

**To:** Christine Vigneault, Committee of Adjustment Secretary Treasurer  
**From:** Nancy Tuckett, Director of Development Planning  
**Date:** October 4, 2023  
**Name of Owner:** Trinity Point Developments  
**Location:** 9929 Keele Street  
**File No.(s):** A149/23

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

1. This application has been deemed to be transitioned under section 1.6 of bylaw 001-2021.

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

2. To permit an intermediate floor level within six (6) of the ground floor units not to exceed 86% of the gross floor area of the ground floor of each unit.
3. To permit an Apartment Dwelling not exceeding 11,185 m<sup>2</sup> of total gross floor area.
4. To permit 0 visitor parking spaces in the at grade parking area.
5. To permit a maximum building height of 16.9 m measured to the surface of the roof exclusive of the mechanical room.

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

2. STOREY - Means the portion of a building other than the cellar, basement or unfinished attic, which lies between the surface of the floor and the surface of the next floor above, and if there is no floor above it, then the surface next above it, provided its height is not less than 2.3 metres.
3. An Apartment Dwelling not exceeding 10,899 m<sup>2</sup> of total gross floor area.
4. 1 visitor parking space shall be located in the at grade parking area.
5. A maximum building height of 4-storeys plus a mechanical room, with a maximum building height of 15.5 m measured to the surface of the roof exclusive of the mechanical room.

**Official Plan:**

City of Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Mixed-Use".

**Comments:**

The Owner is requesting the above noted variances to facilitate the development of a 4-storey, mixed-use condominium development. The applicant has submitted a concurrent Site Development Application, File DA.23.001.

Official Plan Amendment Application OP.20.016 (By-law 164-2022) and Zoning By-law Amendment Application Z.20.043 (By-law 163-2022) were approved by the Committee of the Whole on June 21, 2022, and the decision was ratified by Council on June 28, 2022. The approvals permit a 4-storey mixed-use condominium building with 95 residential units (the 'Development'). Site Development Application DA.23.001 was submitted in January 2023. The subject Minor Variance application seeks relief to facilitate updates to the Development, including: relocating the single at-grade visitor parking space to the underground parking garage, increasing the residential gross floor area ('GFA') on site, and increasing the overall building height.

The Development Planning Department has no objection to Variances 2 and 3 as the increased height does not add an additional level to the building. The ground floor has an exceptionally high ceiling to provide for the commercial uses at the north end of that storey and to hide the necessary mechanical systems that would otherwise drop down from the floors above within visual bulkheads. In light of the generous ground floor ceiling height, the Owner proposes to add second floors to the residential units on the ground floor to make better use of the space and provide them with more floor area. This will result in larger units and accommodate larger households. Adding a second level to the ground floor units causes the level to be classified as a storey.

The second level of each ground floor unit does not match the floor area of the first level; it is limited to 86% of the ground floor's gross floor area. Each unit's second level can only be accessed from the first floor of each respective unit. No common corridor or elevator stop is proposed to provide direct access from the building's common areas to the second level of the ground floor units. The exterior appearance of the building will not change with the introduction of a second floor to the ground floor units as no balconies are proposed that would identify a second floor and the window design (tall glass panels) will not change. As such, there is no revision to the built form from that which was approved by Council.

The Development Planning Department has no objection to Variance 4 for the reduction in visitor parking spaces in the at grade parking area as it is not being removed, but relocated within the underground parking level. The single at-grade residential visitor parking space is proposed to be consolidated with all the residential visitor parking spaces in the underground parking garage in order to maximize the at-grade commercial and retail parking. This results in a total of 137 parking spaces below grade, 114 of which are residential spaces, and 23 of which are residential visitor spaces. Enhanced visitor parking functionality is anticipated as a result of this modification.

The Development Planning Department has no objection to Variance 5 for the increase in building height to the surface of the roof exclusive of the mechanical room. Due to artesian groundwater pressure under the site, thicker floor slabs are required to increase the building's weight in order to counterbalance the upward pressure of the artesian condition, resulting in unit ceiling heights that would otherwise be reduced without relief from the height requirement. The requested additional height would be distributed equally (0.3 m/floor) for floors 2, 3 and 4, resulting in the provision of more comfortable unit ceiling heights. In addition, the increased floor height permits the accommodation of the mechanical system and noise attenuation measures, while still maintaining appropriate ceiling heights.

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.

**Conditions of Approval:**

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

1. That all comments on Site Development Application DA.22.001 be addressed to the satisfaction of the Development Planning Department.

**Comments Prepared by:**

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