ITEM: 6.10

COMMITTEE OF ADJUSTMENT REPORT SUMMARY MINOR VARIANCE APPLICATION FILE NUMBER A072/23 7082 ISLINGTON AVE, VAUGHAN

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

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		

PREVIOUS COA DECISIONS ON THE SUBJECT LAND		
*Please see Schedule D for a copy of the Decisions listed below		
	MM/DD/YYYY	
A022/17	01/26/2017	APPROVED: COA

ADJOURNMENT HISTORY	
* Previous hearing dates where this application was adjourned by the Committee and public notice issued.	
None	



COMMITTEE OF ADJUSTMENT REPORT MINOR VARIANCE APPLICATION A072/23

7082 ISLINGTON AVE, VAUGHAN

ITEM NUMBER: 6.10	CITY WARD #: 2
APPLICANT:	Primont (Islington) Inc.
AGENT:	Weston Consulting
PROPERTY:	7082 Islington Ave, Vaughan
ZONING DESIGNATION:	See Below
VAUGHAN OFFICIAL PLAN	Vaughan Official Plan 2010 ('VOP 2010'): "High-Rise Residential,"
(2010) DESIGNATION:	"Low-Rise Residential" and "Natural Areas"
RELATED DEVELOPMENT	DA.20.007
APPLICATIONS:	
PURPOSE OF APPLICATION:	Relief from the Zoning By-law is being requested to support the
	construction of Building "A", described as Tower 1 on Schedule E-
	1451 to By-law 218-2022 and to facilitate related Site Plan
	Application DA.20.007.

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

The portion of the subject lands subject to this application are zoned RA3, Apartment Residential Zone, OS1 Open Space Conservation Zone and OS2, Open Space Park Zone and subject to the provisions of Exception 9(1323) under Zoning By-law 1-88, as amended

	Zoning By-law 1-88	Variance requested
1	A minimum interior side yard setback of 26 m is	To permit a minimum interior side yard
	required for Tower 1 [9(1323) B1.giii)].	setback of 16.4 m for Tower 1.
2	A minimum rear yard setback of 3 m is required for	To permit a minimum rear yard setback of
	Tower 1 [9(1323) B1.giv)].	0 for Tower 1.
3	Tower 1 is not a permitted use within the OS2 Open	To permit a portion of Tower 1 (loading
	Space Park Zone [9(1323) B1.biiii)].	enclosure to be a permitted use within the
	- , , , , , , , , , , , , , , , , , , ,	OS2 Open Space Park Zone).

HEARING INFORMATION

DATE OF MEETING: Thursday, July 13, 2023

TIME: 6:00 p.m.

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 <u>NOON</u> 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 29, 2023	
Date Applicant Confirmed Posting of Sign:	June 20, 2023	
Applicant Justification for Variances: *As provided by Applicant in Application Form	Relief from Interior Side yard setback i	is required.
Adjournment Requests (from staff): *Adjournment requests provided to applicant prior to issuance of public notice	None	
Was a Zoning Review Waiver (ZRW) Form	n submitted by Applicant:	No
*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.		
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 None Conditions of Approval:		

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

DEVELOPMENT PLANNING COMMENTS		
**See Schedule B for Development Planning Comments.		
Development Planning Recommended Conditions of Approval:	That all comments on Site Development Application DA.20.007 be addressed to the satisfaction of the Development Planning Department.	

DEVELOPMENT ENGINEERING COMMENTS		
Link to Grading Permit Link to Pool Permit Link to Curb Curt Permit Link Culvert Installation		
The Development Engineering (DE) Department does not object to variance application A072/23		
subject to the following condition(s):		
Development Engineering The Owner/Applicant shall obtain approval for the related		
Recommended Conditions of Site Development Application (DA.20.007) from the		
Approval:	Development Engineering (DE) Department.	

PARKS, FORESTRY & HORTICULTURE (PFH) COMMENTS		
No comments received to date.		
PFH Recommended Conditions of Approval:	None	

DEVELOPMENT FINANCE COMMENTS		
No comment no concerns		
Development Finance Recommended Conditions of Approval:		

BY-LAW AND COMPLIANCE, LICENSING AND PERMIT SERVICES COMMENTS		
No comments received to date.		
BCLPS Recommended Conditions of Approval: None		

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

FIRE DEPARTMENT COMMENTS	
No comments received to date.	
Fire Department Recommended Conditions of Approval: None	

SCHEDULES TO STAFF REPORT *See Schedule for list of correspondence		
Schedule A Drawings & Plans Submitted with the Application		
Schedule B		
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	That all comments on Site Development			
	Joshua.cipolletta@vaughan.ca	Application DA.20.007 be addressed to the			
		satisfaction of the Development Planning			
	Department.				
2	Development Engineering	The Owner/Applicant shall obtain approval for			
	Rex.bondad@vaughan.ca	the related Site Development Application			
		(DA.20.007) from the Development Engineering			
		(DE) 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.

IMPORTANT INFORMATION - PLEASE READ

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

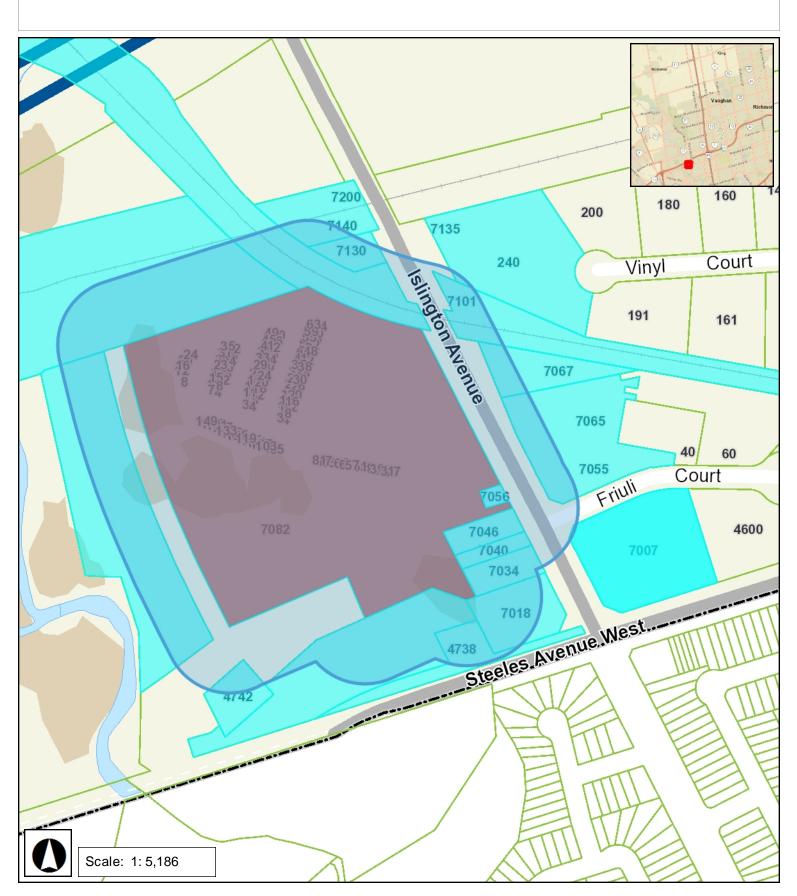
That the payment of Special Area Development charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and The City's Development Charge By-law in effect at the time of Building permit issuance to the satisfaction of the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

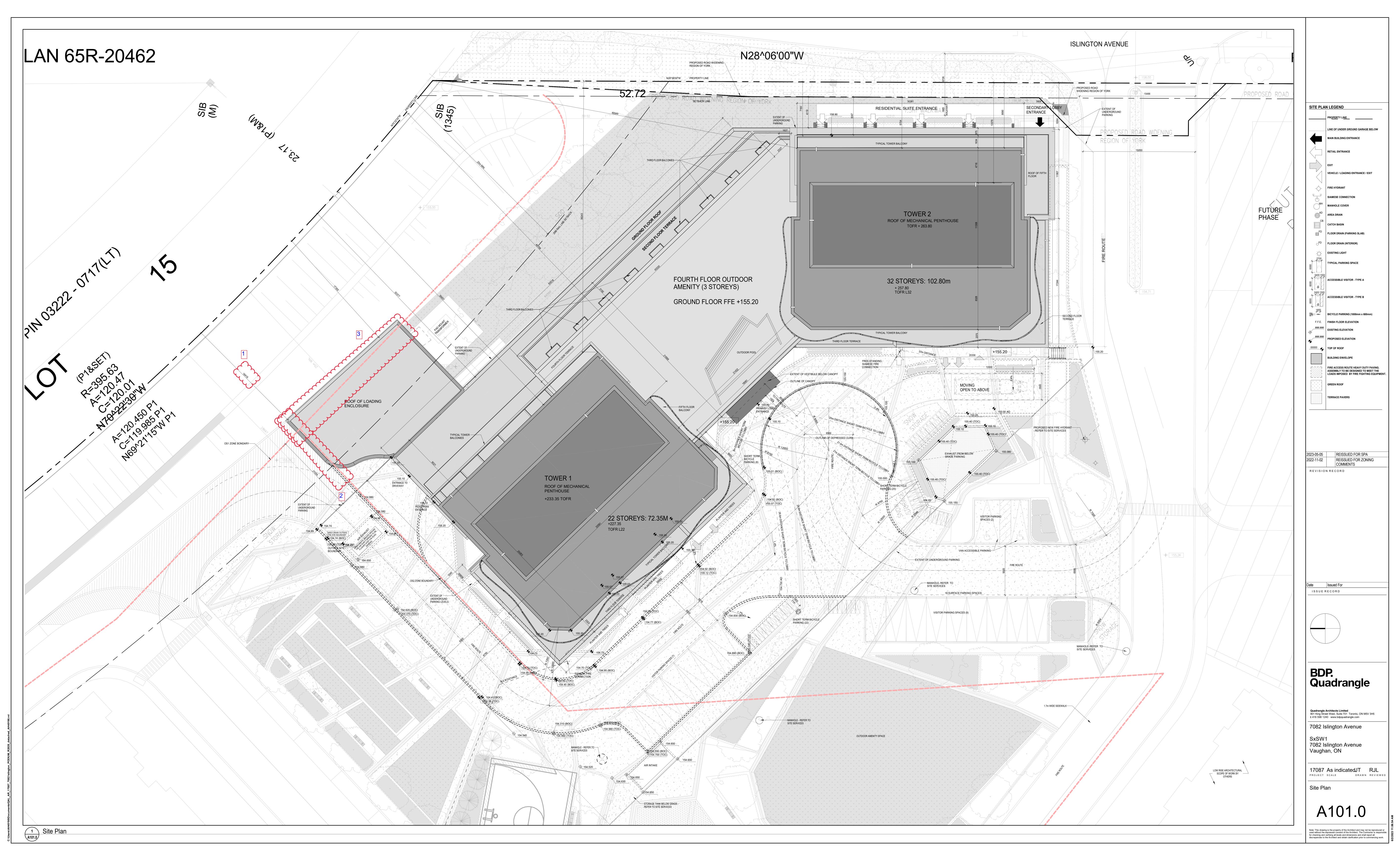
NOTICE OF DECISION: If you wish to be notified of the decision in respect to this application or a related Ontario Land Tribunal (OLT) hearing you must complete a Request for Decision form and submit to the Secretary Treasurer (ask staff for details). In the absence of a written request to be notified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

SCHEDULE A: DRAWINGS & PLANS



VAUGHAN A072/23 - 7082 Islington Avenue





SCHEDULE B: STAFF & AGENCY COMMENTS					
DEPT/AGENCY	Circulated	Comments Received	Conditions	Nature of Comments	
TRCA *Schedule B	Х	X		General Comments	
Ministry of Transportation (MTO) *Schedule B				No Comments Received to Date	
Region of York *Schedule B	Х			No Comments Recieved to Date	
Alectra *Schedule B	Х	X		General Comments	
Bell Canada *Schedule B	Х			No Comments Received to Date	
YRDSB *Schedule B					
YCDSB *Schedule B					
CN Rail *Schedule B					
CP Rail *Schedule B					
TransCanada Pipeline *Schedule B	Х			No Comments Received to Date	
Metrolinx *Schedule B					
Propane Operator *Schedule B					
Development Planning	X	X	Х	Recommend Approval/with conditions	
Building Standards (Zoning)	Х	Х		General Comments	



Date: June 5th 2023

Attention: Christine Vigneault

RE: Request for Comments

File No.: A072-23

Related Files:

Applicant Primont (Islington) Inc.

Location 7082 Islington Avenue



COMMENTS:

	We have reviewed the proposed Variance Application and have no comments or objections to its approval.
X	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



Power Stream 1

Construction Standard

03-1

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

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

<u>\G</u>	340cm	11'-4"		
	310cm	10'-4"		
VALUES.	250cm	8'-4"		
VALUES.				
REFERENCES				
SAGS AND	FNSIONS 1	SECTION 02		

METRIC

810cm

760cm 730cm

520cm 480cm

442cm 370cm

CONVERSION TABLE

IMPERIAL (APPROX)

27'-0" 25'-4"

24'-4" 17'-4"

15'-5" 12'-4"

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. Name	2012-JAN-09 Date	
P Fng. Annroyal By-	Ine Crozier	



Construction Standard

03 - 4





VOLTAGE	MINIMUM HORIZONTAL CLEARNACE 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

- 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.
- 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.
- 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 CONJUCTION 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).

CONVERSION TABLE				
IMPERIAL				
(APPROX)				
16'-0"				
10'-0"				
8'-4"				
3'-4"				

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

ORIGINAL ISSUE DATE: 2010—MAY—05 REVISION NO: REVISION DATE:
PEgystem Planning and Standards/Standard Design/PowerStream Standards/working (abbr/Scellan 3/3-4/c/wg d3-4 Ro May 5, 2010, dwg, %/3/2010 8/2/202 AM, Adobe POF



To: Committee of Adjustment

From: Catherine Saluri, Building Standards Department

Date: June 2, 2023

Applicant: Primont (Islington) Inc.

Location: 7082 Islington Avenue, Towers 1 and 2

File No.(s): A072/23

Zoning Classification:

The portion of the subject lands subject to this application are zoned RA3, Apartment Residential Zone, OS1 Open Space Conservation Zone and OS2, Open Space Park Zone and subject to the provisions of Exception 9(1323) under Zoning By-law 1-88, as amended.

	Zoning By-law 1-88	Variance requested
1	A minimum interior side yard setback of 26 m is required for Tower 1 [9(1323) B1.giii)].	To permit a minimum interior side yard setback of 16.4 m for Tower 1.
2	A minimum rear yard setback of 3 m is required for Tower 1 [9(1323) B1.giv)].	To permit a minimum rear yard setback of 0 for Tower 1.
3	Tower 1 is not a permitted use within the OS2 Open Space Park Zone [9(1323) B1.biiii)].	To permit a portion of Tower 1 (loading enclosure to be a permitted use within the OS2 Open Space Park Zone).

Staff Comments:

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

There are no outstanding Orders on file.

Building Permit(s) Issued:

Building permit application no. 2020 113154 has been submitted for the constructions of Building A, Towers 1 and 2.

Other Comments:

Ger	neral Comments
1	The subject lands are currently being reviewed for development under
	Development Application No. DA.20.007(4th circulation). Additional variances
	may be required upon a review of a complete set of drawings for building permit
	application and/or DA.20.007.
2	The applicant shall be advised that comments provided for this application are
	based solely on drawings and documents provided for review.
3	The subject lands may be subject to Ontario Regulation 166/06 (TRCA - Toronto
	and Region Conservation Authority).
4	Drawings submitted for Minor Variance application and Development Application
	shall match.





Conditions of Approval:

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

None

* 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: July 5, 2023

Name of Owner: Primont (Islington) Inc.

Location: 7082 Islington Avenue

File No.(s): A072/23

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

- 1. To permit a minimum interior side yard setback of 16.4 m for Tower 1.
- To permit a minimum rear yard setback of 0.0 m for Tower 1.
 To permit a portion of Tower 1 (loading enclosure) to be a permitted use within the OS2 Open Space Park Zone.

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

- 1. A minimum interior side yard setback of 26.0 m is required for Tower 1.
- 2. A minimum rear yard setback of 3.0 m is required for Tower 1.
- 3. Tower 1 is not a permitted use within the OS2 Open Space Park Zone.

Official Plan:

City of Vaughan Official Plan 2010 ('VOP 2010'): "High-Rise Residential," "Low-Rise Residential" and "Natural Areas"

Comments:

The Owner is requesting relief to permit the construction of two residential towers with heights of 22-storeys (Tower 1) and 32-storeys (Tower 2) connected by a three-storey podium. The above-noted variances are sought for Tower 1. The Owner submitted Site Development Application File DA.20.007 to facilitate the proposed development. The proposal is Phase 2 of a larger development of 103 townhouses and four residential towers on the subject lands. Council approved and adopted By-law 096-2021 on July 28, 2021, to facilitate the larger development.

The Development Planning Department has no objection to the proposed variances for Tower 1. Throughout the review of Site Development Application File DA.20.007, the proposal has been revised to include an enclosure for the proposed loading spaces. The proposed location of the loading spaces has not changed from the approved By-law. The loading space enclosure has been reviewed through the Site Development Application process and is considered appropriate for the development and is not anticipated to have adverse impacts to the surrounding neighbourhood. Environmental Planning staff have also reviewed the materials provided and determined that no natural heritage features will be impacted by the encroachment into the Open Space Park Zone.

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-law, and is desirable for the appropriate development of the land.

Recommendation:

The Development Planning Department recommends approval of the application, subject to the following condition:

memorandum



Condition of Approval:

If the Committee finds merit in the application, the following condition of approval is recommended:

1. That all comments on Site Development Application DA.20.007 be addressed to the satisfaction of the Development Planning Department.

Comments Prepared by:

Joshua Cipolletta, Planner David Harding, Senior Planner From: <u>Stephen Bohan</u>

To: <u>Committee of Adjustment</u>

Cc: Kristen Regier

Subject: [External] RE: A072/23 (7082 Islington Ave) - REQUEST FOR COMMENTS, CITY OF VAUGHAN

Date: Friday, June 2, 2023 3:24:10 PM

Attachments: <u>image001.png</u>

A portion of the subject property is located within TRCA's Regulated Area due to a valley corridor associated with a Humber River that transverses the southern portion of the site.

Background

TRCA issued a permit pursuant to Ontario Regulation 166/06 for final grading and serving works within our Regulated Area associated with the residential development at 7082 Islington Avenue (TRCA Permit No. C-220827, issued on July 11, 2022). Through the review and issuance of this permit, TRCA's interests related to stormwater management design, alignment, and design of servicing elements in the valley corridor, erosion and sediment controls during construction and landscape restoration plantings were all addressed.

Application Specific Comments

Based on a review of the circulated materials, it is the understanding of TRCA staff that the current variances being requested are related to the development of Towers 1 and 2 - identified as Building 'A', located on the northern portion of the site.

The proposed building is not located within TRCA's Regulated Area. Furthermore, the proposed variances do not impact TRCA's Planning or Regulatory interests. As such, TRCA staff have no objections to the proposed variances.

Regards,

Stephen Bohan

Senior Planner

Development Planning and Permits | Development and Engineering Services Toronto and Region Conservation Authority (TRCA)

T: 437-880-1944

E: stephen.bohan@trca.ca

A: 101 Exchange Avenue, Vaughan, ON, L4K 5R6 | trca.ca



SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE						
Correspondence Type	Name	Address	Date Received (mm/dd/yyyy)	Summary		
Applicant				Application Cover Letter		



Office of the City Clerk/Committee of Adjustment 2141 Major Mackenzie Dr. Vaughan, ON L6A 1T1

May 1, 2023 File 6923-1

Attn: Christine Vigneault Secretary-Treasurer

Committee of Adjustment

Re: Minor Variance Application

7082 Islington Avenue, City of Vaughan

Related File: DA.20.007 (High Rise Phase 1 – Towers 1 and 2)

Weston Consulting is the planning consultant for Primont (Islington) Inc., the registered owner of the lands municipally identified as 7082 Islington Avenue in the City of Vaughan (the "subject lands"). The subject lands are located on the west side of Islington Avenue, northwest of the Islington Avenue and Steeles Avenue West intersection. The subject lands are split-zoned RT1 (Residential Townhouse Zone), OS1 (Open Space Conservation Zone), OS2 (Open Space Park Zone), RA3 (Apartment Residential Zone) and RA3(H) (Apartment Residential Zone) within site-specific Zoning By-law 218-2022. This letter has been prepared in support of a proposed Minor Variance application to support the construction of Tower 1 as proposed.

Site-specific Zoning By-law 096-2021 was passed on July 28, 2021, to permit the development of 103 townhouses and four apartment towers on the subject lands. Since then, three individual Site Development Applications have been submitted and are currently under review: Phase 1 (DA18.015) for the townhouses, Phase 2 (DA20.007) for Building "A", and Phase 3 (DA22.066) for Building "B". Building "A" consists of two towers with heights of 22 and 32 storeys connected by a three-storey podium and Building "B" consists of two towers with heights of 22 and 30 storeys connected by a three-storey podium. By-law 218-2022 was passed on September 28, 2022, to remove the Holding Symbol "H" for Phase 1 and Phase 2. A Zoning By-law Amendment to lift the Holding Symbol "H" for Phase 3 of the development was submitted on April 24, 2023 and is under review by City Staff.

Purpose of the Application

The enclosed Minor Variance application seeks relief from Zoning By-law 218-2022 as it pertains to Building "A", described as Tower 1 and Tower 2 on Schedule 1 (Schedule E-1451) to By-law 218-2022. Schedule 1 of the Zoning By-law shows an open-to-above loading space on the north side of Tower 1 and this was reflected on early submission of DA20.007. The Site Plan prepared by BDP Quadrangle included in the accompanying DA20.007 that was circulated to Staff on May 17, 2022, provided an enclosed loading space in this area. This was acknowledged in formal comments from Building Standards dated June 2nd, 2022.

The Site Plan has been revised through the course of the review process and now contemplates an enclosed loading space to improve the urban design and architectural condition of the development. The encloser will also introduce sustainability features such as a cool roof.



The following variances are requested:

- 1. An enclosed loading space for Towers 1 and 2 shall be permitted within the "OS1 Open Space Conservation Zone", whereas site specific Zoning By-law 218-2022 permits the following within the "OS1 Open Space Conservation Zone".
- The Minimum Interior Side Yard Setback shall be 17.0 metres for Tower 1, whereas sitespecific Zoning By-law 218-2022 permits a Minimum Interior Side Yard Setback of 26 m for Tower 1.

Planning Justification

The Planning Act sets out the legal framework that governs the consideration for Minor Variance applications. Section 45 of the *Planning Act* authorizes the Committee of Adjustment to make decisions regarding minor variances applications. Pursuant to Section 45(1) of the Planning Act, minor variances must satisfy the following tests:

- The variances requested maintain the general intent and purpose of the Official Plan;
- The variances requested maintain the general intent and purpose of the Zoning By-law;
- The variances requested are desirable for the appropriate development or use of the land;
 and
- The variances requested are minor in nature.

This section below demonstrates that the proposed development and requested variances satisfy each test.

1. Maintain the General Intent of the Official Plan

The City of Vaughan Official Plan (the "VOP") identifies the subject lands within the *Community Areas* according to Schedule 1A (Urban Structure) and designates the subject lands *High-Rise Residential H32 D4.5* according to Schedule 13 (Land Use Designations).

Based on Sections 1 and 2 of the VOP, the general intent and purpose of *Community Areas* are to promote a unique sense of place and identity for the City. Section 1.5 states that new development in these areas shall establish well-designed, context-sensitive growth to strictly defined areas, and shall provide for a wide range of housing choices. Policy 2.2.3.1 directs that *Community Areas* will provide most of the City's low-rise housing stock and Policy 2.2.3.2 considers *Community Areas* to be Stable Areas. Policy 2.2.3.2 permits new development in *Community Areas* provided it respects and reinforces the existing scale, height, massing, lot pattern, building type, orientation, character, form and planned function of the immediate local area. Furthermore, Policy 2.2.3.3. allows for limited intensification in *Community Areas* in accordance with the land use designations identified on Schedule 13 (Land Use Designation). Section 9.1.2 of the Official Plan highlights the importance of high-quality and context-appropriate urban design in *Community Areas*, stating that new development is to establish an appropriate physical character that is compatible with its surroundings. The requested variance does not seek to change the *Community Areas* designation.



The subject lands are designated *Low-Rise Residential*, *High-Rise Residential* (H32 D4.5) and *Natural Areas* through OPA27 and OPA70. In accordance with Policy 9.2.2.5, *High-Rise Residential* areas are generally located in Intensification Areas and shall consist of primarily residential buildings. These areas will help achieve the City's population and intensification targets by establishing higher intensity housing forms and will be carefully designed with a high standard of architecture and public realm, and well integrated with adjacent areas. The *High-Rise Residential* designation permits residential units in High-Rise and Mid-Rise building typologies. The *Low-Rise Residential* designation pertains to the Townhouse portion of the proposed development. These areas are not part of the enclosed minor variance application.

The development is generally consistent with the intent and purpose of the *Community Areas and High-Rise Residential* designation. The requested variance does not seek to change the land use designation established in OPA 27 and OPA 70. In addition, the requested variance is consistent with the policies of Section 9.1.2, as a high standard of architecture and urban design is provided, The loading space was enclosed to improve the overall impact on the public realm of the development, and the materiality is reflective of the overall building which provides for design consistency, and supports an active pedestrian streetscape.).

It is our opinion that the requested variance maintains the general intent and purpose of the Official Plan.

2. Maintains the General Intent and Purpose of the Zoning By-law

Site-specific Zoning By-law 096-2021 was passed on July 28, 2021 and zones portions of the subject lands allocated to Building A (Towers 1 and 2) RA3 – Apartment Residential Zone.

Schedule '1' to By-law 218-2022 shows an open-to-above loading space abutting Tower 1 to the north. No changes are being proposed to the location or size of the loading space. The site-specific Zoning By-law permits the following uses within the OS1 Open Space Conservation Zone:

- Conservation Uses Conservation Project and Forestry Project
- Recreational Uses Limited to a walking trail only
- At-grade visitor parking
- Bicycle parking
- Hard and soft landscaping
- Mechanical, electrical, utility and infrastructure services below grade
- Loading space for Towers 1 and 2 as shown on Schedule '1'
- A portion of an underground parking garage for Towers 1 and 4

The request seeks to permit an enclosed loading space to improve the overall impact on the public realm of the development, and the materiality is reflective of the overall building which provides for design consistency.

Relief from the Zoning By-law is also required to permit a minimum Interior Side Yard Setback of 17.0 metres for Tower 1, whereas the Zoning By-law permits a minimum Interior Side Yard Setback of 26 metres for Tower 1. The request for relief is a result of the loading area being



enclosed, which causes it to be part of the building and not a standalone accessory use. The side yard setback is adjacent to the north limit of the property, which consists of vacant land and a CP rail line. The addition of the enclosed loading space would maintain the existing use and positively impact the development, as it would improve the urban design and architectural condition and introduce sustainability features such as a cool roof. It would also help to minimize noise from any activity taking place within this space.

It is our opinion that the requested variances maintain the general intent and purpose of the Zoning By-law.

3. Desirable for the Appropriate Development or Use of the Land

The provision of an enclosed loading space was requested by City Urban Design Staff and therefore, is required to implement the site design associated with the Site Plan Application (Phase 2 - DA20.007 for Building "A").

The provision of the enclosed loading space triggers a variance for relief to the Interior Side Yard Setback, however there will not be any expansion to the loading space. The loading space will be enclosed with a rooftop that integrates into the design of the overall development scheme to ensure compatibility and provide for a more attractive built form.

It is our opinion that the requested variances are desirable for the appropriate development or use of lands.

4. Minor in Nature

The existing loading space is delineated within Schedule 1 (Schedule 1451) of site-specific Zoning By-law 218-2022, and the use is permitted in the OS1 Zone. Enclosing this space will not change the permitted use or any other performance standards, and we anticipate the enclosure to present a positive impact on the public realm of the development. In addition, the materiality is reflective of the overall building which provides for design consistency.

The enclosure triggers relief from the Interior Side Yard Setback which is located on the north limit of the property and consists of a vegetated area and CP rail line. This provides an enhanced built form, which will limit the noise associated with the loading operations. Lastly, there will be considerable landscaping provided as per the accompanying Site Plan Approval application, rendering it discernable from the street.

It is our opinion that the requested variances are minor in nature.



Conclusion

Based on the above, it is our opinion that the requested Variances satisfy the four tests of a minor variance as required by Section 45(1) of the *Planning Act* as the variances:

- 1. Maintain the general intent and purpose of the Official Plan;
- 2. Maintain the general intent and purpose of the Zoning By-law;
- 3. Are desirable for the appropriate development or use of the land; and
- 4. Are minor in nature.

Submission Materials

In support of the enclosed application for Minor Variance, we are pleased to submit the following materials:

- 1. Architectural Material prepared by BDP Quadrangle including:
 - Site Plan Drawing A101 dated May 28, 2021
 - Site Plan Drawing A101.2 dated April 25, 2023
 - Elevations A402 and A403 dated May 28, 2021
- 2. Signed and Commissioned Sworn Declaration Form;
- 3. Signed Authorization Form;
- 4. Chart Confirming Variances Requested;
- 5. Chart Confirming Property Setbacks for all Existing and Proposed Structures;
- 6. Chart Confirming Size for all Existing and Proposed Structures;
- 7. Signed Authorizing Statements; and,
- 8. Signed Tree Declaration Form.

The application fees will be submitted by the Owner under separate cover.

We trust that the enclosed documentation and materials are sufficient to facilitate a review and processing of this application in accordance with the Planning Act. Please contact the undersigned at ext. 290 or Darrin Cohen at ext. 329 should you have any questions or require additional information.

Yours truly,

Weston Consulting

Per:

Paul Tobia, BURPI, MCIP, RPP

Senior Planner

c. Primont (Islington) Inc.

SCHEDULE D: PREVIOUS COA DECISIONS ON THE SUBJECT LAND					
File Number	Date of Decision MM/DD/YYYY	Decision Outcome			
A022/17	01/26/2017	APPROVED: COA			



COMMITTEE OF ADJUSTMENT

2141 Major Mackenzie Drive, Vaughan, Ontario, L6A 1T1 Tel [905] 832-2281 Fax [905] 832-8535

NOTICE OF DECISION

MINOR VARIANCES

FILE NUMBER:

A022/17

APPLICANT:

ISLINGTON STEELES VENTURES INC.

PROPERTY:

Part of Lot 2, Concession 7 (Lot 26 of Registrar's Complied Plan 9691) municipally

known as 7082 Islington Avenue, Woodbridge.

ZONING:

The subject lands are zoned RA3(H) -Apartment Residential (Holding Symbol) Zone and subject to the provisions of Exception 9(1323) under By-law 1-88 as amended.

PURPOSE:

To permit a temporary sales office.

PROPOSAL:

1. To permit a Temporary Sales Office to be located 8507 metres from the lands to be developed.

2. To permit a Temporary Sales Office within a Holding (H) zone.

BY-LAW

REQUIREMENT:

 A Temporary Sales office shall be located within 100 metres of the lands to be developed.

2. A Temporary Sales office is not permitted on lands subject to a Holding (H) zone.

A sketch is attached illustrating the request.

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	SECONDED BY:		γ/	
desirab	the Committee is of the opin le for the appropriate developr I the Official Plan will be maint	ment and use of the lan		
	The Committee of Adjustmand/or during the hearing a when making the decision.			

THAT Application No.A022/17, **ISLINGTON STEELES VENTURES INC.**, be **APPROVED**, in accordance with the sketches attached

- 1) The applicant shall submit the application review fee of \$1,050.00 payable to the Toronto and Region Conservation Authority, if required to the satisfaction of the TRCA.
- 2) That Minor variance application A022/17 be restricted to a temporary approval of 1 year. The Committee of Adjustment decision shall expire 1 year after the date the application becomes final and binding, if required to the satisfaction of the Development Planning department.
- 3) That if the condition(s) listed above is/are not fulfilled and the Building Permit is not applied for within twelve (12) months of the date this decision becomes final and binding, the said decision shall expire and shall be deemed to have been annulled and rescinded by the Committee. (PLEASE NOTE THAT THIS TIME PERIOD CANNOT BE EXTENDED IN ANY WAY, FAILURE TO MEET THIS DEADLINE WILL RESULT IN REQUIRING A NEW APPLICATION AND FEE.

<u>VERY IMPORTANT</u>: IT IS THE RESPONSIBILITY OF THE OWNER/APPLICANT AND/OR AGENT TO OBTAIN AND PROVIDE A CLEARANCE LETTER FROM EACH AGENCY AND/OR DEPARTMENT LISTED IN THE CONDITIONS WHETHER "IF REQUIRED" APPEARS IN THE CONDITION OR NOT, AND FORWARD THIS CLEARANCE LETTER TO THE SECRETARY-TREASURER AS SOON AS THE CONDITIONS ARE FULFILLED.

FAILURE TO COMPLY WITH THIS PROCEDURE WILL RESULT IN A LETTER BEING FORWARDED BY THE SECRETARY-TREASURER INDICATING THIS FILE HAS LAPSED AND, THEREFORE, WILL NECESSITATE THAT A NEW APPLICATION BE SUBMITTED TO LEGALIZE THIS PROPERTY.

THIS MINOR VARIANCE DECISION IS NOT A BUILDING PERMIT AUTHORIZING CONSTRUCTION UNDER THE BUILDING CODE ACT, R.S.O. 1990, AS AMENDED. A BUILDING PERMIT MAY BE REQUIRED. PLEASE CONTACT THE BUILDING STANDARDS DEPARTMENT IN THE EVENT THAT YOU REQUIRE FURTHER CLARIFICATION.

CARRIED.

HAIR: Mar

Signed by all members present who concur in this decision:

M. Mauti, Chair

J. Césario, Vice Chair R. Buckler Member

H. Zheng, Member A. Perrella, Member

CERTIFICATION

I hereby certify this to be a true copy of the decision of the Committee of Adjustment, and this decision was concurred in by a majority of the members who heard this application.

Todd Coles, ACST(A), MCIP, RPP Manager of Development Services and Secretary-Treasurer to Committee of Adjustment

Date of Hearing:

January 26, 2017

Last Date of Appeal:

February 15, 2017

APPEALS

APPEALS MUST BE RECEIVED BY THIS OFFICE NO LATER THAN 4:30 P.M. ON THE LAST DATE OF APPEAL NOTED ABOVE.

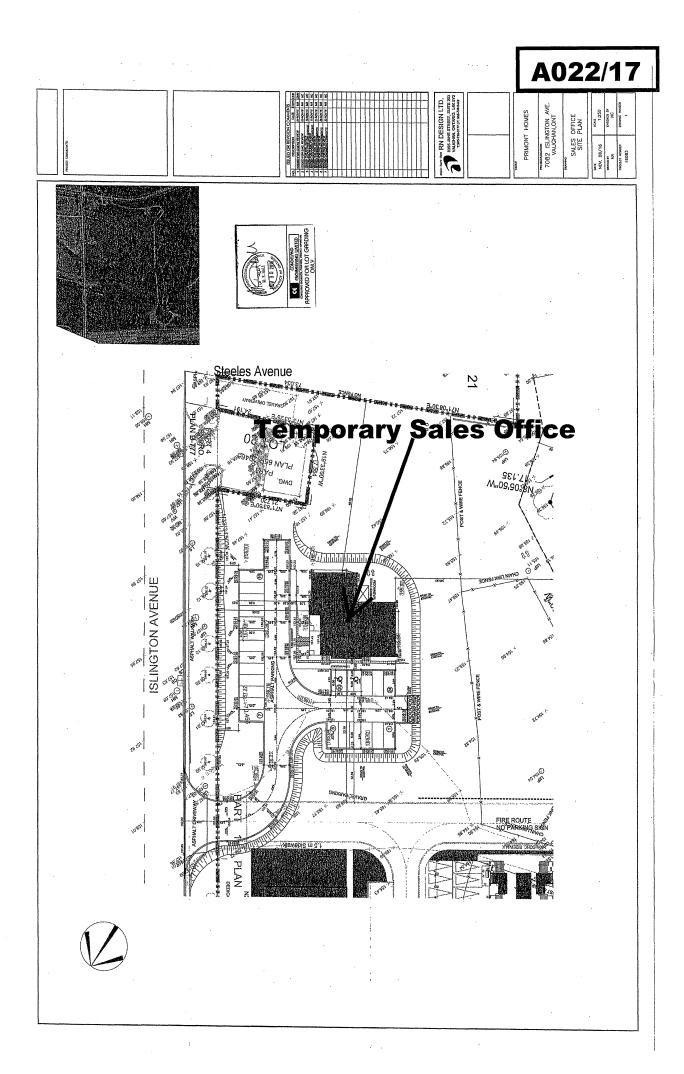
Should you decide to appeal this decision to the Ontario Municipal Board, a copy of an appeal form is available for download in Microsoft Word and Adobe Acrobat versions from the Ontario Municipal Board website at www.omb.gov.on.ca. If you do not have Internet access, these forms can be picked up at the City of Vaughan, Committee of Adjustment offices.

Please fill out Form A1 and follow the instructions as provided by the Ontario Municipal Board and submit your appeal to the City of Vaughan, Committee of Adjustment on or before the date stated above. You must enclose the completed form with the \$708.00 processing fee, paid by **certified cheque** or **money order**, to the "TREASURER, CITY OF VAUGHAN" and the appeal fee of \$300.00 for each application appealed, paid by **certified cheque** or **money order**, made payable to the "ONTARIO MINISTER OF FINANCE".

<u>NOTE</u>: The Planning Act provides for appeals to be filed by "persons". As groups or associations, such as residents or ratepayers groups which do not have incorporated status, may not be considered "persons" for the purposes of the Act, groups wishing to appeal this decision should do so in the name of individual group members, and not in the name of the group.

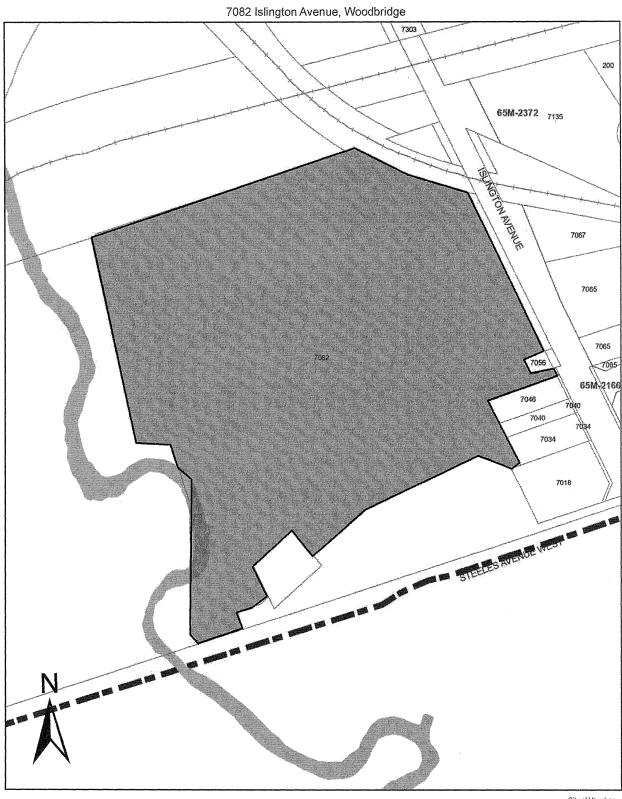
CONDITIONS

IF ANY CONDITIONS ARE IMPOSED ON THIS APPLICATION, THE FINAL DATE FOR FULFILLING THEM IS: February 15, 2018





VAUGHAN Location Map - A022/17



City of Vaughan

0.2 Kilometers 0.05

The City of Vaughan makes every effort to ensure that this map is free of errors but does not warrant that the map or its features are spatially, tabularly, or temporally accurate or fit for a particular use. This map is provided by the City of Vaughan witthout warranties of any kind, eliminary or implied.

