

ITEM: 6.15	COMMITTEE OF ADJUSTMENT REPORT SUMMARY MINOR VARIANCE APPLICATION FILE NUMBER A316/22 10 PIERRE BERTON BLVD, KLEINBURG
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**THIS REPORT CONTAINS COMMENTS FROM THE FOLLOWING
DEPARTMENTS & AGENCIES:**

*Please see **Schedule B** of this report for a copy of Development Planning and Agency correspondence.

Additional comments from departments and agencies may be received after the publication of the Staff Report. These comments will be processed as an addendum and posted on the City's Website.

DEPARTMENTS	Circulated	Comments Received	Conditions	Nature of Comments
Committee of Adjustment	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
Building Standards (Zoning Review)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
Building Inspection (Septic)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Comments Received to Date
Development Planning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Application Under Review
Development Engineering	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Recommend Approval w/Conditions
Parks, Forestry and Horticulture Operations	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
By-law & Compliance, Licensing & Permits	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Comments Received to Date
Development Finance	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
Real Estate	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Fire Department	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	General Comments
AGENCIES	Circulated	Comments Received	Conditions	Nature of Comments
TRCA	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Recommend Approval w/Conditions
Ministry of Transportation (MTO)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Region of York	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
Alectra	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
Bell Canada	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Comments Received to Date
YRDSB	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
YCDSB	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
CN Rail	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
CP Rail	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
TransCanada Pipeline	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Comments Received to Date
Metrolinx	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Propane Operator	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PUBLIC & APPLICANT CORRESPONDENCE

*Please see **Schedule C** of this report for a copy of the public & applicant correspondence listed below.

The deadline to submit public comments is **noon on the last business day prior to the scheduled hearing date.**

Comments and written public submissions received after the publication of this Staff Report will be processed as an addendum and posted on the City's Website.

All personal information collected because of this public meeting (including both written and oral submissions) is collected under the authority of the Municipal Act, the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), the Planning Act and all other relevant legislation, and will be used to assist in deciding on this matter. All personal information (as defined by MFIPPA), including (but not limited to) names, addresses, opinions and comments collected will become property of the City of Vaughan, will be made available for public disclosure (including being posted on the internet) and will be used to assist the Committee of Adjustment and staff to process this application.

Correspondence Type	Name	Address	Date Received (mm/dd/yyyy)	Summary
Applicant/Agent	Malone Given Parsons			Justification Letter

PREVIOUS COA DECISIONS ON THE SUBJECT LAND

*Please see **Schedule D** for a copy of the Decisions listed below

File Number	Date of Decision MM/DD/YYYY	Decision Outcome
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PREVIOUS COA DECISIONS ON THE SUBJECT LAND

*Please see **Schedule D** for a copy of the Decisions listed below

None		
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ADJOURNMENT HISTORY

* Previous hearing dates where this application was adjourned by the Committee and public notice issued.

None	
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**COMMITTEE OF ADJUSTMENT REPORT
MINOR VARIANCE APPLICATION
A316/22
10 PIERRE BERTON BLVD, KLEINBURG**

ITEM NUMBER: 6.15	CITY WARD #: 1
APPLICANT:	Rom-Grand Kipling Two Ltd.
AGENT:	Malone Given Parsons Ltd.
PROPERTY:	10 Pierre Berton Blvd Kleinburg
ZONING DESIGNATION:	See Below
VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:	City of Vaughan Official Plan 2010 ('VOP 2010'): "KN Low-Rise Residential I," Volume 2, Section 11.8 North Kleinburg-Nashville Secondary Plan
RELATED DEVELOPMENT APPLICATIONS:	DA.22.051
PURPOSE OF APPLICATION:	Relief from the Zoning By-law is being requested to permit a proposed residential (townhouse) development and to facilitate site plan application DA.22.051.

The following variances have been requested from the City's Zoning By-law:

The subject lands are zoned RM1 and subject to the provisions of Exception 14.1040 under Zoning By-law 001-2021, as amended.

#	Zoning By-law 01-2021	Variance requested
1	A Street Townhouse Dwelling is not Permitted. [Section 7.3.1]	To permit a Street Townhouse Dwelling.
2	A minimum lot area of 100m ² per unit is permitted. [Section 7.3.3]	To permit a minimum lot area of 97.0 m ² per unit for Block 3.
3	A minimum lot frontage of 30.0 metres is permitted. [Section 7.3.3]	To permit a minimum lot frontage of 5.54 metres for Blocks 1 and 2.
4	A minimum lot frontage of 30.0 metres is permitted. [Section 7.3.3]	To permit a minimum lot frontage of 6.3 metres for Block 3.
5	A minimum rear yard setback of 7.5 metres is required. [Section 7.3.3]	To permit a minimum rear yard setback of 5.0 metres for Block 1.
6	A minimum rear yard setback of 7.5 metres is required. [Section 7.3.3]	To permit a minimum rear yard setback of 5.4 metres for Block 2.
7	A minimum interior side yard setback of 7.5 metres where an RM1 zone abuts any other Residential Zone, except another RM1 or RM2 zone. (Block 1 unit 1) [Section 7.3.3]	To permit a minimum interior side yard setback of 3.0 metres where an RM1 zone abuts any other Residential Zone, except another RM1 or RM2 zone (Block 1 Unit 1).
8	A minimum interior side yard setback of 1.2 metres is required. [Section 7.3.3]	To permit a minimum interior side yard setback of 0.0 metres.
8	A minimum exterior side yard setback of 3.0 metres is required. [14.1040]	To permit a minimum exterior side yard setback of 1.2 metres for Block 2.
9	A minimum exterior side yard setback of 3.0 metres is required. [14.1040]	To permit a minimum exterior side yard setback of 1.5 metres for Block 3.
10	A maximum lot coverage of 50% is permitted. [Section 7.3.3]	To permit a maximum lot coverage of 54% for Block 1.
11	A maximum lot coverage of 50% is permitted. [Section 7.3.3]	To permit a maximum lot coverage of 80% for Block 3.
12	A minimum of 90% of the required amenity area shall be provided as a common space. [Section 4.3.2]	To permit a minimum of 0% of the required amenity area to be provided as common space.
13	A minimum landscaped area of 10% is permitted. [Section 7.3.3]	To permit a minimum landscaped area of 5% for Block 3.

#	Zoning By-law 01-2021	Variance requested
14	A minimum landscape strip width of 3.0 metres along a lot line which abuts a street line is required. [Section 7.3.3]	To permit a minimum landscape strip width of 1.5 metres along a lot line which abuts a street line for Block 3
15	A minimum landscape strip width of 3.0 metres along a lot line which abuts a street line is required. [Section 7.3.3]	To permit a minimum landscape strip width of 1.2 metres along a lot line which abuts a street line for Block 2 unit 12.
16	A minimum of 0.1 Short Term Bicycle parking spaces per dwelling unit is required for Multiple Family Dwellings. [Section 6.5]	To permit a minimum of 0.0 Short Term Bicycle parking spaces per dwelling unit for Multiple Family dwellings.
17	A minimum of 0.5 Long Term Bicycle parking spaces per dwelling unit is required for Multiple Family Dwellings. [Section 6.5]	To permit a minimum of 0.0 Long Term Bicycle parking spaces per dwelling unit for Multiple Family dwellings.
18	A maximum width of 40.0 metres for the front main wall of a block of multiple-unit townhouse dwellings is permitted. [Section 7.3.3]	To permit a maximum width of 52.2 metres for the front main wall of a block of multiple-unit townhouse dwellings.
19	A balcony is permitted to encroach into the minimum required rear yard up to a maximum of 1.5 metres. [Section 4.13]	To permit a balcony to encroach into the minimum required rear yard up to a maximum of 1.6 metres.

	Zoning By-law 1-88	Variance requested
20	A minimum amenity area of 90m ² per unit is required. [Section 4.1.6]	To permit a minimum amenity area of 28m ² per unit for Blocks 1 and 2.
21	A minimum amenity area of 90m ² per unit is required. [Section 4.1.6]	To permit a minimum amenity area of 14m ² per unit for Block 3.
22	A covered porch is permitted to encroach 0.0 metres into the required front yard [Section 3.14]	To permit a covered porch to encroach 0.1 metres into the required front yard for Block 3.

HEARING INFORMATION

DATE OF MEETING: Thursday, April 20, 2023 (Re-Scheduled to April 24)

TIME: 6:00 p.m.

MEETING LOCATION: Vaughan City Hall, **Woodbridge Room**, 2141 Major Mackenzie Drive, Vaughan

LIVE STREAM LINK: Vaughan.ca/LiveCouncil

PUBLIC PARTICIPATION

If you would like to speak to the Committee of Adjustment at the meeting, either remotely or in person, please complete the [Request to Speak Form](#) and submit to cofa@vaughan.ca

If you would like to submit written comments, please quote file number above and submit by mail or email to:

Email: cofa@vaughan.ca

Mail: City of Vaughan, Office of the City Clerk, Committee of Adjustment, 2141 Major Mackenzie Drive, Vaughan, ON, L6A 1T1

THE DEADLINE TO REGISTER TO SPEAK OR SUBMIT WRITTEN COMMENTS ON THE ABOVE NOTED FILE(S) IS NOON ON THE LAST BUSINESS DAY BEFORE THE MEETING.

INTRODUCTION

Staff and Agencies act as advisory bodies to the Committee of Adjustment. The comments contained in this report are presented as recommendations to the Committee.

Section 45(1) of the Planning Act sets the criteria for authorizing minor variances to the City of Vaughan's Zoning By-law. Accordingly, review of the application may consider the following:

That the general intent and purpose of the by-law will be maintained.

That the general intent and purpose of the official plan will be maintained.

That the requested variance(s) is/are acceptable for the appropriate development of the subject lands.

That the requested variance(s) is/are minor in nature.

Public written and oral submissions relating to this application are taken into consideration by the Committee of Adjustment as part of its deliberations and final decision on this matter.

COMMITTEE OF ADJUSTMENT COMMENTS

Date Public Notice Mailed:

April 13, 2023 (Application rescheduled to April 24 to accommodate statutory public notice)

COMMITTEE OF ADJUSTMENT COMMENTS	
Date Applicant Confirmed Posting of Sign:	March 22, 2023
Applicant Justification for Variances: <small>*As provided by Applicant in Application Form</small>	The Zoning By-laws were not drafted to contemplate this type of townhouse or condominium structure within the RM1 or RM2 zones. Variances are required to facilitate the proposed built form.
Adjournment Requests (from staff): <small>*Adjournment requests provided to applicant prior to issuance of public notice</small>	None
Was a Zoning Review Waiver (ZRW) Form submitted by Applicant: <small>*ZRW Form may be used by applicant in instances where a revised submission is made, and zoning staff do not have an opportunity to review and confirm variances prior to the issuance of public notice. *A revised submission may be required to address staff / agency comments received as part of the application review process. *Where a zoning review has not been completed on a revised submission, an opportunity is provided to the applicant to adjourn the proposal prior to the issuance of public notice.</small>	No
Adjournment Fees: In accordance with Procedural By-law 069-2019, an Adjournment Fee is applicable to reschedule an application after the issuance of public notice where a request for adjournment has been provided to the applicant prior to the issuance of public notice. An Adjournment Fee can only be waived in instances where adjournment of an application is requested by the Committee or staff after the issuance of public notice.	
Committee of Adjustment Comments:	None
Committee of Adjustment Recommended Conditions of Approval:	None

BUILDING STANDARDS (ZONING) COMMENTS	
**See Schedule B for Building Standards (Zoning) Comments	
Building Standards Recommended Conditions of Approval:	None

DEVELOPMENT PLANNING COMMENTS	
**See Schedule B for Development Planning Comments.	
Development Planning Recommended Conditions of Approval:	TBD

DEVELOPMENT ENGINEERING COMMENTS	
Link to Grading Permit Link to Pool Permit Link to Curb Curt Permit Link Culvert Installation	
The Development Engineering (DE) Department does not object to variance application A316/22 subject to the following condition(s):	
Development Engineering Recommended Conditions of Approval:	The Owner/Applicant shall obtain approval for the related Site Development Application (DA.22.051) from the Development Engineering (DE) Department.

PARKS, FORESTRY & HORTICULTURE (PFH) COMMENTS	
Forestry: Forestry is working with development planning on this file and has no comment at this time for CofA purposes.	
PFH Recommended Conditions of Approval:	None

DEVELOPMENT FINANCE COMMENTS	
No comment no concerns	
Development Finance Recommended Conditions of Approval:	None

BY-LAW AND COMPLIANCE, LICENSING AND PERMIT SERVICES COMMENTS	
No comments received to date.	

BY-LAW AND COMPLIANCE, LICENSING AND PERMIT SERVICES COMMENTS	
BCLPS Recommended Conditions of Approval:	None

BUILDING INSPECTION (SEPTIC) COMMENTS	
No comments received to date.	
Building Inspection Recommended Conditions of Approval:	None

FIRE DEPARTMENT COMMENTS	
The owner/owners are required to address Zoning requirements, Building Code requirements, applicable standards and any other By-law related concerns.	
Fire Department Recommended Conditions of Approval:	None

SCHEDULES TO STAFF REPORT	
*See Schedule for list of correspondence	
Schedule A	Drawings & Plans Submitted with the Application
Schedule B	Staff & Agency Comments
Schedule C (if required)	Correspondence (Received from Public & Applicant)
Schedule D (if required)	Previous COA Decisions on the Subject Land

Should the Committee find it appropriate to approve this application in accordance with request and the sketch submitted with the application, as required by Ontario Regulation 200/96, the following conditions have been recommended:

SUMMARY OF RECOMMENDED CONDITIONS OF APPROVAL		
All conditions of approval, unless otherwise stated, are considered to be incorporated into the approval “if required”. If a condition is no longer required after an approval is final and binding, the condition may be waived by the respective department or agency requesting conditional approval. A condition cannot be waived without written consent from the respective department or agency.		
#	DEPARTMENT / AGENCY	CONDITION(S) DESCRIPTION
1	Development Planning Joshua.cipolletta@vaughan.ca	TBD
2	Development Engineering ian.reynolds@vaughan.ca	The Owner/Applicant shall obtain approval for the related Site Development Application (DA.22.051) from the Development Engineering (DE) Department.
3	TRCA Kristen.Regier@trca.ca	That the applicant provides the required fee amount of \$1250.00 payable to the Toronto and Region Conservation Authority.

IMPORTANT INFORMATION – PLEASE READ
<p>CONDITIONS: It is the responsibility of the owner/applicant and/or authorized agent to obtain and provide a clearance letter from respective department and/or agency (see condition chart above for contact). This letter must be provided to the Secretary-Treasurer to be finalized. All conditions must be cleared prior to the issuance of a Building Permit.</p> <p>APPROVALS: Making any changes to your proposal after a decision has been made may impact the validity of the Committee’s decision.</p> <p>An approval obtained from the Committee of Adjustment, where applicable, is tied to the building envelope shown on the plans and drawings submitted with the application and subject to the variance approval.</p> <p>A building envelope is defined by the setbacks of the buildings and/or structures shown on the plans and drawings submitted with the application, as required by Ontario Regulation 200/96. Future development outside of an approved building envelope, where a minor variance was obtained, must comply with the provisions of the City’s Zoning By-law.</p> <p>Elevation drawings are provided to reflect the style of roof (i.e. flat, mansard, gable etc.) to which a building height variance has been applied. Where a height variance is approved, building height is applied to the style of roof (as defined in the City’s Zoning By-law) shown on the elevation plans submitted with the application.</p> <p>Architectural design features that are not regulated by the City’s Zoning By-law are not to be considered part of an approval unless specified in the Committee’s decision.</p>

IMPORTANT INFORMATION – PLEASE READ

DEVELOPMENT CHARGES: That the payment of the Regional Development Charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the Regional Development Charges By-law in effect at the time of payment.

That the payment of the City Development Charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the City's Development Charges By-law in effect at the time of payment.

That the payment of the Education Development Charge if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the Boards of Education By-laws in effect at the time of payment

That the payment of Special Area Development charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and The City's Development Charge By-law in effect at the time of Building permit issuance to the satisfaction of the Reserves/Capital Department.

NOTICE OF DECISION: If you wish to be notified of the decision in respect to this application or a related Ontario Land Tribunal (OLT) hearing you must complete a Request for Decision form and submit to the Secretary Treasurer (ask staff for details). In the absence of a written request to be notified of the Committee's decision you will **not** receive notice.

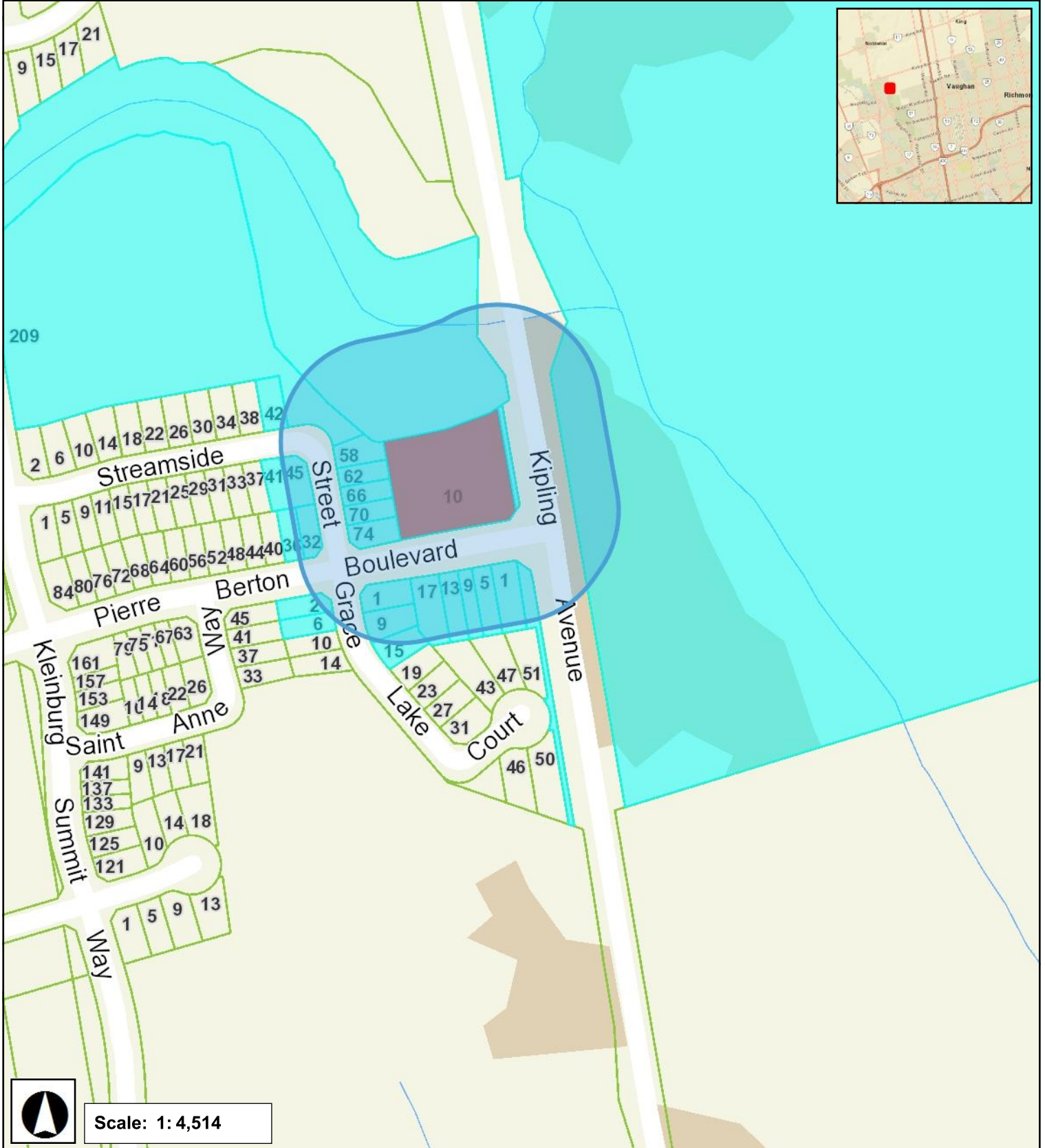
SCHEDULE A: DRAWINGS & PLANS



LOCATION MAP A316/22

10 PIERRE BERTON BLVD, KLEINBURG

Kirby Road



Nashville Road

January 27, 2023 10:16 AM

PLANS PREPARED AND VARIANCES IDENTIFIED BY APPLICANT

A316/22

ZONING VARIANCES CHART

BLOCK	UNIT	AREAS (sq. m.)				COVERAGE BREAKDOWN (%)				LOT FRONTAGE (m.)		LOT DEPTH (m.)	AMENITY SPACE (sq. m.)		LANDSCAPE AREA (%)
		POTL	DWELLING	PORCH	EAVES/SOFFIT	DWELLING	COVERED PORCH(ES)	TOTAL PROPOSED LOT COVERAGE (DWELLING + COVERED PORCH)	EAVES/SOFFIT	PROPERTY LINE	BY-LAW (1-88)		REAR YARD	BALCONY	
BLOCK 1	1	223.26	73.54	3.92	7.62	32.94	1.75	34.69	10.37	8.91	8.84	25.44	44.08		58.41
	2	140.71	71.17	3.64	3.38	50.58	2.59	53.16	4.74	5.54	5.54	25.44	28.16		35.90
	3	140.88	71.17	3.64	3.38	50.52	2.58	53.10	4.74	5.54	5.54	25.44	28.18		35.98
	4	140.86	71.17	3.64	3.38	50.52	2.58	53.10	4.74	5.54	5.54	25.52	28.34		35.97
	5	141.43	71.17	3.64	3.38	50.32	2.57	52.89	4.74	5.54	5.54	25.63	28.90		36.23
	6	186.82	73.48	3.92	7.59	39.33	2.10	41.43	10.33	7.27	7.27	25.77	38.85		50.33
BLOCK 2	7	189.91	73.51	3.92	7.59	38.71	2.06	40.77	10.33	7.27	7.27	26.66	41.85		51.12
	8	149.96	71.17	3.64	3.38	47.46	2.43	49.88	4.74	5.54	5.54	27.57	37.37		39.85
	9	155.23	71.17	3.64	3.38	45.84	2.34	48.19	4.74	5.54	5.54	28.50	42.54		41.90
	10	160.33	71.17	3.64	3.38	44.39	2.27	46.66	4.74	5.54	5.54	29.42	47.63		43.75
	11	165.47	71.17	3.64	3.38	43.01	2.20	45.21	4.74	5.54	5.54	30.34	52.74		45.49
	12	232.40	74.68	3.92	7.52	32.13	1.69	33.82	10.07	7.22	7.29	33.03	83.40		59.56
BLOCK 3	13	202.46	68.30	22.62	2.30	33.73	11.17	44.91	3.37	12.86	12.80	14.48		14.97	27.91
	14	101.40	71.67	6.29	1.62	70.68	6.21	76.89	2.26	6.40	6.39	14.48		17.32	6.21
	15	101.41	71.67	6.29	1.62	70.68	6.21	76.88	2.26	6.40	6.40	14.49		17.32	6.24
	16	101.40	71.67	6.29	1.62	70.68	6.21	76.89	2.26	6.40	6.40	14.49		17.32	31.45
	17	101.36	71.67	6.29	1.62	70.71	6.21	76.92	2.26	6.40	6.40	14.19		17.32	29.81
	18	101.40	71.67	6.29	1.62	70.69	6.21	76.89	2.26	6.40	6.40	14.18		17.32	5.34
	19	101.39	71.67	6.29	1.62	70.69	6.21	76.90	2.26	6.40	6.39	14.18		17.32	5.34
	20	132.79	68.30	5.93	2.30	51.43	4.46	55.90	3.37	8.38	8.38	14.18		14.97	19.41
	21	127.33	68.30	5.93	2.30	53.64	4.66	58.30	3.37	8.39	8.39	14.69		14.97	32.22
	22	97.57	71.67	6.29	1.62	73.46	6.45	79.91	2.26	6.40	6.40	14.67		17.32	7.26
	23	98.06	71.67	6.29	1.62	73.09	6.42	79.51	2.26	6.40	6.40	14.75		17.32	7.32
	24	98.51	71.67	6.29	1.62	72.76	6.39	79.15	2.26	6.40	6.40	14.82		17.32	33.94
	25	98.93	71.67	6.29	1.62	72.45	6.36	78.81	2.26	6.40	6.40	14.60		17.32	32.84
	26	99.40	71.67	6.29	1.62	72.10	6.33	78.44	2.26	6.40	6.40	14.69		17.32	7.09
	27	99.85	71.67	6.29	1.62	71.78	6.30	78.08	2.26	6.40	6.40	14.75		17.32	7.19
	28	185.06	68.30	22.62	2.30	36.91	12.22	49.13	3.37	7.41	12.61	14.83		14.97	46.87

#10
54%

#3
5.54m

#20
28m²

#2
97.0m²

#11
80%

#4
6.3m

#21
14m²

#13
5%

BIRD FRIENDLY TREATMENTS

GLASS COVERAGE CHECK TO COHERE THE BELOW IS APPLIED:

- ☑ BIRD FRIENDLY TREATMENT IS APPLIED ON MINIMUM AREA OF CONTIGUOUS GLASS PANEL AREA. IF EACH PANEL AREA IS GREATER THAN 2 SQ. M. AND WITHIN 900 MM FROM ROOF LEVEL FINISHED GRADE.

WOOD LANDSCAPE COVERAGE CHECK TO COHERE THE BELOW IS APPLIED:

- ☑ BIRD FRIENDLY TREATMENT IS APPLIED ON MINIMUM AREA OF CONTIGUOUS GLASS PANEL AREA. IF EACH PANEL AREA IS GREATER THAN 2 SQ. M. AND WITHIN 900 MM FROM ROOF LEVEL FINISHED GRADE.

REQUIREMENTS CHECK TO COHERE ONE OR MORE OF THE BELOW IS APPLIED:

- ☑ STRIPS: HORIZONTAL STRIP SPACING IS LESS THAN 500 MM ON CENTRE; VERTICAL STRIP SPACING IS LESS THAN 1500 MM ON CENTRE; HORIZONTAL STRIP WIDTHS ARE GREATER THAN 3 MM; AND VERTICAL STRIP WIDTHS ARE GREATER THAN 3 MM.
- ☑ DOT: DOT SIZE IS LARGER THAN 3MM; HORIZONTAL STRIP SPACING IS LESS THAN 500 MM ON CENTRE; AND VERTICAL STRIP SPACING IS LESS THAN 1500 MM ON CENTRE.

LEGEND

- STORM CONNECTION
- SANITARY CONNECTION
- WATER CONNECTION
- HYDRO CONNECTION
- DOUBLE CATCH BASIN
- CATCH BASIN
- MANHOLE CATCH BASIN
- HYDRO METER
- VALVE AND CHAMBER
- STREET LIGHT
- VALVE AND BOX
- SANITARY MANHOLE
- STORM MANHOLE
- COMMUNITY MAIL BOX
- DOWNSPOUT LOCATION
- PROPOSED 1:1 SLOPE
- ENGINEERED FILL LOT
- TRANSFORMER
- HYDRO METER
- GAS METER
- CABLE TV/FIBER OPTIC
- BELL FIBER OPTIC
- AIR-CONDITIONING UNIT
- BUMP PUMP
- VISITOR PARKING SIGN
- ACCESSIBLE PARKING
- TREE
- WOOD FENCE
- OVERLINE FENCE
- SECTORED GILT FENCE
- FINISHED FLOOR ELEVATION
- FF
- TOP OF FOUNDATION WALL
- FINISHED BASEMENT SLAB
- FINISHED BASEMENT SLAB
- UNDERSIDE OF FOOTING @ REAR OF HOUSE
- UNDERSIDE OF FOOTING @ FRONT OF HOUSE
- EXTERIOR DOOR LOCATION
- EXTERIOR DOOR LOCATION
- GRASS PERMITTED
- WINDOWS PERMITTED
- REVERSE PLAN
- WALK-OUT BASEMENT
- WALK-OUT DECK
- PROPOSED GRADE
- EXISTING GRADE
- DEPRESSED CURB
- HANDICAP PARKING STALL
- PATHLIGHTING
- BOLLARD
- STOP SIGN
- FIRE ROUTE SIGN
- NO PARKING
- VAN ACCESSIBLE PARKING

ONE RISER DESIGNS GENERAL NOTES

- THE CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS ON SITE BEFORE PROCEEDING WITH CONSTRUCTION. ANY DISCREPANCIES SHALL BE REPORTED TO ONE RISER DESIGNS PRIOR TO COMMENCEMENT OF WORK.
- ONE RISER DESIGNS IS NOT RESPONSIBLE FOR THE ACCURACY OF SURVEY, STRUCTURE OR ENGINEERING INFORMATION EXCEPT FOR THE DRAWINGS OR FOR CONSTRUCTION STARTED PRIOR TO THE ISSUANCE OF A BUILDING PERMIT. REFER TO THE APPROPRIATE ENGINEERING DRAWINGS FOR CONSTRUCTION WITH WORK.
- ALL CONSTRUCTED MATERIALS MUST BE VERIFIED PRIOR TO POURING FOOTINGS.
- ONE RISER DESIGNS HAS NOT BEEN REQUIRED TO CARRY OUT GENERAL REVIEW OF THE WORK AND ASSUMES NO RESPONSIBILITY FOR THE FAILURE OF THE CONTRACTOR OR SUB CONTRACTOR TO CARRY OUT WORK IN ACCORDANCE WITH THE CONTRACT DOCUMENTS.
- THIS DRAWING IS AN INSTRUMENT OF SERVICE. IT IS PROVIDED BY AND IS THE PROPERTY OF ONE RISER DESIGNS. THIS DRAWING IS NOT TO BE SCALED.

ONE RISER DESIGNS

20 RIVERVIEW ROAD, UNIT 101
CONCORD, ONTARIO
L4K 3N3
PHONE: (905) 669-2111
FAX: 1 (866) 602-1163
WWW.ONERISER.CA

TREASURE HILL

VARIANCES APPLICATION
DA.22.051

STATION GATE CONCEPT
BLOCK 69

ISSUED FOR CLIENT REVIEW: JAN 24 23 KR
REV. AS PER CLIENT COMMENTS: DEC 15 22 PC
REV. AS PER CLIENT COMMENTS: NOV 11 22 PG
REV. AS PER CLIENT COMMENTS: OCT 31 22 PG
REV. AS PER CLIENT COMMENTS: JULY 29 22 KR
ISSUED FOR CLIENT REVIEW: JULY 25 22 KR
ISSUED FOR CLIENT REVIEW: MAY 25 22 KR
ISSUED FOR CLIENT REVIEW: MAY 20 22 KR

REVISIONS: # Description Date: By:

SCHEDULE B: STAFF & AGENCY COMMENTS

DEPT/AGENCY	Circulated	Comments Received	Conditions	Nature of Comments
TRCA *Schedule B	X	X	X	General comments w/condition
Ministry of Transportation (MTO) *Schedule B				No Comments Received to Date
Region of York *Schedule B	X	X		General Comments
Alectra *Schedule B	X	X		General Comments
Bell Canada *Schedule B	X			No Comments Received to Date
YRDSB *Schedule B				
YCDSB *Schedule B				
CN Rail *Schedule B				
CP Rail *Schedule B				
TransCanada Pipeline *Schedule B	X			No Comments Received to Date
Metrolinx *Schedule B				
Propane Operator *Schedule B				
Development Planning	X			Application under Review
Building Standards (Zoning)	X	X		General Comments

Date: March 14th 2023

Attention: **Christine Vigneault**

RE: Request for Comments

File No.: **A316-22**

Related Files:

Applicant Rom-Grand Kipling Two Ltd.

Location 10 Pierre Berton Blvd



Discover the possibilities

COMMENTS:

- We have reviewed the proposed Variance Application and have no comments or objections to its approval.
- We have reviewed the proposed Variance Application and have no objections to its approval, subject to the following comments (attached below).
- We have reviewed the proposed Variance Application and have the following concerns (attached below).

Alectra Utilities (formerly PowerStream) has received and reviewed the proposed Variance Application. This review, however, does not imply any approval of the project or plan.

All proposed billboards, signs, and other structures associated with the project or plan must maintain minimum clearances to the existing overhead or underground electrical distribution system as specified by the applicable standards, codes and acts referenced.

In the event that construction commences, and the clearance between any component of the work/structure and the adjacent existing overhead and underground electrical distribution system violates the Occupational Health and Safety Act, the customer will be responsible for 100% of the costs associated with Alectra making the work area safe. All construction work will be required to stop until the safe limits of approach can be established.

In the event construction is completed, and the clearance between the constructed structure and the adjacent existing overhead and underground electrical distribution system violates the any of applicable standards, acts or codes referenced, the customer will be responsible for 100% of Alectra's cost for any relocation work.

References:

- Ontario Electrical Safety Code, latest edition (Clearance of Conductors from Buildings)
- Ontario Health and Safety Act, latest edition (Construction Protection)
- Ontario Building Code, latest edition (Clearance to Buildings)
- PowerStream (Construction Standard 03-1, 03-4), attached
- Canadian Standards Association, latest edition (Basic Clearances)

If more information is required, please contact either of the following:

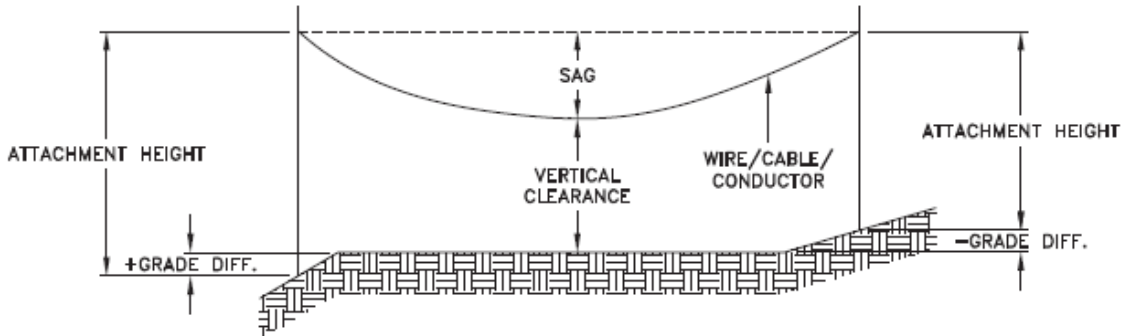
Mr. Stephen Cranley, C.E.T
Supervisor, Distribution Design, ICI & Layouts (North)
Phone: 1-877-963-6900 ext. 31297

E-mail: stephen.cranley@alectrautilities.com

Mitchell Penner
Supervisor, Distribution Design-Subdivisions
Phone: 416-302-6215

Email: Mitchell.Penner@alectrautilities.com

LOCATION OF WIRES, CABLES OR CONDUCTORS	SYSTEM VOLTAGE			
	SPAN GUYS AND COMMUNICATIONS WIRES	UP TO 600V AND NEUTRAL	4.16/2.4kV TO 27.6/16kV (SEE NOTE 1)	44kV
MINIMUM VERTICAL CLEARANCES (SEE NOTE 2)				
OVER OR ALONGSIDE ROADS, DRIVEWAYS OR LANDS ACCESSIBLE TO <u>VEHICLES</u>	442cm	442cm	480cm	520cm
OVER GROUND ACCESSIBLE TO <u>PEDESTRIANS AND BICYCLES ONLY</u>	250cm	310cm	340cm	370cm
ABOVE TOP OF RAIL AT <u>RAILWAY CROSSINGS</u>	730cm	730cm	760cm	810cm



MINIMUM ATTACHMENT HEIGHT = MAXIMUM SAG
 + MINIMUM VERTICAL CLEARANCE (FROM ABOVE TABLE)
 ± GRADE DIFFERENCE
 + 0.3m (VEHICLE OR RAILWAY LOCATION)
 + SNOW DEPTH (PEDESTRIAN LOCATION, SEE NOTE 3)

NOTES:

1. THE MULTIGROUNDED SYSTEM NEUTRAL HAS THE SAME CLEARANCE AS THE 600V SYSTEM.
2. THE VERTICAL CLEARANCES IN THE ABOVE TABLE ARE UNDER MAXIMUM SAG CONDITIONS.
3. REFER TO CSA STANDARD C22.3 No.1, ANNEX D FOR LOCAL SNOW DEPTH VALUES.
4. ALL CLEARANCES ARE IN ACCORDANCE TO CSA STANDARD C22.3.

CONVERSION TABLE

METRIC	IMPERIAL (APPROX)
810cm	27'-0"
760cm	25'-4"
730cm	24'-4"
520cm	17'-4"
480cm	16'-0"
442cm	15'-5"
370cm	12'-4"
340cm	11'-4"
310cm	10'-4"
250cm	8'-4"

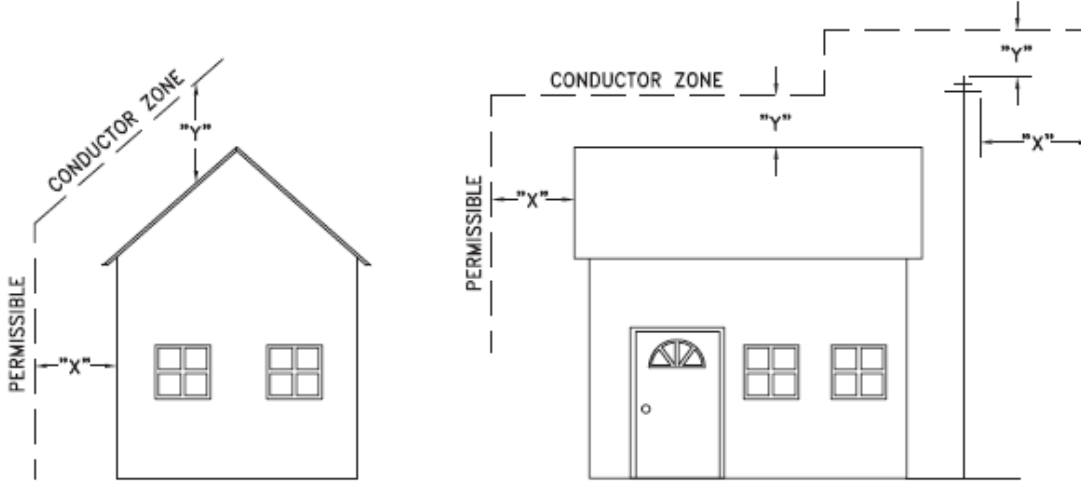
REFERENCES

SAGS AND TENSIONS | SECTION 02

MINIMUM VERTICAL CLEARANCES OF WIRES, CABLES AND CONDUCTORS ABOVE GROUND OR RAILS

ORIGINAL ISSUE DATE: 2010-DEC-24 REVISION NO: R1 REVISION DATE: 2012-JAN-09

Certificate of Approval	
This construction Standard meets the safety requirements of Section 4 of Regulation 22/04	
Joe Crozier, P.Eng.	2012-JAN-09
Name	Date
P.Eng. Approval By:	Joe Crozier



VOLTAGE	MINIMUM HORIZONTAL CLEARANCE UNDER MAXIMUM SWING CONDITIONS DIMENSION "X" (SEE NOTES 1, 3 & 4)	MINIMUM VERTICAL CLEARANCE UNDER MAXIMUM DESIGN SAG CONDITIONS DIMENSION "Y" (SEE NOTES 1, 2, 4 & 5)
0-600V AND NEUTRAL	100cm	250cm
4.16/2.4 TO 44kV	300cm	480cm

NOTES

1. UNDER NO CIRCUMSTANCES SHALL A CONDUCTOR BE PERMITTED TO PENETRATE THE ENVELOPE SHOWN BY THE DOTTED LINE.
2. THE VERTICAL CLEARANCES ARE UNDER CONDITIONS OF MAXIMUM DESIGN SAG.
3. THE HORIZONTAL CLEARANCES ARE UNDER CONDITIONS OF MAXIMUM SWING. WHERE THE CONDUCTOR SWING IS NOT KNOWN A HORIZONTAL CLEARANCE OF 480CM SHALL BE USED.
4. BUILDINGS THAT EXCEED 3 STOREYS OR 15M IN HEIGHT, THE MINIMUM HORIZONTAL CLEARANCE OF THE SECONDARY CONDUCTORS SHOULD BE INCREASED TO 300cm WHERE IT IS NECESSARY TO ALLOW FOR THE RAISING OF LADDERS BY LOCAL FIRE DEPARTMENTS.
5. IN SITUATIONS SUCH AS MULTI-LEVEL GARAGES, WHERE ROOFS ARE NORMALLY USED BY PERSONS AND VEHICLES, THE VERTICAL CLEARANCES OF POWERSTREAM STANDARD 03-1 SHALL APPLY.
6. DISTRIBUTION LINES CONSTRUCTED NEAR BUILDINGS SHALL BE BUILT TO AVOID OVERHANG WHEREVER POSSIBLE. WHERE LINES MUST BE CONSTRUCTED OVER OR ADJACENT TO BUILDINGS THE APPLICABLE HORIZONTAL AND VERTICAL CLEARANCES SHALL BE AT CONDITIONS OF MAXIMUM CONDUCTOR SWING AND MAXIMUM SAG. THE ABOVE CLEARANCES ARE DESIGNED TO PREVENT PERSONS ON OR IN BUILDINGS AS WELL AS EXTERNAL MACHINERY USED IN CONJUNCTION WITH A BUILDING TO COME IN CONTACT WITH CONDUCTORS. EFFORTS SHOULD BE MADE TO INCREASE THESE CLEARANCES WHERE POSSIBLE.
7. ALL CLEARANCES ARE IN ACCORDANCE TO CSA C22.3 NO.1-06 (TABLE-9).

METRIC	IMPERIAL (APPROX)
480cm	16'-0"
300cm	10'-0"
250cm	8'-4"
100cm	3'-4"

MINIMUM VERTICAL & HORIZONTAL CLEARANCES OF CONDUCTORS FROM BUILDINGS OR OTHER PERMANENT STRUCTURES (CONDUCTORS NOT ATTACHED TO BUILDINGS)

Certificate of Approval
This construction Standard meets the safety requirements of Section 4 of Regulation 22/04
Debbie Dadwani, P.Eng. 2010-MAY-05
Name Date
P. Eng. Approval By: *D. Dadwani*

ORIGINAL ISSUE DATE: 2010-MAY-05 REVISION NO: REVISION DATE:
PS:\System Planning and Standards\Standard Design\PowerStream Standards\PowerStream Standards working files\Section 3-1-02\WG 03-4 R0 May 5, 2010.dwg, 5/5/2010 10:22:02 AM, Adobe PDF

To: Committee of Adjustment

From: Sarah Scauzillo, Building Standards Department

Date: March 10, 2023

Applicant: Rom-Grand Kipling Two Ltd.

Location: 10 Pierre Berton Blvd
PLAN 65M4558 Block 69
CONC 8 Part of Lot 27

File No.(s): A316/22

Zoning Classification:

The subject lands are zoned RM1 and subject to the provisions of Exception 14.1040 under Zoning By-law 001-2021, as amended.

#	Zoning By-law 01-2021	Variance requested
1	A Street Townhouse Dwelling is not Permitted. [Section 7.3.1]	To permit a Street Townhouse Dwelling.
2	A minimum lot area of 100m ² per unit is permitted. [Section 7.3.3]	To permit a minimum lot area of 97.0 m ² per unit for Block 3.
3	A minimum lot frontage of 30.0 metres is permitted. [Section 7.3.3]	To permit a minimum lot frontage of 5.54 metres for Blocks 1 and 2.
4	A minimum lot frontage of 30.0 metres is permitted. [Section 7.3.3]	To permit a minimum lot frontage of 6.3 metres for Block 3.
5	A minimum rear yard setback of 7.5 metres is required. [Section 7.3.3]	To permit a minimum rear yard setback of 5.0 metres for Block 1.
6	A minimum rear yard setback of 7.5 metres is required. [Section 7.3.3]	To permit a minimum rear yard setback of 5.4 metres for Block 2.
7	A minimum interior side yard setback of 7.5 metres where an RM1 zone abuts any other Residential Zone, except another RM1 or RM2 zone. (Block 1 unit 1) [Section 7.3.3]	To permit a minimum interior side yard setback of 3.0 metres where an RM1 zone abuts any other Residential Zone, except another RM1 or RM2 zone (Block 1 Unit 1).
8	A minimum interior side yard setback of 1.2 metres is required. [Section 7.3.3]	To permit a minimum interior side yard setback of 0.0 metres.
8	A minimum exterior side yard setback of 3.0 metres is required. [14.1040]	To permit a minimum exterior side yard setback of 1.2 metres for Block 2.
9	A minimum exterior side yard setback of 3.0 metres is required. [14.1040]	To permit a minimum exterior side yard setback of 1.5 metres for Block 3.
10	A maximum lot coverage of 50% is permitted. [Section 7.3.3]	To permit a maximum lot coverage of 54% for Block 1.
11	A maximum lot coverage of 50% is permitted. [Section 7.3.3]	To permit a maximum lot coverage of 80% for Block 3.
12	A minimum of 90% of the required amenity area shall be provided as a common space. [Section 4.3.2]	To permit a minimum of 0% of the required amenity area to be provided as common space.

13	A minimum landscaped area of 10% is permitted. [Section 7.3.3]	To permit a minimum landscaped area of 5% for Block 3.
14	A minimum landscape strip width of 3.0 metres along a lot line which abuts a street line is required. [Section 7.3.3]	To permit a minimum landscape strip width of 1.5 metres along a lot line which abuts a street line for Block 3
15	A minimum landscape strip width of 3.0 metres along a lot line which abuts a street line is required. [Section 7.3.3]	To permit a minimum landscape strip width of 1.2 metres along a lot line which abuts a street line for Block 2 unit 12.
16	A minimum of 0.1 Short Term Bicycle parking spaces per dwelling unit is required for Multiple Family Dwellings. [Section 6.5]	To permit a minimum of 0.0 Short Term Bicycle parking spaces per dwelling unit for Multiple Family dwellings.
17	A minimum of 0.5 Long Term Bicycle parking spaces per dwelling unit is required for Multiple Family Dwellings. [Section 6.5]	To permit a minimum of 0.0 Long Term Bicycle parking spaces per dwelling unit for Multiple Family dwellings.
18	A maximum width of 40.0 metres for the front main wall of a block of multiple-unit townhouse dwellings is permitted. [Section 7.3.3]	To permit a maximum width of 52.2 metres for the front main wall of a block of multiple-unit townhouse dwellings.
19	A balcony is permitted to encroach into the minimum required rear yard up to a maximum of 1.5 metres. [Section 4.13]	To permit a balcony to encroach into the minimum required rear yard up to a maximum of 1.6 metres.

	Zoning By-law 1-88	Variance requested
20	A minimum amenity area of 90m ² per unit is required. [Section 4.1.6]	To permit a minimum amenity area of 28m ² per unit for Blocks 1 and 2.
21	A minimum amenity area of 90m ² per unit is required. [Section 4.1.6]	To permit a minimum amenity area of 14m ² per unit for Block 3.
22	A covered porch is permitted to encroach 0.0 metres into the required front yard [Section 3.14]	To permit a covered porch to encroach 0.1 metres into the required front yard for Block 3.

Staff Comments:

Stop Work Order(s) and Order(s) to Comply:

There are no outstanding Orders on file

Building Permit(s) Issued:

A Building Permit has not been issued. The Ontario Building Code requires a building permit for structures that exceed 10m²

Other Comments:

General Comments	
1	The applicant shall be advised that additional variances may be required upon review of detailed drawing for building permit/site plan approval.
2	The subject application is related to DA.22.051
3	Zoning By-law 001-2021 as amended is in force however sections of the By-law have been appealed. By-law 1-88 is also applicable for all appealed sections. Relevant to this review: Section 4.13 of By-law 001-2021 has been appealed and therefore Section 3.14 of By-law 1-88 a.a. is applicable. Section 4.3 of By-law 001-2021 has been appealed and therefore Section 4.1.6 of By-law 1-88 a.a. is applicable

Conditions of Approval:

If the committee finds merit in the application, the following conditions of approval are recommended.

* Comments are based on the review of documentation supplied with this application.

April 6, 2023

CFN 68446.11

X-Ref: CFN 66433.17, CFN 50822, CFN 49623

SENT BY E-MAIL: Christine.Vigneault@vaughan.ca

Christine Vigneault
Secretary Treasurer
Committee of Adjustment
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario L6A 1T1

Dear Christine:

**Re: Minor Variance Application A316.22
Part Lot 27, Concession 18
Plan 65M4558, Block 69
10 Pierre Berton Boulevard
City of Vaughan, Region of York
Owner: Rom-Grand Kipling Two Ltd.,
Agent: Malone Given Parsons Ltd., c/o Joan MacIntyre and Angela Fang**

This letter acknowledges receipt of the above-noted application circulated by the City of Vaughan. The materials were received by Toronto and Region Conservation Authority (TRCA) on March 13, 2023. TRCA staff have reviewed the application and offer the following comments for the consideration of the Committee of Adjustment.

Purpose of the Application

It is our understanding that the purpose of the above noted application is to request variances under By-Law 001-2021 and By-Law 1-88 in respect to permitted use, minimum lot area, minimum lot frontage, minimum yard setbacks, maximum lot coverage, minimum amenity area for common space, minimum landscaped area, minimum landscape strip width, minimum bicycle parking spaces, maximum width of the front wall of a block of multiple-unit townhouse dwellings, and maximum balcony encroachment into the rear yard. The noted variances are being requested to facilitate the construction of 28 townhouse units.

Ontario Regulation 166/06

A portion of the subject property is located within TRCA's Regulated Area due to a valley corridor associated with a tributary of the Humber River to the north of the site. In accordance with Ontario Regulation 166/06 (Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses), development, interference or alteration may be permitted in the Regulated Area where it can be demonstrated to TRCA's satisfaction that the control of flooding, erosion, dynamic beaches, pollution, or the conservation of land will not be affected.

Application-Specific Comments

As described above, there is a valley corridor to the north of the subject property. The limits of the valley corridor and associated buffers were previously established through a Block Plan land use planning process (Municipal File No. BL.55.2013) and a draft plan of subdivision process (Municipal File No. 19T-13V008). Specifically, as a part of the subdivision process a 10 metre buffer was applied from the valley corridor and included in the open space lands that were conveyed into the ownership of TRCA).

TRCA policies require a 10 metre setback from top of slope for habitable structures, and a 6 metre setback from top of slope for non-habitable accessory structures (i.e., swimming pools, sheds, decks, landscaping etc.). Based on a review of the circulated plans, the proposed variances do not impact the required setbacks from the top of bank. As such, TRCA has no concerns with the proposed variances.

A permit pursuant to Ontario Regulation 166/06 is required for the proposed works within the Regulated Area. TRCA is currently reviewing a permit application submitted by the applicant.

Fees

By copy of this letter, the applicant is advised that the TRCA has implemented a fee schedule for our planning application review services. This application is subject to a \$1250.00 (Minor Variance – Industrial/Commercial/Subdivision/Institutional - Minor) review fee. The applicant is responsible for fee payment and should forward the application fee to this office as soon as possible.

Recommendations

Based on the comments noted above, TRCA provides conditional approval to the approval of Minor Variance Application A316.22 subject to the following conditions:

1. That the applicant provides the required fee amount of \$1250.00 payable to the Toronto and Region Conservation Authority.

We trust these comments are of assistance. Should you have any questions, please contact me at 437-880-2129 or at Kristen.regier@trca.ca

Sincerely,

Kristen Regier

Kristen Regier
Planner I
Development Planning and Permits

KR/sb

From: [Development Services](#)
To: [Christine Vigneault](#); [Committee of Adjustment](#)
Subject: [External] RE: A316/22 (10 Pierre Burton Blvd) - REQUEST FOR COMMENTS, CITY OF VAUGHAN
Date: Monday, December 19, 2022 12:00:05 PM
Attachments: [image001.png](#)
[image003.png](#)

Hi Christine,

The Regional Municipality of York has completed its review of the above minor variance and has no comment.

Please note regional comments are being sent through the associated Site Plan (SP.22.V.0246 - DA.22.051).

Many thanks,

Our working hours may be different. Please do not feel obligated to reply outside of your scheduled working hours. Let's work together to help foster healthy work-life boundaries.

Niranjan Rajevan, M.Pl. | Associate Planner, Programs and Process Improvement, Planning and Economic Development, Corporate Services

The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1
1-877-464-9675 ext. 71521 | niranjan.rajevan@york.ca | www.york.ca

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Please consider the environment before printing this email.

SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE

Correspondence Type	Name	Address	Date Received (mm/dd/yyyy)	Summary
Applicant/Agent	Malone Given Parsons			Justification Letter

February 28, 2023

MGP File: 21-3094

Committee of Adjustment
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON L6A 1T1

via City of Vaughan Committee of Adjustment Online Submission

**Attention: Ms. Christine Vigneault
Secretary-Treasurer, Committee of Adjustment**

Dear Members of Committee:

**RE: Revised Application for Minor Variance – Planning Opinion Letter
Block 69, Plan 65M-4558, 10 Pierre Berton Boulevard, City of Vaughan**

Malone Given Parsons Ltd. (“MGP”) is the land use planning consultant for Treasure Hill, the purchaser of the lands known as Block 69, Part of Lots 28 and 29, Concession 8 in the City of Vaughan and municipally known as 10 Pierre Berton Boulevard (the “Subject Lands” or “Block 69”). The Subject Lands are currently owned by Rom-Grand Kipling Two Ltd.

The Subject Lands are located at the northwest corner of Kipling Avenue and Pierre Berton Boulevard and are legally described as BLOCK 69, PLAN 65M4558, in the City of Vaughan (the “City”). The Subject Lands were created as a medium density block approximately 0.48 hectares (1.18 acres) in size through the approvals of the Block 55 Plan, Draft Plan of Subdivision 19T-13V008, and Zoning By-law 146-2014. The Subject Lands are shown in **Figure 1** below.

MGP has prepared this Planning Opinion Letter in support of an application for a minor variance to the City of Vaughan Committee of Adjustment to permit the proposed townhouse and back-to-back townhouse development on the Subject Lands (the “Application”). The Application facilitates the redevelopment of the Subject Lands for medium density residential uses in accordance with the approved Block Plan, draft plan, and Zoning By-law 1-88, as amended, within a proposed common element condominium.

A Site Plan application for the Subject Lands, DA.22.051, is currently under review by the City to facilitate this proposed development. As a result of the City’s review of the Site Plan application, and in accordance with discussions with City staff, Treasure Hill has revised its plans for the Subject Lands in order to address concerns from the City and commenting agencies. Both the Site Plan application as well as this minor variance application, as revised herein, reflect the changes to the plans that have been discussed with City staff.

For the reasons set out in this letter, it is my opinion that the proposed parking variance and the Application meets the four tests of a minor variance and should be approved because the proposed variance:

- Maintains the general intent and purpose of the City’s Official Plan (“VOP”) and the North Kleinburg-Nashville Secondary Plan (“KNSP”);
- Maintains the general intent and purpose of the City’s Zoning By-laws 1-88 and 001-2021;
- Is desirable for the appropriate development or use of the land; and
- Is minor.

Figure 1 – Subject Lands Location



 Subject Lands - Block 69, Vaughan

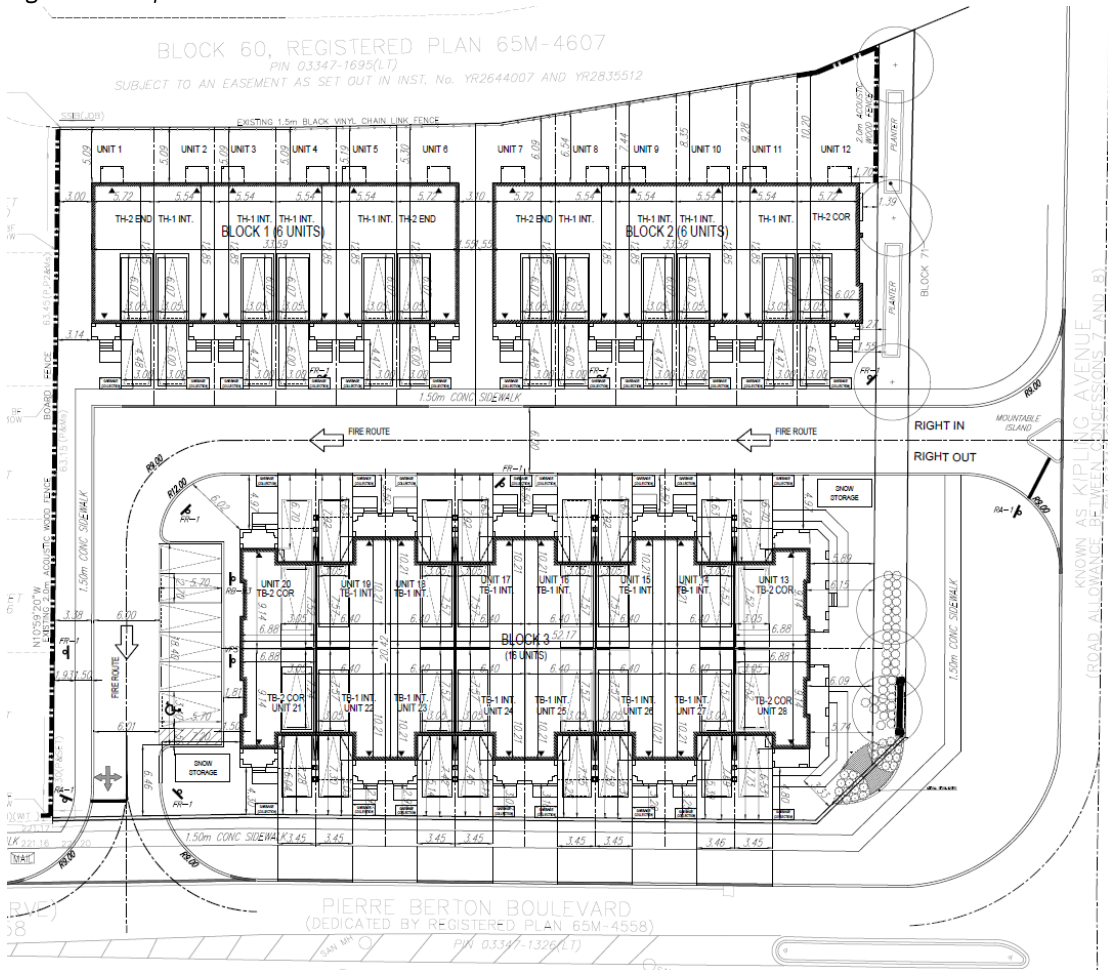
1.0 Background and Site Context

Treasure Hill is proposing to develop the Subject Lands with 28 2-storey townhouse units on parcels of tied land (“POTL”) with a common element condominium road (the “Proposed Development”). The Proposed Development includes:

- 2 blocks of front-accessed townhouses with 6 units in each block for a total of 12 units;
- 1 block of back-to-back townhouses with 16 units;
- 6 visitor parking spaces, including one accessible parking space; and
- A private condominium road with full moves access to and from Pierre Berton Boulevard, and a right-in, right-out only access from Kipling Avenue.

The proposed site plan is shown in Figure 2 below.

Figure 2 – Proposed Site Plan



The Subject Lands are 0.48 hectares (1.18 acres) in size and currently vacant. The Subject Lands have approximately 70 m of frontage on Kipling Avenue to the east and approximately 70 m of frontage on Pierre Berton Blvd to the south. Lands to the east of Kipling Avenue are within the Greenbelt. Five single detached homes facing Streamside Street are located along the western boundary of the Subject Lands. A watercourse and stormwater management pond are located to the north of the Subject Lands. A large neighbourhood park (Summit Park) is located northwest of the Subject Lands and along the watercourse with close-by access from Streamside Street and from Kleinburg Summit Way. Lands along the west side of Kleinburg Summit Way contain a multi-use path extending from Kirby Road to Teston Road.

The recently approved York Region Official Plan, 2022 (approved by the Minister of Municipal Affairs and Housing on November 4, 2022) designates the Subject Lands as Urban Area and Community Area. Community Areas are intended to accommodate residential uses, personal services, retail, institutional, population-related employment, and cultural and community services and shall contain a wide range and mix of housing types, sizes, and tenures.

The City of Vaughan Official Plan (“VOP”) designates the Subject Lands as Community Areas and subject to the North Kleinburg-Nashville Secondary Plan (“KNSP”). Section 9.2.3.2 of the VOP contains certain policies regarding development criteria for townhouses. The Proposed

Development conforms to these policies with respect to heights, unit and block lengths, and separation distances between blocks, as demonstrated by the Site Plan.

The Subject Lands are located within the Kipling Avenue Community of the KNSP and were originally designated KN Low-Rise Residential I, which permits only detached houses up to 3 storeys in height. However, Policy 4.1 of the KNSP provides that the land use pattern is schematic and may be adjusted through the Block Plan, subdivision, or site plan approval processes. An adjustment to the location of the KN Low-Rise Residential occurred during the Block Plan Approval process and the Subject Lands are shown as KN Low-Rise Residential in the approved Block Plan.

The Block Plan for Block 55 East was approved in May 2014 with Draft Plan of Subdivision 19T-13V008 and Zoning By-law 146-2014 approved in September 2014. The Block Plan as approved, split the Secondary Plan's KN Low-Rise Mixed-Use (KN LR MU II) designation into three locations intended for medium density uses with approximately half of the KN Low-Rise Mixed-Use Area on the Subject Lands.

2.0 Applicable Zoning By-laws

By-law 146-2014, which amended parent ZBL 1-88, re-zoned the lands within the draft plan of subdivision from Agricultural and Open Space Conservation zones to a variety of residential, local commercial, and open space uses with a holding symbol. The Subject Lands were zoned to Multiple Residential RM2(H) Zone, which permits a range of medium density uses including apartment dwellings, multiple family dwellings, and block townhouse dwellings. By-law 146-2014 includes site-specific zone standards with respect to maximum height, minimum front yard setback, and minimum exterior yard setback for the Subject Lands (the RM2 zone) as set out in Section B.ei) to B.eiii) of By-law 146-2014.

On October 20, 2021, City Council enacted Zoning By-law 001-2021 (the "New ZBL"), a comprehensive zoning by-law that is intended to repeal and replace ZBL 1-88. Due to appeals to the New ZBL, this by-law is not in force and therefore ZBL 1-88 remains the by-law that is applicable to this application. However, City staff have asked that development satisfy requirements of both by-laws and that variances be identified under both by-laws for issuance of building permits as that reflects the most recent direction from Council.

Under the New ZBL, the Subject Lands are zoned Multiple Unit Residential Zone RM1(H)-1040. The RM1 zone permits similar medium density uses and zone standards as the RM2 Zone of ZBL 1-88. Exception 1040 carries forward the site-specific zoning standards from By-law 146-2014.

3.0 Minor Variances

The purpose of this minor variance application is to seek variances to permit the Proposed Development under both of the City's zoning by-laws. A detailed table of the requested variances against both of the City's by-laws is provided in Attachment 1 to this letter.

The City identifies the proposed front-accessed townhouses in Blocks 1 and 2 as "street townhouses". While we disagree with this interpretation (related to the type of road access proposed within the common element condominium structure), we have applied for a

variance to clarify that “street townhouses fronting on a common element road” are a permitted use under both zoning by-laws. This is not a standard street townhouse (fronting on a public road) and the proposed built form provides a variety of housing options in both front-access and back-to-back townhouse forms, maintaining the intent and purpose of the Residential Multiple zone as well as the approved Block Plan and densities.

The remainder of the variances are generated as a result of the proposal for a common element condominium on POTLs, where each POTL is treated as a lot, under the definitions of both zoning by-laws. This generates significantly more variances as ZBL 1-88 and the New ZBL were not drafted to contemplate this structure within the RM1 or RM2 zones. The minor variance application includes variances to provisions including:

- Minimum lot area under both by-laws;
- Minimum lot frontage (30 m requirement did not anticipate a proposal on POTLs) under both by-laws;
- Minimum front yard setback under ZBL 1-88 for the back-to-back townhouses;
- Minimum rear yard setbacks under both by-laws;
- Minimum interior and exterior side yard setbacks under both by-laws;
- Maximum lot coverage under both by-laws;
- Minimum amenity area under ZBL 1-88;
- Minimum landscaped area and landscaped strips along lot and street lines under both by-laws;
- Minimum parking space and accessible parking space dimensions under ZBL 1-88;
- Requirements for outdoor parking area screening under ZBL 1-88;
- Minimum driveway width (for the common element road) under ZBL 1-88; and
- Minimum number of bicycle parking spaces under the New ZBL.

The following portion of this letter assesses the requested variances in the context of the four minor variance tests under s.45(1) of the Planning Act. In my opinion, the proposed variances maintain the intent of the Official Plan and Zoning By-law, is minor in nature, desirable for the appropriate development of the land, and should be approved.

4.0 Minor Variance Tests

Section 45(1) of the Planning Act outlines four tests to which applications for minor variances must comply. A description of how the requested variances meet each of the four tests is outlined below.

4.1 The general intent and purpose of the City’s Official Plan is maintained

The proposed variances conform to the policy directions outlined in the VOP and the KNPS regarding the development of Community Areas. The Subject Lands are located within the Kipling Avenue Community with an overall density target of 30 people and jobs per hectare, which has been exceeded through the block plan approval and subsequent development of the entire area.

The Proposed Development allows for a denser built form in an appropriate location adjacent to a Minor Arterial Road (Kipling Avenue) and a Minor Collector Road (Pierre Berton Blvd), at

a gateway into the lower density community. The Proposed Development meets the townhouse development criteria of Section 9.2.3.2 of the VOP and respects the scale, massing, setback, and orientation to surrounding, built development to the west. The back-to-back townhouses, while complying with the maximum height requirements of the KNSP and VOP, have been appropriately separated from the existing residential dwellings by over 10 m. Amenity and landscaped areas have been provided where feasible, including in backyards for Blocks 1-2 (street townhouses) and on balconies in Block 3 (back-to-back townhouses where no rear yard is possible).

In my opinion, the proposed variances maintain the general intent of the VOP and the KNSP.

4.2 The general intent and purpose of the City's Zoning By-law is maintained

ZBL 1-88 is an older by-law, drafted prior to current provincial and municipal policy directions regarding building compact, complete communities, and prior to the diversification of residential built forms within the City to include various forms of townhouses and a range of condominium structures. While ZBL 1-88 has been updated in a piecemeal fashion to address new zone categories and built forms, it does not provide relevant guidance on the appropriate built forms and zone standards. We understand that until the New ZBL is brought into full force and effect for the standards that are proposed to be varied through this application, staff have asked for variances to be submitted for both by-laws.

The New ZBL contains a broader spectrum of built form typologies and their associated zone standards. There are fewer variances requested to the New ZBL, as the standards included within are more modern (such as parking space and accessible parking space dimensions, driveway widths, permitted porch encroachments, etc.).

The variances to the permitted uses and definitions are technical in nature as the proposed units in Blocks 1-2 do not fit into a defined type of townhouse dwelling unit, and the closest definition has been deemed to be a street townhouse (as access to each unit is provided through the front entrance), even though the proposed units do not have frontage on a public street. The variances will clarify that a street townhouse on a common element road is a permitted use and that the definition of lot will include any lots fronting on both public and private roads (ZBL 1-88 only), as is the case for the Proposed Development. The RM1 and RM2 zones permit other similar types of townhouse dwellings and as such, the intent of ZBL 1-88 and the New ZBL is maintained. The proposed back-to-back townhouses in Block 3 are permitted as-of-right in both ZBL 1-88 and the new ZBL and do not require a variance to the list of permitted uses or the definitions.

The required lot frontage is 30 m. As the Proposed Development is on POTLs, this requirement cannot be achieved and must be varied and reduced to 5.5 m to apply to each POTL. A variance is also sought to reduce the minimum lot area to accommodate the proposed townhouse dwellings. The New ZBL provides an updated minimum lot area of 100 m²/unit. The proposed back-to-back townhouse dwellings in Block 3 require a variance to reduce this area to 97 m²/unit for all interior lots. In my opinion, this maintains the intent of the by-law to have smaller-sized townhouse dwelling lots and is a minor reduction.

The proposed variances to the required setbacks maintain the intent of ZBL 1-88 and the New ZBL as they facilitate this type of townhouse development (no interior side yard setbacks and rear yard setbacks for back-to-back townhouses due to standard townhouse configuration). The reduction in exterior side yard setback is only required for Block 2 where it abuts Kipling Avenue. Given that there is an existing landscaped strip between the Subject Lands and the travelled portion of Kipling Avenue, this reduction in exterior side yard setback is appropriate and maintains the intent of the by-law for a 3.0 metre in the side yard. Open space and landscaping are still being provided within the yards of each POTL, where feasible, each lot maintains its individual driveway and parking access, and each block presents as a consistent street wall, which maintains the intent of the setback provisions.

Variances are also sought to reduce the minimum landscaped area, landscape strip abutting a street line, minimum amenity area, and maximum lot coverage requirements under both by-laws. The design and inherent built form of back-to-back townhouses makes it difficult to meet the minimum requirements in the zoning by-law. However, sufficient landscaping, natural open space, parks, and trails are provided in proximity to and surrounding the Subject Lands, including Summit Park to the north and the multi-use trail connecting it to the Subject Lands, which provides outdoor amenity area for future residents. In addition, there is an existing 3 m wide landscape strip along Kipling Avenue adjacent to the Subject Lands, which will be planted and landscaped per City requirements through the site plan application.

The Proposed Development does not include any shared/visitor bicycle parking spaces, which requires a variance to the requirement under the New ZBL for the back-to-back townhouses; bicycle parking spaces are not required for the proposed street townhouses in Blocks 1-2. It is anticipated that, like the street townhouses in Blocks 1-2, visitors and residents of the back-to-back townhouses will park bicycles at the unit, either on the driveway or in the garage of the unit.

The nature of the planned medium-density residential development on the Subject Lands has not changed since the RM2 zone was approved in 2014. Therefore, the variances maintain the intent of the land use permissions established for the Subject Lands, while providing the necessary relief for zone standards to achieve a modern, compact built form that is more transit-supportive.

4.3 The requested variances are desirable for the appropriate development or use of the land, building or structure

In my opinion, the requested variances are desirable and appropriate for the development and use of the Subject Lands. As noted above, the Subject Lands have been designated and identified for medium density residential development since 2014. The development of these lands will complete the community and provide a transition from Kipling Avenue to the lower density residential uses interior to the community to the west and north. The reduced amenity and landscaped area variances are appropriate given the surrounding context and community, with amenity area, parks, and natural open spaces being planned and provided on other lands within walking distance to the Subject Property. The proposed townhouse buildings provide diversity for housing options in the area and are appropriate for the lands.

4.4 The requested variances are minor

The proposed variances are minor as they have little to no adverse impacts on adjacent lands. On the south and east, the Subject Lands are bound by Pierre Berton Blvd and Kipling Avenue, with the Greenbelt on the east side of Kipling Avenue and residential uses on the south side of Pierre Berton Blvd. On the north, there is an open space network and a stormwater management facility. There are no impacts on any of these open space lands to the north or east. To the west, there are 5 existing residential dwellings with their rear yards abutting the Subject Lands. The Proposed Development proposes visitor parking, an existing acoustic fence, and a landscape strip along the west property line to provide a buffer and transition between the proposed buildings and the existing residential dwellings.

5.0 Application Materials

In support of the Application, and in addition to those materials filed originally November 29, 2022, please find enclosed the following materials that support the revised plans:

- One (1) copy of the Chart – Confirm Variances Requested (Attachment 1 to this letter);
- One (1) copy of the Chart – Property Setbacks for all Existing and Proposed Structures;
- One (1) copy of the Chart – Size of all Existing and Proposed Structures; and
- One (1) copy of the Site Plan prepared by One Riser, dated February 27, 2023.

The Minor Variance application fee of \$3,155.00 has been provided under separate cover.

We trust the enclosed information is sufficient to support the application and request to be scheduled on the earliest Committee of Adjustment agenda. Should you have any questions, please contact the undersigned.

Yours very truly,
Malone Given Parsons Ltd.



Joan MacIntyre, MCIP, RPP

cc: Jason Bottoni, Vice President - Land Development, Treasure Hill
Brandon Rossi, Project Manager - Land Development, Treasure Hill