landscape Strip Width Abutting a Street Line	6 m	3 m along Keele Street

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, York Region and City Official Plan Policies	The Applications will be reviewed for consistency and conformity with the Provincial Policy Statement, 2020 (the 'PPS'), A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended (the 'Growth Plan') and the policies of the York Region Official Plan, 2010 ('YROP') and VOP 2010

	MATTERS TO BE REVIEWED	COMMENTS
b.	Appropriateness of Amendments to VOP 2010 and Zoning By-law 1-88	▪ The appropriateness of the amendments to VOP 2010 will be reviewed in consideration of the proposed request to increase the maximum permitted building height and density ▪ The appropriateness of the rezoning and site-specific zoning by-law exceptions will be reviewed in consideration of the existing and planned surrounding land uses
c.	Maple Heritage Conservation District Plan ('MHCDP')	▪ The Subject Lands are located in the MHCDP and are designated under Part V of the <i>Ontario Heritage Act</i>. The Development must be reviewed by the Vaughan Development Planning Department, Urban Design and Cultural Heritage Division and the Heritage Vaughan Committee
d.	Studies and Reports	▪ The Owner submitted studies and reports in support of the Applications which are available on the city's website at https://maps.vaughan.ca/planit/ (PLANit Viewer) and must be approved to the satisfaction of the City or respective approval authority. Additional studies and/or reports may be required as part of the Application review process
e.	Allocation and Servicing	▪ The availability of water and sanitary servicing capacity for the Development must be identified and allocated by Vaughan Council, if the Applications are approved. If servicing allocation is unavailable, the Subject Lands will be zoned with a Holding Symbol "(H)", which will be removed once Vaughan Council identifies and allocated servicing capacity to the Subject Lands ▪ The City's Focus Area Core Servicing Strategy (December 2017) and draft Interim Servicing (ISS) Study (draft April 2020) identified surcharging in several segments of the existing sanitary sewer on Keele Street, upstream and downstream of the proposed Development. Surcharging is not permitted by the City's design criteria. The Development Engineering Department has advised the City anticipates local infrastructure improvements to the Keele Street sanitary sewer or a one-time cash contribution towards future improvements to the Keele Street sanitary sewer will be a requirement or condition of approval applied to the Development

	MATTERS TO BE REVIEWED	COMMENTS
f.	Urban Design Guidelines/ Maple Streetscape and Urban Design Guidelines	▪ The Development will be reviewed in consideration of the City of Vaughan City-wide Urban Design Guidelines ▪ The Subject Lands are within the Maple Streetscape and Urban Design Guidelines area and will be reviewed for conformity with the requirements of this document and an Enhanced Streetscape Maintenance payment for this section of Keele Street will be required, should the Applications be approved
g.	Design Review Panel ('DRP')	▪ The DRP must review the Applications prior to proceeding to the Committee of the Whole
h.	Public Agency/Municipal Review	▪ The Applications must be reviewed by York Region and the Toronto and Region Conservation Authority, and external public agencies and utilities, the Public, Separate, and French School Boards
i.	Sustainable Development	▪ The Applications will be reviewed in consideration of the City of Vaughan's Policies and Sustainability Performance Metrics Program. The Development shall achieve a minimum Bronze score of 31
j.	Parkland Dedication	▪ The Applications will be reviewed in consideration of the requirements of the <i>Planning Act</i> and the City of Vaughan's Parkland Dedication Policy
k.	Section 37 of the <i>Planning Act</i> , VOP 2010 and City Guidelines (Bonusing for Increases in Height or Density)	▪ The Applications will be subject to and reviewed in consideration of the City's bonusing for increases in building height and/or density (Section 37 of the <i>Planning Act</i> as it read on September 17, 2020), policies of VOP 2010, and the City's Guidelines for the Implementation of Section 37 of the <i>Planning Act</i>, whereby Council may authorize an increase in building height and/or density in return for community benefits ▪ As of the date of this report, the City can continue to apply the version of the Section 37 provisions in the <i>Planning Act</i> in effect as of September 17, 2020. By way of background, Bill 197, the <i>COVID-19 Economic Recovery Act</i>, 2020; received royal assent on July 21, 2020, and the Bill 197 provisions related to Section 37 were proclaimed to come into effect on September 18, 2020. Bill 197 repeals and replaces the Section 37 policy regime, as it read on September 17, 2020,

	MATTERS TO BE REVIEWED	COMMENTS
		with a new regime known as a Community Benefit Charge ('CBC'), which charge shall not exceed an amount equal to the prescribed percentage of the value of the land (4%) Transitional provisions in the <i>Planning Act</i> permit municipalities to continue to apply the Section 37 provisions of the <i>Planning Act</i> as it read on September 17, 2020 until the earlier of the City's passage of a CBC By-law or September 18, 2022 (the date the transition ends). Should the approval and enactment of any Zoning By-law Amendment for the Subject Lands occur after the earlier of the City's passage of CBC By-law or September 18, 2022, the City will not be permitted to collect community benefits through Section 37 of the <i>Planning Act</i>, as it read on September 17, 2020. If the CBC By-law is in place at that time, the City will be permitted to collect community benefits pursuant to that instrument
l.	Affordable Housing	The Applications will be reviewed in consideration of Provincial, Regional and City policies to ensure that the Development includes an appropriate level, range and mix of unit sizes and types to meet the City's affordable housing goals
m.	Required Applications	The Owner is required to submit both Site Development and Draft Plan of Condominium applications should the Applications be approved
n.	Tree Preservation and Removals	- The Tree Inventory and Preservation Plan Report for the Development identifies a tree for removal located within the York Region Keele Street road right-of-way. York Region permission for removal and a tree compensation payment would be required should the Applications be approved - The City will review and approve 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.
o.	Road Widening Access, Traffic and Parking	- Keele Street is a York Region right-of-way and is identified as a "Regional Transit Priority Network" by YROP 2010 - York Region will identify all required road widenings, conveyances, access requirements, turning lanes, sight triangles and servicing for the Development

	MATTERS TO BE REVIEWED	COMMENTS
		- York Region must approve the proposed lay-by parking spaces on Keele Street - Proposed changes to the shared access easement with the development to the north will also be reviewed by York Region and the City

Financial Impact

There are no financial requirements for new funding 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. York Region has determined the proposed Official Plan Amendment application is a matter of local significance and does not adversely affect Regional planning policies or interest. York Region on March 8, 2021, exempted the Official Plan Amendment Application from approval by the Regional Committee of the Whole and Council.

Conclusion

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

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

Attachments

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

Prepared by

Laura Janotta, Planner, ext. 8634

Eugene Fera, Senior Planner, ext. 8003

Nancy Tuckett, Senior Manager of Development Planning, ext. 8529

Bill Kiru, Acting Director of Development Planning, ext. 8633

Approved by

A handwritten signature in black ink, appearing to read "Mauro Peverini". The signature is fluid and cursive, with the first name "Mauro" being larger and more prominent than the last name "Peverini".

Mauro Peverini, Acting Chief Planning Official

Reviewed by

A handwritten signature in black ink, appearing to read "Jim Harnum". The signature is cursive and somewhat stylized, with the first name "Jim" being larger and more prominent than the last name "Harnum".

Jim Harnum, City Manager