

**COMMITTEE OF THE WHOLE JANUARY 20, 2003**

**SITE DEVELOPMENT APPLICATION DA.01.037  
9519 KEELE STREET INC.  
REPORT #P.1999.44**

**Recommendation**

The Commissioner of Planning recommends:

THAT Site Development Application DA.01.037 (9519 Keele Street Inc.) BE APPROVED, subject to the following conditions:

1.
  - i) the final site plan, elevations and landscape plans shall be to the satisfaction of the Community Planning and Urban Design Departments;
  - ii) the final site servicing, grading and stormwater management plans shall be to the satisfaction of the Engineering Department;
  - iii) the comments of the Maple Streetscape Advisory Committee and Heritage Vaughan shall be addressed to the satisfaction of the Urban Design Department;
  - iv) the Owner shall satisfy the requirements of the Fire Department and Vaughan Hydro;
  - v) the Owner shall satisfy the requirements of the Toronto and Region Conservation Authority; and
  - vi) prior to the execution of the site plan agreement:
    - a) the Owner shall submit a marketing plan for the proposed development to ensure a bona-fide seniors/adult lifestyle status;
    - b) the site plan shall illustrate the location of tenant and visitor parking and information provided describing how on-site parking will be controlled; and
    - c) the Owner shall demonstrate how the significance of the McNeil House has been reflected into the project, to the satisfaction of the Cultural Services Department.
  - vii) that the site plan agreement require that prior to the issuance of a building or foundation permit, the applicant shall submit the following:
    - a report describing the results of the Verification Program following site clean-up; and
    - a Record of Site Condition acknowledged by a Provincial Officer of the Ministry of the Environment.
2. The Owner shall pay cash-in-lieu of parkland prior to the issuance of a building permit, in accordance with the Planning Act and to the satisfaction of the City of Vaughan.

**Purpose**

On September 19, 2002, the Owner submitted a revised site plan application for a three-storey, 100-unit seniors' condominium building. The Committee of the Whole approved a site plan for this site, subject to several conditions, on April 8, 2002. The site has since been sold and the new owner is proposing changes to the approved plan. Pertinent site statistics of the revised plan are as follows:

Total Number of Units	100
Total Site Area	1.14 ha

Total Gross Floor Area	11, 980m <sup>2</sup>
Proposed Parking	155 spaces (including 146 underground and 9 surface spaces)

### **Background - Analysis and Options**

The site is located at the northeast corner of Keele Street and Fieldgate Drive, being Part of Lot 17, Concession 3, City of Vaughan. The site is designated "Office Commercial" by OPA 350 (Maple Community Plan) and zoned RA2 Apartment Residential Zone, subject to site-specific By-law 442-2000 (Exception 9(1098)).

The 1.14 ha vacant site slopes downward from Keele Street easterly towards the valley, with some mature and smaller trees. The surrounding land uses are:

- North - residential (R3 Residential Zone)
- South - Fieldgate Drive; commercial plaza (C1 Commercial Zone) and residential (R3 Residential Zone)
- East - valley land (OS1 Zone) and existing residential (R3 Residential Zone)
- West - Keele Street; park (OS2 Zone) and residential (R3 Residential Zone)

OPA 350, as amended by OPA 533 (Maple Focused Review), permits "housing suitable for senior citizens" without an amendment to the Official Plan, subject to meeting certain criteria, including compatibility, traffic, servicing and amenity area. Subject to the recommendations in this report, the plan conforms to the Official Plan.

On September 20, 2002, the revised plan was circulated to the Maple Village Ratepayers Association. On October 21, 2002, the Association provided the following comments;

- all balconies must be recessed;
- concerns with the amenities that would be found in a mass market building (i.e tennis court); and,
- concerns with the possible alignment of Dina Road with the driveway of the building.

These comments have been taken into consideration in the review and requirements of the site plan. On January 9, 2003, a notice of this Committee of the Whole meeting was sent to those individuals on file having expressed interest.

### **Ontario Municipal Board**

The Ontario Municipal Board refused an appeal by the Owner, of Council's refusal decision (Order No. 0031 issued on January 11, 2000), citing that the proposed development did not meet the intent of the Official Plan and was not compatible with the adjacent residential development. However, the decision stated that the site is suitable for seniors' housing, but not at the density originally proposed, and that the decision is not a bar to a revised application being presented to the City.

The Owner filed a Notice of Motion for Leave to Appeal to the Ontario Supreme Court Justice (Divisional Court) and an appeal to the OMB to have its decision reviewed. In addition, the Owner filed a revised zoning amendment application for a three-storey, 100-unit seniors' residential condominium. The OMB allowed the Owner's motion for a review of its decision and ordered the hearing be reopened on July 19, 2000. On July 10, 2000, Council adopted a motion informing the OMB that it would support a maximum of 100 units.

On August 17, 2000, the OMB issued its decision (Order No. 1189) approving the proposed 100-unit seniors' residential condominium. The Board's decision includes an implementing zoning by-law, which was enacted by Council on December 18, 2000 as By-law 442-2000. However, the Board Order, on agreement by all parties, will not be issued until the site plan is finalized.

On July 10, 2002, the OMB considered and approved a request by the applicant to review the Board's decision of August 17, 2000, and reduce the total number of on-site parking spaces from 175 to 155.

### Site Plan

The site plan (Attachment 2) consists of a three-storey "H"-shaped building, with the two main blocks configured in a north/south direction parallel to Keele Street. The west block is set back approximately 7.8m from the Keele Street property line, except for the main entrance, which has a reduced setback of 3.5m; the building is also setback 25m from the northerly property line abutting residential rear yards. The east block is separated from the residential development to the east by a valley system. The two blocks are connected at the south end, along Fieldgate Drive, opposite the commercial development.

The building design includes common amenity areas such as party, exercise and billiard rooms, and a library. A landscaped courtyard between the two buildings and a tennis court located in the northeast corner of the site provide the primary outdoor amenity area for the development.

Pedestrian access to the complex is provided from both Keele Street and Fieldgate Drive. The sidewalk along both streets will be extended to provide a clear pedestrian path to each entrance. The units facing Keele Street and Fieldgate Drive will have direct access from the street. All vehicular access is from Fieldgate Drive, leading to the underground and surface level parking.

### Elevations

The Keele Street elevation is three storeys in height, as shown on Attachment 3. The site slopes downward to the east and consequently, the Fieldgate Drive and east (valley) elevations have a four-storey appearance. Originally, the bottom floor of the east elevation was intended to be the wall of the underground parking lot. The revised plan includes seven units in the lower level of the building with walkout to private yard facing the valley. As a result of these units in the lower level, the building is considered to be four storeys in height under the City's Zoning By-law. The Committee of Adjustment has approved a variance to permit dwelling units in the lower level.

The revised elevations include exterior finishing materials consisting primarily of brick, stone and glass. Entrances to the ground floor units are proposed directly from Keele Street, thereby creating a direct relationship to the street.

Heritage Vaughan reviewed the revised proposal on June 19, 2002 and advised that they have no objection to the proposed elevations. Heritage Vaughan requested that the applicant ensure an appropriate heritage colour scheme for the exterior building materials is used, and that the applicant give consideration to reflecting the significance of the McNeil House in some way.

The Maple Streetscape Community Advisory Committee (MSCAC) reviewed the proposal on September 25, 2002 and supports the proposal subject to the following comments:

- That the single garage door be replaced with two doors to allow a separate entrance and exit;
- That the glass balcony railings be replaced with wrought iron or a combination thereof;

- That the landscaping treatment being applied at the northeast corner of Keele Street and Fieldgate Drive employ the Maple Streetscape Design Standards, and that the owner of the development pay for the treatment;
- That the feasibility of landscaping and self irrigating the centre median on Fieldgate Drive at the intersection of Keele Street be investigated; and
- That the Region of York be consulted prior to implementation of the foregoing, with respect to the site triangle, and the location and height of the landscape treatment.”

#### Urban Design Department

The Urban Design Department has reviewed the application and advised that staff is satisfied that the condominium proposal meets the objectives of the Maple Streetscape and Urban Design Guidelines, including site planning aspects. Staff has some minor refinements to the elevations that need to be discussed with the applicant to address comments from the Maple Streetscape Committee.

Staff has advised that a landscape cost estimate is required, which includes the streetscaping elements as required by the Maple Streetscape Master Plan and Urban Design Guidelines.

In its decision, the Ontario Municipal Board recommended that the landscaping along the east side of the property be enhanced. This request was made to screen the concrete wall of the parking garage, which faced the valley. However, the plan has been modified to provide a lower level of residential units facing the valley, which enhances the elevation. Appropriate landscaping will be required to the satisfaction of the Urban Design Department

The final plan must be revised to the satisfaction of the Urban Design Department and Heritage Vaughan.

#### Zoning

By-law 442-2000 was drafted on the basis of an earlier iteration of the site plan. The building location has been revised and projects slightly beyond the building envelope along Fieldgate Drive. The revised Keele Street main entrance also projects beyond the prescribed building envelope. The Building Standards Department has identified other zoning issues (i.e maximum number of storeys, setbacks to the OS1 Open Space Zone, and setback for the temporary sales trailer). A minor variance application (File A414/02) for these zoning matters was considered and approved by the Committee on December 12, 2002.

#### Parking

The OMB approved the revised by-law for the subject lands, which includes a requirement for a minimum of 155 parking spaces for a 100-unit development. By-law 1-88 includes a parking standard for a “senior citizen’s dwelling” of 1 space per unit, with no additional parking for visitors.

The revised plan shows 155 parking spaces, consisting of 146 underground tenant parking spaces and 9 surface level parking spaces. The OMB Order requires that 25 of the required 155 parking spaces be devoted for visitor use. The plans do not indicate how the tenant and visitor parking will be allocated on the site, and should be amended to provide this information.

#### Occupancy

The City does not have the authority to place restrictions ensuring that the development is occupied by senior citizens of a certain age. Realistically, this can be achieved through the marketing and design of the project.

The applicant has submitted information identifying that the target market for this development is the adult looking for an “active adult” community lifestyle. The applicant has erected a sign on the property advertising an impending adult lifestyle development, which would encompass a broad cross-section, including empty-nesters and early retirees. The amenity areas proposed for the development include a lounge, party room, billiard room, exercise pool, gym, sauna, tennis court and an outdoor passive amenity area.

Staff accepts the notion that the seniors market extends beyond the traditional definition of individuals beyond the age of 65. The amenities proposed (i.e tennis courts, billiard rooms, pool etc.) appear to be catering to a more active and younger seniors market. The original approvals for this development were predicated on a more traditional seniors’ development. For example, at the Ontario Municipal Board hearing, the applicant’s traffic consultant used more traditional seniors developments (i.e Villa Giardino, Famee Frulane) as a basis for the reduced parking standards provided for in this development. The original plans also included amenity areas such as a bocce court and a chapel.

Staff is satisfied that the design of the project, which includes one and two bedroom units ranging between approximately 80m<sup>2</sup> to 114m<sup>2</sup> (860 - 1220m<sup>2</sup>), the limited parking capacity, and the lack of children’s facilities, will cater to a mature adult or seniors market. The key to ensuring that this development will target the “active adult” lifestyle market lies in the marketing of the project. Prior to execution of the site plan agreement, Staff recommends that a more developed marketing plan be submitted for review, to enhance the previously submitted two-page brief, identifying the target market.

#### Toronto and Region Conservation Authority (TRCA)

The TRCA has reviewed the application and has provided comments with respect to some of the plant material identified on the proposed landscape plan. The authority has also advised that since the covered porches for the units facing the valley encroach into the 10m set back from the Open Space Zone, appropriate compensatory landscaping must be completed in the valley. A condition of approval requires TRCA comments to be reviewed on the final site plan has been included.

#### Noise

The proposed development includes residential units abutting Keele Street; accordingly, the Owner has submitted a noise study, which has been approved by the Engineering Department.

#### Phase 1 Environmental Report

The Owner has submitted the appropriate environmental reports, which have been peer reviewed and approved.

The peer review consultant has recommended two clauses to be included in the site plan agreement relating to the production of a Verification Program and Record of Site Condition. A condition of approval has been included in this report.

#### Services and Utilities

The Owner has submitted site servicing and grading plans, which must be reviewed and approved by the City’s Engineering Department. Vaughan Hydro has provided several standard requirements comments, which must be met. Canada Post has advised that the Owner will be required to install and maintain a centralized mail facility. The proposed garbage storage area is located in the building, which is satisfactory.

## **Conclusion**

The Ontario Municipal Board approved a zoning amendment application to permit a three-storey, 100-unit seniors' condominium building, subject to site plan approval. The subject property has changed ownership, and new plans have been submitted for the City's review and approval. Staff has reviewed the revised site plan application in accordance with the policies of the Official Plan and the Maple Streetscape and Urban Design Guidelines. Subject to the comments in this report, Staff find the site plan and elevations to be satisfactory and maintain the intent of the applicable policies, guidelines and zoning by-law. Minor revisions to the site plan and elevations may be required to address certain comments in this report. However, subject to the conditions set out in the Recommendation of this report, Staff can recommend approval of this application.

Should the Committee concur, the recommendation in this report can be adopted.

## **Attachments**

1. Location Map
2. Site Plan
3. & 4. Elevations

## **Report prepared by:**

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Respectfully submitted,

MICHAEL DeANGELIS  
Commissioner of Planning

JOANNE R. ARBOUR  
Director of Community Planning

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# Location Map

Part Lot 17,  
Concession 3

APPLICANT:  
9519 KEELE STREET INC.

# City of Vaughan

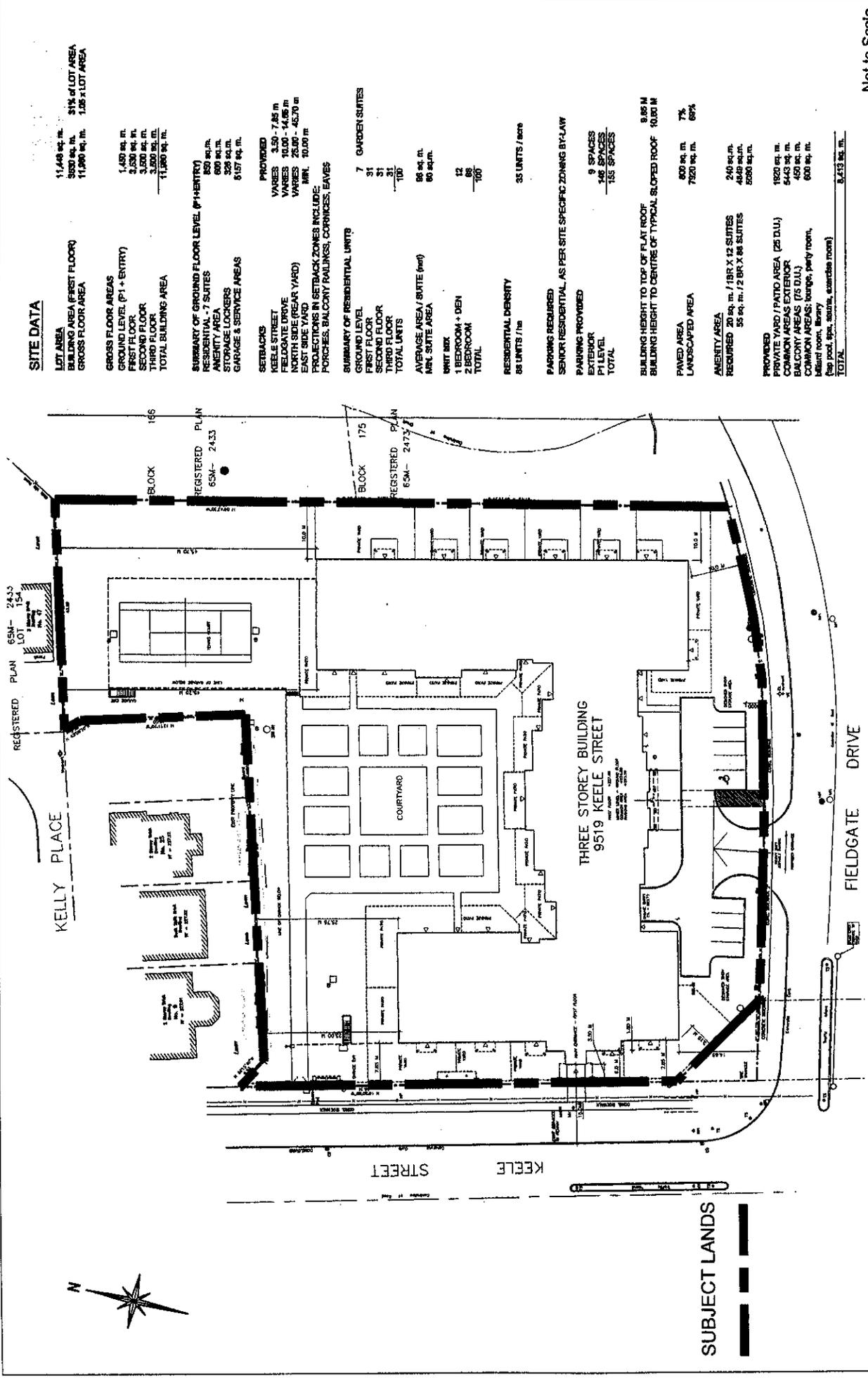
Community Planning Department

# Attachment

FILE No.:  
DA.01.037  
RELATED FILE No.:  
Z.00.041

December 17, 2002





**SITE DATA**

LOT AREA 11,448 sq. ft.  
 BUILDING AREA (FIRST FLOOR) 3,520 sq. ft.  
 GROSS FLOOR AREA 11,280 sq. ft. 91% of LOT AREA  
 1.05 x LOT AREA

GROSS FLOOR AREAS  
 GROUND LEVEL (P1 + ENTRY) 1,490 sq. ft.  
 FIRST FLOOR 3,520 sq. ft.  
 SECOND FLOOR 3,520 sq. ft.  
 THIRD FLOOR 3,520 sq. ft.  
 TOTAL BUILDING AREA 11,280 sq. ft.

SUBMARY OF GROUND FLOOR LEVEL (P1 + ENTRY)  
 RESIDENTIAL - 7 SUITES 620 sq. ft.  
 AMENITY AREA 620 sq. ft.  
 STORAGE LOCKERS 328 sq. ft.  
 GARAGE & SERVICE AREAS 6,157 sq. ft.

SETBACKS  
 KEEL STREET 3.50 - 7.85 m  
 FIELDGATE DRIVE 1.50 - 4.50 m  
 NORTH SIDE (REAR YARD) VARIES 25.00 - 45.70 m  
 EAST SIDE YARD MIN. 10.00 m

PROJECTIONS IN SETBACK ZONES INCLUDE:  
 PORCHES, BALCONY RAILINGS, CORNICES, EAVES

SUMMARY OF RESIDENTIAL UNITS  
 GROUND LEVEL 7 GARDEN SUITES  
 FIRST FLOOR 31  
 SECOND FLOOR 31  
 THIRD FLOOR 31  
 TOTAL UNITS 100

AVERAGE AREA / SUITE (net)  
 88 sq. ft.  
 80 sq. ft.

UNIT MIX  
 1 BEDROOM + DEN 12  
 2 BEDROOM 88  
 TOTAL 100

RESIDENTIAL DENSITY  
 88 UNITS / ha  
 35 UNITS / acre

PARKING REQUIRED  
 SENIOR RESIDENTIAL, AS PER SITE SPECIFIC ZONING BY-LAW  
 PARKING PROVIDED  
 EXTERIOR 9 SPACES  
 P1 LEVEL 148 SPACES  
 TOTAL 155 SPACES

BUILDING HEIGHT TO TOP OF FLAT ROOF 8.85 m  
 BUILDING HEIGHT TO CENTRE OF TYPICAL SLOPED ROOF 10.80 m

PAVED AREA 600 sq. m. 7%  
 LANDSCAPED AREA 7520 sq. m. 66%

AMENITY AREA  
 REQUIRED 20 sq. m. / 1 BR X 12 SUITES  
 55 sq. m. / 2 BR X 88 SUITES  
 PROVIDED 249 sq. m.  
 4849 sq. m.  
 5098 sq. m.

PROVIDED  
 PRIVATE YARD / PATIO AREA (25 DUU) 1920 sq. m.  
 COMMON AREAS EXTERIOR 5443 sq. m.  
 BALCONY AREAS (75 DUU) 459 sq. m.  
 COMMON AREAS: lounge, party room, billiard room, library 600 sq. m.  
 (lap pool, gym, sauna, steamroom)

TOTAL 5,413 sq. m.

**Attachment 2**

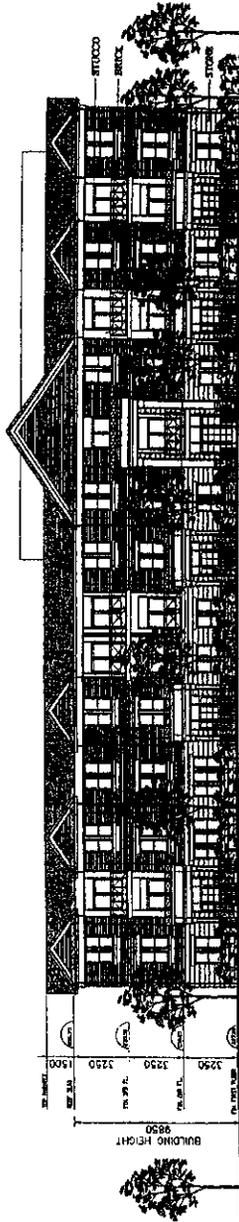
FILE No.: DA.01.037  
 RELATED FILE No.: Z.00.041  
 December 17, 2002

**City of Vaughan**  
 Community Planning Department

**Site Plan**  
 Part Lot 17,  
 Concession 3  
 APPLICANT:  
 9519 KEELE STREET INC.

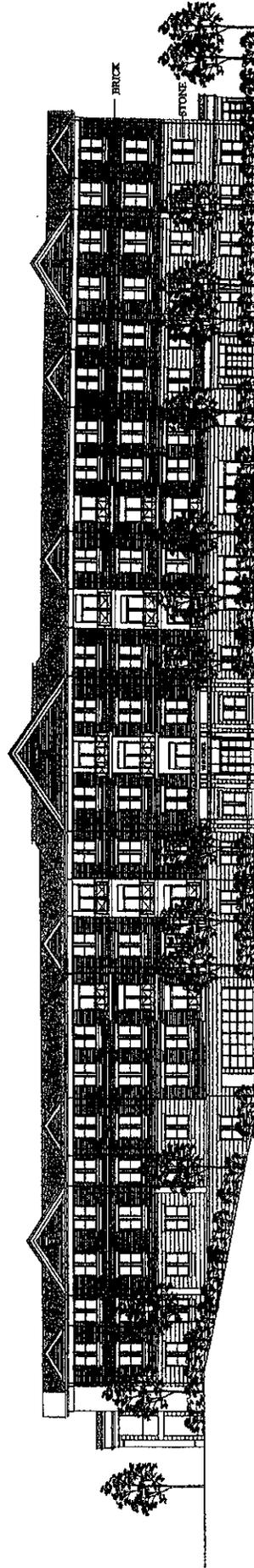
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MAIN ENTRY

KEELE STREET ELEVATION



GARAGE ENTRY

BUILDING ENTRY

FIELDGATE DRIVE ELEVATION

Not to Scale

**Elevations**

Part Lot 17,  
Concession 3

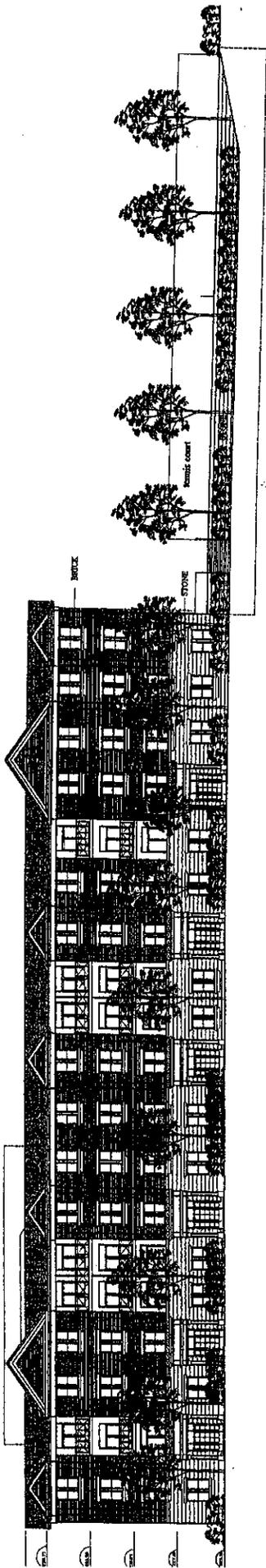
APPLICANT:  
9519 KEELE STREET INC.



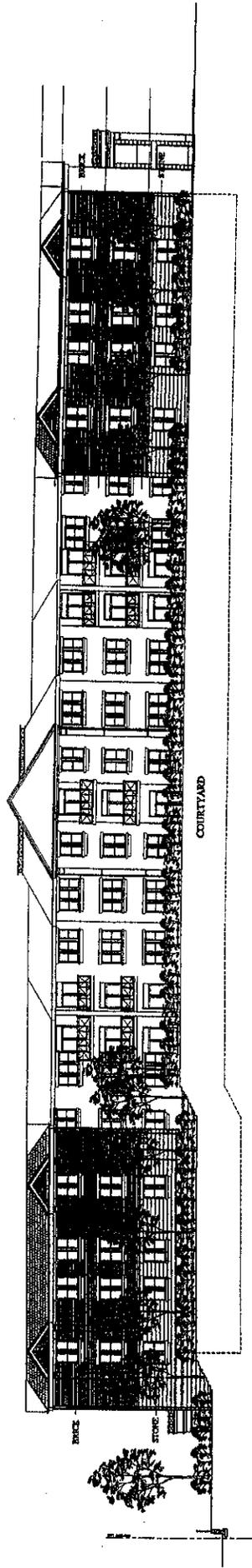
Community Planning Department

**Attachment 3**

FILE No.:  
DA.01.037  
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December 17, 2002



EAST ELEVATION with GARDEN SUITES



NORTH ELEVATION

Not to Scale

# Elevations

Part Lot 17,  
Concession 3  
APPLICANT:  
9519 KEELE STREET INC.

# City of Vaughan

Community Planning Department

# Attachment 4

FILE No.:  
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