

**ITEM #: 6.20**

**COMMITTEE OF ADJUSTMENT REPORT  
CONSENT APPLICATION  
B006/23  
9810 BATHURST STREET, VAUGHAN**

**COA REPORT SUMMARY**

**THIS REPORT CONTAINS COMMENTS FROM THE FOLLOWING  
DEPARTMENTS & AGENCIES:**

\*Please see **Schedule B** of this report for a copy of Staff 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.*

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

**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.

<b>Correspondence Type</b>	<b>Name</b>	<b>Address</b>	<b>Date Received</b> (mm/dd/yyyy)	<b>Summary</b>
Public	Vadim Sverdlik	2 Geshher Crescent	06/14/2023	Letter of Objection
Applicant				Planning Justification Report

**PREVIOUS COA DECISIONS ON THE SUBJECT LAND**

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

<b>File Number</b>	<b>Date of Decision</b> MM/DD/YYYY	<b>Decision Outcome</b>
None		

**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  
CONSENT APPLICATION  
B006/23  
9810 BATHURST STREET, VAUGHAN**

<b>ITEM NUMBER: 6.20</b>	<b>CITY WARD #: 4</b>
<b>APPLICANT:</b>	1979350 Ontario Inc.
<b>AGENT:</b>	KLM Planning Partners Inc.
<b>PROPERTY:</b>	9810 Bathurst Street, Vaughan
<b>ZONING DESIGNATION:</b>	See Below
<b>VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:</b>	Vaughan Official Plan 2010 ('VOP 2010'): "High-Rise Residential"
<b>RELATED DEVELOPMENT APPLICATIONS:</b>	None
<b>PURPOSE OF APPLICATION:</b>	Consent is being requested to sever a parcel of land for residential purposes approximately 19,800 square metres. The retained parcel is approximately 26,700 metres. The temporary sales office on the retained lands is to remain.  <i>**Variances are not required for minimum lot area and frontage for both the severed and retained lands as Exception 14.924 &amp; Exception 9(1287) allows for the subject lands to be reviewed as a single lot for zoning conformity.</i>

**HEARING INFORMATION**

**DATE OF MEETING:** Thursday, June 22, 2023  
**TIME:** 6:00 p.m.  
**MEETING LOCATION:** Vaughan City Hall, Woodbridge Room (2<sup>nd</sup> Floor), 2141 Major Mackenzie Drive  
**LIVE STREAM LINK:** [Vaughan.ca/LiveCouncil](http://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](mailto: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](mailto:cofa@vaughan.ca)

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

To speak electronically, pre-registration is required by completing the [Request to Speak Form](#) on-line and submitting it to [cofa@vaughan.ca](mailto:cofa@vaughan.ca) no later than NOON on the last business day before the meeting.

**THE DEADLINE TO REGISTER TO SPEAK ELECTRONICALLY 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.

The Planning Act sets the standard to which provincial interests, provincial and local policies and goals are implemented. Accordingly, review of this application considers the following:

- ✓ Conformity to Section 51(24) as required by Section 53(12) of the Planning Act.
- ✓ Conformity to the City of Vaughan Official Plan.
- ✓ Conformity to the Provincial Policy Statements as required by Section 3 (1) of the Planning Act.

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

<b>Date Public Notice Mailed:</b>	June 8, 2023
<b>Date Applicant Confirmed Posting of Sign:</b>	May 24, 2023
<b>Adjournment Requests (from staff):</b> <small>*Adjournment requests provided to applicant prior to issuance of public notice</small>	None
<b>Adjournment Fees:</b> 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 <b>after</b> the issuance of public notice.	
<b>Committee of Adjustment Comments:</b>	None
<b>Committee of Adjustment Recommended Conditions of Approval:</b>	1. That the applicant's solicitor confirm the legal description of both the severed and retained land. 2. That the applicant provides two (2) full size copies of the deposited plan of reference of the entire land which conforms substantially with the application as submitted. 3. That the applicant provide an electronic copy of the deposited reference plan to cofa@vaughan.ca 4. Payment of the Certificate Fee as provided on the City of Vaughan's Committee of Adjustment Fee Schedule.

### BUILDING STANDARDS (ZONING) COMMENTS

<b>**See Schedule B for Building Standards (Zoning) Comments.</b>	
<b>Building Standards Recommended Conditions of Approval:</b>	None

### DEVELOPMENT PLANNING COMMENTS

<b>**See Schedule B for Development Planning Comments.</b>	
<b>Development Planning Recommended Conditions of Approval:</b>	None

### DEVELOPMENT ENGINEERING COMMENTS

<a href="#">Link to Grading Permit</a> <a href="#">Link to Pool Permit</a> <a href="#">Link to Curb Curt Permit</a> <a href="#">Link Culvert Installation</a>	
The Development Engineering (DE) Department does not object to Consent Application B006/23 subject to the following condition(s):	
<b>Development Engineering Recommended Conditions of Approval:</b>	The Owner/Applicant shall prepare and register a reference plan at their expense showing all existing and proposed easements to the satisfaction of the Development Engineering Department (DE) for the Subject Lands applicable to the Consent Application. The Owner/Applicant shall submit a draft reference plan to DE for review prior to deposit with the Land Registry. The Owner/Applicant shall submit the deposited reference plan to DE in order to clear this condition.  The Owner/Applicant shall approach Development Inspection and Lot Grading Division of Development Engineering to apply for the required service connections for the severed lands & service connection upgrades (if applicable) within the retained lands as per city standards, complete with a servicing and lot grading plan. The Owner/Applicant of the retained land shall contact the Development Inspection and Grading Department at serviceconnections@vaughan.ca to obtain a cost estimate and pay the applicable fee(s) following confirmation of service connection estimates for installation of required services. All service connection costs including applicable administration fees shall be responsibility of the owner of the retained lands. Service connection application process may take 4-6 weeks.

## DEVELOPMENT ENGINEERING COMMENTS

[Link to Grading Permit](#)  
 [Link to Pool Permit](#)  
 [Link to Curb Curt Permit](#)  
 [Link Culvert Installation](#)

Owner/Applicant is encouraged to take enough time for allowing to complete the whole process.

## PARKS, FORESTRY & HORTICULTURE (PFH) COMMENTS

Forestry has no comment at this time

<b>PFH Recommended Conditions of Approval:</b>	None
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## DEVELOPMENT FINANCE COMMENTS

That the payment of the City Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and City-wide Development Charge By-law in effect at time of payment.

That the payment of Region of York Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and Regional Development Charges By-laws in effect at time of payment.

That the payment of Education Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Education Act and York Region District School Board and York Catholic District School Board Development Charges By-laws in effect at time of payment.

That the payment of applicable Area Specific Development Charges are payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and Area Specific Development Charge By-laws in effect at time of payment.

<b>Development Finance Recommended Conditions of Approval:</b>	<p>The owner shall pay of a Tree Fee, approved by Council as of the date of granting the consent. Payment is to be made by certified cheque, to the satisfaction of the City of Vaughan Financial Planning and Development Finance Department (contact Nelson Pereira to have this condition cleared).</p> <p>The owner shall pay all property taxes as levied. Payment is to be made by certified cheque, to the satisfaction of the City of Vaughan Financial Planning and Development Finance Department (contact Nelson Pereira to have this condition cleared).</p>
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## BY-LAW AND COMPLIANCE, LICENSING AND PERMIT SERVICES COMMENTS

No comments received to date.

<b>BCLPS Recommended Conditions of Approval:</b>	None
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## BUILDING INSPECTION (SEPTIC) COMMENTS

No comments received to date.

<b>Building Inspection Recommended Conditions of Approval:</b>	None
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## FIRE DEPARTMENT COMMENTS

No comments received to date.

<b>Fire Department Recommended Conditions of Approval:</b>	None
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## SCHEDULES TO STAFF REPORT

\*See Schedule for list of correspondence

<b>Schedule A</b>	Drawings & Plans Submitted with the Application
<b>Schedule B</b>	Staff & Agency Comments
<b>Schedule C</b> (if required)	Correspondence (Received from Public & Applicant)
<b>Schedule D</b> (if required)	Previous COA Decisions on the Subject Land

Should the Committee find it appropriate to approve this application, 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	Committee of Adjustment <a href="mailto:christine.vigneault@vaughan.ca">christine.vigneault@vaughan.ca</a>	<ol style="list-style-type: none"> <li>1. That the applicant’s solicitor confirm the legal description of both the severed and retained land.</li> <li>2. That the applicant provides two (2) full size copies of the deposited plan of reference of the entire land which conforms substantially with the application as submitted.</li> <li>3. That the applicant provide an electronic copy of the deposited reference plan to <a href="mailto:cofa@vaughan.ca">cofa@vaughan.ca</a></li> <li>4. Payment of the Certificate Fee as provided on the City of Vaughan’s Committee of Adjustment Fee Schedule.</li> </ol>
2	Real Estate <a href="mailto:francesca.laratta@vaughan.ca">francesca.laratta@vaughan.ca</a>	The applicant shall provide the City with an appraisal report and valuation of the subject land (land only) to be prepared by an accredited appraiser. Payment of a Parkland levy to the City in lieu of the deeding of land for park purposes shall be made if a new lot is being created. Said levy is to be 5% of the appraised market value of the subject land as of the date of the Committee of Adjustment giving notice to the Applicant of the herein decision. Said levy shall be approved by the Director of Real Estate. Payment shall be made by certified cheque only.
3	Development Engineering <a href="mailto:Rex.bondad@vaughan.ca">Rex.bondad@vaughan.ca</a>	<p>The Owner/Applicant shall prepare and register a reference plan at their expense showing all existing and proposed easements to the satisfaction of the Development Engineering Department (DE) for the Subject Lands applicable to the Consent Application. The Owner/Applicant shall submit a draft reference plan to DE for review prior to deposit with the Land Registry. The Owner/Applicant shall submit the deposited reference plan to DE in order to clear this condition.</p> <p>The Owner/Applicant shall approach Development Inspection and Lot Grading Division of Development Engineering to apply for the required service connections for the severed lands &amp; service connection upgrades (if applicable) within the retained lands as per city standards, complete with a servicing and lot grading plan. The Owner/Applicant of the retained land shall contact the Development Inspection and Grading Department at <a href="mailto:serviceconnections@vaughan.ca">serviceconnections@vaughan.ca</a> to obtain a cost estimate and pay the applicable fee(s) following confirmation of service connection estimates for installation of required services. All service connection costs including applicable administration fees shall be responsibility of the owner of the retained lands. Service connection application process may take 4-6 weeks. Owner/Applicant is encouraged to take enough time for allowing to complete the whole process.</p>
4	Development Finance <a href="mailto:nelson.pereira@vaughan.ca">nelson.pereira@vaughan.ca</a>	1. The owner shall pay of a Tree Fee, approved by Council as of the date of granting the consent. Payment is to be made by certified cheque, to the satisfaction of the City of Vaughan Financial Planning and

**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.

		<p>Development Finance Department (contact Nelson Pereira to have this condition cleared).</p> <p>2. The owner shall pay all property taxes as levied. Payment is to be made by certified cheque, to the satisfaction of the City of Vaughan Financial Planning and Development Finance Department (contact Nelson Pereira to have this condition cleared).</p>
5	<p>York Region  <a href="mailto:Justin.wong@york.ca">Justin.wong@york.ca</a></p>	<p>1. The Owner shall convey free of cost and encumbrances, to the satisfaction of the Region’s solicitor:</p> <p>a. A road widening of 21.5m from the proposed centerline of construction as per the approved ESA or latest detailed design for the reconstruction of Bathurst Street</p> <p>b. The Owner is advised to contact Shawn Ellsworth P.Eng, Project Manager with the Capital Delivery Group to obtain information about the location of the proposed centerline of construction.</p> <p>2. The Owner shall provide a solicitor’s certificate of title in a form satisfactory to the Regional Solicitor, at no cost to the Region, with respect to the conveyance of these lands to the Region.</p> <p>3. The Region requires the Owner submit a Phase One Environmental Site Assessment (“ESA”) in general accordance with the requirements of the <i>Environmental Protection Act</i> and O. Reg. 153/04 Records of Site Condition, as amended (“O. Reg. 153/04”). The Phase One ESA must be for the Owner’s property that is the subject of the application and CONS.23.V.0052 (B006/23) Page 2 of 3 include the lands to be conveyed to the Region (the “Conveyance Lands”). The Phase One ESA cannot be more than two (2) years old at: (a) the date of submission to the Region; and (b) the date title to the Conveyance Lands is transferred to the Region. If the originally submitted Phase One ESA is or would be more than two (2) years old at the actual date title of the Conveyance Lands is transferred to the Region, the Phase One ESA will need to be either updated or a new Phase One ESA submitted by the Owner. Any update or new Phase One ESA must be prepared to the satisfaction of the Region and in general accordance with the requirements of O. Reg. 153/04. The Region, at its discretion, may require further study, investigation, assessment, delineation and preparation of reports to determine whether any action is required regardless of the findings or conclusions of the submitted Phase One ESA. The further study, investigation, assessment, delineation and subsequent reports or documentation must be prepared to</p>

**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.

		<p>the satisfaction of the Region and in general accordance with the requirements of O. Reg. 153/04. Reliance on the Phase One ESA and any subsequent reports or documentation must be provided to the Region in the Region’s standard format and/or contain terms and conditions satisfactory to the Region. The Region requires a certified written statement from the Owner that, as of the date title to the Conveyance Lands is transferred to the Region: (i) there are no contaminants of concern, within the meaning of O. Reg. 153/04, which are present at, in, on, or under the property, or emanating or migrating from the property to the Conveyance Lands at levels that exceed the MOECC full depth site condition standards applicable to the property; (ii) no pollutant, waste of any nature, hazardous substance, toxic substance, dangerous goods, or other substance or material defined or regulated under applicable environmental laws is present at, in, on or under the Conveyance Lands; and (iii) there are no underground or aboveground tanks, related piping, equipment and appurtenances located at, in, on or under the Conveyance Lands.</p> <p>4. The Owner shall be responsible for all costs associated with the preparation and delivery of the Phase One ESA, any subsequent environmental work, reports or other documentation, reliance, and the Owner’s certified written statement.</p> <p>5. This application is subject to York Region’s development applications processing fees as identified in By-law No. 2010-15. The review fee for Consent to Sever is \$1,200. The Review and approval of the Environmental Site Assessment Report fee is \$1,900. All payments shall be in the form of a cheque and made payable to “The Regional Municipality of York” and forwarded to Development Services. Development application fees are subject to annual adjustments and increases. Any unpaid fees, regardless of the year the application is submitted, will be subject to current fee requirements.</p> <p>6. Prior to final approval, the Planning and Economic Development Branch shall certify that Conditions 1 to 5 have been met to its satisfaction.</p>
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**IMPORTANT INFORMATION – PLEASE READ**

**CONDITIONS:** Conditions must be fulfilled within two years from the date of the giving of the Notice of Decision, failing which this application shall thereupon be deemed to be refused. No extension to the last day for fulfilling conditions is permissible.

**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.



### IMPORTANT INFORMATION – PLEASE READ

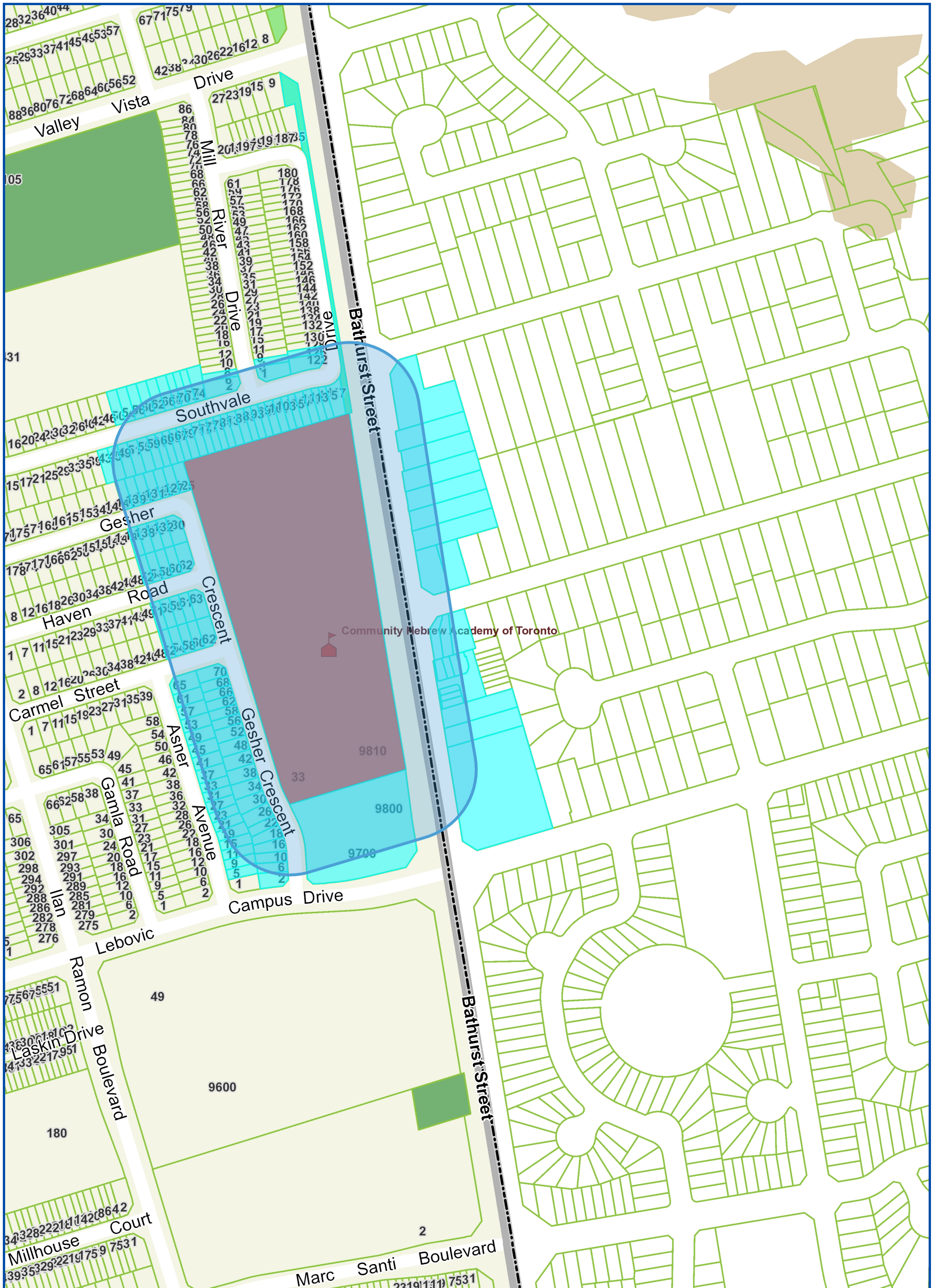
That the payment of the City Development Charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the City's Development Charges By-law in effect at the time of payment.

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

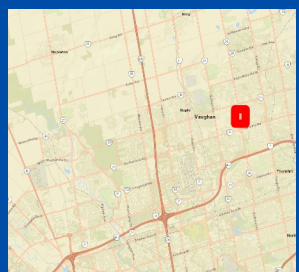
That the payment of Special Area Development charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and The City's Development Charge By-law in effect at the time of Building permit issuance to the satisfaction of the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



Map Information:



Title: **B006/23 - 9810 Bathurst Street**

Scale: **1:4,514**

Created By: **Infrastructure Delivery Department**  
 May 19, 2023 2:55 PM

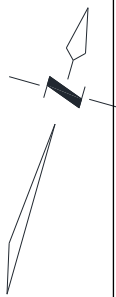
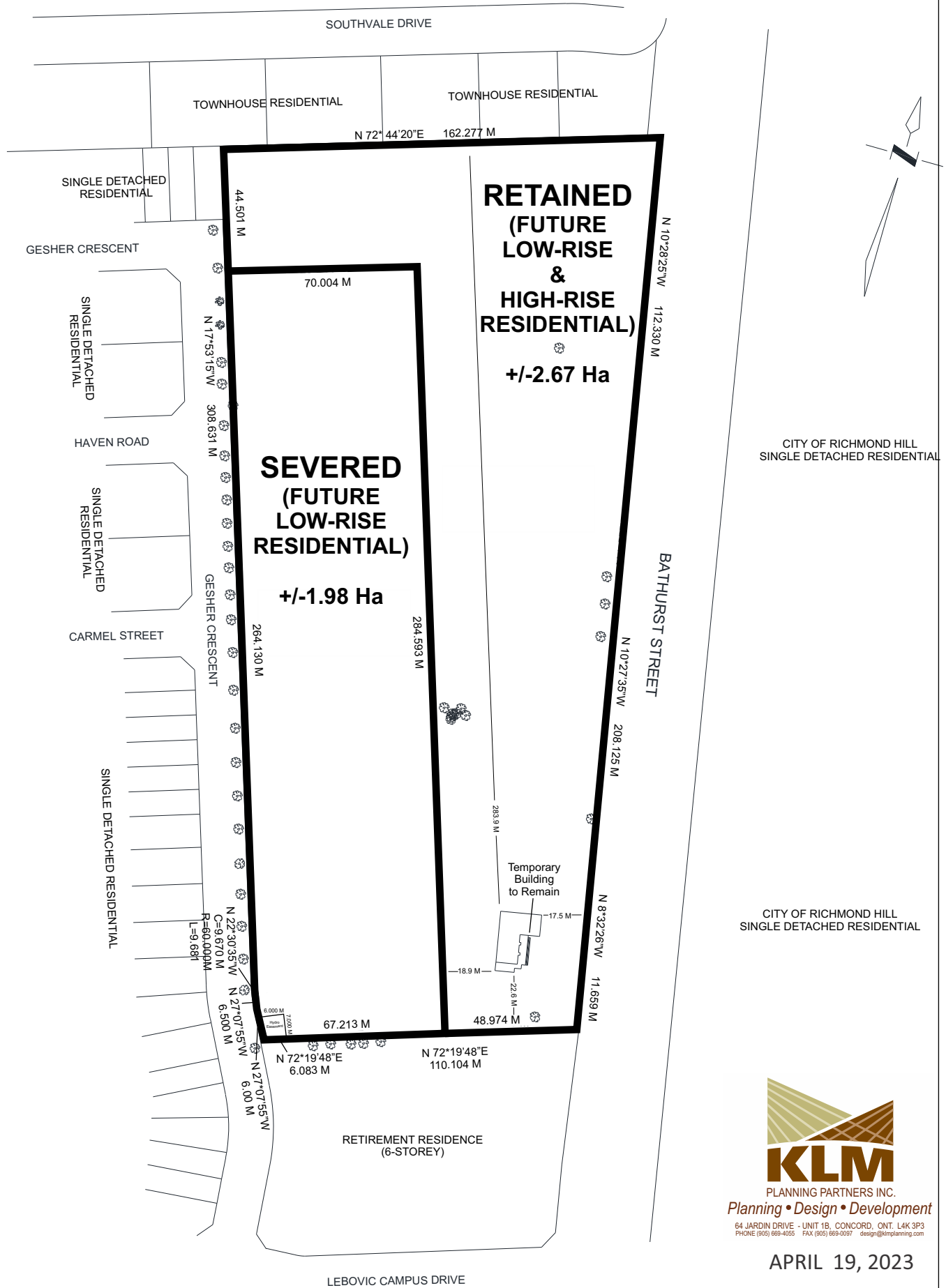


Disclaimer:

Every reasonable effort has been made to ensure that the information appearing on this map is accurate and current. We believe the information to be reliable, however the City of Vaughan assumes no responsibility or liability due to errors or omissions. Please report any discrepancies to Infrastructure Programming.

Projection:  
 NAD 83  
 UTM Zone  
 17N

# CONSENT SKETCH - 9810 BATHURST STREET



CITY OF RICHMOND HILL  
SINGLE DETACHED RESIDENTIAL

CITY OF RICHMOND HILL  
SINGLE DETACHED RESIDENTIAL



Planning • Design • Development

64 JARDIN DRIVE - UNIT 1B, CONCORD, ONT. L4K 3P3  
PHONE (905) 889-4055 FAX (905) 889-0097 design@kmlplanning.com

APRIL 19, 2023

**RECEIVED**

By Christine Vigneault at 4:20 pm, May 25, 2023

BATHURST STREET

KEY MAP



**SITE STATISTICS**

ZONING DESIGNATION	SITE AREA	TOTAL GFA	FSI
BY-LAW 012021 ZONE RM2(H)-27	19,985 m <sup>2</sup>	31,890 m <sup>2</sup>	1.60

BUILDING AREA	GFA (sm)	GFA (sf)	UNITS
MIDRISE 1	11,850 m <sup>2</sup>	127548 ft <sup>2</sup>	165
<b>11,850 m<sup>2</sup></b>	<b>127548 ft<sup>2</sup></b>	<b>165</b>	
TH 1a	1,365 m <sup>2</sup>	14693 ft <sup>2</sup>	8
TH 1b	1,365 m <sup>2</sup>	14693 ft <sup>2</sup>	8
TH 1c	1,365 m <sup>2</sup>	14693 ft <sup>2</sup>	8
<b>4,095 m<sup>2</sup></b>	<b>44078 ft<sup>2</sup></b>	<b>24</b>	
MIDRISE 2	11,850 m <sup>2</sup>	127548 ft <sup>2</sup>	165
<b>11,850 m<sup>2</sup></b>	<b>127548 ft<sup>2</sup></b>	<b>165</b>	
TH 2a	1,365 m <sup>2</sup>	14693 ft <sup>2</sup>	8
TH 2b	1,365 m <sup>2</sup>	14693 ft <sup>2</sup>	8
TH 2c	1,365 m <sup>2</sup>	14693 ft <sup>2</sup>	8
<b>4,095 m<sup>2</sup></b>	<b>44078 ft<sup>2</sup></b>	<b>24</b>	
<b>TOTAL GFA</b>	<b>31,890 m<sup>2</sup></b>	<b>343252 ft<sup>2</sup></b>	<b>378</b>

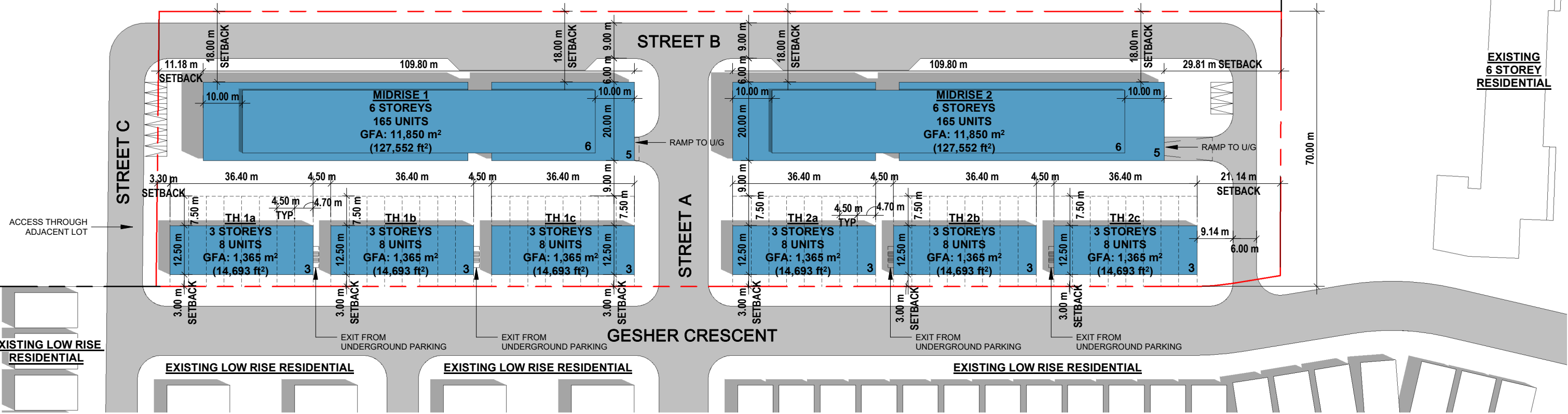
FUTURE DEVELOPMENT

**PARKING STATISTICS**

	RESIDENT	VISITOR	TOTAL
MIDRISE 1:	124	25	149
TH 1a:	8	0	8
TH 1b:	8	0	8
TH 1c:	8	0	8
MIDRISE 2:	124	25	149
TH 2a:	8	0	8
TH 2b:	8	0	8
TH 2c:	8	0	8
<b>TOTAL PARKING</b>	<b>296</b>	<b>50</b>	<b>346</b>

FUTURE 15 STOREY RESIDENTIAL

EXISTING 6 STOREY RESIDENTIAL



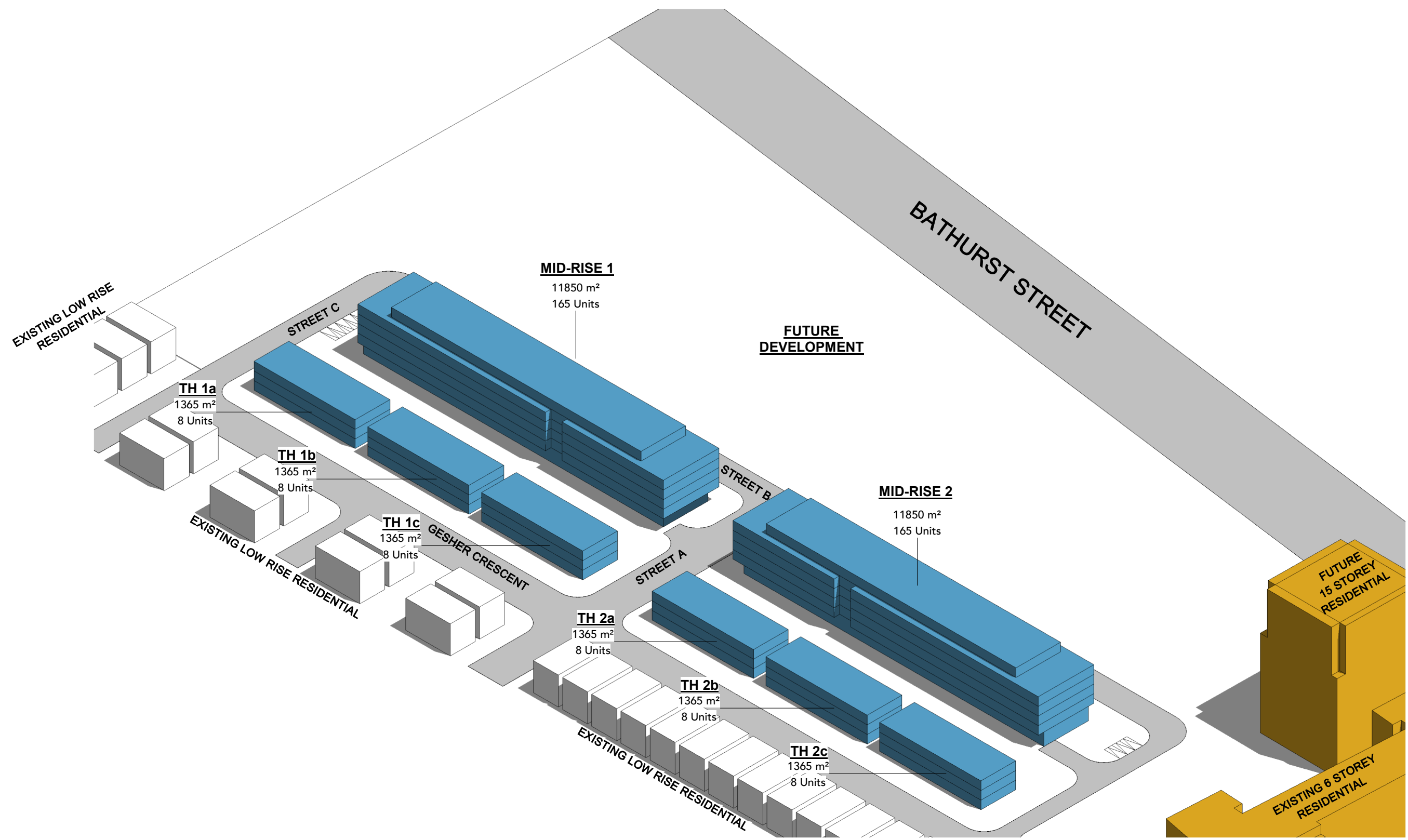
SITE PLAN 1:1000 As indicated

9810 BATHURST STREET

1 GFA REFERS TO TOTAL FLOOR PLATE AREA WITHOUT ANY AREA DEDUCTIONS.  
 2 PARKING COUNT IS BASED ON A 1:1 RATE FOR TOWN HOUSES, 0.9 BLENDED RATE (0.75 RESI. + 0.15 VISIT.)



**Kohn**  
 Kohn Partnership Architects Inc.  
 116 Spadina Avenue, Suite 501, Toronto ON M5V 2K6  
 Tel 416.703.6700 www.kohnarchitects.com



3D VIEW

9810 BATHURST STREET



**Kohn**

**Kohn Partnership Architects Inc.**  
 116 Spadina Avenue, Suite 501, Toronto ON M5V 2K6  
 Tel 416.703.6700 www.kohnarchitects.com

<b>SCHEDULE B: STAFF &amp; AGENCY COMMENTS</b>				
<b>DEPT/AGENCY</b>	<b>Circulated</b>	<b>Comments Received</b>	<b>Conditions</b>	<b>Nature of Comments</b>
TRCA *Schedule B	X			No Comments Received to Date
Ministry of Transportation (MTO) *Schedule B				
Region of York *Schedule B	X	X	X	General Comments w/Conditions
Alectra *Schedule B	X			No Comments Received to Date
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	X		Recommend Approval no conditions
Building Standards (Zoning)	X	X		General Comments

**To:** Committee of Adjustment  
**From:** Sarah Scauzillo, Building Standards Department  
**Date:** May 17, 2023  
**Applicant:** KLM Planning Partners Inc.  
**Location:** 9810 Bathurst Street  
 CONC 2 Part of Lot 17  
**File No.(s):** B006/23

**Zoning Classification:**

The subject lands are zoned RM2 (H) and subject to the provisions of Exception 14.924 under Zoning By-law 001-2021, as amended.

#	Zoning By-law 001-2021	Variance requested
1	Lot Frontage:  The minimum Lot Frontage requirement for the severed lands is 30.0 meters. [Table 7-8]  The minimum Lot Frontage requirement for the retained lands is 30.0 meters. [Table 7-8]	The proposed lot frontage of 286.0 meters for the severed lands complies with the minimum lot frontage requirement.  The proposed lot frontage of 332.0 meters for the retained lands complies with the minimum lot frontage requirement.
2	Lot Area:  The minimum Lot Area requirement for the severed lands 46,000 m <sup>2</sup> . [14.927]  The minimum Lot Area requirement for the retained lands is 46,000 m <sup>2</sup> . [14.927]	The proposed lot area of 19,800 m <sup>2</sup> for the severed lands does not comply with the minimum lot area requirement.  The proposed lot area of 26,700m <sup>2</sup> for the retained lands does not comply with the minimum lot area requirement.
3	Lot Depth:  There is no requirement for minimum lot depth for the severed lands and retained lands.	Not applicable.

The subject lands are zoned RA3(H) and subject to the provisions of Exception 9(1287) under Zoning By-law 1-88, as amended.

#	Zoning By-law 1-88	Variance requested
1	Lot Frontage:  The minimum Lot Frontage requirement for the severed lands is 30.0 meters. [Schedule A]  The minimum Lot Frontage requirement for the retained lands is 30.0 meters. [Schedule A]	The proposed lot frontage of 286.0 meters for the severed lands complies with the minimum lot frontage requirement.  The proposed lot frontage of 332.0 meters for the retained lands complies with the minimum lot frontage requirement.
2	Lot Area: The minimum Lot Area requirement for the severed lands is 46,000 m <sup>2</sup> . [9(1287)]  The minimum Lot Area requirement for the retained lands is 46,000 m <sup>2</sup> . [9(1287)]	The proposed lot area of 19,800 m <sup>2</sup> for the severed lands does not comply with the minimum lot area requirement.  The proposed lot area of 26,700m <sup>2</sup> for the retained lands does not comply with the minimum lot area requirement.
3	Lot Depth:  There is no requirement for minimum lot depth for the severed lands and retained lands.	Not applicable.



**Staff Comments:**

<b>Zoning By-law 1-88</b>	
1	Variances are not required for minimum lot area and frontage for both the severed and retained lands as exception 14.924 allows for the subject lands to be reviewed as a single lot for zoning conformity.
<b>Zoning By-law 1-88</b>	
2	Variances are not required for minimum lot area and frontage for both the severed and retained lands as exception 9(1287) allows for the subject lands to be reviewed as a single lot for zoning conformity.
<b>General Comments</b>	
3	The applicant shall be advised that additional variances may be required upon review of detailed drawing for building permit/site plan approval.

**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.

**To:** Christine Vigneault, Committee of Adjustment Secretary Treasurer

**From:** Nancy Tuckett, Director of Development Planning

**Date:** June 22, 2023

**Name of Owner:** 1979350 Ontario Inc.

**Location:** 9810 Bathurst Street

**File No.(s):** B006/23

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**Proposal:**

The Owner has submitted Consent Application File B006/23 to facilitate the creation of a lot with an area of approximately 19,800 m<sup>2</sup> (1.98 hectares) and retain an approximately 26,700 m<sup>2</sup> (2.67 hectares) portion of the Subject Lands.

**Official Plan:**

City of Vaughan Official Plan 2010 ('VOP 2010'): "High-Rise Residential"

**Comments:**

On June 25, 2007, Council approved Official Plan Amendment and Zoning By-law Amendment Applications OP.05.023 and Z.05.050 on the Subject Lands to amend the provisions of OPA No. 600 by redesignating the Subject Lands from "Medium Density Residential/Commercial" area to "High Density Residential/Commercial" area to permit residential townhouse units and apartment units at a maximum density of 200 units per hectare, and to rezone the Subject Lands from "A Agricultural Zone" to "RA3 Residential Zone", with an addition of the Holding Symbol "(H)". OPA 674 and By-law 216-2007 implementing Council's decision came into force on October 30, 2007.

The Owner has submitted a consent application to facilitate the phased development of land. The severed lands, which are rectangular in shape, propose a frontage of 285 meters on Geshar Crescent, and the retained lands propose a frontage of 332 meters on Bathurst Street and 45 meters along Geshar Crescent. The severed and retained lands meet the minimum lot frontage requirements of the "RA3(H) Apartment Residential Zone" under Zoning By-law 1-88 and "RM2(H) Multiple Unit Residential Zone" under Zoning By-law 001-2021.

The Owner has prepared a concept plan which contemplates townhouse and mid-rise residential buildings to be located on the severed lot, serviced by a private road network. The form and placement of the buildings and road network will be further refined through the Site Development Application process. The severed lands are anticipated to provide a transitional of built form between the single detached dwellings on the west side of Geshar Crescent and the high-rise development anticipated along Bathurst Street. The Development Planning Department has reviewed the requested severance and does not object to the consent application as it facilitates the development of the site and does not affect the purpose of the Holding Symbol, which requires the allocation of water and sanitary services and site plan approval prior to the completion of the proposed development.

Accordingly, the Development Planning Department has no objection to the requested severance and is of the opinion that the proposal meets the intent of the Official Plan, complies with the Zoning By-law, and conforms to Section 51(24) as required by Section 53(12) of the Planning Act.

**Recommendation:**

The Development Planning Department recommends approval of the application.

**Conditions of Approval:**

If the Committee finds merit in the application, the following conditions of approval are recommended:

None

**Comments Prepared by:**

Michelle Perrone, Planner 1  
David Harding, Senior Planner



June 7, 2023

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

**RE: CONS.23.V.0052 (B006/23)**  
**Liberty Development Corporation**  
**9810 Bathurst Street**  
**City of Vaughan**

The Regional Municipality of York (“Region”) has completed its review of the above noted consent application to facilitate the creation of two development parcels through severing a 1.98 ha parcel and retaining a 2.67 ha parcel. The property is municipally known as 9810 Bathurst Street and has frontage on Bathurst Street.

The Region has no objection to the consent application subject to the following conditions being satisfied:

1. The Owner shall convey free of cost and encumbrances, to the satisfaction of the Region’s solicitor:
  - a. A road widening of 21.5m from the proposed centerline of construction as per the approved ESA or latest detailed design for the reconstruction of Bathurst Street
  - b. The Owner is advised to contact Shawn Ellsworth P.Eng, Project Manager with the Capital Delivery Group to obtain information about the location of the proposed centerline of construction.
2. The Owner shall provide a solicitor’s certificate of title in a form satisfactory to the Regional Solicitor, at no cost to the Region, with respect to the conveyance of these lands to the Region.
3. The Region requires the Owner submit a Phase One Environmental Site Assessment (“ESA”) in general accordance with the requirements of the *Environmental Protection Act* and O. Reg. 153/04 Records of Site Condition, as amended (“O. Reg. 153/04”). The Phase One ESA must be for the Owner’s property that is the subject of the application and

include the lands to be conveyed to the Region (the “Conveyance Lands”). The Phase One ESA cannot be more than two (2) years old at: (a) the date of submission to the Region; and (b) the date title to the Conveyance Lands is transferred to the Region. If the originally submitted Phase One ESA is or would be more than two (2) years old at the actual date title of the Conveyance Lands is transferred to the Region, the Phase One ESA will need to be either updated or a new Phase One ESA submitted by the Owner. Any update or new Phase One ESA must be prepared to the satisfaction of the Region and in general accordance with the requirements of O. Reg. 153/04. The Region, at its discretion, may require further study, investigation, assessment, delineation and preparation of reports to determine whether any action is required regardless of the findings or conclusions of the submitted Phase One ESA. The further study, investigation, assessment, delineation and subsequent reports or documentation must be prepared to the satisfaction of the Region and in general accordance with the requirements of O. Reg. 153/04. Reliance on the Phase One ESA and any subsequent reports or documentation must be provided to the Region in the Region’s standard format and/or contain terms and conditions satisfactory to the Region.

The Region requires a certified written statement from the Owner that, as of the date title to the Conveyance Lands is transferred to the Region: (i) there are no contaminants of concern, within the meaning of O. Reg. 153/04, which are present at, in, on, or under the property, or emanating or migrating from the property to the Conveyance Lands at levels that exceed the MOECC full depth site condition standards applicable to the property; (ii) no pollutant, waste of any nature, hazardous substance, toxic substance, dangerous goods, or other substance or material defined or regulated under applicable environmental laws is present at, in, on or under the Conveyance Lands; and (iii) there are no underground or aboveground tanks, related piping, equipment and appurtenances located at, in, on or under the Conveyance Lands.

4. The Owner shall be responsible for all costs associated with the preparation and delivery of the Phase One ESA, any subsequent environmental work, reports or other documentation, reliance, and the Owner’s certified written statement.
5. This application is subject to York Region’s development applications processing fees as identified in By-law No. 2010-15. The review fee for Consent to Sever is \$1,200. The Review and approval of the Environmental Site Assessment Report fee is \$1,900. All payments shall be in the form of a cheque and made payable to “The Regional Municipality of York” and forwarded to Development Services. Development application fees are subject to annual adjustments and increases. Any unpaid fees, regardless of the year the application is submitted, will be subject to current fee requirements.
6. Prior to final approval, the Planning and Economic Development Branch shall certify that Conditions 1 to 5 have been met to its satisfaction.

With respect to the conditions above, we request a copy of the Notice of Decision when it becomes available.

Should you have any questions regarding the above, please contact Justin Wong at extension 71577 or through electronic mail at [justin.wong@york.ca](mailto:justin.wong@york.ca).

Regards,

*Justin Wong*

Justin Wong, M.C.I.P., R.P.P.  
Planner, Development Planning

**SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE**

<b>Correspondence Type</b>	<b>Name</b>	<b>Address</b>	<b>Date Received</b> (mm/dd/yyyy)	<b>Summary</b>
Public	Vadim Sverdlik	2 Gesher Crescent	06/14/2023	Letter of Objection
Applicant				Planning Justification Report

**From:** [REDACTED]  
**To:** [Committee of Adjustment; Christine Vigneault](#)  
**Subject:** [External] Re: B006/23 (9810 Bathurst Street) - Request for Information  
**Date:** Wednesday, June 14, 2023 1:25:30 PM  
**Attachments:** [REDACTED]

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Hello, Christine and All,

please see my comments and Request to Speak form,

1. sever the B006/23 9810 Bathurst Street land to 2 Parcels will present risk to unsustainable traffic/parking density on local Geshher Crescent street. Geshher Crescent is not collector road, therefore the Applicant/City should consider only entrance/exit for both parcels from Bathurst Street (opposite Pemberton road) with new traffic light on Pemberton Road/Bathurst street intersection, but not from Geshher Street.
2. High-Rise residential proposal will increase traffic conjection on Bathurst street and on Geshher Crescent
3. High-Rise residential is not alight with nature of Lebovic Campus area-single detached homes and townhouses
4. The Applicant should consider to present detailed drawing on road entrance/exit to property and proposed parking arrangement/ratio for High-Rise residential
5. Fire Route evacuation study/examination should be consider for High-Rise residential property

Thanks,  
Vadim Sverdlik  
2 Geshher Crescent, Vaughan  
[REDACTED]





64 Jardin Drive, Unit 1B  
Concord, Ontario  
L4K 3P3  
T. 905.669.4055  
F. 905.669.0097  
[klmplanning.com](http://klmplanning.com)

File: P-3405

April 12, 2023

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

**Attention: Christine Vigneault  
Manager, Development Services / Secretary Treasurer**

**Re: 9810 Bathurst LP c/o Liberty Development Corporation  
Consent Application  
9810 Bathurst Street  
City of Vaughan, Ontario**

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Dear Ms. Vigneault,

KLM Planning Partners Inc. has been retained by 9810 Bathurst LP c/o Liberty Development Corporation with respect to the above application for consent to sever the lands located at 9810 Bathurst Street in the City of Vaughan (the "Subject Lands").

### **1.0 Context**

The subject lands are located on the west side of Bathurst Street, generally north of Lebovic Campus Drive and bounded by Geshar Crescent to the west, they are approximately 4.65 hectares (11.51 acres) in size with approximately 332 meters (1,089 feet) of frontage along Bathurst Street and 330 meters (1082 feet) of frontage along Geshar Crescent. To the north are low rise residential uses (street townhouse and single detached dwellings), to the east is Bathurst Street with low rise residential uses beyond (single detached dwellings within the City of Richmond Hill), to the south is a mid-rise retirement residence (6-storey Viva Retirement Community Building), and to the West is Geshar Crescent with low rise residential uses beyond (single detached dwellings).

### **2.0 Background**

A site-specific Official Plan Amendment (OPA 674) and a site-specific Zoning By-law Amendment (By-law 216-2007) were approved in 2007 to permit high density residential uses on the subject lands including townhouse, multi-family, and apartment dwellings in building forms of up to fifteen (15) storeys on the subject lands. In-force zoning deems the lands as one lot regardless of the number of buildings, conveyances, consents, subdivisions or condominium granted after passage of the By-law to facilitate

orderly development of the subject lands. These permissions have been incorporated into the in-force Vaughan Official Plan 2010 and the partially in-force City of Vaughan Comprehensive Zoning By-law 001-2021. In this instance, the proposed consent to sever can be completed without the need for variances to the zoning by-law.

### **3.0 Proposed Consent**

The proposed consent to sever would facilitate the creation of two (2) manageable development parcels - a severed lot with an area of 1.98 hectares (4.89 acres) and with frontage of 285 meters (935 feet) on Gesher Crescent, and a retained lot with an area of 2.67 hectares (6.62 acres) and with frontage of 332 meters (1,089 feet) on Bathurst Street and frontage of 45 meters (147 feet) on Gesher Crescent. The severed lot would allow for a proposed development consisting of residential townhouse and low rise apartment dwellings, while the retained lot would continue to maintain permissions for an application consisting of various residential built forms. Please refer to the Consent Sketch included as Attachment 1.

### **4.0 Provincial Policy**

The Planning Act promotes economically, environmentally, and socially sustainable development through a land use planning system guided by provincial policy. The Act additionally aims to integrate matters of provincial interest in planning decisions and encourages cooperation and coordination of interests, specifically in section 3(5) which requires decisions on planning matters to be consistent with the Provincial Policy Statement (“PPS”), while conforming to and not conflicting with Provincial Plans. Additionally, section 51 (24) requires that applications to subdivide lands have regard for, among other matters, to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality. It is our opinion that the application satisfies the requirements of the Planning Act per assessment of the PPS and the Provincial Growth Plan to follow.

The PPS 2020 calls for the building of strong communities as “Ontario's long-term prosperity, environmental health and social well-being depend on wisely managing change and promoting efficient land use and development patterns. Efficient land use and development patterns support sustainability by promoting strong, livable, healthy and resilient communities, protecting the environment and public health and safety, and facilitating economic growth.” This can be achieved by promoting efficient development of land, accommodating an appropriate range of housing types, avoiding land use patterns that cause harm to the environment and public health, and utilizing and providing necessary infrastructure to accommodate growth.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (the “Growth Plan”) 2019 seeks to guide decisions on a number of matters including: transportation and infrastructure planning, land use-planning, urban form, housing, natural heritage, and resource protection. The Growth Plan seeks to achieve complete communities comprising a mix of uses and a range of housing options in a compact and efficient form. The subject lands are located within the “Built-up Area” of the plan as identified on “Schedule 2 – A Place to Grow Concept” of the Growth Plan, which encourages intensification generally throughout the designation and targets that these areas will accommodate a minimum 50 percent of all residential development in York Region.

The proposed consent application would facilitate creation of two (2) development parcels which would be subject to future site plan application processes to ensure orderly, efficient and compact development efficiently utilizing existing servicing and transportation infrastructure in a manageable fashion. Based on the abovementioned it is our opinion that the proposed severance application is consistent with the PPS (2020), and conforms to the applicable policies of the Provincial Growth Plan.

## **5.0 Local Policy & Zoning**

The in-force York Regional Official Plan 2022 (“YROP 2022”) designates the subject lands “Urban Area” which is intended as a focus for growth and development, and “Community Area” where the majority of residential and job growth is intended to be concentrated.

The City of Vaughan Official Plan 2010 (“VOP 2010”) by way of OPA 674 designates the subject lands “High Rise Residential”, which permits a range of townhouse, multi-family, and apartment building types with a maximum height of fifteen (15) storeys and an overall density of 4.0 FSI.

The subject lands are zoned Residential RA3(H) by virtue of site-specific by-law 216-2007 which amended City of Vaughan Zoning By-law 1-88 to permit high density residential uses on the subject lands including townhouse, multi-family, and apartment dwellings in building forms of up to fifteen (15) storeys to implement the Official Plan. While the new City of Vaughan Comprehensive Zoning By-law 001-2021 is not yet completely in-force, the site-specific permissions have also been included within that by-law as an exception. As mentioned previously, in-force zoning deems the lands as one lot regardless of the number of buildings, conveyances, consents, subdivisions or condominium granted after the date that specific by-law 216-2007 was passed.

Based on the policy provisions and zoning permissions in effect, as noted above, the consent application would have the effect of creating one (1) severed and one (1) retained lot. This would allow for the development of the severed lot via a transitional site plan containing townhouse and low rise apartment dwellings adjacent to the Low Rise Residential designated lands to the west (the severed lot). The balance of the lands (the retained lot) would be the subject of future planning applications consistent with the direction of VOP 2010 and in full compliance with in-force zoning.

Considering the above, it is our opinion that the proposed consent application conforms to and implements the direction of the York Regional Official Plan 2022, City of Vaughan Official Plan 2010 as amended, City of Vaughan Zoning By-law 1-88 as amended, and City of Vaughan Comprehensive Zoning By-law 001-2021.

## **6.0 Summary**

Ultimately, the proposed consent to sever the subject lands will create one (1) severed and one (1) retained lot to implement Provincial, Regional and Municipal policy and zoning in place for the subject lands. On this basis, it is our opinion that the proposal is appropriate and represents good land use planning.

Please find enclosed the following in support of the application:

1. Consent Sketch, prepared by KLM Planning Partners Inc. and dated April 2023;
2. Servicing Memo, prepared by Schaeffer's Consulting and dated April 2023; and,
3. Tree Declaration, Authorization, Statutory Declaration, and Existing Structures and Setbacks Charts, prepared by KLM Planning Partners Inc. and dated April 2023.

Should you have any questions, please do not hesitate to contact the undersigned.

Yours truly,

**KLM PLANNING PARTNERS INC.**



Marshall Smith, BES, PMP, MCIP, RPP  
ASSOCIATE

Cc: 9810 Bathurst LP c/o Liberty Development Corporation