

ITEM: 6.8	COMMITTEE OF ADJUSTMENT REPORT SUMMARY MINOR VARIANCE APPLICATION FILE NUMBER A069/23 616 APPLEWOOD CRESCENT, BLDG D CONCORD
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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 checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Recommend Approval w/Conditions
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"/>	No Comments Received to Date
AGENCIES	Circulated	Comments Received	Conditions	Nature of Comments
TRCA	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Comments Received to Date
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				Application Cover 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	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

	MM/DD/YYYY	
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
MINOR VARIANCE APPLICATION
A069/23
616 APPLEWOOD CRESCENT, BLDG D CONCORD**

ITEM NUMBER: 6.8	CITY WARD #: 4
APPLICANT:	616 Applewood Inc.
AGENT:	Malone Given Parsons
PROPERTY:	616 Applewood Crescent, Bldg D Concord
ZONING DESIGNATION:	See Below
VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:	Vaughan Official Plan 2010 ('VOP 2010'): "Prestige Employment"
RELATED DEVELOPMENT APPLICATIONS:	DA.18.048
PURPOSE OF APPLICATION:	Relief from the Zoning By-law is being requested to permit the development of a proposed hotel and to facilitate related Site Plan Application DA.18.048.

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

The subject lands are zoned EM1 – Prestige Employment Zone and subject to the provisions of Exception 14.768 under Zoning By-law 001-2021, as amended.

#	Zoning By-law 001-2021	Variance requested
1	A Hotel is not permitted [Table 11-2].	To permit the use of a Hotel.
2	A minimum rear yard of 7.5 metres is required [Table 11-3].	To permit a minimum rear yard of 0.2 metres.
3	A minimum interior side yard of 3.0 metres is required [Table 11-3].	To permit a minimum interior side yard of 2.2 metres.
4	A maximum Height of 15.0 metres is required [Table 11-3].	To permit a maximum Height of 30.23 metres.
5	A minimum of 245 parking spaces are required [Table 6-2].	To permit a minimum of 200 parking spaces.
6	An additional Type B loading space is required [Table 6-18, Section 6.1.1.2].	To permit 0 additional loading spaces.
7	The loading space requirements of this By-law shall be provided for and located on the same lot as the use for which the parking is required [Section 6.1.4].	To permit a loading space to be located on the adjacent lot.

The subject lands are zoned EM1 – Prestige Employment Area Zone and subject to the provisions of Exception 9(1109) under Zoning By-law 1-88, as amended.

#	Zoning By-law 1-88	Variance requested
1	A minimum front yard of 6 metres is required [Schedule A].	To permit a minimum front yard of 5.8 metres.
2	A minimum rear yard of 12 metres is required [Schedule A].	To permit a minimum rear yard of 0.2 metres.
3	A minimum interior side yard of 6.0 metres is required [Schedule A].	To permit a minimum interior side yard of 2.2 metres.
4	A maximum Building Height of 15.0 metres is required [Schedule A].	To permit a maximum Building Height of 30.23 metres.
5	A minimum of 270 parking spaces are required [Section 3.8 a)].	To permit a minimum of 200 parking spaces.
6	A loading space shall be on the same lot as the building that it serves [Section 3.9 a)].	To permit a loading space to be located on the adjacent lot.

HEARING INFORMATION

DATE OF MEETING: Thursday, June 22, 2023
TIME: 6:00 p.m.

HEARING INFORMATION

MEETING LOCATION: Vaughan City Hall, Woodbridge Room (2nd Floor), 2141 Major Mackenzie Drive
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

To speak electronically, pre-registration is required by completing the [Request to Speak Form](#) on-line and submitting it to 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.

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:	June 8, 2023	
Date Applicant Confirmed Posting of Sign:	June 7, 2023	
Applicant Justification for Variances: <small>*As provided by Applicant in Application Form</small>	New City zoning by-law did not contemplate the approved SPA or the proposed use	
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
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DEVELOPMENT PLANNING COMMENTS

**See Schedule B for Development Planning Comments.

Development Planning Recommended Conditions of Approval:	If the Committee finds merit in the application, the following conditions of approval are recommended: 1. That Variance #1, permitting the uses of Hotel on the subject lands, be restricted to a temporary approval of ten (10) years from the effective date of By-law 001-2021 (October 20, 2031); and 2. That a Site Development Application be submitted, and all comments be addressed to the satisfaction of the Development Planning Department.
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DEVELOPMENT ENGINEERING COMMENTS

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

According to By-law 001-2021, the parking rate of 0.9 parking spaces per guest room (245 spaces) is required for the proposed hotel. The on-site supply of 200 spaces does not fulfill the parking requirements. As parking arrangement is being considered with the adjacent existing office building, the Owner / Applicant shall provide a Registered Parking Easement on the abutting lands, 610 Applewood Crescent. This requirement shall be satisfied as part of a related Site Plan Application.

The Development Engineering Department does not object to the Minor Variance application A069/23, subject to the following condition(s):

Development Engineering Recommended Conditions of Approval:	1. As the Minor Variance Application is in advance of a required Site Plan Application for the proposed 2-storey hotel addition, the Owner / Applicant shall provide proof that a related Site Plan Development application has been formally submitted to the City's Development Planning Department.
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PARKS, FORESTRY & HORTICULTURE (PFH) COMMENTS

Forestry has no comment

PFH Recommended Conditions of Approval:	None
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DEVELOPMENT FINANCE COMMENTS

No comment no concerns

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

No comments received to date.

BCLPS Recommended Conditions of Approval:	None
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BUILDING INSPECTION (SEPTIC) COMMENTS

No comments received to date.

Building Inspection Recommended Conditions of Approval:	None
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FIRE DEPARTMENT COMMENTS

No comments received to date.

Fire Department Recommended Conditions of Approval:	None
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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 Michelle.perrone@vaughan.ca	1. That Variance #1, permitting the uses of Hotel on the subject lands, be restricted to a temporary approval of ten (10) years from the effective date of By-law 001-2021 (October 20, 2031); and 2. That a Site Development Application be submitted, and all comments be addressed to the satisfaction of the Development Planning Department.
2	Development Engineering Rex.bondad@vaughan.ca	1. As the Minor Variance Application is in advance of a required Site Plan Application for the proposed 2-storey hotel addition, the Owner / Applicant shall provide proof that a related Site Plan Development application has been formally submitted to the City's Development Planning Department.

IMPORTANT INFORMATION – PLEASE READ

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.

APPROVALS: Making any changes to your proposal after a decision has been made may impact the validity of the Committee's decision.

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.

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.

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.

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.

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.

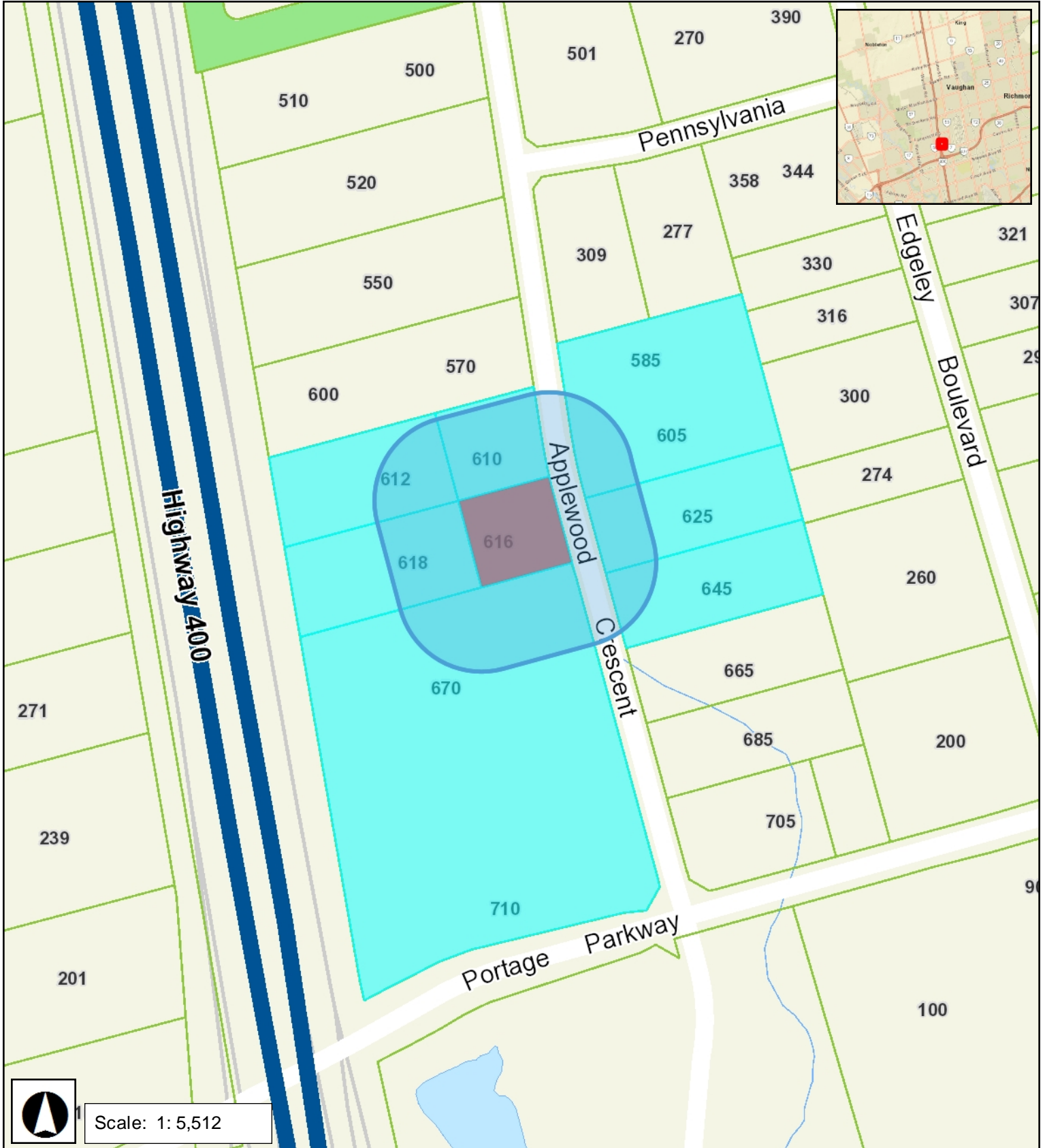
That the payment of the Education Development Charge if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the Boards of Education By-laws in effect at the time of payment

IMPORTANT INFORMATION – PLEASE READ

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



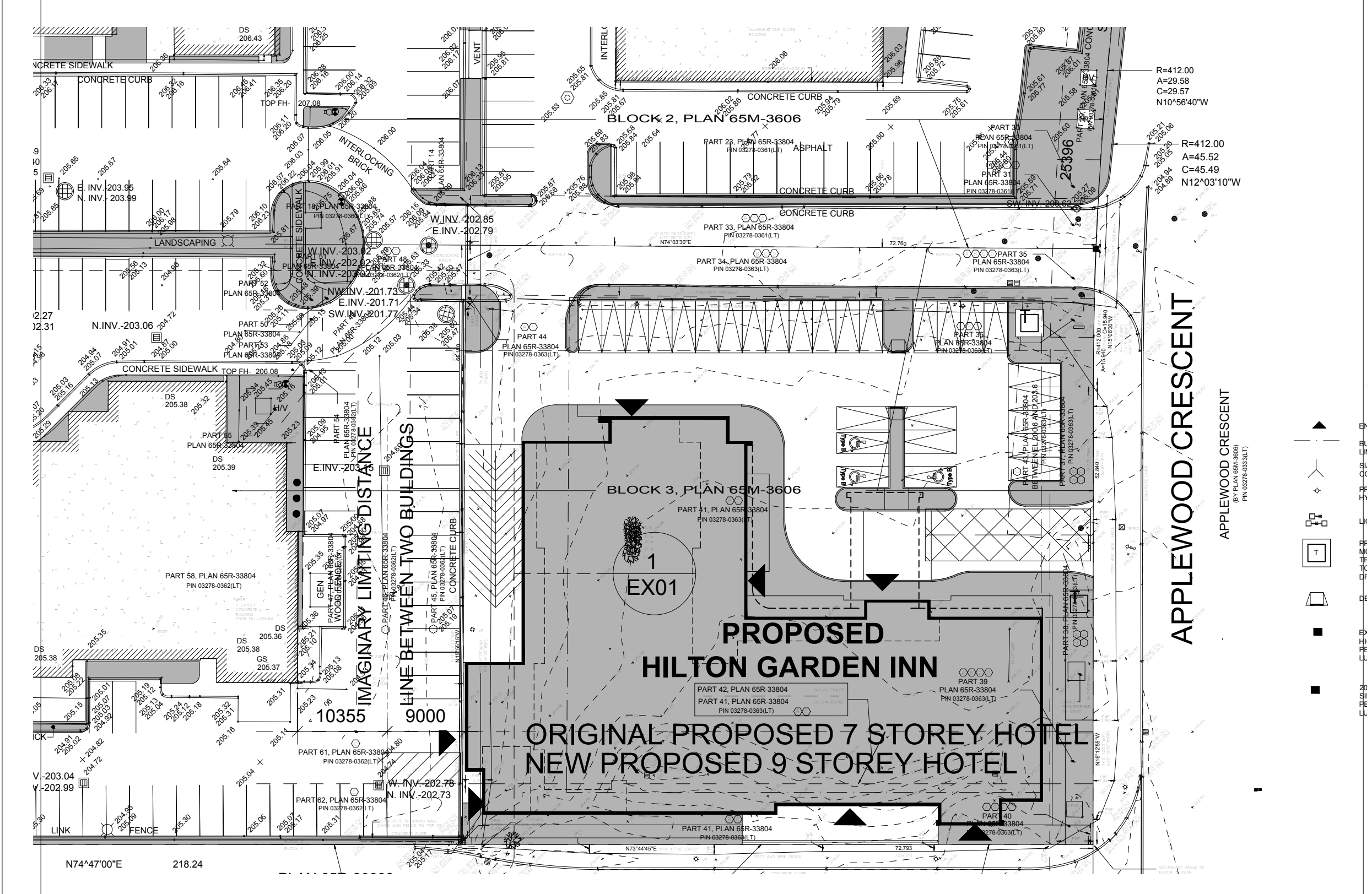
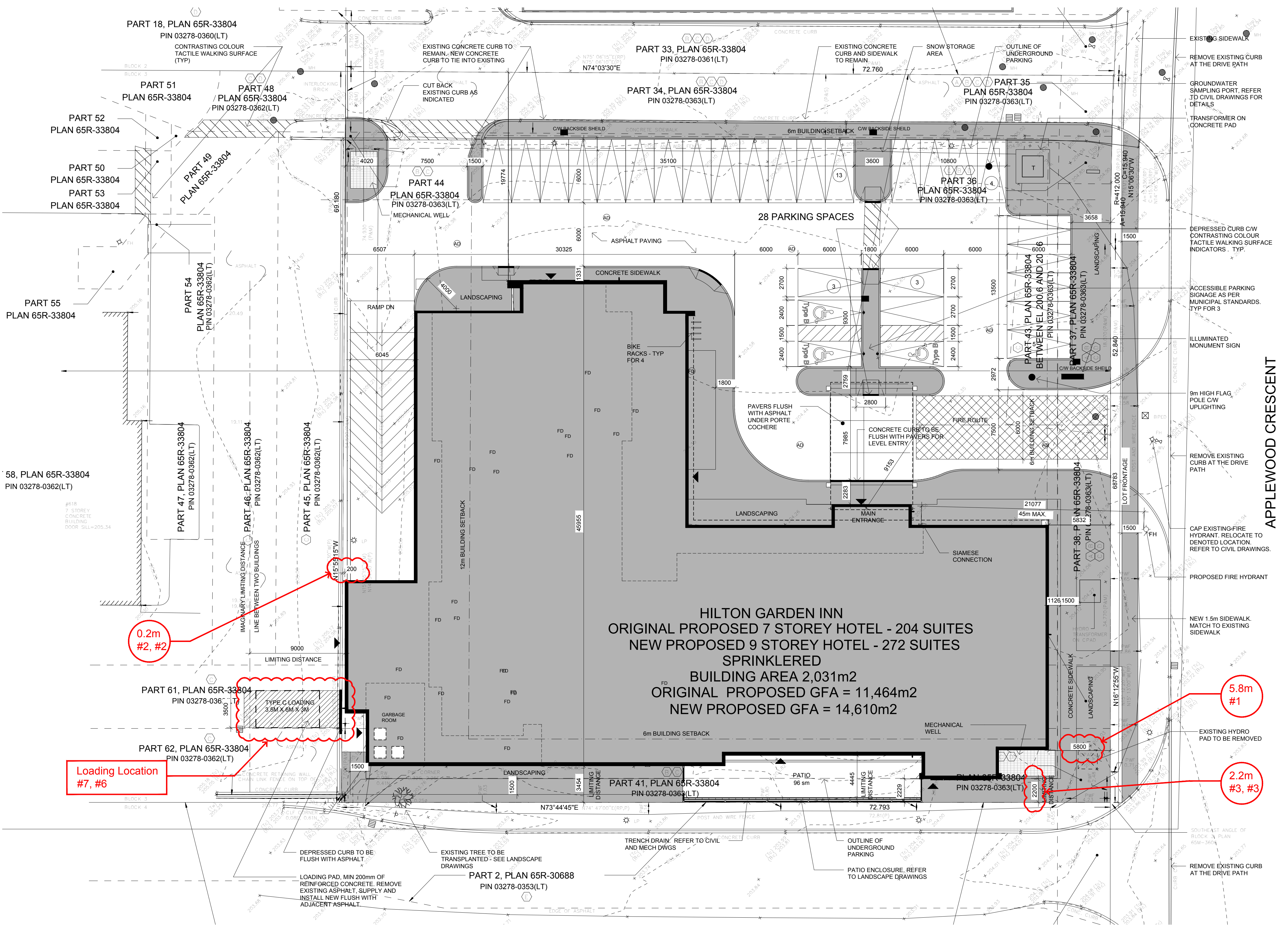
Scale: 1: 5,512

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3	A minimum interior side yard of 3.0 metres is required [Table 11-3].	To permit a minimum interior side yard of 2.2 metres.
4	A maximum Height of 15.0 metres is required [Table 11-3].	To permit a maximum Height of 30.22 metres.
5	A minimum of 245 parking spaces are required [Table 6-2].	To permit a minimum of 200 parking spaces.
6	An additional Type B loading space is required [Table 6-16, Section 6.1.1.2].	To permit 0 additional loading spaces.
7	The loading space requirements of this By-law shall be provided for and located on the same lot as the use for which the parking is required [Section 6.1.4].	To permit a loading space to be located on the adjacent lot.

#	Zoning By-law 1-88	Variance requested
1	A minimum front yard of 6 metres is required [Schedule A].	To permit a minimum front yard of 5.8 metres.
2	A minimum rear yard of 12 metres is required [Schedule A].	To permit a minimum rear yard of 0.2 metres.
3	A minimum interior side yard of 6.0 metres is required [Schedule A].	To permit a minimum interior side yard of 2.2 metres.
4	A maximum Building Height of 15.0 metres is required [Schedule A].	To permit a maximum Building Height of 30.22 metres.
5	A minimum of 270 parking spaces are required [Section 3.8 a)].	To permit a minimum of 200 parking spaces.
6	A loading space shall be on the same lot as the building that it serves [Section 3.9 a)].	To permit a loading space to be located on the adjacent lot.

RECEIVED
By Christine Vigneault at 5:44 pm, May 24, 2023

No.	DATE	DESCRIPTION
1		
2	28JAN2018	ISSUED FOR SPA
3	15NOV2018	SPA RESUBMISSION
4	18NOV2018	REVISED DRAWING
5	15JAN2019	SPA RESUBMISSION#3
6	17JAN2019	HILTON SCHEMATIC DESIGN REVIEW
7	22JAN2019	ISSUED FOR BUILDING PERMIT
8	08SEP2022	ISSUED FOR TENDER
9	28SEP2022	ISSUED FOR 100% HILTON REVIEW
10	16DEC2022	ISSUED FOR CONSTRUCTION
11	20APR2023	ISSUED FOR COMMITTEE OF ADJUSTMENT



SITE PLAN LEGEND

- ENTRANCE / EXIT
- BUILDING SETBACK LINE
- SIAMISE CONNECTION
- PROPOSED FIRE HYDRANT
- LIGHT STANDARD
- PROPOSED PAD MOUNTED TRANSFORMER (REFER TO ELECTRICAL DRAWINGS)
- DEPRESSED CURB
- EXTERIOR SINGLE HEAD HIGH PERFORMANCE POLE LUMINAIRE
- 20.32" DIA. EXTERIOR SINGLE HEAD HIGH PERFORMANCE POLE LUMINAIRE
- MANHOLE
- CATCHBASIN
- DESIGNATED BARRIER FREE PARKING SPACE
- PROPOSED MECHANICAL CONDENSING UNIT ON CONCRETE HOUSEKEEPING PAD - SEE MECH DRWS.
- 6m WIDE FIRE ROUTE WITH HEAVY DUTY ASPHALT
- LANDSCAPE / SOG AREA
- CONCRETE SIDEWALK
- LOADING PAD
- WALKING SURFACE TACTILE

MINIMUM LOT FRONTAGE	REQUIRED (ZBL 1-88)	REQUIRED (ZBL 001-2021)	PROVIDED	COMPLY
MINIMUM LOT AREA	36m	1800 m2	68.78 m	YES
MAXIMUM LOT COVERAGE	3000 m2	60%	5011 m2	YES
MAXIMUM BUILDING HEIGHT	23.27m (as varied)	15 m	30.22m	NO
MINIMUM FRONT YARD	5.8m (as varied)	4.5m	5.8 m	YES
MINIMUM REAR YARD	0.2m (as varied)	7.5m	0.2m	NO
MINIMUM INTERIOR SIDE YARD (SOUTH)	2.2m (as varied)	3m	2.2m	NO
MINIMUM INTERIOR SIDE YARD (NORTH)	6m	3m	19.8m	YES
LANDSCAPING BUFFER (AT STREET)	3m	3m	3.6m	YES
MIN. LANDSCAPING AREA	5%	5%	11%	YES

MINIMUM LOT FRONTAGE	REQUIRED (ZBL 1-88)	REQUIRED (ZBL 001-2021)	PROVIDED	COMPLY
MINIMUM LOT AREA	36m	1800 m2	68.78 m	YES
MAXIMUM LOT COVERAGE	3000 m2	60%	5011 m2	YES
MAXIMUM BUILDING HEIGHT	23.27m (as varied)	15 m	30.22m	NO
MINIMUM FRONT YARD	5.8m (as varied)	4.5m	5.8 m	YES
MINIMUM REAR YARD	0.2m (as varied)	7.5m	0.2m	NO
MINIMUM INTERIOR SIDE YARD (SOUTH)	2.2m (as varied)	3m	2.2m	NO
MINIMUM INTERIOR SIDE YARD (NORTH)	6m	3m	19.8m	YES
LANDSCAPING BUFFER (AT STREET)	3m	3m	3.6m	YES
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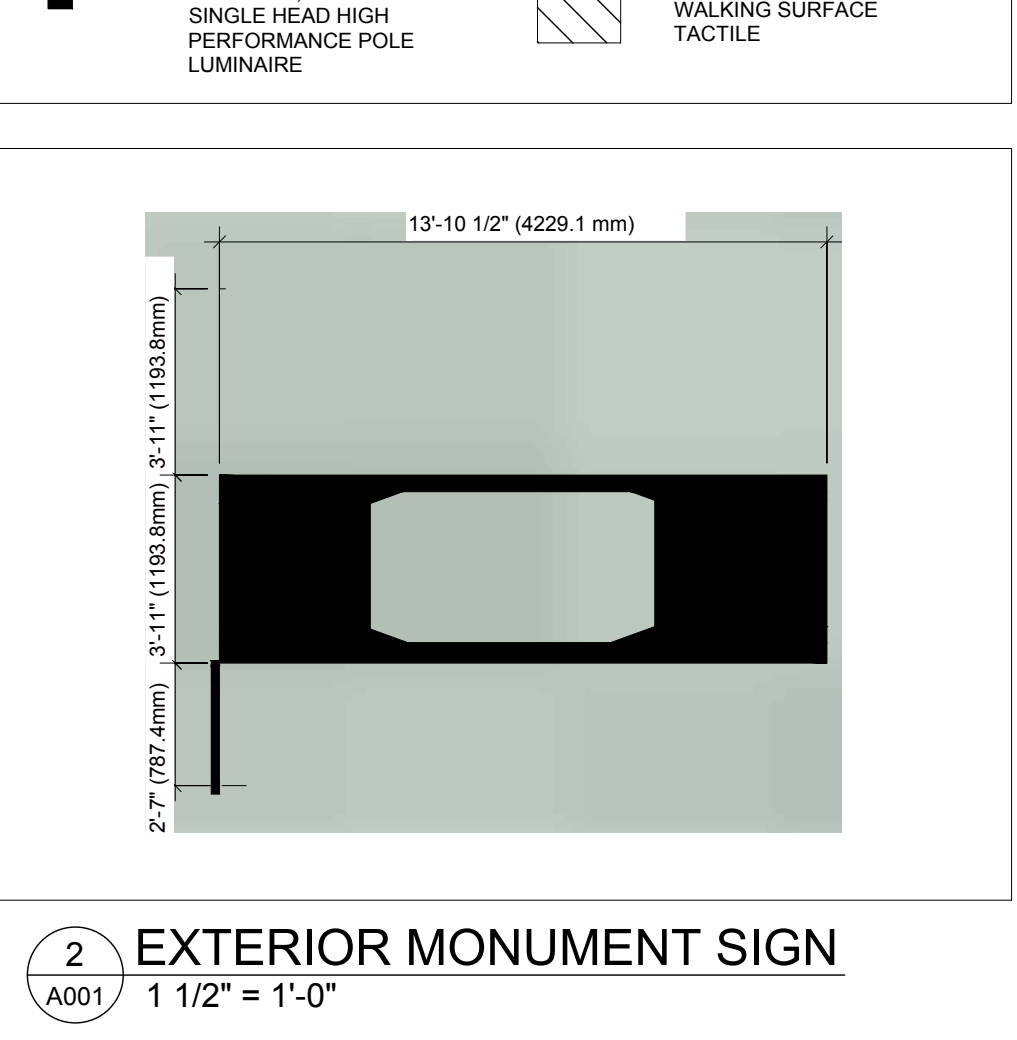
1 SITE PLAN 1-200
A001 1:200

TYPE	DESCRIPTION	COUNT
TOTAL PARKING		200

DESCRIPTION	AREA (SQM)	PERCENTAGE
TOTAL PARKING	532.69 m²	10.6%
TOTAL PARKING	532.69 m²	10.6%
TOTAL PARKING	5006.40 m²	100.0%

4 PARKING SCHEDULE
A001

Floor	HGI King (1 BED)	HGI King ACC (1 BED)	HGI QQ (2 BEDS)	HGI QQ ACC (2 BEDS)	Total
Level 9	17	2	13	2	34
Level 8	17	2	13	2	34
Level 7	17	2	13	2	34
Level 6	17	2	13	2	34
Level 5	17	2	13	2	34
Level 4	17	2	13	2	34
Level 3	17	2	13	2	34
Level 2	17	2	13	2	34
Ground Floor					0
Total Units	136	16	104	16	272



6 ZONING REQUIREMENTS
A001

MINIMUM LOT FRONTAGE	REQUIRED (ZBL 1-88)	REQUIRED (ZBL 001-2021)	PROVIDED	COMPLY
MINIMUM LOT AREA	36m	1800 m2	68.78 m	YES
MAXIMUM LOT COVERAGE	3000 m2	60%	5011 m2	YES
MAXIMUM BUILDING HEIGHT	23.27m (as varied)	15 m	30.22m	NO
MINIMUM FRONT YARD	5.8m (as varied)	4.5m	5.8 m	YES
MINIMUM REAR YARD	0.2m (as varied)	7.5m	0.2m	NO
MINIMUM INTERIOR SIDE YARD (SOUTH)	2.2m (as varied)	3m	2.2m	NO
MINIMUM INTERIOR SIDE YARD (NORTH)	6m	3m	19.8m	YES
LANDSCAPING BUFFER (AT STREET)	3m	3m	3.6m	YES
MIN. LANDSCAPING AREA	5%	5%	11%	YES

HILTON GARDEN INN
616 APPLEWOOD CRESCENT, VAUGHAN, ONTARIO

IBI GROUP ARCHITECTS
IBI GROUP ARCHITECTS (CANADA) INC. ALL RIGHTS RESERVED.

IBI GROUP ARCHITECTS
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TEL: (905) 709-1111 FAX: (905) 709-1112
WWW.IBI-ARCHITECTS.COM

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TEL: (905) 709-1111 FAX: (905) 709-1112
WWW.IBI-ARCHITECTS.COM

No.	DATE	DESCRIPTION
1		ISSUED FOR COMMITTEE OF ADJUSTMENT
2	20AUG2018	ISSUED FOR SPA
3	19NOV2018	SPA RESUBMISSION
4	18JAN2019	SPA RESUBMISSION
5	17JAN2019	HILTON SCHEMATIC DESIGN REVIEW
6	22JULY2019	ISSUED FOR BUILDING PERMIT
11	03FEB2020	HILTON COMMENTS
12	17FEB2020	REVISED FOR BUILDING PERMIT COMMENTS
14	18MAR2020	REVISED FOR BUILDING PERMIT
15	08SEP2022	ISSUED FOR TENDER
16	28SEP2022	ISSUED FOR 100% HILTON REVIEW
17	19DEC2022	ISSUED FOR CONSTRUCTION
18	20APR2023	ISSUED FOR COMMITTEE OF ADJUSTMENT

NOTES:
 -REFER TO SLAB EDGE DRAWINGS FOR CONC. COLUMNS AND WALL LOCATIONS
 -MINIMUM 2'00" CLEAR HEAD ROOM SHOULD BE MAINTAINED IN DRIVEWAY
 -REFER TO A-400 SERIES FOR STAIR DRAWINGS AND DETAILS

LEGEND

—○—○—	0 HR FIRERATED WALL
—X—X—	1 HR FIRERATED WALL
—X○—X○—	1 1/2 HR FIRERATED WALL
—XX—XX—	2 HR FIRERATED WALL
(XX.XXX)	DENOTES FLOOR ELEVATION
(XXX.XX)	DENOTES ROOM NUMBER
▲	DENOTES WINDOW SPRINKLER
XX-XX	DENOTES DOOR NUMBER
(XX.XX)	DENOTES WALL TYPE REFER FOR WALL, CEILING & ROOF SCHEDULE ISSUED WITH SPECS.
(F.H.)	FIRE ALARM HANDSET
(S.C.)	SAND SETTLING CHAMBER
(F.D.)	DENOTES FLOOR DRAIN AT CONCRETE SLAB. REFER TO MECH. DWGS
(P.B.)	DENOTES PUSH BUTTON
(P.L.)	PAINTED LINES
(E.C.)	TYPICAL FIRE EXTINGUISHER CABINET RECESSED MOUNTED REFER TO SPRINKLER DWGS.
(H.V.)	TYPICAL FIRE HOSE VALVE CABINET RECESSED MOUNTED REFER TO SPRINKLER DWGS.
(F.H.)	FIRE ALARM HANDSET, REFER TO ELECT. FOR LOCATIONS
(V)	VERTICAL BICYCLE PARKING 0.6M(W) X 1.2M(D) X 1.9M(H)
(H)	HORIZONTAL BICYCLE PARKING 0.6M(W) X 1.8M(D) X 1.9M(H)
(F.B.)	DENOTES FIRE RATED ENCLOSURE UNDERSIDE OF CONCRETE SLAB ABOVE (TYP) UNLESS NOTED OTHERWISE TYPE C3D
(I.C.)	DENOTES INSULATED CEILING TYPE C4B UNDERSIDE OF CONC. SLAB ABOVE
(E.V.)	DENOTES ELECTRIC VEHICLE CHARGING STATION



No.	DATE	DESCRIPTION
REVISIONS		

ALL DIMENSIONS ARE TO BE CHECKED ON-SITE BY THE CONTRACTOR. ANY DISCREPANCIES ARE TO BE REPORTED TO THE ARCHITECT BEFORE PROCEEDING WITH THE WORK. DRAWINGS ARE NOT TO BE SCALED.

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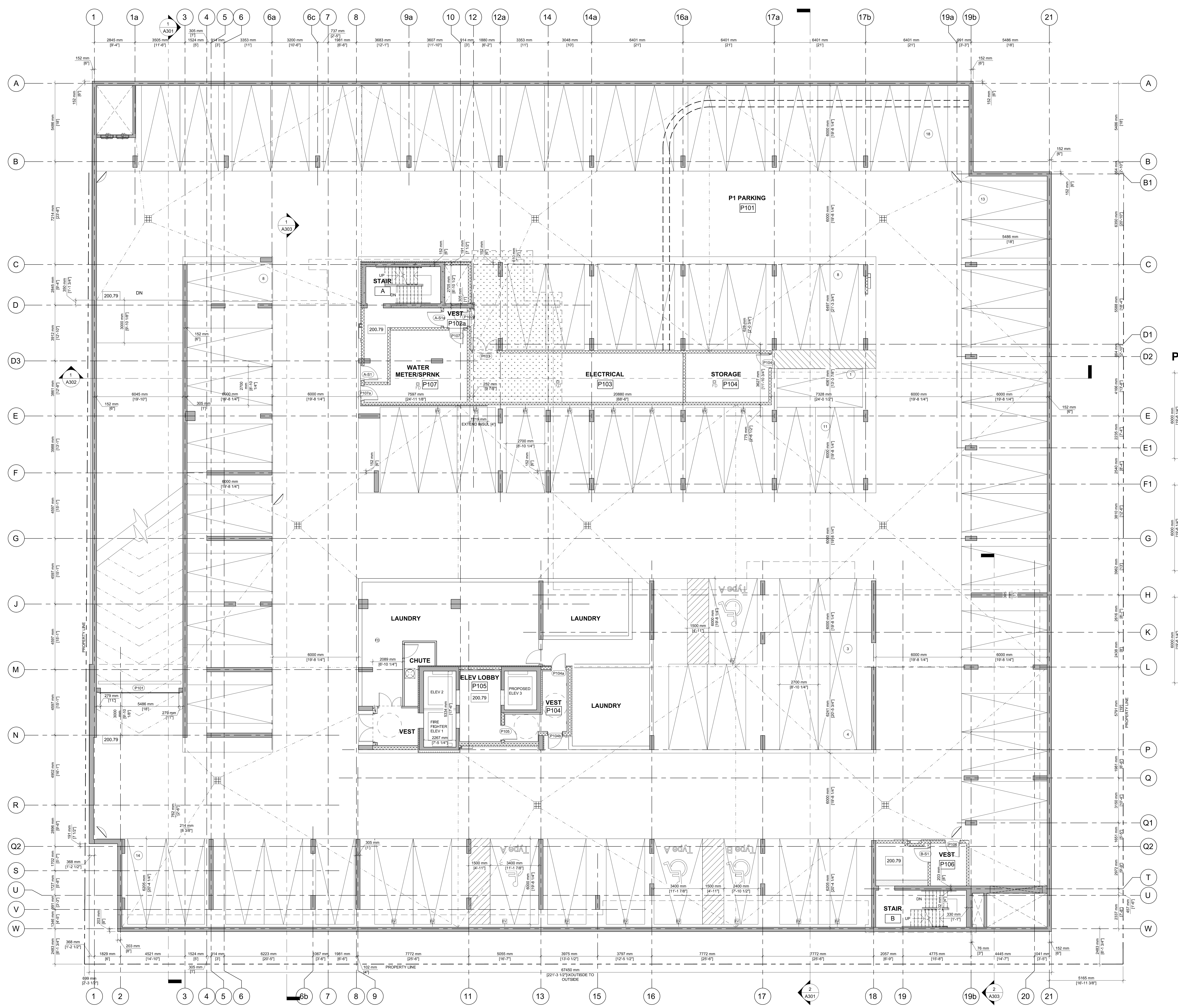
HILTON GARDEN INN
 616 APPLEWOOD CRESCENT, VAUGHAN, ONTARIO

DRAWING TITLE
P1 PARKING LEVEL FLOOR PLAN

DRAWN BY LK/EP/JAQ	DATE APR. 20, 2023	SCALE 1/8" = 1'-0"	CHECKED BY L.C.
-----------------------	-----------------------	-----------------------	--------------------

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 7th Floor, 225 St. Clair West
 Toronto, Ontario M5V 3B7
 Tel: 416-593-8888 • Fax: 416-593-8889
 ibigroup.com

IBI GROUP ASSOCIATES
 ARCHITECTS
 138894 A102



P1 PARKING PLAN
 A102 / 1/8" = 1'-0"

#	Zoning By-law 001.2021	Variance requested
1	A Hotel is not permitted [Table 11-2].	To permit the use of a Hotel.
2	A minimum rear yard of 7.5 metres is required [Table 11-3].	To permit a minimum rear yard of 0.2 metres.
3	A minimum interior side yard of 3.0 metres is required [Table 11-3].	To permit a minimum interior side yard of 2.2 metres.
4	A maximum Height of 15.0 metres is required [Table 11-3].	To permit a maximum Height of 30.22 metres.
5	A minimum of 245 parking spaces are required [Table 6-2].	To permit a minimum of 200 parking spaces.
6	An additional Type B loading space is required [Table 6-18, Section 6.1.1.2].	To permit 0 additional loading spaces.
7	The loading space requirements of this By-law shall be provided for and located on the same lot as the use for which the parking is required [Section 6.1.4].	To permit a loading space to be located on the adjacent lot.

#	Zoning By-law 1-88	Variance requested
1	A minimum front yard of 6 metres is required [Schedule A].	To permit a minimum front yard of 5.8 metres.
2	A minimum rear yard of 12 metres is required [Schedule A].	To permit a minimum rear yard of 0.2 metres.
3	A minimum interior side yard of 6.0 metres is required [Schedule A].	To permit a minimum interior side yard of 2.2 metres.
4	A maximum Building Height of 15.0 metres is required [Schedule A].	To permit a maximum Building Height of 30.22 metres.
5	A minimum of 270 parking spaces are required [Section 3.8 a).]	To permit a minimum of 200 parking spaces.
6	A loading space shall be on the same lot as the building that it serves [Section 3.9 a).]	To permit a loading space to be located on the adjacent lot.

FINISH LEGEND

- 1 EIFS BY DRYVIT - COLOUR: TERRAED - BLACK BEAUTY
- 2 EIFS BY DRYVIT - COLOUR: TERRAED - WHISLER
- 3 METAL SIDING BY LONGBOARD - TYPE: 6" V-GROOVE - COLOUR: DARK CHERRY
- 4 STONE VENEER BY PERMACON - TYPE: ARIA STONE - COLOUR: ROCKLAND BLACK
- 5 GLAZING - CLEAR
- 6 SPANDREL PANEL - COLOUR: BLACK
- 7 ALUMINUM PANEL BY EUMAXX - TYPE: EURAMICA P/DF 3L FEVE - COLOUR: ONYX WHITE_GOLD



3 EAST ELEVATION
A201 1/8" = 1'-0"



2 NORTH ELEVATION
A201 1/8" = 1'-0"

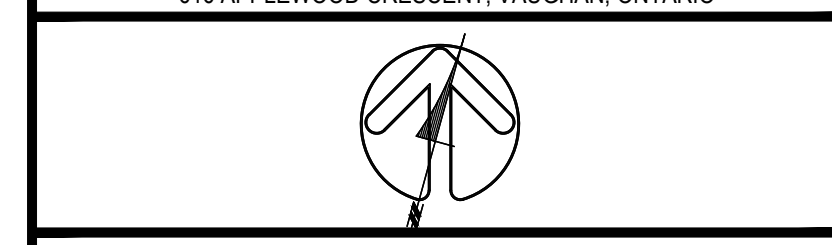
No.	DATE	DESCRIPTION
1	2020/01/15	ISSUED FOR SPA
2	2020/01/20	SPA RESUBMISSION
3	2020/01/25	SPA RESUBMISSION
4	2020/02/05	HILTON SCHEMATIC DESIGN REVIEW
5	2020/02/10	ISSUED FOR BUILDING PERMIT
6	2020/02/15	REVIEW FOR BUILDING PERMIT COMMENTS
7	2020/02/20	ISSUED FOR TENDER
8	2020/02/25	ISSUED FOR 100% HILTON REVIEW
9	2020/03/05	ISSUED FOR CONSTRUCTION
10	2020/03/10	ISSUED FOR COMMITTEE OF ADJUSTMENT

REVISIONS

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HILTON GARDEN INN
616 APPLEWOOD CRESCENT, VAUGHAN, ONTARIO



EXTERIOR ELEVATION I

DRAWN BY	DATE	SCALE	CHECKED BY
LK/EP/AQ	APR. 20, 2023	1/8" = 1'-0"	L.C.

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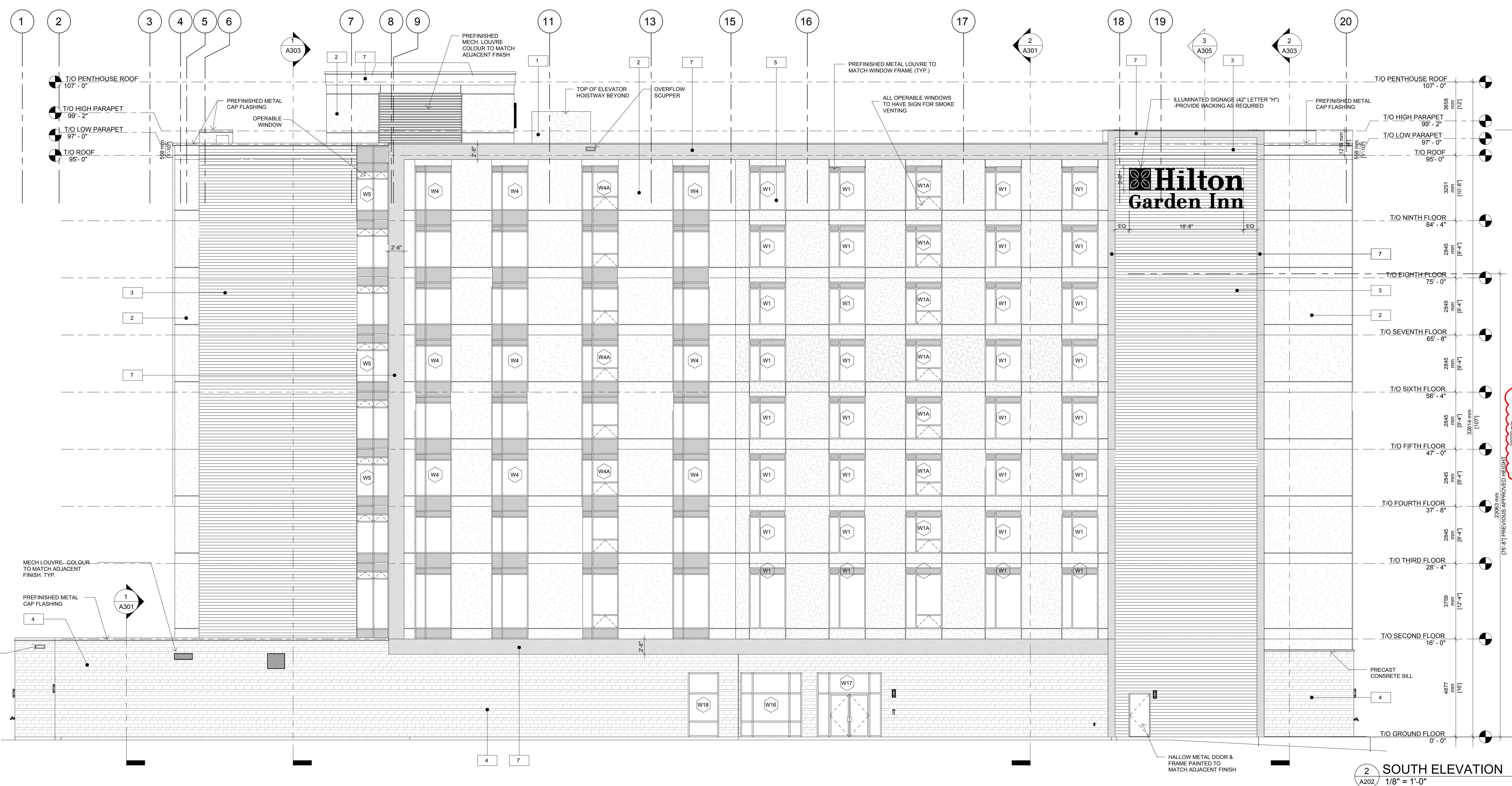
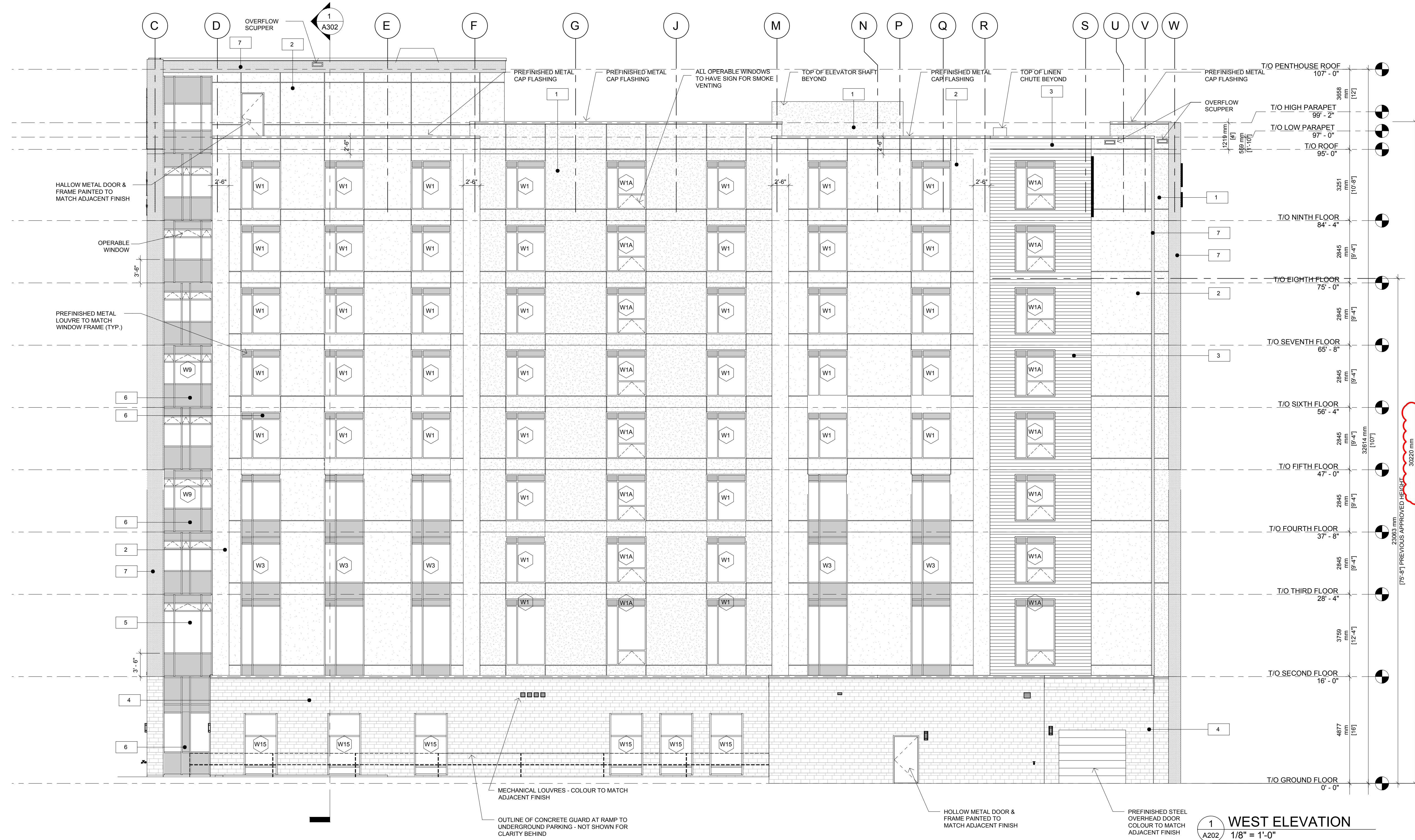
IBI GROUP ARCHITECTS
A MEMBER OF THE IBI GROUP
138894 A201

#	Zoning By-law 001-2021	Variance requested
1	A Hotel is not permitted [Table 11-2].	To permit the use of a Hotel.
2	A minimum rear yard of 7.5 metres is required [Table 11-3].	To permit a minimum rear yard of 0.2 metres.
3	A minimum interior side yard of 3.0 metres is required [Table 11-3].	To permit a minimum interior side yard of 2.2 metres.
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5	A minimum of 245 parking spaces are required [Table 6-2].	To permit a minimum of 200 parking spaces.
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7	The loading space requirements of this By-law shall be provided for and located on the same lot as the use for which the parking is required [Section 6.1.4].	To permit a loading space to be located on the adjacent lot.

#	Zoning By-law 1-88	Variance requested
1	A minimum front yard of 6 metres is required [Schedule A].	To permit a minimum front yard of 5.8 metres.
2	A minimum rear yard of 12 metres is required [Schedule A].	To permit a minimum rear yard of 0.2 metres.
3	A minimum interior side yard of 6.0 metres is required [Schedule A].	To permit a minimum interior side yard of 2.2 metres.
4	A maximum Building Height of 15.0 metres is required [Schedule A].	To permit a maximum Building Height of 30.22 metres.
5	A minimum of 270 parking spaces are required [Section 3.8 a].	To permit a minimum of 200 parking spaces.
6	A loading space shall be on the same lot as the building that it serves [Section 3.9 a].	To permit a loading space to be located on the adjacent lot.

FINISH LEGEND

- 1 EIFS BY DRYVIT - COLOUR: TERRAZZO - BLACK BEAUTY
- 2 EIFS BY DRYVIT - COLOUR: TERRAZZO - WHISTLER
- 3 METAL SIDING BY LONGBOARD - TYPE: 6" V-GROOVE - COLOUR: DARK CHERRY
- 4 STONE VENEER BY PERMACON - TYPE: ARIA STONE - COLOUR: ROCKLAND BLACK
- 5 GLAZING - CLEAR
- 6 SPANDREL PANEL - COLOUR: BLACK
- 7 ALUMINUM PANEL BY EURAMAX - TYPE: EURAMAX-PAPER 38-FINE - COLOUR: ONYX WHITE_GOLD II



No.	DATE	DESCRIPTION
1	20200118	ISSUED FOR SPA
2	20200218	SPA RESUBMISSION
3	20200318	SPA RESUBMISSION
4	20200418	SPA RESUBMISSION
5	20200518	HILTON SCHEMATIC DESIGN REVIEW
6	20200618	ISSUED FOR BUILDING PERMIT
7	20200718	ISSUED FOR TENDER
8	20200818	ISSUED FOR 100% HILTON REVIEW
9	20200918	ISSUED FOR CONSTRUCTION
10	20201018	ISSUED FOR COMMITTEE OF ADJUSTMENT

30.22m #4, #4

30.22m #4, #4

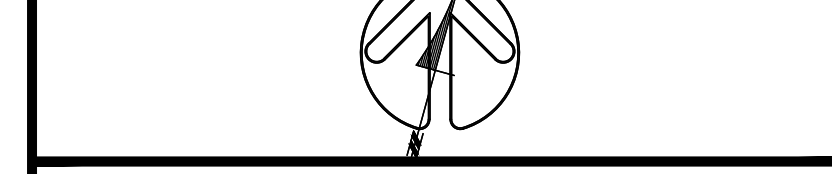
REVISIONS

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HILTON GARDEN INN

616 APPLEWOOD CRESCENT, VAUGHAN, ONTARIO



EXTERIOR ELEVATION II

DRAWN BY	DATE	SCALE	CHECKED BY
LK/EP/AQ	APR. 20, 2023	1/8" = 1'-0"	L.C.

IBI GROUP ARCHITECTS

138894 A202

SCHEDULE B: STAFF & AGENCY COMMENTS

DEPT/AGENCY	Circulated	Comments Received	Conditions	Nature of Comments
TRCA *Schedule B	X			No Comments Received to Date
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	X	X	Recommend Approval/with conditions
Building Standards (Zoning)	X	X		General Comments

Date: May 16th 2023

Attention: **Christine Vigneault**

RE: Request for Comments

File No.: **A069-23**

Related Files:

Applicant Malone Given Parsons Ltd. ("MGP")

Location 616 Applewood Crescent



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:

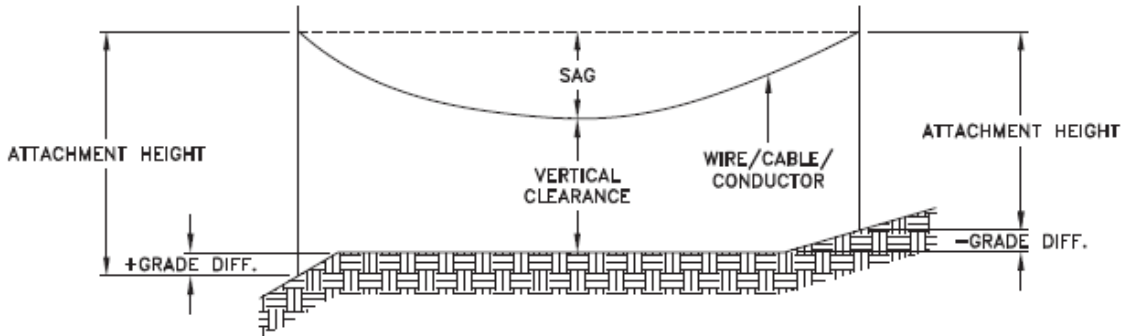
Mr. Stephen Cranley, C.E.T
Supervisor, Distribution Design, ICI & Layouts (North)
Phone: 1-877-963-6900 ext. 31297

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"

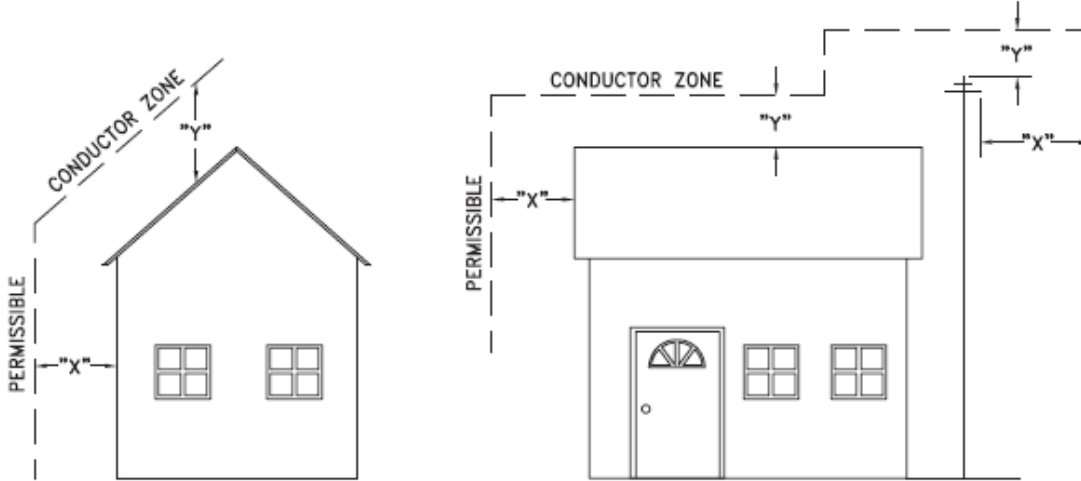
REFERENCES

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: Lindsay Haviland, Building Standards Department
Date: May 25, 2023
Applicant: Malone Given Parsons Ltd
Location: 616 Applewood Crescent Bldg D
 PLAN 65M3606 Part of Block 3
 PLAN 65R33804 Part 35 to 40
File No.(s): A069/23

Zoning Classification:

The subject lands are zoned EM1 – Prestige Employment Zone and subject to the provisions of Exception 14.768 under Zoning By-law 001-2021, as amended.

#	Zoning By-law 001-2021	Variance requested
1	A Hotel is not permitted [Table 11-2].	To permit the use of a Hotel.
2	A minimum rear yard of 7.5 metres is required [Table 11-3].	To permit a minimum rear yard of 0.2 metres.
3	A minimum interior side yard of 3.0 metres is required [Table 11-3].	To permit a minimum interior side yard of 2.2 metres.
4	A maximum Height of 15.0 metres is required [Table 11-3].	To permit a maximum Height of 30.23 metres.
5	A minimum of 245 parking spaces are required [Table 6-2].	To permit a minimum of 200 parking spaces.
6	An additional Type B loading space is required [Table 6-18, Section 6.1.1.2].	To permit 0 additional loading spaces.
7	The loading space requirements of this By-law shall be provided for and located on the same lot as the use for which the parking is required [Section 6.1.4].	To permit a loading space to be located on the adjacent lot.

The subject lands are zoned EM1 – Prestige Employment Area Zone and subject to the provisions of Exception 9(1109) under Zoning By-law 1-88, as amended.

#	Zoning By-law 1-88	Variance requested
1	A minimum front yard of 6 metres is required [Schedule A].	To permit a minimum front yard of 5.8 metres.
2	A minimum rear yard of 12 metres is required [Schedule A].	To permit a minimum rear yard of 0.2 metres.
3	A minimum interior side yard of 6.0 metres is required [Schedule A].	To permit a minimum interior side yard of 2.2 metres.
4	A maximum Building Height of 15.0 metres is required [Schedule A].	To permit a maximum Building Height of 30.23 metres.
5	A minimum of 270 parking spaces are required [Section 3.8 a)].	To permit a minimum of 200 parking spaces.
6	A loading space shall be on the same lot as the building that it serves [Section 3.9 a)].	To permit a loading space to be located on the adjacent lot.

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.

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: 616 Applewood Inc.
Location: 616 Applewood Crescent, Bldg D
File No.(s): A069/23

Proposed Variance(s) (By-law 001-2021):

1. To permit the use of a Hotel.
2. To permit a minimum rear yard of 0.2 metres.
3. To permit a minimum interior side yard of 2.2 metres.
4. To permit a maximum Height of 29.31 metres
5. To permit a minimum of 200 parking spaces.
6. To permit 0 additional loading spaces.
7. To permit a loading space to be located on the adjacent lot.

By-Law Requirement(s) (By-law 001-2021):

1. A Hotel is not permitted [Table 11-2].
2. A minimum rear yard of 7.5 metres is required [Table 11-3].
3. A minimum interior side yard of 3.0 metres is required [Table 11-3].
4. A maximum Height of 15.0 metres is required [Table 11-3].
5. A minimum of 245 parking spaces are required [Table 6-2].
6. An additional Type B loading space is required [Table 6-18, Section 6.1.1.2].
7. The loading space requirements of this By-law shall be provided for and located on the same lot as the use for which the parking is required [Section 6.1.4].

Proposed Variance(s) (By-law 1-88):

8. To permit a minimum front yard of 5.8 metres.
9. To permit a minimum rear yard of 0.2 metres.
10. To permit a minimum interior side yard of 2.2 metres.
11. To permit a maximum Building Height of 29.31 metres.
12. To permit a minimum of 200 parking spaces.
13. To permit a loading space to be located on the adjacent lot.

By-Law Requirement(s) (By-law 1-88):

8. A minimum front yard of 6 metres is required [Schedule A].
9. A minimum rear yard of 12 metres is required [Schedule A].
10. A minimum interior side yard of 6.0 metres is required [Schedule A].
11. A maximum Building Height of 15.0 metres is required [Schedule A].
12. A minimum of 270 parking spaces are required [Section 3.8 a)].
13. A loading space shall be on the same lot as the building that it serves [Section 3.9 a)].

Official Plan:

City of Vaughan Official Plan 2010 ('VOP 2010'): "Prestige Employment"

Comments:

The Owner is requesting relief to permit an additional 2-storeys to the previously approved 7-storey hotel building, with the above noted variances. This will have the effect of adding 68 hotel suites and 3,146 of GFA. The building footprint is not proposed to change from what was approved for the 7-storey building.

Site Development Application DA.18.048, approved by the Committee of the Whole on April 2, 2019, and the decision was ratified by Council on April 29, 2019, permitted the development of the 7-storey hotel building with 208 parking spaces on the subject lands. Associated Consent Application B010/19 and Minor Variance Application A048/19 for 616 & 618 Applewood Crescent, were also approved. The consent application was for an easement over Parts 1, 3, 5 and 6 on Plan 65R-38473, for vehicular access purposes

in favor of 616 Applewood Crescent. The variance application was for: setback, height, parking spaces, and loading space placement.

The Development Planning Department has no objection to Variance 1 to permit the proposed hotel use for the site. As Site Development Application DA.18.048 was filed prior to the effective date of Zoning By-law 2021. Section 1.6.3.2 (b) of Zoning By-law 001-2021 recognizes:

“...after the conditions of site plan approval or final site plan approval is received for a project that qualifies under Section 1.6.3.2.1, a building permit for that project may be issued if the project in question and the building permit application for the project complies with the provisions of Zoning By-law 1-88, as amended, as it read on the effective date of this By-law, the site plan approval, and all approved minor variances.”

Therefore, a hotel use within a 7-storey building is permitted and allowed to continue for a period of up to 10 years under the transition provisions of By-law 001-2021. Relief is now required as 2 additional floors are sought, which will be dealt with via a new Site Development application. Condition 1 is recommended to tie the variance for the use to what is permitted by the transition provisions if the new Development Application was not required.

The Development Planning Department has no objection to Variances 2, 3, 4, 8, 9, 10, and 11, as the proposed building setbacks and height are appropriate for the hotel use, provide a compatible built form and are similar to those previously approved on adjacent hotel sites. The rear yard setback of 0.2 m is in recognition of the location of the loading area being located on the access easement approved through B010/19.

The Owner has submitted a Parking Justification Study dated April 2023, prepared by BA Group, which concludes that 200 parking spaces are adequate to accommodate the Development. The study has been reviewed by the Transportation Division of the Development Engineering Department and it has no objection to the variances, subject to ensuring a shared parking arrangement with the adjacent office building site occurs in the form of a registered parking easement, to be implemented at the Site Plan Application stage. Development Engineering has provided a condition in its comments to address this concern. Development Planning Department recommends Condition 2 as the variance application has been filed in advance of the Site Plan Application. As such, Development Planning Department has no objection to Variances 5, 6, 7, 12, and 13 provided Condition 2 is included.

Accordingly, the Development Planning Department can support the requested variances and is of the opinion that the proposal is minor in nature, maintains the general intent and purpose of the Official Plan and Zoning By-laws, and is desirable for the appropriate development of the land.

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:

1. That Variance #1, permitting the uses of Hotel on the subject lands, be restricted to a temporary approval of ten (10) years from the effective date of By-law 001-2021 (October 20, 2031); and
2. That a Site Development Application be submitted, and all comments be addressed to the satisfaction of the Development Planning Department.

Comments Prepared by:

Michelle Perrone, Planner 1
David Harding, Senior Planner

From: [Development Services](#)
To: [Christine Vigneault](#)
Cc: [Committee of Adjustment](#)
Subject: [External] RE: A069/23 (616 Applewood Crescent) - REQUEST FOR COMMENTS, CITY OF VAUGHAN
Date: Wednesday, May 31, 2023 5:26:14 PM
Attachments: [image002.png](#)
[image004.png](#)
[image005.png](#)

Hi Christine,

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

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, Development Services, 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

Our Values: Integrity, Commitment, Accountability, Respect, Excellence



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SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE

Correspondence Type	Name	Address	Date Received (mm/dd/yyyy)	Summary
Applicant				Planning Justification Letter

April 21, 2023

MGP File: 23-3256

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: Application for Minor Variance
616 Applewood Crescent, City of Vaughan**

Malone Given Parsons Ltd. (“MGP”) is the land use planning consultant for 616 Applewood Inc., the owner of the lands municipally known as 616 Applewood Crescent in the City of Vaughan (the “Subject Lands”).

The Subject Lands are located on the west side of Applewood Crescent, north of Portage Parkway and the Vaughan Metropolitan Centre, immediately east of Highway 400 and are legally described as Part of Block 3, Plan 65M3606, in the City of Vaughan (the “City”).

MGP has prepared this Planning Opinion Letter in support of an application for minor variances to the City Committee of Adjustment to facilitate the addition of two storeys on top of an approved 7-storey hotel on the Subject Lands, for a total of 9 storeys and 272 hotel suites (the “Application”).

For the reasons set out in this letter, it is our opinion that the proposal and implementing variances have regard to matters of provincial interest as set out in Section 2 of the *Planning Act*, are consistent with the Provincial Policy Statement, 2020, and conform to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019. The proposed variances individually and collectively meet the four tests for a minor variance under the *Planning Act*, namely:

- They maintain the general intent and purpose of the City’s Official Plan, 2010 (“VOP”) and the York Region Official Plan, 2022 (“YROP”);
- They maintain the general intent and purpose of the City’s Zoning By-laws 1-88 and 001-2021;
- They are desirable for the appropriate development and use of the land; and
- They are minor.

The proposed development and implementing variances constitute good planning and should be approved.

1.0 Background and Site Context

The Subject Lands are approximately 0.50 hectares (1.24 acres) in size and are currently vacant. The Subject Lands are shown in Figure 1 below.

Figure 1 – Subject Lands and Context Map



The Subject Lands are generally located in the south-central portion of the City, immediately north of the high-density, mixed-use Vaughan Metropolitan Centre (“VMC”) urban growth centre. The surrounding properties contain a mix of hotel, office, commercial, and industrial uses. The lands are also in close proximity to Highway 400 and Highway 407, and transit services along Highway 7 and the VMC Subway Station to the southeast. The following generally summarizes the surrounding uses:

To the north:

- Industrial, warehousing, and commercial uses

To the east:

- Industrial, warehousing, and commercial uses

To the south:

- Walmart Supercentre and other large commercial uses
- Portage Parkway
- Vacant lands and stormwater management facilities
- An existing hotel use (Monte Carlo Inn)

To the west:

- Highway 400
- Existing hotel uses immediately to the west and northwest (Springhill Suites by Marriott and Homewood Suites by Hilton)

- Carlo Inn)
- High density mixed-use development in various stages of development and construction within the VMC

Of note, two hotel uses with similar heights to the proposed development are located to the west of the Subject Lands. Highway 400 is also located just west of the Subject Lands.

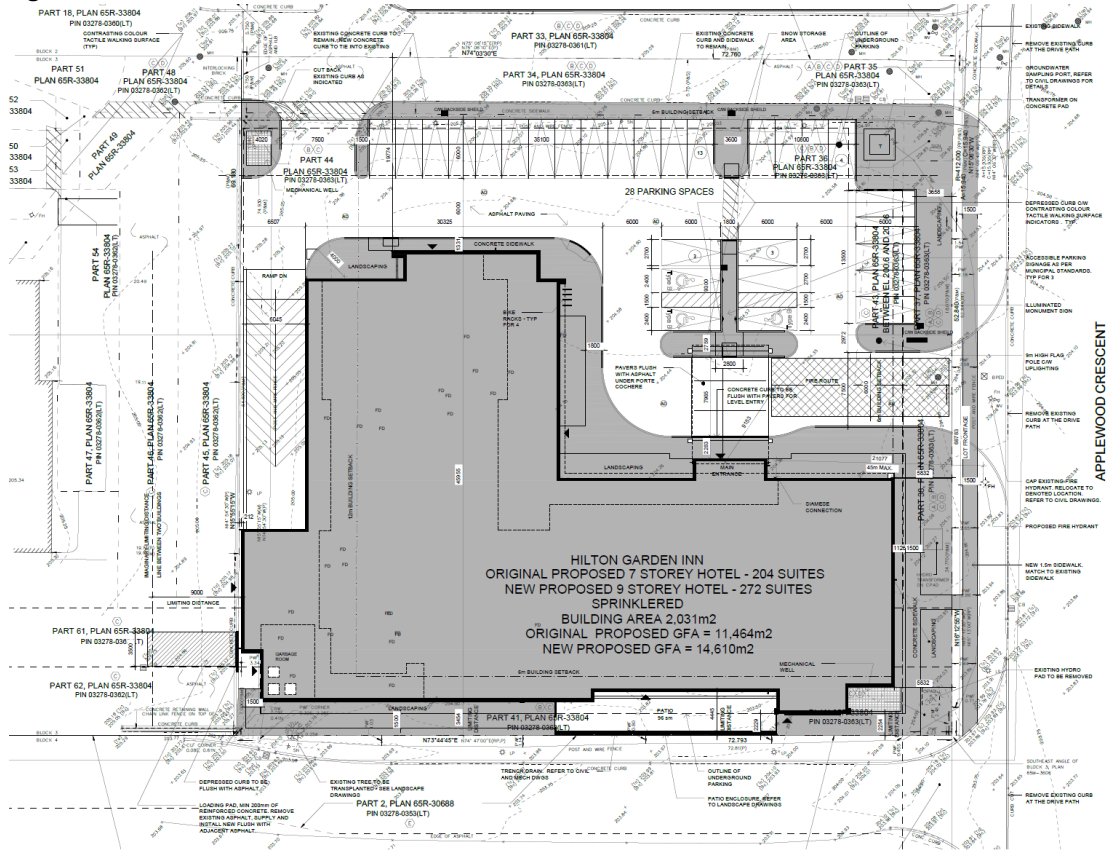
The Subject Lands are approved for the development of a 7-storey, 204 suite hotel (Hilton Garden Inn and Hampton Inn) with an associated eating establishment and outdoor patio, 28 surface parking spaces, and 2 levels of underground parking with 180 spaces, all as approved under Site Development File No. DA.18.048, Minor Variance Application No. A048/19, and Consent Application No. B010/19. Consent Application No. B010/19 establishes easements with the adjoining property at 618 Applewood Crescent for the purposes of access and loading, registered on title through Instruments YR2982289 and YR2061271. On November 15, 2022, the City issued Building Permit No. 19-002337 to permit construction of the proposed 7-storey hotel.

2.0 Proposed Development

The owner proposes to expand the approved 7-storey hotel by adding an additional 2 storeys and 68 hotel suites. The original 7-storey hotel proposed 204 suites with a gross floor area (“GFA”) of 11,464m². The new 9-storey proposal includes 272 suites with a GFA of 14,610m². The building footprint is not proposed to change from the previously approved 7-storey development, remaining at approximately 2,031 m². The revised Site Plan and Building Elevations are included in Figure 2 below.

Minor internal revisions have also been made to the floor plans to remove the swimming pool, add additional meetings rooms, relocate laundry and mechanical service rooms, and increase the height of the mechanical penthouse. As a result of these changes, the total number of parking spaces has been reduced from 208 to 200, maintained within the 2 level underground parking garage with 28 surface level parking spaces.

Figure 2 – Site Plan and Northwest Exterior Elevation Views



Source: IBI Group (2023)

3.0 Applicable Zoning By-laws

The Subject Lands are zoned Prestige Employment Area Zone – Exception 9 (1109) (EM1-9 (1109) under Zoning By-law 1-88 (“ZBL 1-88”). On May 16, 2019, minor variances were approved through Application No. A048/19 to reduce the total number of required parking spaces, reduce the minimum required front yard, interior side yard, and rear yard setbacks, increase the maximum permitted building height, and permit loading spaces on the adjacent property (the “Approved Variances”). In all other respects, the hotel use and the 7-storey building fully complied with ZBL 1-88.

On October 20, 2021, after the approval of Site Development Application No. DA.18.048 and the Approved Variances, City Council enacted Zoning By-law 001-2021 (“ZBL 001-2021”), a comprehensive zoning by-law that is intended to repeal and replace ZBL 1-88. Under ZBL 001-2021, the Subject Lands are zoned Prestige Employment-Exception 768 (EM1-768).

ZBL 001-2021 was appealed by a number of persons. Through the appeal process, appellants were directed to scope their appeals to sites and/or provisions of specific concern. As a result of this scoping exercise, ZBL 001-2021 is now in force, save and except for certain sites and/or areas for which ZBL 001-2021 remains under appeal, and for certain sections that remain under appeal on a City-wide basis. There is no site or area specific appeal of ZBL 001-2021 that applies to the Subject Lands.

At the direction of City staff, the owner is seeking variances to both ZBL 1-88, as amended, and ZBL 001-2021 to permit the additional 2 storeys to the approved 7-storey hotel. Staff have advised that despite the general understanding that ZBL 1-88 is repealed upon the coming into force of ZBL 001-2021 (per Section 15.1 of ZBL 001-2021), given that there remain certain sections of ZBL 001-2021 under appeal on a city-wide basis, ZBL 1-88 continues to apply to the Subject Lands.

4.0 Minor Variances

The purpose of this minor variance application is to seek variances to permit an additional 2-storeys to the approved 7-storey hotel (for a total of 9-storeys). With the increased height, an additional 68 hotel suites will be developed.

4.1 Variances to ZBL 1-88

Only two variances beyond the Approved Variances in 2019 are required to permit the proposed 9-storey hotel; namely, to permit a building height of 28.10 metres (whereas 23.37 metres was previously approved) and to further reduce the minimum number of required parking spaces to 200 (whereas 208 was previously approved), resulting from internal changes to the building.

However, out of an abundance of caution, the owner is seeking to vary all of the other variances approved in 2019 in support of the new 9-storey proposal.

4.2 Variances to ZBL 001-2021

Variances are required under ZBL 001-2021 to permit the proposed hotel use, building height, minimum number of parking spaces, loading space location, and building setbacks. Furthermore, ZBL 001-2021 introduces new requirements with respect to loading spaces and bicycle parking spaces that were not required under ZBL 1-88, and as such, new variances are required to exempt the proposed development from providing any bicycle parking spaces or loading spaces on the Subject Lands (with one Type C loading space to be provided on the adjacent property).

A list of the requested variances is provided below.

- Add “hotel” as permitted use under ZBL 001-2021 only (this variance is not required to ZBL 1-88);
- Minimum front yard setback of 5.8 m under ZBL 1-88 (consistent with the Approved Variances under ZBL 1-88) whereas 6.0 m is required under ZBL 1-88 (this variance is not required under ZBL 001-2021);
- Minimum rear yard setback of 0.2 m under both by-laws (consistent with the Approved Variances under ZBL 1-88) whereas 12.0 m is required under ZBL 1-88 and 7.5 m is required under ZBL 001-2021;
- Minimum interior side yard setback of 2.2m under both by-laws (consistent with the Approved Variances under ZBL 1-88) whereas 6.0 m is required under ZBL 1-88 and 3.0 m is required under ZBL 001-2021;
- Maximum building height of 28.10 m under both by-laws whereas 15 m is required under both by-laws and 23.37 m was previously approved through the Approved Variances;
- Minimum of 200 parking spaces for all uses under both by-laws whereas 338 spaces are required under ZBL 1-88 and 245 spaces are required under ZBL 001-2021;
- Minimum one (1) Type C loading space under ZBL 001-2021 whereas 2 Type B and 1 Type C loading spaces are required under ZBL 001-2021;
- Permit loading on adjacent property under both by-laws whereas loading spaces are required to be provided on the same lot as the use; and
- No minimum number of bicycle parking spaces under ZBL 001-2021 whereas 22 spaces are required under ZBL 001-2021.

5.0 Planning Analysis

5.1 Matters of Provincial Interest

The proposed development is located in an intensifying urban area and a hotel use complements the surrounding employment areas in close proximity to the VMC. The proposed development has regard to matters of provincial interest set out in Section 2 of the *Planning Act*, including the promotion of a well-designed built form in an appropriate location for growth and development, the promotion of orderly development of safe and healthy communities, and contributing to the adequate provision of employment opportunities.

5.2 Provincial Policy Statement, 2020

The proposed development implements and is consistent with the Provincial Policy Statement, 2020 (“PPS”). In particular, the proposed development is situated in a settlement area, notably in close proximity to the VMC urban growth centre, where growth and development are to be focused (Policy 1.1.3.1). The proposed development will further support the City in achieving “an appropriate range and mix of land uses to meet projected needs for a time horizon of up to 25 years” (Section 1.1.2). Furthermore, the core components of the proposed development have been designed through an iterative site plan approval process, with the only changes to the approved 2019 site plan being the proposed height and the number of parking spaces. To this end, the proposed development has been demonstrated to achieve compact urban form, to promote a mix of uses and densities that allows for the efficient use of land, infrastructure and public service facilities (Policy 1.1.3.6).

5.3 A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019

A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended (the “Growth Plan”), provides direction for how and where the Greater Golden Horseshoe area should grow. The Growth Plan supports the optimization of land use and infrastructure and the development of complete communities. Within this context, the Growth Plan generally directs “development to settlement areas” (Section 2.2.1.2). In order to ensure economic development and competitiveness, the Growth Plan promotes more efficient use of vacant and underutilized employment lands and integrating land use planning and economic development strategies to retain and attract investment (Sections 2.2.5.1b&d).

For the reasons generally discussed above, the proposed development conforms with the Growth Plan. It will support the optimization of land use and infrastructure, bringing a notable increase in employment uses on an underutilized site, in close proximity to the mixed-use urban growth centre, in a location where higher density development is occurring.

5.4 Section 45 of the *Planning Act*: Minor Variance Tests

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 summary, the proposed development and implementing variances maintain the intent and purpose of the Official Plan, maintain the intent and purpose of the Zoning By-laws, are minor in nature, are desirable for the appropriate development and use of the land.

As a starting point, it is important to underscore that the proposed development seeks minor modifications to the 7-storey approved hotel development, which was the subject of an iterative site plan review process and previous minor variance application, both of which were approved by the City in 2019. It is our opinion that the carryforward of the hotel use with identical built form standards and organization of the site (in terms of building setbacks, access, surface parking and loading, landscaping, etc.) achieves the appropriate type and scale of development, with resultant built form relationships to adjacent properties that will achieve compatible development and complies with the four tests.

5.4.1 The general intent and purpose of the Official Plan is maintained

City of Vaughan Official Plan, 2010

The VOP designates the Subject Lands as Urban Area and Employment Areas under Schedule 1 (Urban Structure) and 1A (Urban Area). Section 2.2.4 states that employment areas are intended for the use of economic activities that require separation from other uses in order to achieve their maximum potential. The VOP designates the Subject Lands as Prestige Employment under Schedule 13 (Land Use). Section 9.2.2.11 of the VOP contains certain policies regarding the development of lands in areas designated Prestige Employment. Generally, Prestige Employment Area shall be characterized by high quality buildings in an attractive pedestrian-friendly, connected and transit-oriented working environment. Section 9.2.2.11b) states that Prestige Employment Areas shall generally be located on arterial streets and along 400-series highways, in order to provide locational opportunities and provide greater intensity uses on key transportation routes. Of note, the VOP was in force when the 7-storey hotel development was approved in 2019.

The proposed hotel use maintains the intent and purpose of the Prestige Employment designation by providing for an employment-generating use that supports and is compatible with adjacent employment uses and is located within a high-quality, well-designed built form. Maintaining the hotel use at a greater intensity conforms with the intent of Section 2.2.4 by siting this use adjacent to other hotels and land uses that do not require separation distances from a hotel (e.g. commercial and warehousing uses). The proposed development will further support the intended function of the VMC urban growth centre by providing hotel accommodation in close proximity for visitors to the VMC.

With respect to the built form variances requested, Section 9.2.2.11f) of the VOP permits Mid-Rise Building types in Prestige Employment Areas. The proposed development of 9 storeys meets the Mid-Rise Building criteria of Section 9.2.3.5a) of the VOP and respects the height requirements of buildings over five storeys, and up to a maximum of twelve storeys. Furthermore, the remainder of Section 9.2.3.5 permits appropriate scale, massing, setback, sunlight, and parking requirements that have been satisfied by the proposed variances and the overall development.

York Region Official Plan, 2022

The YROP was approved in November 2022 and designates the Subject Lands as Urban Area and Employment Area under Map 1 (Regional Structure) and Map 1A (Land Use). Employment Areas are intended to primarily accommodate industrial, warehouse, logistics, goods, and service producing business uses and shall maintain and enhance the long-term viability of employment lands. We note that Policy 4.3.14 states that the following uses shall not be permitted in Employment Areas identified on Map 1A:

*“e) Other uses where individuals reside on temporary or permanent basis, **excluding hotels.**” (emphasis added)*

The proposed re-establishment of the hotel use conforms to YROP Policy 4.3.14 which has explicitly considered hotel uses within an Employment Area, contrary to the VOP, which is silent on hotel uses within the Prestige Employment designation.

In our opinion, the proposed variances maintain the general intent and purpose of the VOP and YROP.

5.5 The general intent and purpose of the Zoning By-laws are maintained

At a high level, the general intent and purpose of the Zoning By-laws is to implement the policies and land uses outlined by the official plan. The proposed hotel use is not listed as a permitted use in the Prestige Employment (EM1) Zone under ZBL 001-2021, however it is listed as a permitted use under the Prestige Employment (EM1) Zone under ZBL 1-88.

The general intent and purpose of use permissions is to ensure that new development can coexist harmoniously with other uses in the area. The list of permitted uses in the EM1 Zone does not constitute an exhaustive list of all uses that can coexist harmoniously in this area. Section 1.9 of ZBL 001-2021 expressly provides that ZBL 001-2021 does not operate to prevent the “use” of any land, building or structure for a purpose prohibited by the by-law if such land, building or structure was lawfully used for such purpose on the effective date of the by-law, provided that such land, building or structure continues to be used for that purpose. ZBL 001-2021 defines “use” as follows:

“Use: Means, when used as a noun, the purpose for which a lot or building or structure of any combination thereof, is designed, arranged, intended, occupied or maintained and “uses” shall have a corresponding meaning. “Use,” when used as a verb, or “to use,” shall have corresponding meanings.”

A building permit has already been issued for the 7-storey hotel use, which in our opinion satisfies Section 1.9 of ZBL 001-2021 by having a lawful hotel use “used” on the Subject Lands. Ultimately, whether a proposed use is appropriate for a given site requires a contextual assessment of the site and surrounding area.

The proposed hotel use on the Subject Lands is compatible with the other permitted uses in the EM1 zone, including uses such as warehousing, commercial schools, daycares, and offices. There are no inherent land use compatibility issues that arise from the proposed hotel use variance under ZBL 001-2021. There is an existing hotel on the adjacent property and several others in the area, reflecting the historical zoning permissions for hotel uses in the EM1 Zone under ZBL 1-88. To our knowledge, there have been no land use compatibility issues that have arisen as a result of these existing hotel uses.

The built form variances requested for reduced setbacks maintains the general intent and purpose of By-law 1-88 and ZBL 001-2021. The general intent and purpose of side yard setback requirements is to ensure sufficient space for site access, as needed, and to achieve appropriate separation distances between adjacent buildings, again as needed, depending on the site context. The proposed setbacks provide sufficient separation distance between adjacent properties for site access and will result in appropriate relationships between buildings on adjacent properties. The numeric value of the requested setback variances under ZBL 001-2021 are identical to the Approved Variances under ZBL 1-88, which have been demonstrated to be appropriate for the Subject Lands.

As it relates to the proposed front yard setback, the general intent and purpose of this standard is to achieve an appropriate relationship between the proposed development and

the street itself. In this case, the proposed development will maintain an appropriate relationship to the street, increasing the proposed building's presence at the pedestrian level at a scale that will promote an active streetscape and comfortable walking conditions along Applewood Crescent. Further, ZBL 001-2021 reduces the required front yard setback requirement from 6.0 m in ZBL 1-88 to 4.5 m. At 5.8 m, the proposed front yard setback on the Subject Lands exceeds the requirement under ZBL 001-2021 and the variance sought herein is only being requested out of an abundance of caution to re-establish the Approved Variances. As a related point, the proposed development provides more than the required amount of landscaping on the Subject Lands.

The maximum permitted height under both ZBL 1-88 and ZBL 001-2021 is 15 metres. The general intent and purpose of the maximum height provisions is to ensure that development is designed at an appropriate overall scale (in height) having regard to the site context. The as-of-right 15 metre height maximum is a general standard, and it is significantly less than the maximum permitted height of up to 12 storeys under the VOP for properties designated Prestige Employment. At 12 storeys, the potential metric height would reasonably be anticipated to reach approximately 36 metres, if not more for non-residential uses that generally have greater floor-to-ceiling heights. The proposed variance to permit a maximum height of 28.10 metres maintains the general intent and purpose of the Zoning By-laws as the height can be accommodated at a height that is in keeping with the character of newer high-density developments in the surrounding area and within the planned height permissions of the VOP.

The area surrounding the Subject Lands currently contains three other hotel developments. Two of these hotels are directly adjacent to the Subject Lands and the other is located just south on Portage Parkway. Their proximity to the Subject Lands can be seen in Figure 1 above. Each nearby hotel falls within the 5 to 12 storey range, in keeping with Policy 9.2.3.5a) of the VOP. The proposed 9-storey hotel is in keeping with the range of heights of other existing hotel uses.

The proposed variances to permit only one Type C loading space on the adjacent property meets the general intent and purpose of the by-laws by providing adequate loading for the proposed uses that can be shared with adjacent properties and uses while minimizing unsightly servicing areas. The loading space on the adjacent property has been legally established already through a registered easement on title, which was approved in 2019 at the time the minor variances were approved for the 7-storey hotel development. As such, in our opinion, the proposed variance for loading is technical in nature and re-establishes the Approved Variances and previously-approved consent application.

The proposed variances under ZBL 001-2021 to permit only one loading space on the adjacent property meets the intent and purpose of the by-law by providing adequate loading for the proposed uses that can be shared with adjacent properties and uses while minimizing unsightly servicing areas. The loading space on the adjacent property has been legally established already through a registered easement on title and therefore, the variance under ZBL 001-2021 is technical in nature to codify an existing situation within the new zoning by-law.

The proposed variance requested to permit a reduced parking supply also meets the intent and purpose of ZBL 001-2021. The proposed variance permits a reduced minimum parking supply of 200 spaces (approximately 0.74 spaces per guest room) for the Subject Lands, which is within the minimum and maximum parking space rates (0.25 and 0.75, respectively) of the VMC zone under ZBL 001-2021, as opposed to the subject EM1 zone. This is considered appropriate based on the comparable context and distance to the VMC major transit station area as well as other hotels in and near the VMC. The proposed parking supply is adequate based on parking demands observed for other hotels and offices on the neighboring properties, which are under the same ownership group as the Subject Lands. A review of parking demand at the adjacent hotel and office building indicates that the neighbouring properties provide and maintain an excess amount of parking, which can accommodate sharing of parking between the buildings. The proposed parking supply of 200 vehicle parking spaces satisfies the intent and purpose of providing parking within the minimum and maximum range provided under ZBL 001-2021 for the VMC, which is appropriate to be applied here given the proximity to the Subject Lands. Further detailed information for the reduced parking supply can be found in the Parking Reduction Justification report prepared by BA Group and submitted with this application.

Finally, ZBL 001-2021 does not require minimum bicycle parking for a hotel use specifically, however we understand that City staff apply the commercial use rate to hotels in determining a bicycle parking rate requirement for hotels. The provision of no bicycle parking on the Subject Lands is appropriate in this circumstance as the original development proposal was approved on the basis of no bicycle parking spaces being required under ZBL 1-88.

For the reasons discussed above, the requested variances, collectively and individually, maintain the general intent and purpose of both ZBL 1-88 and ZBL 001-2021.

5.6 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 has existing permissions for the construction of a 7-storey hotel under ZBL 1-88, as amended and as varied. The additional 2 storeys and reduction to parking will further support the achievement of employment uses in a location designated for employment growth, and in an area that will provide additional hotel accommodation to visitors of the VMC. The proposed development will make greater use of an underutilized site and will support the optimization of land use and infrastructure.

The requested variances are desirable for the appropriate development and use of the Subject Lands.

5.7 The requested variances are minor

As can be seen in Figure 2 above (Site Plan), the proposed additions to the previously approved development do not change the building footprint. The only change will be an addition of 2 storeys that will affect the height and gross floor area (GFA) of the building but not the approved setbacks, surface parking, loading location and access, or building area. The

supporting technical studies provided with this application demonstrate that there are no negative impacts to servicing or parking on the Subject Lands.

The degree of variation from the by-law standards is minor, having regard to the site and surrounding area and the planned function of these lands in the VOP and YROP. Contextually, the proposed development will fit well within the existing and emerging built form context. The proposed hotel use is compatible with uses existing and/or planned in the surrounding area, with the same uses existing on adjacent lands.

Through the iterative site plan approval process for the 7-storey approved development, it has been demonstrated that the overall configuration and general scale of the development will have little to no adverse impacts on the public realm and adjacent lands. The addition of two storeys and the reduction of parking sought through the requested variances is supported by a comprehensive set of plans and studies demonstrating that the proposed development can be accommodated without impact on adjacent lands.

For the reasons discussed above, it is our opinion that the proposed development and implementing variances have regard to matters of provincial interest established in Section 2 of the *Planning Act*, are consistent with the PPS, and conform to the Growth Plan. The proposed development and implementing variances satisfy the four tests of Section 45(1) of the *Planning Act*, constitute good planning, and should be approved.

6.0 Application Materials

In support of this application, please find enclosed the following materials:

- One (1) copy of the Owner Authorization Form;
- One (1) copy of the Authorizing Statements;
- One (1) copy of the Chart – Variances in the City’s Zoning By-law
- 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;
- One (1) copy of the Sworn Declaration Form;
- One (1) copy of the Tree Declaration Form;
- One (1) copy of the Servicing Letter, 616 Applewood Crescent In Support of Committee of Adjustment Application, Related File No. DA.18.048, City of Vaughan prepared by Schaeffers Consulting Engineers dated April 12, 2023; and
- One (1) copy of the Proposed Hilton Garden Inn Development, Minor Variance Application – Parking Reduction Justification prepared by BA Group dated April 20, 2023.

The Minor Variance application fee of \$3,838.00 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.

A handwritten signature in blue ink, appearing to be 'LC' or similar initials, written in a cursive style.

Lauren Capilongo, MCIP, RPP

Encl.

cc. Client
Margaret Holyday, City of Vaughan
Lindsay Haviland, City of Vaughan
Daniel Artenosi, Overland LLP

April 21, 2023

MGP File: 23-3256

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: Application for Minor Variance
616 Applewood Crescent, City of Vaughan**

Malone Given Parsons Ltd. (“MGP”) is the land use planning consultant for 616 Applewood Inc., the owner of the lands municipally known as 616 Applewood Crescent in the City of Vaughan (the “Subject Lands”).

The Subject Lands are located on the west side of Applewood Crescent, north of Portage Parkway and the Vaughan Metropolitan Centre, immediately east of Highway 400 and are legally described as Part of Block 3, Plan 65M3606, in the City of Vaughan (the “City”).

MGP has prepared this Planning Opinion Letter in support of an application for minor variances to the City Committee of Adjustment to facilitate the addition of two storeys on top of an approved 7-storey hotel on the Subject Lands, for a total of 9 storeys and 272 hotel suites (the “Application”).

For the reasons set out in this letter, it is our opinion that the proposal and implementing variances have regard to matters of provincial interest as set out in Section 2 of the *Planning Act*, are consistent with the Provincial Policy Statement, 2020, and conform to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019. The proposed variances individually and collectively meet the four tests for a minor variance under the *Planning Act*, namely:

- They maintain the general intent and purpose of the City’s Official Plan, 2010 (“VOP”) and the York Region Official Plan, 2022 (“YROP”);
- They maintain the general intent and purpose of the City’s Zoning By-laws 1-88 and 001-2021;
- They are desirable for the appropriate development and use of the land; and
- They are minor.

The proposed development and implementing variances constitute good planning and should be approved.

1.0 Background and Site Context

The Subject Lands are approximately 0.50 hectares (1.24 acres) in size and are currently vacant. The Subject Lands are shown in Figure 1 below.

Figure 1 – Subject Lands and Context Map



The Subject Lands are generally located in the south-central portion of the City, immediately north of the high-density, mixed-use Vaughan Metropolitan Centre (“VMC”) urban growth centre. The surrounding properties contain a mix of hotel, office, commercial, and industrial uses. The lands are also in close proximity to Highway 400 and Highway 407, and transit services along Highway 7 and the VMC Subway Station to the southeast. The following generally summarizes the surrounding uses:

To the north:

- Industrial, warehousing, and commercial uses

To the east:

- Industrial, warehousing, and commercial uses

To the south:

- Walmart Supercentre and other large commercial uses
- Portage Parkway
- Vacant lands and stormwater management facilities
- An existing hotel use (Monte Carlo Inn)

To the west:

- Highway 400
- Existing hotel uses immediately to the west and northwest (Springhill Suites by Marriott and Homewood Suites by Hilton)

- Carlo Inn)
- High density mixed-use development in various stages of development and construction within the VMC

Of note, two hotel uses with similar heights to the proposed development are located to the west of the Subject Lands. Highway 400 is also located just west of the Subject Lands.

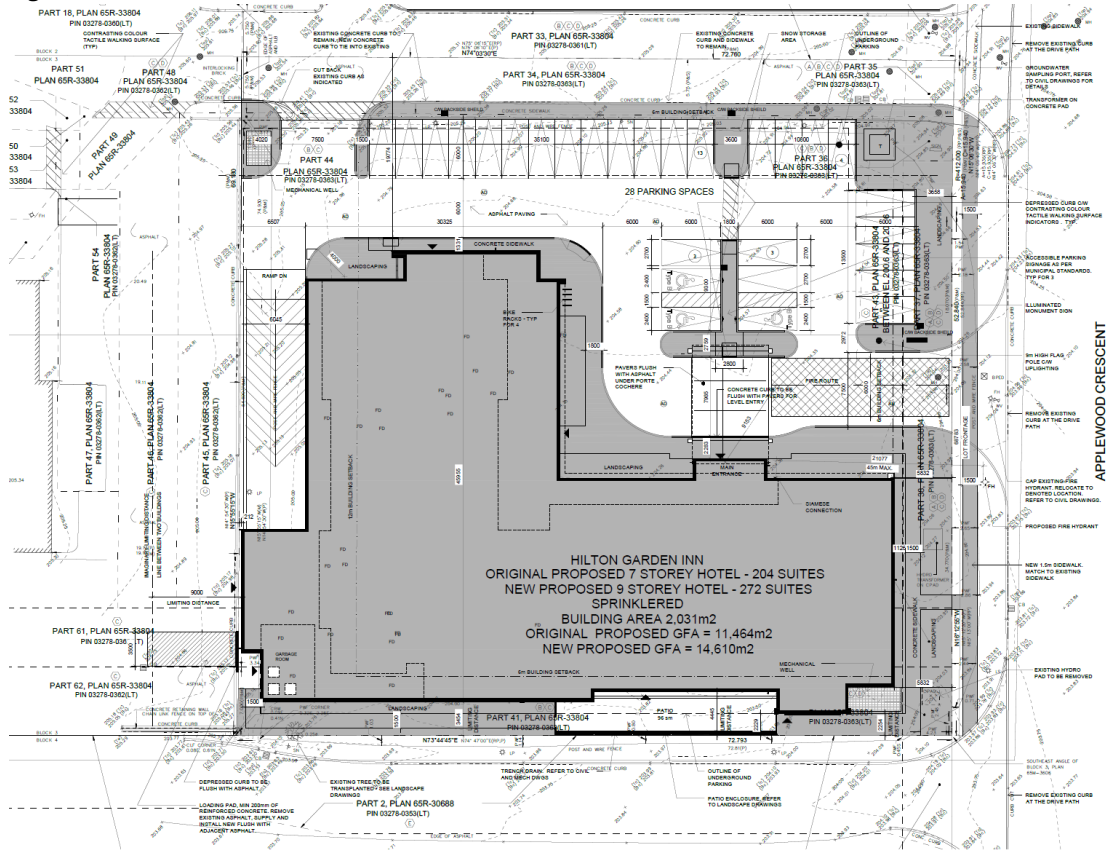
The Subject Lands are approved for the development of a 7-storey, 204 suite hotel (Hilton Garden Inn and Hampton Inn) with an associated eating establishment and outdoor patio, 28 surface parking spaces, and 2 levels of underground parking with 180 spaces, all as approved under Site Development File No. DA.18.048, Minor Variance Application No. A048/19, and Consent Application No. B010/19. Consent Application No. B010/19 establishes easements with the adjoining property at 618 Applewood Crescent for the purposes of access and loading, registered on title through Instruments YR2982289 and YR2061271. On November 15, 2022, the City issued Building Permit No. 19-002337 to permit construction of the proposed 7-storey hotel.

2.0 Proposed Development

The owner proposes to expand the approved 7-storey hotel by adding an additional 2 storeys and 68 hotel suites. The original 7-storey hotel proposed 204 suites with a gross floor area (“GFA”) of 11,464m². The new 9-storey proposal includes 272 suites with a GFA of 14,610m². The building footprint is not proposed to change from the previously approved 7-storey development, remaining at approximately 2,031 m². The revised Site Plan and Building Elevations are included in Figure 2 below.

Minor internal revisions have also been made to the floor plans to remove the swimming pool, add additional meetings rooms, relocate laundry and mechanical service rooms, and increase the height of the mechanical penthouse. As a result of these changes, the total number of parking spaces has been reduced from 208 to 200, maintained within the 2 level underground parking garage with 28 surface level parking spaces.

Figure 2 – Site Plan and Northwest Exterior Elevation Views



Source: IBI Group (2023)

3.0 Applicable Zoning By-laws

The Subject Lands are zoned Prestige Employment Area Zone – Exception 9 (1109) (EM1-9 (1109) under Zoning By-law 1-88 (“ZBL 1-88”). On May 16, 2019, minor variances were approved through Application No. A048/19 to reduce the total number of required parking spaces, reduce the minimum required front yard, interior side yard, and rear yard setbacks, increase the maximum permitted building height, and permit loading spaces on the adjacent property (the “Approved Variances”). In all other respects, the hotel use and the 7-storey building fully complied with ZBL 1-88.

On October 20, 2021, after the approval of Site Development Application No. DA.18.048 and the Approved Variances, City Council enacted Zoning By-law 001-2021 (“ZBL 001-2021”), a comprehensive zoning by-law that is intended to repeal and replace ZBL 1-88. Under ZBL 001-2021, the Subject Lands are zoned Prestige Employment-Exception 768 (EM1-768).

ZBL 001-2021 was appealed by a number of persons. Through the appeal process, appellants were directed to scope their appeals to sites and/or provisions of specific concern. As a result of this scoping exercise, ZBL 001-2021 is now in force, save and except for certain sites and/or areas for which ZBL 001-2021 remains under appeal, and for certain sections that remain under appeal on a City-wide basis. There is no site or area specific appeal of ZBL 001-2021 that applies to the Subject Lands.

At the direction of City staff, the owner is seeking variances to both ZBL 1-88, as amended, and ZBL 001-2021 to permit the additional 2 storeys to the approved 7-storey hotel. Staff have advised that despite the general understanding that ZBL 1-88 is repealed upon the coming into force of ZBL 001-2021 (per Section 15.1 of ZBL 001-2021), given that there remain certain sections of ZBL 001-2021 under appeal on a city-wide basis, ZBL 1-88 continues to apply to the Subject Lands.

4.0 Minor Variances

The purpose of this minor variance application is to seek variances to permit an additional 2-storeys to the approved 7-storey hotel (for a total of 9-storeys). With the increased height, an additional 68 hotel suites will be developed.

4.1 Variances to ZBL 1-88

Only two variances beyond the Approved Variances in 2019 are required to permit the proposed 9-storey hotel; namely, to permit a building height of 28.10 metres (whereas 23.37 metres was previously approved) and to further reduce the minimum number of required parking spaces to 200 (whereas 208 was previously approved), resulting from internal changes to the building.

However, out of an abundance of caution, the owner is seeking to vary all of the other variances approved in 2019 in support of the new 9-storey proposal.

4.2 Variances to ZBL 001-2021

Variances are required under ZBL 001-2021 to permit the proposed hotel use, building height, minimum number of parking spaces, loading space location, and building setbacks. Furthermore, ZBL 001-2021 introduces new requirements with respect to loading spaces and bicycle parking spaces that were not required under ZBL 1-88, and as such, new variances are required to exempt the proposed development from providing any bicycle parking spaces or loading spaces on the Subject Lands (with one Type C loading space to be provided on the adjacent property).

A list of the requested variances is provided below.

- Add “hotel” as permitted use under ZBL 001-2021 only (this variance is not required to ZBL 1-88);
- Minimum front yard setback of 5.8 m under ZBL 1-88 (consistent with the Approved Variances under ZBL 1-88) whereas 6.0 m is required under ZBL 1-88 (this variance is not required under ZBL 001-2021);
- Minimum rear yard setback of 0.2 m under both by-laws (consistent with the Approved Variances under ZBL 1-88) whereas 12.0 m is required under ZBL 1-88 and 7.5 m is required under ZBL 001-2021;
- Minimum interior side yard setback of 2.2m under both by-laws (consistent with the Approved Variances under ZBL 1-88) whereas 6.0 m is required under ZBL 1-88 and 3.0 m is required under ZBL 001-2021;
- Maximum building height of 28.10 m under both by-laws whereas 15 m is required under both by-laws and 23.37 m was previously approved through the Approved Variances;
- Minimum of 200 parking spaces for all uses under both by-laws whereas 338 spaces are required under ZBL 1-88 and 245 spaces are required under ZBL 001-2021;
- Minimum one (1) Type C loading space under ZBL 001-2021 whereas 2 Type B and 1 Type C loading spaces are required under ZBL 001-2021;
- Permit loading on adjacent property under both by-laws whereas loading spaces are required to be provided on the same lot as the use; and
- No minimum number of bicycle parking spaces under ZBL 001-2021 whereas 22 spaces are required under ZBL 001-2021.

5.0 Planning Analysis

5.1 Matters of Provincial Interest

The proposed development is located in an intensifying urban area and a hotel use complements the surrounding employment areas in close proximity to the VMC. The proposed development has regard to matters of provincial interest set out in Section 2 of the *Planning Act*, including the promotion of a well-designed built form in an appropriate location for growth and development, the promotion of orderly development of safe and healthy communities, and contributing to the adequate provision of employment opportunities.

5.2 Provincial Policy Statement, 2020

The proposed development implements and is consistent with the Provincial Policy Statement, 2020 (“PPS”). In particular, the proposed development is situated in a settlement area, notably in close proximity to the VMC urban growth centre, where growth and development are to be focused (Policy 1.1.3.1). The proposed development will further support the City in achieving “an appropriate range and mix of land uses to meet projected needs for a time horizon of up to 25 years” (Section 1.1.2). Furthermore, the core components of the proposed development have been designed through an iterative site plan approval process, with the only changes to the approved 2019 site plan being the proposed height and the number of parking spaces. To this end, the proposed development has been demonstrated to achieve compact urban form, to promote a mix of uses and densities that allows for the efficient use of land, infrastructure and public service facilities (Policy 1.1.3.6).

5.3 A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019

A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended (the “Growth Plan”), provides direction for how and where the Greater Golden Horseshoe area should grow. The Growth Plan supports the optimization of land use and infrastructure and the development of complete communities. Within this context, the Growth Plan generally directs “development to settlement areas” (Section 2.2.1.2). In order to ensure economic development and competitiveness, the Growth Plan promotes more efficient use of vacant and underutilized employment lands and integrating land use planning and economic development strategies to retain and attract investment (Sections 2.2.5.1b&d).

For the reasons generally discussed above, the proposed development conforms with the Growth Plan. It will support the optimization of land use and infrastructure, bringing a notable increase in employment uses on an underutilized site, in close proximity to the mixed-use urban growth centre, in a location where higher density development is occurring.

5.4 Section 45 of the *Planning Act*: Minor Variance Tests

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 summary, the proposed development and implementing variances maintain the intent and purpose of the Official Plan, maintain the intent and purpose of the Zoning By-laws, are minor in nature, are desirable for the appropriate development and use of the land.

As a starting point, it is important to underscore that the proposed development seeks minor modifications to the 7-storey approved hotel development, which was the subject of an iterative site plan review process and previous minor variance application, both of which were approved by the City in 2019. It is our opinion that the carryforward of the hotel use with identical built form standards and organization of the site (in terms of building setbacks, access, surface parking and loading, landscaping, etc.) achieves the appropriate type and scale of development, with resultant built form relationships to adjacent properties that will achieve compatible development and complies with the four tests.

5.4.1 The general intent and purpose of the Official Plan is maintained

City of Vaughan Official Plan, 2010

The VOP designates the Subject Lands as Urban Area and Employment Areas under Schedule 1 (Urban Structure) and 1A (Urban Area). Section 2.2.4 states that employment areas are intended for the use of economic activities that require separation from other uses in order to achieve their maximum potential. The VOP designates the Subject Lands as Prestige Employment under Schedule 13 (Land Use). Section 9.2.2.11 of the VOP contains certain policies regarding the development of lands in areas designated Prestige Employment. Generally, Prestige Employment Area shall be characterized by high quality buildings in an attractive pedestrian-friendly, connected and transit-oriented working environment. Section 9.2.2.11b) states that Prestige Employment Areas shall generally be located on arterial streets and along 400-series highways, in order to provide locational opportunities and provide greater intensity uses on key transportation routes. Of note, the VOP was in force when the 7-storey hotel development was approved in 2019.

The proposed hotel use maintains the intent and purpose of the Prestige Employment designation by providing for an employment-generating use that supports and is compatible with adjacent employment uses and is located within a high-quality, well-designed built form. Maintaining the hotel use at a greater intensity conforms with the intent of Section 2.2.4 by siting this use adjacent to other hotels and land uses that do not require separation distances from a hotel (e.g. commercial and warehousing uses). The proposed development will further support the intended function of the VMC urban growth centre by providing hotel accommodation in close proximity for visitors to the VMC.

With respect to the built form variances requested, Section 9.2.2.11f) of the VOP permits Mid-Rise Building types in Prestige Employment Areas. The proposed development of 9 storeys meets the Mid-Rise Building criteria of Section 9.2.3.5a) of the VOP and respects the height requirements of buildings over five storeys, and up to a maximum of twelve storeys. Furthermore, the remainder of Section 9.2.3.5 permits appropriate scale, massing, setback, sunlight, and parking requirements that have been satisfied by the proposed variances and the overall development.

York Region Official Plan, 2022

The YROP was approved in November 2022 and designates the Subject Lands as Urban Area and Employment Area under Map 1 (Regional Structure) and Map 1A (Land Use). Employment Areas are intended to primarily accommodate industrial, warehouse, logistics, goods, and service producing business uses and shall maintain and enhance the long-term viability of employment lands. We note that Policy 4.3.14 states that the following uses shall not be permitted in Employment Areas identified on Map 1A:

*“e) Other uses where individuals reside on temporary or permanent basis, **excluding hotels.**” (emphasis added)*

The proposed re-establishment of the hotel use conforms to YROP Policy 4.3.14 which has explicitly considered hotel uses within an Employment Area, contrary to the VOP, which is silent on hotel uses within the Prestige Employment designation.

In our opinion, the proposed variances maintain the general intent and purpose of the VOP and YROP.

5.5 The general intent and purpose of the Zoning By-laws are maintained

At a high level, the general intent and purpose of the Zoning By-laws is to implement the policies and land uses outlined by the official plan. The proposed hotel use is not listed as a permitted use in the Prestige Employment (EM1) Zone under ZBL 001-2021, however it is listed as a permitted use under the Prestige Employment (EM1) Zone under ZBL 1-88.

The general intent and purpose of use permissions is to ensure that new development can coexist harmoniously with other uses in the area. The list of permitted uses in the EM1 Zone does not constitute an exhaustive list of all uses that can coexist harmoniously in this area. Section 1.9 of ZBL 001-2021 expressly provides that ZBL 001-2021 does not operate to prevent the “use” of any land, building or structure for a purpose prohibited by the by-law if such land, building or structure was lawfully used for such purpose on the effective date of the by-law, provided that such land, building or structure continues to be used for that purpose. ZBL 001-2021 defines “use” as follows:

“Use: Means, when used as a noun, the purpose for which a lot or building or structure of any combination thereof, is designed, arranged, intended, occupied or maintained and “uses” shall have a corresponding meaning. “Use,” when used as a verb, or “to use,” shall have corresponding meanings.”

A building permit has already been issued for the 7-storey hotel use, which in our opinion satisfies Section 1.9 of ZBL 001-2021 by having a lawful hotel use “used” on the Subject Lands. Ultimately, whether a proposed use is appropriate for a given site requires a contextual assessment of the site and surrounding area.

The proposed hotel use on the Subject Lands is compatible with the other permitted uses in the EM1 zone, including uses such as warehousing, commercial schools, daycares, and offices. There are no inherent land use compatibility issues that arise from the proposed hotel use variance under ZBL 001-2021. There is an existing hotel on the adjacent property and several others in the area, reflecting the historical zoning permissions for hotel uses in the EM1 Zone under ZBL 1-88. To our knowledge, there have been no land use compatibility issues that have arisen as a result of these existing hotel uses.

The built form variances requested for reduced setbacks maintains the general intent and purpose of By-law 1-88 and ZBL 001-2021. The general intent and purpose of side yard setback requirements is to ensure sufficient space for site access, as needed, and to achieve appropriate separation distances between adjacent buildings, again as needed, depending on the site context. The proposed setbacks provide sufficient separation distance between adjacent properties for site access and will result in appropriate relationships between buildings on adjacent properties. The numeric value of the requested setback variances under ZBL 001-2021 are identical to the Approved Variances under ZBL 1-88, which have been demonstrated to be appropriate for the Subject Lands.

As it relates to the proposed front yard setback, the general intent and purpose of this standard is to achieve an appropriate relationship between the proposed development and

the street itself. In this case, the proposed development will maintain an appropriate relationship to the street, increasing the proposed building's presence at the pedestrian level at a scale that will promote an active streetscape and comfortable walking conditions along Applewood Crescent. Further, ZBL 001-2021 reduces the required front yard setback requirement from 6.0 m in ZBL 1-88 to 4.5 m. At 5.8 m, the proposed front yard setback on the Subject Lands exceeds the requirement under ZBL 001-2021 and the variance sought herein is only being requested out of an abundance of caution to re-establish the Approved Variances. As a related point, the proposed development provides more than the required amount of landscaping on the Subject Lands.

The maximum permitted height under both ZBL 1-88 and ZBL 001-2021 is 15 metres. The general intent and purpose of the maximum height provisions is to ensure that development is designed at an appropriate overall scale (in height) having regard to the site context. The as-of-right 15 metre height maximum is a general standard, and it is significantly less than the maximum permitted height of up to 12 storeys under the VOP for properties designated Prestige Employment. At 12 storeys, the potential metric height would reasonably be anticipated to reach approximately 36 metres, if not more for non-residential uses that generally have greater floor-to-ceiling heights. The proposed variance to permit a maximum height of 28.10 metres maintains the general intent and purpose of the Zoning By-laws as the height can be accommodated at a height that is in keeping with the character of newer high-density developments in the surrounding area and within the planned height permissions of the VOP.

The area surrounding the Subject Lands currently contains three other hotel developments. Two of these hotels are directly adjacent to the Subject Lands and the other is located just south on Portage Parkway. Their proximity to the Subject Lands can be seen in Figure 1 above. Each nearby hotel falls within the 5 to 12 storey range, in keeping with Policy 9.2.3.5a) of the VOP. The proposed 9-storey hotel is in keeping with the range of heights of other existing hotel uses.

The proposed variances to permit only one Type C loading space on the adjacent property meets the general intent and purpose of the by-laws by providing adequate loading for the proposed uses that can be shared with adjacent properties and uses while minimizing unsightly servicing areas. The loading space on the adjacent property has been legally established already through a registered easement on title, which was approved in 2019 at the time the minor variances were approved for the 7-storey hotel development. As such, in our opinion, the proposed variance for loading is technical in nature and re-establishes the Approved Variances and previously-approved consent application.

The proposed variances under ZBL 001-2021 to permit only one loading space on the adjacent property meets the intent and purpose of the by-law by providing adequate loading for the proposed uses that can be shared with adjacent properties and uses while minimizing unsightly servicing areas. The loading space on the adjacent property has been legally established already through a registered easement on title and therefore, the variance under ZBL 001-2021 is technical in nature to codify an existing situation within the new zoning by-law.

The proposed variance requested to permit a reduced parking supply also meets the intent and purpose of ZBL 001-2021. The proposed variance permits a reduced minimum parking supply of 200 spaces (approximately 0.74 spaces per guest room) for the Subject Lands, which is within the minimum and maximum parking space rates (0.25 and 0.75, respectively) of the VMC zone under ZBL 001-2021, as opposed to the subject EM1 zone. This is considered appropriate based on the comparable context and distance to the VMC major transit station area as well as other hotels in and near the VMC. The proposed parking supply is adequate based on parking demands observed for other hotels and offices on the neighboring properties, which are under the same ownership group as the Subject Lands. A review of parking demand at the adjacent hotel and office building indicates that the neighbouring properties provide and maintain an excess amount of parking, which can accommodate sharing of parking between the buildings. The proposed parking supply of 200 vehicle parking spaces satisfies the intent and purpose of providing parking within the minimum and maximum range provided under ZBL 001-2021 for the VMC, which is appropriate to be applied here given the proximity to the Subject Lands. Further detailed information for the reduced parking supply can be found in the Parking Reduction Justification report prepared by BA Group and submitted with this application.

Finally, ZBL 001-2021 does not require minimum bicycle parking for a hotel use specifically, however we understand that City staff apply the commercial use rate to hotels in determining a bicycle parking rate requirement for hotels. The provision of no bicycle parking on the Subject Lands is appropriate in this circumstance as the original development proposal was approved on the basis of no bicycle parking spaces being required under ZBL 1-88.

For the reasons discussed above, the requested variances, collectively and individually, maintain the general intent and purpose of both ZBL 1-88 and ZBL 001-2021.

5.6 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 has existing permissions for the construction of a 7-storey hotel under ZBL 1-88, as amended and as varied. The additional 2 storeys and reduction to parking will further support the achievement of employment uses in a location designated for employment growth, and in an area that will provide additional hotel accommodation to visitors of the VMC. The proposed development will make greater use of an underutilized site and will support the optimization of land use and infrastructure.

The requested variances are desirable for the appropriate development and use of the Subject Lands.

5.7 The requested variances are minor

As can be seen in Figure 2 above (Site Plan), the proposed additions to the previously approved development do not change the building footprint. The only change will be an addition of 2 storeys that will affect the height and gross floor area (GFA) of the building but not the approved setbacks, surface parking, loading location and access, or building area. The

supporting technical studies provided with this application demonstrate that there are no negative impacts to servicing or parking on the Subject Lands.

The degree of variation from the by-law standards is minor, having regard to the site and surrounding area and the planned function of these lands in the VOP and YROP. Contextually, the proposed development will fit well within the existing and emerging built form context. The proposed hotel use is compatible with uses existing and/or planned in the surrounding area, with the same uses existing on adjacent lands.

Through the iterative site plan approval process for the 7-storey approved development, it has been demonstrated that the overall configuration and general scale of the development will have little to no adverse impacts on the public realm and adjacent lands. The addition of two storeys and the reduction of parking sought through the requested variances is supported by a comprehensive set of plans and studies demonstrating that the proposed development can be accommodated without impact on adjacent lands.

For the reasons discussed above, it is our opinion that the proposed development and implementing variances have regard to matters of provincial interest established in Section 2 of the *Planning Act*, are consistent with the PPS, and conform to the Growth Plan. The proposed development and implementing variances satisfy the four tests of Section 45(1) of the *Planning Act*, constitute good planning, and should be approved.

6.0 Application Materials

In support of this application, please find enclosed the following materials:

- One (1) copy of the Owner Authorization Form;
- One (1) copy of the Authorizing Statements;
- One (1) copy of the Chart – Variances in the City’s Zoning By-law
- 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;
- One (1) copy of the Sworn Declaration Form;
- One (1) copy of the Tree Declaration Form;
- One (1) copy of the Servicing Letter, 616 Applewood Crescent In Support of Committee of Adjustment Application, Related File No. DA.18.048, City of Vaughan prepared by Schaeffers Consulting Engineers dated April 12, 2023; and
- One (1) copy of the Proposed Hilton Garden Inn Development, Minor Variance Application – Parking Reduction Justification prepared by BA Group dated April 20, 2023.

The Minor Variance application fee of \$3,838.00 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.

A handwritten signature in blue ink, appearing to be 'LC' or similar initials, written in a cursive style.

Lauren Capilongo, MCIP, RPP

Encl.

cc. Client
Margaret Holyday, City of Vaughan
Lindsay Haviland, City of Vaughan
Daniel Artenosi, Overland LLP

SCHEDULE D: PREVIOUS COA DECISIONS ON THE SUBJECT LAND

COPY AND PASTE FROM SUMMARY CHART