

**COMMITTEE OF THE WHOLE MAY 3, 2004**

**ZONING BY-LAW AMENDMENT FILE Z.02.075  
SITE DEVELOPMENT APPLICATION FILE DA.03.008  
1164669 ONTARIO LIMITED  
REPORT #P.2002.77**

**Recommendation**

The Commissioner of Planning recommends:

1. THAT Zoning Amendment Application Z.02.075 (1164669 Ontario Inc.) BE APPROVED, and that the implementing by-law:
  - a) zone the lands RA2 (Residential Apartment Dwelling Zone), with the necessary exceptions to implement the approved site plan;
  - b) permit a maximum of 13 residential units in the new building and one unit in the existing dwelling, and a minimum of 29 parking spaces on site; and,
  - c) permit the following commercial uses on the ground floor of the new building to a maximum combined gross floor area of 125m<sup>2</sup>: bank or financial institution, business or professional office, personal service shop, photography studio, retail store, and video store.
  
2. THAT Site Development Application DA.03.008 (1164669 Ontario Inc.) BE APPROVED, subject to the following conditions:
  - a) the final site plan and building elevations/colour scheme be approved by the Community Planning and Urban Design Departments;
  - b) the final landscape plans and landscape cost estimate be to the satisfaction of the Urban Design Department;
  - c) the final site servicing, grading and stormwater management plan(s) be to the satisfaction of the Engineering Department;
  - d) the comments of the Maple Streetscape Advisory Committee and Heritage Vaughan be addressed to the satisfaction of the Urban Design Department;
  - e) the Owner satisfy all requirements of the Fire Department and Vaughan Hydro;
  - f) the Owner satisfy all requirements of the Region of York, including dedication of the required road widening along the Keele Street frontage; and
  - g) a clause be included in the site plan agreement protecting for a possible rear laneway connection to the property to the south.
  
3. The Owner shall pay cash-in-lieu of parkland prior to the issuance of a building permit at 5% of the value of the lands for the residential portion and 2% for the commercial portion, in accordance with the Planning Act and to the satisfaction of the City of Vaughan.
  
4. That the following resolution be passed allocating sewage and water servicing capacity:

NOW THEREFORE BE AND IT IS HEREBY RESOLVED THAT the proposed Site Development Application DA.03.008 is allocated sewage capacity from the Maple Service Area of the York/Durham Servicing Scheme and water supply capacity from Pressure District No. 7 of the York Water Supply System, for a total of 13 residential units following the execution of a site plan agreement to the satisfaction of the City."

## Purpose

On November 13, 2002, the Owner submitted an application to amend the Zoning By-law to rezone the subject lands to an appropriate Apartment Residential Zone to permit a 3-storey, mixed-use building, in addition to retaining one unit in the existing heritage dwelling. The Owner subsequently filed a corresponding site development application on February 14, 2003. The proposal is for 11 residential units and approximately 121m<sup>2</sup> of ground floor commercial uses within the new building, served by 31 at-grade parking spaces. Since the original submission, the applicant has modified the proposal to include two additional units in the basement level of the new building, for a total of 13 residential units.

## Background - Analysis and Options

The 0.27 ha site is located on the east side of Keele Street, between Major Mackenzie Drive and Barrhill Road (9891 Keele Street), in Lot 20, Concession 3, City of Vaughan.

The lands are designated "Maple Commercial Core" by OPA No. 350 (Maple Community Plan), as amended by OPA No. 533, and zoned R1 Residential Zone by By-law 1-88. The surrounding land uses are:

- North - residential (R1 Residential Zone)
- East - residential (R2 Residential Zone)
- South - residential (R1 Residential Zone)
- West - Keele Street; residential (RM2 Multiple Residential Zone)

On November 18, 2002, a notice of public hearing was circulated to all property owners within 120m of the subject lands. A notice was also sent to the Maple Village Ratepayers Association and the Maple Ratepayers Association. No comments have been received to date.

## Site Plan

The site plan consists of a proposed three-storey apartment/commercial building, situated on the southerly portion of the property and set back approximately 5.0 metres from the current Keele Street property line. The Region of York requires a 5.0 metre widening of the Keele Street right-of-way, resulting in a setback of 0 metres. The "George Bailey House", which is listed as a "Group 1" structure in the City's Inventory of Significant Heritage Structures, will be retained on the northerly portion of the site as a single residential dwelling. A driveway from Keele Street, between the proposed apartment and existing dwelling, will provide vehicular access to a 31 car parking area at the back of the property. An eight-car parking garage and an enclosed garage storage/pick-up room are along the east property line.

Pedestrian access to the proposed building is provided from Keele Street and from an entrance on the north face of the building. An interlock walkway around the building will provide convenient pedestrian access from the parking area to the apartment building and the commercial uses fronting on Keele Street. An amenity area is located at the rear of each building.

## Official Plan

- a) City of Vaughan - Maple Community Plan (OPA No. 350 as Amended by OPA 533)

The lands are designated Maple Commercial Core Area by OPA No. 350, which permits the proposed uses. The proposal complies with the Official Plan requirement that 70% of the frontage at grade level be used for street-related retail, office and service uses. The Official Plan also

includes design objectives to assess new development applications, which have been reviewed as follows:

i) Preservation of Buildings of Historic and Architectural Merit

The Official Plan requires that buildings having architectural/historic merit, as identified by Heritage Vaughan, be incorporated into new development, be compatible, and achieve an integrated streetscape. The heritage structure, known as the George Bailey House, will be retained in its entirety on the subject property. Staff is also satisfied that the proposed elevations, building mass and exterior finishing materials are consistent with the George Bailey House. These issues will be discussed in greater detail later in this report.

On March 19, 2003, the Heritage Vaughan Committee reviewed the proposed development applications and adopted the following motion:

"THAT Heritage Vaughan has no objection to the proposed development; and

THAT all final colour schemes for the development be approved by staff and/or Heritage Vaughan and become a condition of the final building permit for the development. "

ii) Transportation Issues

The Official Plan requires that new development achieve several transportation objectives, such as designing an efficient vehicular circulation system, parking areas located behind new buildings and on-street parking. The proposed parking area is located at the rear of the dwelling, which is accessed by a single driveway from Keele Street. Staff is satisfied that the transportation objectives of the Official Plan have been met.

iii) Building Design

Achieving appropriate urban design in the Maple Core area is an objective of the Official Plan and the Maple Streetscape and Urban Design Guidelines (MSUDGs). The Official Plan established guidelines for building height, scale and massing, and are assessed in greater detail in this report. These objectives are achievable using the building form and mass being proposed.

iv) Site Plan Control

OPA No. 350 requires that developments in the Maple Core Area be subject to a site plan agreement, which is required in this case. Staff recommends that the implementing zoning by-law not be enacted until the final site plan is approved to the satisfaction of Staff.

v) Servicing

A full set of engineering drawings, including storm water management, site grading and servicing drawings is required, and must be approved by the Engineering Department as part of the site plan approval. Servicing capacity for the development has been identified by the Region of York.

vi) Compatibility With Existing Development

Compatibility with existing development must be assessed under the Official Plan and is reviewed in greater detail later in this report. Staff is satisfied that the proposal is compatible with existing development.

vii) Development Criteria Summary

Staff are satisfied that the application meets, or can satisfy the applicable development policies of the Official Plan.

b) Other Applicable Official Plan Policies

Section A, Planning Strategy and Policies, Subsection III, Paragraph 6, speaks to the intensification of the Maple Commercial Core Area, as follows (in part):

"The vitality and function of the existing commercial areas of Maple at the Major Mackenzie Drive and Keele Street crossroads is to be reinforced by encouraging the redevelopment and intensification of property for businesses, residential and commercial purposes."

c) Region of York Official Plan (RYOP)

The Region of York Official Plan (RYOP) includes policies that are supportive of the proposed development, including encouraging a broad range of housing to meet the needs of different kinds of households. A variety of housing stock enables people to remain in their community through various stages of their lives and can also affect the Region's labour force by providing opportunities for people to live and work in the Region. The RYOP also identifies Keele Street as an "Urban Corridor", which has the potential for new residential growth that would make frequent transit service possible. Staff is of the opinion that the RYOP is supportive of the proposed development form.

d) Provincial Policy Statement

The Provincial Policy Statement (PPS) includes policies which encourage residential intensification, densities that makes more efficient use of land and public infrastructure and public transit, and provision of a full range of housing types. The proposed development is consistent with these goals and objectives of the PPS.

In the context of the planning policy regime established by the local community plan, the Regional Official Plan and the Provincial Policy Statement, the proposed land use is considered appropriate.

Land Use

The Official Plan permits the proposed commercial and residential uses along this part of Keele Street. The introduction of mixed-use development into the Maple Core Area is considered appropriate for several reasons, including: increased pedestrian traffic and vitality in the area; a population to support commercial enterprises; reduced dependency on the automobile, resulting from the close proximity of retail and residential uses; an around-the-clock presence in the core area; and, a greater variety of housing in the community. Future residents will have access to many services, including commercial uses, institutional and recreational uses. Furthermore, the site is well located and provides an opportunity to revitalize a portion of the core area.

### Building Form and Elevations

The vision for the Maple Core Area, from a physical built-form perspective, is implemented through the Official Plan and the Maple Streetscape and Urban Design Guidelines (MSUDGs). The compatibility between existing and proposed development is important and required by the Official Plan, with the understanding that compatibility can be achieved without being identical.

The three-storey built-form proposed for the Keele Street frontage complies with the Official Plan and is considered appropriate for a core area. The massing along the street, combined with the added streetscaping, the rear yard parking area and retention of the heritage structure, are all encouraged by the Official Plan and the MSUDGs.

To address compatibility with the surrounding land uses, the plan includes several features. Firstly, the Keele Street elevation has a two-storey appearance, with the third floor in the roof, creating a better massing relationship between the proposed building and the George Bailey House. Dormers are used to provide light into the third floor units. The Keele Street elevation features taller windows at the ground floor for the ground floor commercial uses. The main exterior finishing material will be hardipanel siding, which complements and is consistent with the George Bailey House.

The side and rear elevations have a three storey appearance and are also finished in hardipanel siding. Double hung windows are used throughout the residential portions of the proposed building. The Urban Design Department and Heritage Vaughan will review the final colour scheme to ensure that it is consistent with the heritage objectives of the City and complementary with the George Bailey House.

The proposal includes an eight-car garage and a 1.2 metre landscape buffer along the rear property line, screening the parking lot from the existing residences to the east. Staff recommends that a wood or other similar solid fence be erected along the rear property line.

The Urban Design Department advises that the proposed elevations and site plan are satisfactory. The Maple Streetscape Committee and the Development Applications Subcommittee have also reviewed the application.

### Landscaping

The applicant has submitted a landscape plan and cost estimate which are satisfactory to the Urban Design Department. The plan incorporates the requirements of the Maple Streetscape and Urban Design Guidelines including the prescribed interlocking stone, light standards and trash bins. Staff are satisfied with the proposed landscape plan.

### Rear Laneway

The MSUDGs identify a rear laneway system connecting the properties on the east side of Keele Street to facilitate vehicular movement and minimize access points onto Keele Street. Staff are supportive of this concept, and the plan as designed can accommodate a laneway in the aisle between the garage and the center bank of parking.

The lands to the immediate north are subject to development applications (Candace Construction/Carim Dzeltovic – Files: Z.02.004 and DA.02.002) wherein an underground parking garage is proposed and the rear yard is fully landscaped, thereby preventing continuation of the laneway northward. To the south, there is one property and then the cemetery and a commercial plaza facing Barrhill Road. As such, any rear laneway would be practically limited to the subject property and the lot to the south.

To achieve a possible laneway connection with the lot to the south, two (2) parking spaces would need to be deleted in the future. Staff is satisfied that the loss of spaces will not have a significant impact on the proper functioning of the site. Protecting for a possible connection requires that a clause be included in the site plan agreement, which has the effect of obligating the Owner to grant an easement to the City over the subject property, should the laneway system be implemented.

### Zoning

By-law 1-88 does not contain a mixed-use zone category, which is required to implement the proposal. Consequently, Staff recommends that the site be zoned to RA2 Residential Apartment Dwelling Zone, with site-specific exceptions to permit the proposed commercial uses.

#### i) Permitted Commercial Uses

The ground floor of the proposed building is proposed to contain approximately 121m<sup>2</sup> of commercial uses. Given the limited size of the commercial floor area, it is likely that the entire space will be leased to one or two tenants. The Official Plan permits ground related retail uses, office and service commercial uses that serve both the local and broader community markets. In this respect, Staff recommend that the following commercial uses be permitted on the ground floor of the building only, to a maximum gross floor area of 121m<sup>2</sup>:

- bank or financial institution
- business or professional office
- personal service shop
- photography studio
- retail store, and,
- video store

#### ii) Parking

By-law 1-88 requires that parking for the site is provided as follows:

Commercial Uses – 121m <sup>2</sup> @ 6 spaces/100m <sup>2</sup>	= 7 spaces
Residential Units	
George Bailey House	= 3
Apartment (1.5 spaces/unit X 13 units)	= 19.5
0.25 spaces/unit visitors X 13 units	= <u>3.25</u>
Total	= 26 spaces

Total Parking Requirement (Residential + Commercial) = 33 spaces

A total of 31 parking spaces are proposed for the development, which results in a deficiency of 2 spaces. Lower parking standards of 3.5 spaces/100m<sup>2</sup> for commercial uses and 1.25 spaces/residential unit have been accepted for other development in the Maple Core Area. Staff is satisfied that a deficiency of two parking spaces is minor and will not impact on the appropriate development of the subject lands. To enable the potential to delete 2 spaces for a future rear laneway, it is recommended that the by-law require 29 parking spaces on site.

### Region of York

The Region of York has advised that a landscape plan must be prepared that incorporates the frontage of the subject property and the proposal on the lands to the north for review and approval. The Region has also advised that encroachments will not be permitted onto the Keele Street right-of-way.

## **Relationship of Vaughan Vision 2007**

This proposal is consistent with Vaughan Vision 2007, which encourages managed growth through the implementation of the Official Plan.

## **Conclusion**

The proposed development is considered to conform to the intent of OPA No. 350, and the Region of York Official Plan. The Provincial Policy Statement, specifically as it relates to residential intensification and providing for a broad variety of housing, also supports the concepts inherent in the proposal. With respect to density, the proposal complies with the Official Plan, which permits a three-storey building. Accordingly, Staff recommends that the zoning amendment application be approved.

The site plan application has been reviewed and is considered to conform to the intent of the applicable policies in the Official Plan and the Maple Streetscape and Urban Design Guidelines. The George Bailey House, which is listed as a significant historical structure, is being retained and the proposed building has been designed to be compatible with the George Bailey House and the adjacent land uses. Accordingly, Staff supports the proposed site development application, subject to the recommendations set out in this report. Should Committee concur, the "Recommendation" section of this report can be adopted.

## **Attachments**

1. Location Map
2. Site Plan
3. Building Elevations
4. Garage Elevations

## **Report prepared by:**

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Respectfully submitted,

  
JOHN ZIPAY  
Commissioner of Planning

  
MARCO RAMUNNO  
Manager of Development Planning

/CM

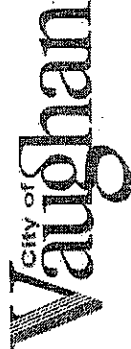
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**Attachment**

**1**

FILE No.: DA.03.008  
 RELATED FILE No.: Z.02.075  
 April 9, 2003

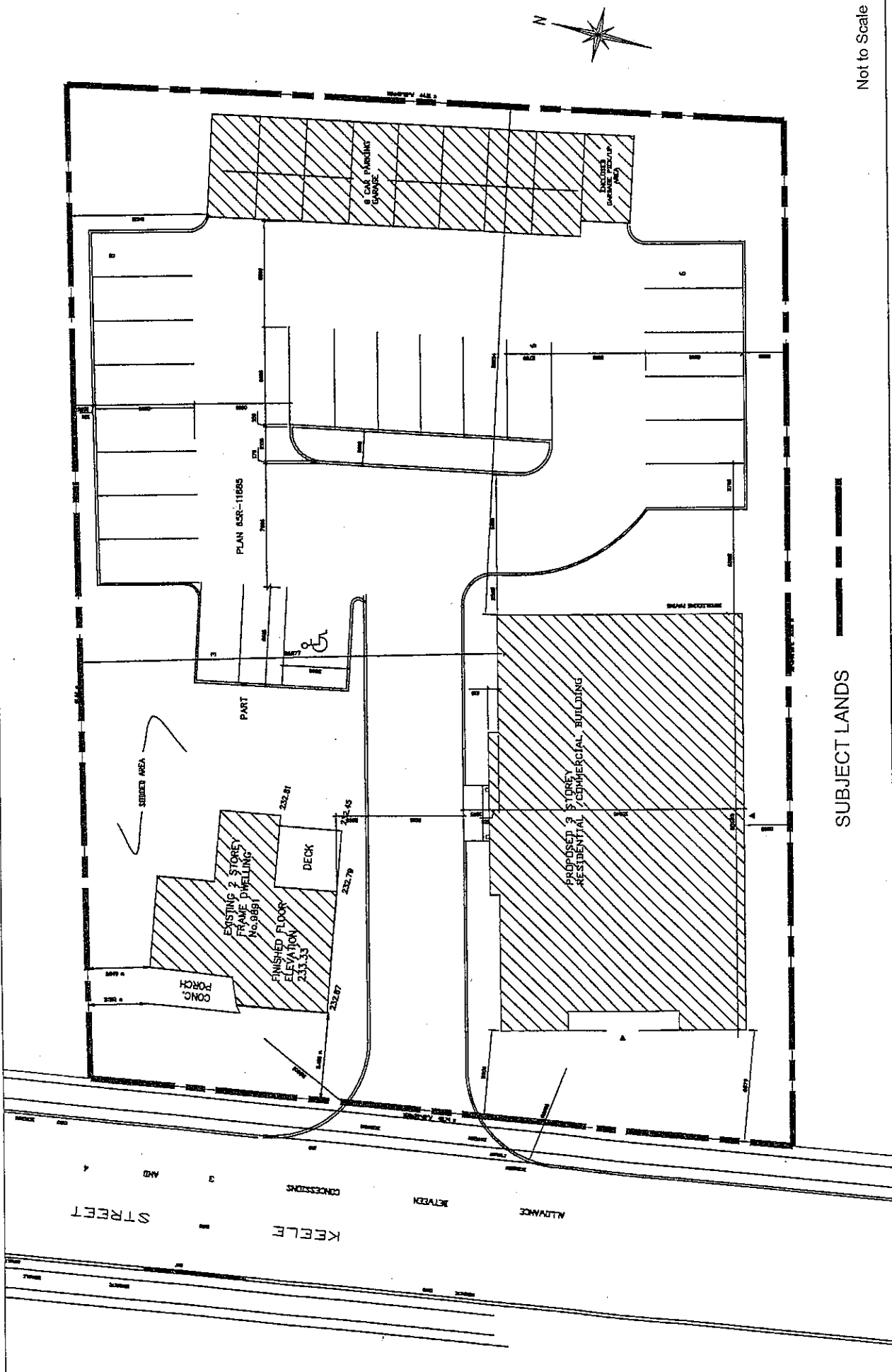


Community Planning Department

**Location Map**

Part Lot 20,  
 Concession 3  
 APPLICANT:  
 1164669 ONTARIO INC.



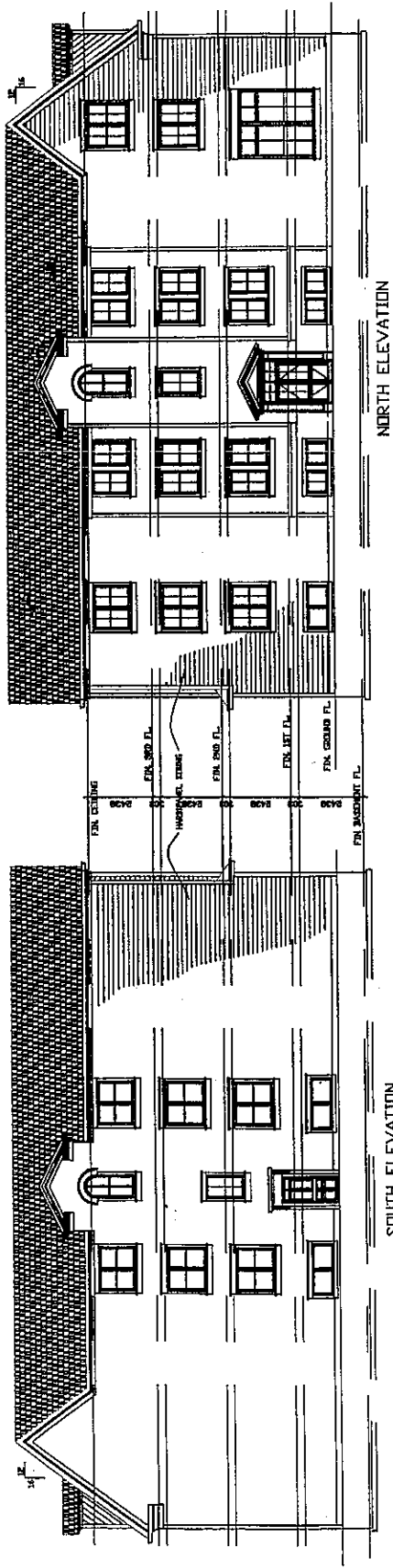


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**Attachment 2**  
 FILE No.: DA.03.008  
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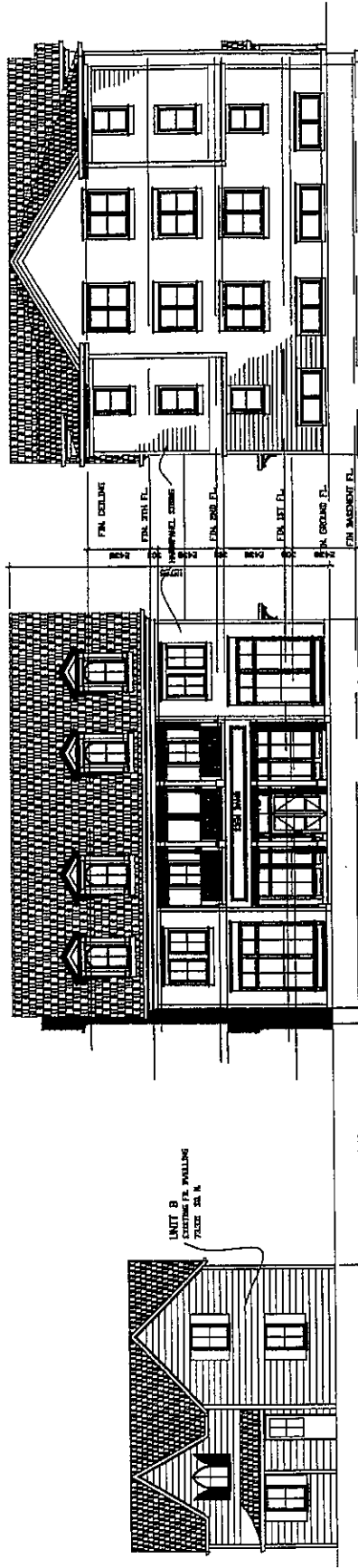
City of **Vaughan**  
 Community Planning Department

**Site Plan**  
 Part Lot 20,  
 Concession 3  
 APPLICANT:  
 1164669 ONTARIO INC.



SOUTH ELEVATION

NORTH ELEVATION



FRONT ( WEST ) ELEVATION  
ALONG KEELE STREET

REAR ( EAST ) ELEVATION

# Building Elevations

Part Lot 20,  
Concession 3  
APPLICANT:  
1164669 ONTARIO INC.



Community Planning Department

# Attachment 3

FILE No.:  
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Not to Scale

