

Committee of the Whole (1) Report

DATE: Tuesday, June 1, 2021

WARD(S): 1

TITLE: CARLO AND MARY AMMENDOLIA
ZONING BY-LAW AMENDMENT FILE Z.20.006
SITE DEVELOPMENT FILE DA.20.010
2291 MAJOR MACKENZIE DRIVE WEST
VICINITY OF MAJOR MACKENZIE DRIVE AND JACKSON
STREET

FROM:

Haiqing Xu, Deputy City Manager, Planning and Growth Management

ACTION: DECISION

Purpose

To seek approval from the Committee of the Whole for Zoning By-law Amendment and Site Development Files Z.20.006 and DA.20.010 for the subject lands shown on Attachment 2. The Owner proposes to rezone the subject lands and remove the Holding Symbol “(H)” to permit three, 3-storey street townhouse units and the retention and restoration of a 2-storey detached heritage dwelling (Jackson’s House) with a 2-storey addition including a garage with a second floor above, as shown on Attachments 3 to 7.

Report Highlights

- The Owner proposes to rezone the subject lands to permit three, 3-storey street townhouse units and the restoration of a 2-storey heritage dwelling to be used as a live/work unit
- Zoning By-law Amendment and Site Development applications are required to permit the development and to remove the Holding Symbol “(H)”
- The Development Planning Department supports the approval of the development as it is consistent with the Provincial Policy Statement, 2020, conforms to A Place to Grow - Growth Plan for the Greater Golden Horseshoe, 2019, as amended, the York Region Official Plan 2010, Vaughan Official Plan 2010, the Maple Heritage Conservation District Plan and is compatible with the existing and planned land uses in the surrounding area

Recommendations

1. THAT Zoning By-law Amendment File Z.20.006 (Carlo and Mary Ammendolia) BE APPROVED, to amend Zoning By-law 1-88 to rezone the subject lands from “RM2 Multiple Residential Zone” with a Holding Symbol “(H)”, subject to site-specific Exception 9(1118), to “RT1 Residential Townhouse Zone” with the site-specific zoning exceptions identified in Table 1 of this report.
2. 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 came into effect, to permit minor adjustments to the implementing Zoning By-law.
3. THAT Site Development File DA.20.010 (Carlo and Mary Ammendolia) BE DRAFT APPROVED SUBJECT TO THE CONDITIONS of Site Plan Approval included in Attachment 1, to the satisfaction of the Development Planning Department, to permit three, 3-storey street townhouse units and the retention and restoration of a 2-storey detached heritage dwelling with a 2-storey addition including a garage with second floor above, as shown on Attachments 3 to 7.
4. THAT Vaughan Council adopt the following resolution for the allocation of water and sewage servicing capacity:

“THAT Site Plan Development File DA.20.010 be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 3 residential units (9 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’) shown on Attachment 2, are municipally known as 2291 Major Mackenzie Drive West and are located on the southeast corner of Major Mackenzie Drive West and Jackson Street. The Subject Lands are currently developed with a vacant 2-storey detached heritage dwelling fronting on Major Mackenzie Drive West with surface parking at the rear of the dwelling.

Zoning By-law Amendment and Site Development Applications have been submitted to permit the Development

Carlo and Mary Ammendolia (the ‘Owner’) have submitted the following applications (the ‘Applications’) to permit three, 3-storey street townhouse units and the retention and restoration of a 2-storey detached heritage dwelling with a 2-storey addition of a garage having a 18.2 m² second floor above (the ‘Development’), as shown on Attachments 3 to 7.

1. Zoning By-law Amendment File Z.20.006 to amend Zoning By-law 1-88 to rezone the Subject Lands from “RM2 Multiple Residential Zone” with the Holding Symbol “(H)”, subject to site-specific Exception 9(1118), to “RT1 Residential Townhouse Zone” in the manner shown on Attachment 3, together with the site-specific zoning exceptions identified in Table 1 of this report.
2. Site Development File DA.20.010 to facilitate the Development.

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

The City on June 2, 2020, circulated a Notice of a Public Meeting to all property owners within a 150 m radius of the Subject Lands. A copy of the Notice of Public Meeting was also posted on the City’s website at www.vaughan.ca and notice signs were installed along the Major Mackenzie Drive West and Jackson Street frontages in accordance with the City’s Notice Signs Procedures and Protocols.

The recommendation of the Committee of Whole to receive the Public Meeting report of June 23, 2020 and forward a comprehensive report to a future Committee of the Whole meeting was ratified by Vaughan Council on June 29, 2020.

The following individuals made deputations or written submissions prior to or at the June 23, 2020 Public Meeting:

Deputations:

- Mr. Claudio Brutto, Brutto Consulting, Edgeley Boulevard, Vaughan, representing the Owner
- Dr. Angela Mailis, Major Mackenzie Drive

Written:

- Ms. Serenella Del Peschio, (address not provided) dated June 10, 2020
- Dr. Angela Mailis, Major Mackenzie Drive Vaughan dated June 18, 2020
- Mr. Gerard Borean, Parente Borean, Barristers and Solicitors, Highway 7 Woodbridge, dated June 22, 2020

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

Density and Compatibility

- The parcel is too small to accommodate additional residential units
- Too much residential development is already in the area
- The development will not fit into the surrounding environment appropriately

Zoning exemptions

- Zoning exemptions are excessive and pose a safety risk

Traffic and on-site parking

- There is an increase of traffic on local streets
- The development is deficient in parking and will result in the increase of on-street parking adjacent to existing dwellings

Increase construction activity

- Local residents have endured construction activity in the area due to previous residential development. The Development will add more construction activity in the area
- Construction activity will exacerbate local traffic conditions

Municipal Servicing Improvement (sanitary)

- Front end sanitary upgrades were done along Gram Street. The Owner should be responsible for paying their proportionate share of the improvements and execute a cost sharing agreement with Gold Park/Cassavia prior to the lifting of the Holding Symbol "(H)"

The above comments are addressed throughout this report.

The Development Planning Department on May 21, 2021 mailed and emailed a non-statutory courtesy notice of this Committee of the Whole meeting to all individuals who made a deputation before the Committee or submitted written correspondence to the City regarding the Applications.

Previous Reports/Authority:

Previous reports related to the Subject Lands proposal can be accessed at the following links:

[June 23, 2020, Committee of the Whole \(Public Meeting\) \(Item 4, No. 28\)](#)

[Vaughan Heritage Agenda, March 24, 2021 with 2291 Major Mackenzie Drive - Item 1](#)

[2291 Major Mackenzie Drive, April 13, 2021 Heritage Vaughan \(Transmittal Report\)](#)

Analysis and Options

The Development is consistent with the Provincial Policy Statement, 2020

The Provincial Policy Statement, 2020 ("PPS") provides policy direction on matters of provincial interest related to land use planning and development. The PPS is applied province-wide and provides for appropriate development while ensuring public health and safety, and the quality of the natural and built environment are protected. The PPS also recognizes that local context and character is important. In accordance with

Section 3(5) of the *Planning Act*, all land use decisions in Ontario “shall be consistent with” the PPS.

- Section 1.1.3.2 - Land use patterns within settlement areas shall be based on densities and a mix of land uses which efficiently use land
- Section 1.1.3.3 - Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment
- 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
- 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 Development shown on Attachments 3 to 7, consists of three street townhouse units and the restoration of a heritage dwelling within a Settlement Area. This will add to the range and mix of housing types in the community and efficiently utilizes the Subject Lands. The Development will connect to existing municipal water and sanitary services, while access to the Development will be provided via the existing municipal road network (Jackson Street).

The Development will contribute additional housing in the community and provide a mix of residential uses including a live/work unit within the heritage dwelling. The Development represents a compact built form that will intensify the Subject Lands at an appropriate scale, while also ensuring the building types proposed are compatible with the existing urban environment.

The Development is within proximity to four bus routes. York Region Transit (‘YRT’) Routes 4 and 4A are local bus routes that provide service across Major Mackenzie Drive West with connections to Vaughan Mills Mall. Routes 107 and 96 serve Keele Street with connections to Pioneer Village Subway Station. Bus stops for all four routes are located roughly 100 metres east of the Subject Lands at the intersection of Keele Street and Major Mackenzie Drive West. The Development is transit supportive as required by the PPS.

The Owner has demonstrated the existing heritage dwelling, a Victorian frame house will be conserved and restored. The retention and restoration of the existing heritage dwelling combined with the street townhouse dwellings make efficient use of the Subject Lands. This will contribute to the enhancement and character of the Maple Heritage Conservation District ('MHCD') while also creating a sense of place within the community.

The Heritage Vaughan Committee ('HVC') recommended approval of the Development on March 24, 2021, and the design of the townhouses is in accordance with the MHCD Plan. Vaughan Council April 20, 2021, ratified HVC's recommendation.

Accordingly, 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, as amended (the 'Growth Plan') 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 Applications to permit townhouse dwellings and the retention and restoration of the exiting heritage dwelling are consistent with the policy framework of the Growth Plan as the built form would utilize the Subject Lands efficiently, make efficient use of existing infrastructure, and provide housing at a density that is supportive of the Growth Plan objectives, specifically:

- Section 2.2.1.2.a) - directing growth to settlement areas that have existing or planned municipal water and wastewater systems
- Section 2.2.1.4.c) - provide a diverse range and mix of housing options, including second units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes
- Section 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 and a delineated built-up area contributing to providing a mix of housing densities and unit types within the neighbourhood in accordance with Vaughan Official Plan 2010. Accordingly, the townhouse dwellings and the heritage dwelling conform to and do not conflict with the Growth Plan.

The Development conforms to the York Region 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. Section 5.0 of the YROP states that “intensification within the Urban Area will accommodate a significant portion of the planned growth in the Region.”

Section 3.4.3 of the YROP requires the need for cultural heritage resources to be conserved and protected through official plan polices. The Subject Lands are within the MHCD of the Vaughan Official Plan 2010 (‘VOP 2010’). The Development includes the retention and restoration of the heritage dwelling along Major Mackenzie Drive West. Heritage Vaughan is satisfied the Development meets the design requirements of the MHCD Plan guidelines.

Section 3.5.4 of the YROP requires that “local municipal official plans and zoning by-laws permit a mix and range of housing types, lot sizes, unit sizes, functions, tenures and levels of affordability within each community.” The Development will diversify the range of housing types and lot sizes found in the community, in the form of street townhouse units and 1 live/work unit within the existing heritage dwelling. The intensity and scale of the Development is appropriate and complements the existing urban environment.

Major Mackenzie Drive West is identified as a “Regional Rapid Transit Corridor” on Map 11 - Transit Network of YROP. Section 5.3 of the YROP requires that intensification occur in strategic locations in the built-up area to maximize efficiencies in infrastructure delivery, human services provision, and transit ridership. The Development meets these objectives by fronting on a ‘Regional Rapid Transit Corridor’ that is served by York Region Transit (‘YRT’) routes 4 and 4A, (along Major Mackenzie Drive West). The Development is also in proximity to route 107 and 96 (along Keele Street). All four bus routes provide local service throughout Vaughan and connect to key destinations including Vaughan Mills Mall and Pioneer Village Subway Station.

Section 7.2.53 of the YROP seeks to restrict vehicle access from developments onto Regional streets to maximize the efficiency of the Regional street system. This can be achieved through techniques such as suitable local street access, shared driveways, and interconnected properties. Vehicle access to the Development will be provided from a local municipal street (Jackson Street) with no additional access required from Major Mackenzie Drive West.

The Development is also within an existing urban environment that will utilize connections to existing municipal water and sanitary systems, therefore making use of pre-existing infrastructure. The live/work unit incorporated into the Development will provide additional services to the community.

In consideration of the above, the Development conforms to the YROP.

The Development conforms to the Vaughan Official Plan, 2010

The Subject Lands are designated “Low-Rise Mixed-Use” by Vaughan Official Plan (‘VOP 2010’). The “Low-Rise Mixed-Use” designation permits a maximum building height of 3-storeys and a Floor Space Index (‘FSI’) of 1.25 times the area of the lot. The Subject Lands are located within an Intensification Area, specifically a Local Centre by VOP 2010. In areas designated “Low-Rise Mixed-Use” and located in an Intensification Area, such as a Local Centre, the ground floor frontage of buildings facing an arterial street are required to predominantly consist of retail uses or other active uses that animate the street. The “Low-Rise Mixed-Use” designation requires that a minimum of 30% of the total gross floor area (‘GFA’) of all uses on the lot to consist of uses other than retail uses.

The heritage dwelling fronting on Major Mackenzie Drive West is proposed to be converted into a live/work unit that will permit a business or professional office use on the ground floor with a residential use on the remaining portion of the ground floor, 2nd floor and basement (all part of the one unit). The business or professional office use, combined with the residential use, exceeds the policy requiring a minimum of 30% of non-retail use.

The Development yields an overall FSI of 1.24 times the area of the lot, thereby meeting the FSI permitted by the “Low-Rise Mixed-Use” designation. The density reflects the land conveyance that is required for York Region to facilitate improvements planned along the Major Mackenzie Drive West corridor.

The Subject Lands are located within a Local Centre. Policy 2.2.5.7 of VOP 2010 further identifies that a Local Centre shall be planned in the following manner:

- be designed and developed to implement appropriate transition of intensity and use to surrounding neighbourhoods
- be predominantly residential in character but include a mix of uses
- be the focal points for expression of community heritage and character
- be the preferred location for locally delivered human and community services
- develop at densities supportive of planned or potential public transit
- encourage a pedestrian-friendly built form by locating active uses at grade

The Development contributes to these policy objectives as it is in proximity to transit, will contribute to creating a pedestrian-friendly realm along Major Mackenzie Drive West by providing improvements along the right-of-way, offer potential services through the uses that will be permitted in the live/work unit and providing an appropriate scale of development, respectful of the surrounding environment.

The Development is subject to Policy 9.2.3.2 of VOP 2010, as amended by Official Plan Amendment 15 (‘OPA 15’). Policies 9.2.3.2 a), c) and d) provide the following development criteria for townhouses:

- 3-storeys in height and part of a row of at least three but no more than six attached residential units
- 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
- Townhouses shall generally front onto a public street. Where a townhouse end unit does not front a public street but flanks a public street, the flanking unit(s) shall provide a front-yard and front-door entrance facing the public street

The Development conforms to the criteria outlined above. The street townhouses are 3-storeys in height and will connect to a restored heritage dwelling forming a townhouse row of 4 units. The scale and massing has been designed to reinforce the existing built form present within the community. This includes existing townhouse (live/work units) to the north and east, townhouses to the south and a 2-storey commercial building to the west. The Development will front onto a local street network (Jackson Street) however the live/work unit will front onto Major Mackenzie Drive West.

The existing heritage dwelling (live/work unit) entrance will remain on Major Mackenzie Drive West to ensure animation of the street and consistency with existing entrances along Major Mackenzie Drive West. The Development conforms to the “Low-Rise Mixed-Use” policies of the VOP 2010.

The Development was recommended for approval by the Heritage Vaughan Committee

The Subject Lands are located within the “Commercial Core” 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 contain a Victorian style 2-storey dwelling that was known as the ‘Jackson’s House’. The Owner seeks to maintain the existing heritage dwelling with substantial restoration and repair to retain the core heritage attributes identified in the MHCD Plan Inventory. The improvement will create a greater visual presence from the public realm and provide greater prominence on the Subject Lands.

The proposal also includes an attached garage that will be constructed as part of the adaptive reuse of the building and an 18.12 m² expansion on the second floor. The planned retention and adaptive reuse of the existing heritage dwelling, combined with new infill development connected to the heritage dwelling, is compatible with the MHCD Plan.

The HVC initially considered the Development on February 17, 2021 but deferred the application to enable the Owner to make revisions to the western exterior façade elevation. The revised elevations were received and reviewed by HVC at the March 24, 2021 meeting. Subsequently, the HVC recommended approval of the February 17, 2021 report with the added condition that included the revised elevations presented in March 2021.

The recommendations of the HVC were then considered by the Committee of the Whole ('CW') on April 13, 2021 and the recommendations of the original February 17, 2021 staff report and additional conditions concerning the revised elevations of March 24, 2021 were together ratified by Council on April 20, 2021.

The Development conforms to the MHCD Plan.

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

The Subject Lands are zoned "RM2 Multiple Residential Zone" with a Holding Symbol "(H)" by Zoning By-law 1-88, subject to site-specific Exception 9(1118). This zoning does not permit the Development. The Owner proposes to rezone the Subject Lands to "RT1 Residential Townhouse Zone", without the holding Symbol "(H)" together with the following site-specific zoning exceptions identified in Table 1 below:

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 "Live/Work Unit" | A Live-Work Unit is not defined in Zoning By-law 1-88 | Means a dwelling containing an ancillary business on the ground floor, operated by at least one individual living in the dwelling unit and which occupies at least 30% of the ground floor area of the live/work unit, and shall be limited to a Business or Professional Office, excluding the Office of a Regulated Health Professional and Veterinarian |
| b. | Definition of "Lot Line, Front" | Means the front lot line shall be Major Mackenzie Drive West | The front lot line shall be deemed to be Jackson Street |
| c. | Permitted Uses | Street Townhouse Dwelling | Permit a Live/work unit within the existing heritage dwelling only as an additional use |
| d. | Minimum Lot Area | 162 m ² | 102.3 m ² (Existing Heritage Dwelling and Units 1-3) |
| e. | Minimum Lot Depth | 27 m | 16.7 m (Existing Heritage Dwelling and Units 1-3) |
| f. | Minimum Front Yard | 4.5 m | 4 m |

| | Zoning By-law 1-88 Standard | RT1 Residential Townhouse Zone Requirements | Proposed Exceptions to the RT1 Residential Townhouse Zone Requirements |
|----|---|---|--|
| g. | Maximum Building Height | 11 m | 11.14 m (Units 1-3) |
| h. | Minimum Exterior Side Yard | 4.5 m | 0.4 m (Major Mackenzie Drive West - Existing Heritage Dwelling) |
| i. | Minimum Rear Yard | 7.5 m | 1.2 m (Existing Heritage Dwelling and Units 1-3) |
| j. | Maximum Interior Garage Width for Lots Less Than 11 m in Width | 3 m | 3.1 m (Units 1-3) |
| k. | Minimum Interior Garage Width for Lots 12 m to 17.99 m Frontage | 5.5 m | 3.47 m (Existing Heritage Dwelling) |
| l. | Minimum Parking Requirements | <u>Street Townhouse Units</u> 2 spaces/unit x 3 units = 6 spaces <u>Heritage Dwelling (live/work) Unit</u> Residential = 2 spaces Business or Professional Office 35 m ² @ 3.5 spaces/100m ² of GFA = 1 space Total parking required = 9 parking spaces | <u>Street Townhouse Units</u> 2 space/unit x 3 units = 6 spaces <u>Heritage Dwelling (live/work) Unit</u> Residential = 1 space Business or Professional Office = 1 space Total parking proposed = 8 parking spaces |
| m. | Minimum Landscape Area | For lots with a frontage between 6 m to 11.99 m - a minimum of 33% landscaped front or exterior side yard and a minimum sixty percent (60%) of the minimum landscaped front or exterior side yard shall be soft landscaping | Minimum of 30% of the Landscaped in the Front or Exterior Yard shall be composed of soft landscaping |

| | Zoning By-law 1-88 Standard | RT1 Residential Townhouse Zone Requirements | Proposed Exceptions to the RT1 Residential Townhouse Zone Requirements |
|--|------------------------------------|---|---|
| | | The lots with a frontage of 12 m and greater - a minimum 50% landscaped front or exterior side yard and a minimum sixty percent (60%) of the minimum landscaped front or exterior side yard shall be soft landscaping | |

The Development Planning Department can support the proposed zoning exceptions identified in Table 1 for the following reasons:

Setbacks, lot depth, lot area

The heritage dwelling and street townhouse units will have reduced setbacks, lot depth and lot area. The proposed zoning standards are comparable to the zoning standards approved for the adjacent townhouse development, where the townhouse development has been developed to achieve an urban built form along Major Mackenzie Drive West. The heritage dwelling predates the setback requirements of Zoning By-law 1-88 and reflects the existing conditions. The proposed development standards will assist in facilitating a compact street-oriented built form that is compatible with the surrounding area, consistent with the policies of the PPS, the Growth Plan and YROP, maintains the intent of VOP 2010 and complies with the MHCD Plan.

Parking

The Owner is providing two parking spaces per dwelling unit. Pursuant to Section 3.8 of Zoning By-law 1-88, one additional parking space is required for the proposed office or professional use within the live/work unit. The Development requires a total of 9 parking spaces, whereas 8 parking spaces are provided. The uses that will be permitted in the live/work unit are considered less parking reliant and will result in a marginal deficiency (1 parking space). Furthermore, the Development is in proximity to transit and fronts onto an established pedestrian oriented realm where alternative modes of transportation (active transportation) are encouraged and planned.

Landscape

Soft landscaping has been reduced around the periphery of the Subject Lands; however, additional landscaping is provided within the York Region right-of-way along with styled unit pavers throughout the Development. The proposed landscaping will be in keeping with the existing streetscape and will maintain design continuity throughout the public realm and within the Development.

The requested zoning exceptions identified in Table 1 would facilitate local infill that is consistent with the character of the area and current zoning standards in the

surrounding community. The compact built form of the Development will provide for a mix of housing types that is compatible with the community. In consideration of the above, the Development Planning Department is satisfied that the proposed zone categories and the site-specific zoning exceptions to the “RT1 Residential Townhouse Zone” are appropriate and maintain the intent of the “Low-Rise Mixed-Use” designation of VOP 2010.

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 Owner has satisfied the conditions required to remove the Holding Symbol “(H)” from the Subject Lands

The Subject Lands are zoned “RM2 Multiple Residential Zone” with the Holding Symbol “(H)” by Zoning By-law 1-88, subject to site-specific Exception 9(1118). Exception 9(1118) states that a By-law to remove the Holding Symbol “(H)” from the Subject Lands shall not be enacted until such time as the following conditions have been satisfied:

- i. Site Plan Agreement(s) for the development of all or part of the Subject Lands has been registered;
- ii. Servicing capacity is allocated to the Subject Lands by Council; and
- iii. the preservation of the Heritage building located on the Subject Lands is addressed to the satisfaction of the City of Vaughan.

The Subject Lands were zoned with the Holding Symbol “(H)” as part of Official Plan and Zoning By-law Amendment Files OP.01.001 and Z.01.004 (G. D’Orio et al) to permit a mixed-use commercial/residential development (68 residential dwelling units and 1,666m² commercial space) on the adjacent lands to the immediate south and east including the Subject Lands approved by the Committee of the Whole on June 4, 2001.

Council on June 25, 2001, enacted By-law 282-2001, thereby effectively zoning the entirety of the lands with the Holding Symbol “(H)” based on the requirements identified in the June 4, 2001, Committee of the Whole Report.

Gold Park (Woodbridge) Inc. satisfied the conditions of the Holding Symbol “(H)” and Council on September 9, 2014, passed By-law 149-2014 removing the Holding Symbol “(H)” on the adjacent lands. The Subject Lands did not form part of the Gold Park (Woodbridge) Inc. development and therefore the Holding Symbol “(H)” remained in effect on the Subject Lands by By-law 282-2001.

The Development Planning Department recommends the Holding Symbol “(H)” be removed from the Subject Lands as the conditions of the Holding Symbol “(H)” were conditions of a previous development approval on the Subject Lands. In addition, the conditions of the Holding Symbol “(H)” have been satisfied for the Development as follows:

- The DE Department has confirmed sufficient servicing capacity is now available for the Development through sanitary capacity upgrades, and the allocation of water and sanitary services through Vaughan Council;
- The execution of a Site Plan Agreement will be required, and is a condition of approval; and
- The Development has received approval by the HVC, as discussed previously within the HVC section of this report.

Therefore, the Subject Lands can be zoned without the Holding Symbol “(H)”.

The Development Planning Department has no objection to the Development, subject to the conditions in Attachment 1

Site Plan

The Development includes three, 3-storey street townhouse units and one heritage dwelling to be converted to a live/work unit, as shown on Attachments 3 to 7. Two (2) parking spaces will be provided for each street townhouse unit and the attached heritage dwelling. Access for each townhouse unit will be provided from Jackson Street. The heritage dwelling will have direct pedestrian access from Major Mackenzie Drive West. Amenity space for the street townhouses will be provided by rooftop patio and ground level rear patios. The heritage dwelling will also consist of deck space along the east side of the dwelling. Air condition units for the townhouse units will be considered on the rooftop patio where it will adequately be screened from public viewing. Final location of air conditioning units if on the must be located in the rear or side yards and will not be permitted in the front yard.

Landscape Plan

The proposed landscape plan is shown on Attachment 4 and consists of a variety of deciduous trees, coniferous shrubs, perennials, and grass. Hard landscaping in the form of unit pavers have also been incorporated into the landscape design. The frontage along Major Mackenzie Drive West has also been landscaped to align with improvements planned for the corridor.

The Subject Lands are located within the Maple Streetscape and Urban Design Guidelines (‘MSUDG’) Study Area. Accordingly, the MSUDG directs that sites fronting

onto Major Mackenzie Drive West incorporate brick paving patterns that complement the improved streetscape layout envisioned for the Major Mackenzie Drive West right-of-way. The Development will include unit pavers that will match or resemble what is planned within the Major Mackenzie Drive West right of way. To ensure compatibility, 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.

Should the Applications be approved, the Site Plan Agreement will also include a clause requiring the Owner to provide a one-time payment of \$18,862.40 to the City of Vaughan for the long-term maintenance of the enhanced landscape features within the Major Mackenzie Drive West 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

The building elevations shown on Attachments 5 to 6, consist of gable-roof street townhouse units with an incorporated roof deck amenity space. The street townhouse elevations include stone windowsill, red brick, Exterior Insulation and Finish Systems 'EIFS' (Stair Wall and Trim, Exterior canopy foam shaped molding and finishes), asphalt shingles and bricks soldier course and header to create distinction in the exterior façade. By combining brick, and stone in the townhouse addition, the connection between the heritage dwelling and the townhouse addition is strengthened and will create continuity throughout the Development while still keeping an element of distinction between the new and existing structures.

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 Attachment 1 of this report.

Cultural Heritage

The Subject Lands include a 2-storey heritage dwelling that will be restored and used as a live/work unit. The restoration and expansion of the heritage dwelling conforms to the MHCD Plan. Vaughan Council on April 20, 2021 approved the recommendation of Heritage Vaughan to approve the proposed restoration and expansion of the heritage dwelling connected to the three street townhouse units. The Cultural Heritage Division recommends the following standard heritage clauses be included in the Site Plan Agreement for the Subject Lands:

- i. Should archaeological resources be found on the property during construction activities, all work must cease and both the Ontario Ministry of Heritage, Sport, Tourism and Cultural Industries, and the City of Vaughan's Development Planning Department, Urban Design and Cultural Heritage Division shall be notified immediately; and

- ii. In the event that human remains are encountered during construction activities, the proponent must immediately cease all construction activities. The Owner shall contact the York Regional Police Department, the Regional Coroner, and the Bereavement Authority of Ontario.

A condition to this affect is included in Attachment 1 of this report.

Sustainability Performance Metrics

The Development achieves an overall Sustainability Performance Metrics application score of 37 points (bronze level). This score meets the City's minimum threshold requirements.

The Development Engineering Department has no objection to the Development, subject to the Conditions of Approval

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

Water Servicing

The townhouse units will have a water service connection in accordance with City standards. The existing heritage dwelling will be serviced via an existing water service connection to the dwelling. All service connections for the Development will be to the existing watermain on Jackson Street.

Sanitary Sewer

The capacity of the receiving municipal sewer will be reduced by 0.9% due to the increase in residential density on the Subject Lands, which can be considered a negligible amount.

The existing sanitary serving the heritage dwelling will remain and continue to serve the live/work unit. New sanitary sewer servicing lines are proposed to serve the townhouse units. The new servicing lines shall be completed concurrently to minimize road cuts in the street.

Storm Servicing and Storm Water Management

The Subject Lands currently drain towards Jackson Street and this condition will remain. In addition, the rear yards of the lots will drain south into a catch basin and outlet into the Jackson Street storm sewer. The Subject Lands are less than 1 hectare in area, therefore water quality treatment is not required in accordance with wet weather flow guidelines.

Sewage and Water Allocation

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

Accordingly, servicing capacity for Site Development File DA.20.010 is available and unrestricted. Servicing capacity shall be reserved for 3 dwelling units (9 persons equivalent). The existing heritage dwelling was pre-serviced with a water and sanitary

service connection and does not need new service allocations. A resolution to allocate servicing capacity for the rest of Site Plan Development File DA.20.010 is included in the Recommendations of this report.

Request for Cost-Sharing for Gram Street Sewer Upgrades

The DE Department has reviewed a request from Gold Park/Cassavia (a neighbouring landowner) to include a condition within the requisite Site Plan Agreement for the Site Development application, requiring the Owner to enter into a cost-sharing agreement with Gold Park/ Cassavia. They are seeking the Owner pay their proportionate share of sewer upgrades that previously occurred along Gram Street.

The DE Department has reviewed this request and concluded that under the existing agreement for the adjacent development, the terms of cost-sharing for the 'Gram Street Sanitary Sewer Upsizing' (last 2 legs of sewer on Gram Street) were implemented, however, there was no mechanism (best efforts clause or otherwise) for the City to impose development conditions on other development applications, as requested by Gold Park/Cassavia. Accordingly, DE Department do not support the request.

Transportation and Parking

Development Transportation Engineering has reviewed the Applications and supports the Development. The Development provides 8 parking spaces, whereas Zoning By-law 1-88 requires 9 parking spaces. The parking deficiency is minor and will not adversely impact the surrounding road network or on-street parking in the area. Development Transportation Engineering is satisfied with the planned parking capacity for the Subject Lands and have no concerns with the one parking space deficiency.

Environmental

The Owner submitted a Phase One Environmental Site Assessment (ESA), prepared by Nextrans Consulting Engineers dated September 29, 2020, and revised January 18, 2021. The Phase One ESA did not identify any areas of potential concern or recommend that a Phase Two ESA be completed on the Subject Lands. A reliance letter for this report was provided to the City, in accordance with City standards and was considered acceptable by the DE Department.

Noise Feasibility Study

An Environmental Noise Feasibility Study prepared by Valcoustics Canada Ltd., dated December 11, 2019, was submitted in support of the Applications and the DE Department has no further comments and is satisfied with the study. The DE Department request that warning clauses must be included in all Offers of Purchase and Sale or Lease for all lots/units and to the satisfaction of the City. A condition to this effect is included in Attachment 1 of this Report.

Prior to execution of the Site Plan Agreement, the final Functional Servicing and Stormwater Management Report, Noise Report and accompanying engineering drawings shall be to the satisfaction of the DE Department. A condition to this effect is included in Attachment 1 of this report.

The Financial Planning and Development Finance Department have no objection to the Development

The Owner will be required to pay any applicable Development Charges in accordance with the Development Charges By-law of the City of Vaughan, Region of York, York Region District School Board and York Catholic District School Boards. A condition requiring the payment of Development Charges is included as a standard condition in the Site Plan Agreement.

Fire and Rescue Services has no objection to the Development

Vaughan Fire and Rescue Service supports the Development subject to the Owner satisfying all Building Code requirements and providing a minimum level of fire safety and protection at the building construction stage of development.

The Toronto and Region Conservation Authority has no objection to the Development

The Development is within a Source Water Protection vulnerable area referred to as Wellhead Protection Area-Q2 (“WHPA-Q2”) and is subject to the Credit Valley, Toronto and Region and Central Lake Ontario (“CTC”) Source Protection Plan water quality recharge policy. The TRCA has no objection to the approval of the Development and is satisfied with the Water Balance Assessment. The Owner is to carry out or cause to be carried out, a water balance mitigation strategy as described in the Functional Servicing and Stormwater Management Report, prepared by Nextrans Consulting. A condition to this effect is included in Attachment 1 .

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

The Solid Waste Management division have no objection to the Development provided that waste bins are stored within private garages for each residential unit.

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

The Owner shall pay to Vaughan by way of a certified cheque(s), cash-in-lieu of the dedication of parkland equivalent to 5% of the value of the Subject Lands, prior to the issuance of a Building Permit, in accordance with the *Planning Act* and the City’s Cash-in-lieu of Parkland 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 Infrastructure Development Real Estate Department and the approved appraisal shall form the basis of the cash-in-lieu payment. A condition to this effect is included in Attachment 1 of this report.

The School Boards have no objection to the Development

The York Region District School Board and York Region Catholic School Board have no comments or concerns with respect to the Development and require no conditions. No comments were received from the Conseil Scolaire de District Catholique Centre Sud.

The Owner is required to provide a Community Mailbox to the satisfaction of Canada Post

The Owner is required to work with Canada Post in providing a suitable permanent location for a community mailbox. A condition to this effect is included in Attachment 1 of this report

HydroOne, Rogers Communication Inc., Enbridge Gas Distribution Inc., Alectra Utilities Corporation have no objection

HydroOne, Rogers Communication Inc., Enbridge Gas Distribution and Alectra Utilities Corporation have no objection to the Development.

Financial Impact

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

Broader Regional Impacts/Considerations

York Region has reviewed the Zoning By-law Amendment and Site Development Applications and has no objection to their approval. The Owner is required to satisfy all requirements of York Region. A condition to this effect is included in Attachment 1.

Conclusion

The Development Planning Department is of the opinion that the Development is appropriate and compatible with the existing and permitted uses of the surrounding area. The Applications would facilitate development consistent with the PPS, conform to the Growth Plan and the York Region Official Plan. The Development is permitted by VOP 2010. On this basis, the Development Planning Department can support the approval of the Applications subject to the Recommendations in this report, and the Conditions set out in Attachment 1.

For more information, please contact: OluwaKemi Apanisile, Planner, Development Planning Department, Extension. 8210

Attachments

1. Conditions of Site Plan Approval
2. Context and Location Map
3. Site Plan and Proposed Zoning
4. Landscape Plan
5. Building Elevations - North and West
6. Building Elevations - South and East
7. Rendered Perspective

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Planning and Growth Management

Reviewed by



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