

| | |
|-------------------|------------------------------------------------------------------------------|
| ITEM: 6.10 | REPORT SUMMARY MINOR VARIANCE APPLICATION FILE NUMBER A149/23 |
|-------------------|------------------------------------------------------------------------------|

Report Date: March 28, 2024

**THIS REPORT CONTAINS COMMENTS FROM THE FOLLOWING
DEPARTMENTS & AGENCIES (SEE SCHEDULE B):**

Additional comments from departments and agencies received after the publication of the report will be made available on the City's [website](#).

| Internal Departments <small>*Comments Received</small> | Conditions Required | | Nature of Comments |
|-----------------------------------------------------------|------------------------------|----------------------------------------|----------------------------------|
| Committee of Adjustment | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | General Comments |
| Building Standards (Zoning) | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | General Comments |
| Development Planning | Yes <input type="checkbox"/> | No <input type="checkbox"/> | Application Under Review |
| Development Engineering | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Recommend Approval/No Conditions |
| Development Finance | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | General Comments |

| External Agencies <small>*Comments Received</small> | Conditions Required | | Nature of Comments <small>*See Schedule B for full comments</small> |
|--------------------------------------------------------|------------------------------|----------------------------------------|------------------------------------------------------------------------|
| Alectra | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | General Comments |
| Region of York | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | General Comments |
| TRCA | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | General Comments |

PUBLIC & APPLICANT CORRESPONDENCE (SEE SCHEDULE C)

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 <small>(mm/dd/yyyy)</small> | Summary |
|---------------------|------------------|-------------------------|----------------------------------------------|-------------------------------|
| Applicant | | | | Cover Letter |
| Applicant | | | | Planning Justification Report |
| Public | Sundisha Koonjul | 9973 Keele St, Unit 210 | 03/26/2024 | Letter in objection |

| BACKGROUND (SCHEDULE D, IF REQUIRED) | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------|
| <small>* Background Information contains historical development approvals considered to be related to this file. This information should not be considered comprehensive.</small> | |
| Application No. (City File) | Application Description <small>(i.e. Minor Variance Application; Approved by COA / OLT)</small> |
| None | |

| ADJOURNMENT HISTORY | |
|-------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------|
| <small>* Previous hearing dates where this application was adjourned by the Committee and public notice issued.</small> | |
| Hearing Date | Reason for Adjournment <small>(to be obtained from NOD_ADJ)</small> |
| 10/19/2023 | Minor Variance Application A149/23 was adjourned by the Committee of Adjustment sine die to permit time to make updates to the application. |

| SCHEDULES | |
|---------------------------------|-------------------------------------------------------------------|
| Schedule A | Drawings & Plans Submitted with the Application |
| Schedule B | Comments from Agencies, Building Standards & Development Planning |
| Schedule C (if required) | Public & Applicant Correspondence |
| Schedule D (if required) | Background |



MINOR VARIANCE APPLICATION FILE NUMBER A149/23

| | |
|--------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| CITY WARD #: | 1 |
| APPLICANT: | Sharewell Investments Inc. |
| AGENT: | Trinity Point Developments |
| PROPERTY: | 9929 Keele Street, Vaughan |
| ZONING DESIGNATION: | See Below |
| VAUGHAN OFFICIAL PLAN (2010) DESIGNATION: | City of Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Mixed-Use" |
| RELATED DEVELOPMENT APPLICATIONS: | DA.23.001 |
| PURPOSE OF APPLICATION: | Relief from the Zoning By-law is being requested to permit the relocation of the proposed underground parking structure to an above-ground integrated parking structure within the building. The parking structure is required to support a mixed-use development consisting of a 5-storey building associated with Site Plan Application DA.23.001. |

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

The subject lands are zoned MMS – Main Street Mixed-Use Maple Zone, and subject to the provisions of Exception 14.72 under Zoning By-law 001-2021, as amended.

| Zoning By-law 001-2021 | | Variance requested |
|------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1 | A maximum building height of 4-storeys (15.5 m) measured to the surface of the roof exclusive of the mechanical room and no residential units or any other use shall be permitted above the 4 th storey [Exception 14.72.2.1.c.i]. | To permit a maximum building height of 5 storeys (18.0m) measured to the surface of the roof exclusive of the mechanical room as well as to permit residential units above the 4 th storey. |
| 2 | No portion of the building shall exceed the maximum building height shown with number of storeys on Schedule E-162, exclusive of an accessory roof construction such as a chimney, tower, steeple, parapets, guardrails, stair enclosures, elevator or mechanical room [Exception 14.72.2.1.c.ii.] | To permit a portion of the building to exceed the maximum building height shown with number of storeys on Schedule E-162. |
| 3 | The minimum amount of combined indoor and outdoor amenity area to be provided shall be 3,155 m ² [Exception 14.72.2.1.j.]. | To permit a minimum combined indoor and outdoor amenity area of 2,701 m ² . |
| 4 | A dwelling unit shall not be permitted above the 4 th storey [Exception 14.72.2.1.i.]. | To permit dwelling units to be located above the 4 th storey. |
| 5 | A maximum of 35% of the total amenity area shall consist of amenity area located on a rooftop or terrace [Exception 14.72.2.1.o.]. | To permit a maximum of 41% of the total amenity area to be located on a rooftop or terrace. |
| 6 | A total of 136 parking spaces shall be provided within a parking structure located below grade [Exception 14.72.3.1e.]. | To permit a total of 127 parking spaces to be provided within a parking structure located above grade. |

HEARING INFORMATION

DATE OF MEETING: Thursday, April 4, 2024
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 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

| | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Date Public Notice Mailed: | March 21, 2024 |
| Date Applicant Confirmed Posting of Sign: | March 11, 2024 |
| Applicant Justification for Variances: <small>*As provided in Application Form</small> | Due to architectural refinements to the project, minor changes are needed to support the developments livability, and functionality which requires slight changes to the City’s ZBL |
| 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.</small> | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> |
| COMMENTS: | |
| None | |
| Committee of Adjustment Recommended Conditions of Approval: | None |

BUILDING STANDARDS (ZONING)

| | |
|------------------------------------------------------------------|------|
| **See Schedule B for Building Standards (Zoning) Comments | |
| Building Standards Recommended Conditions of Approval: | None |

DEVELOPMENT PLANNING

| | |
|------------------------------------------------------------|--|
| **See Schedule B for Development Planning Comments. | |
|------------------------------------------------------------|--|

DEVELOPMENT PLANNING

| | |
|----------------------------------------------------------|-----|
| Development Planning Recommended Conditions of Approval: | TBD |
|----------------------------------------------------------|-----|

DEVELOPMENT ENGINEERING

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

Development Engineering does not object to any of the variances for minor variance application A149/23

| | |
|-------------------------------------------------------------|------|
| Development Engineering Recommended Conditions of Approval: | None |
|-------------------------------------------------------------|------|

PARKS, FORESTRY & HORTICULTURE (PFH)

No comments received to date.

| | |
|-----------------------------------------|------|
| PFH Recommended Conditions of Approval: | None |
|-----------------------------------------|------|

DEVELOPMENT FINANCE

No comment no concerns

| | |
|---------------------------------------------------------|------|
| Development Finance Recommended Conditions of Approval: | None |
|---------------------------------------------------------|------|

BY-LAW AND COMPLIANCE, LICENSING AND PERMIT SERVICES

No comments received to date.

| | |
|-------------------------------------------|------|
| BCLPS Recommended Conditions of Approval: | None |
|-------------------------------------------|------|

BUILDING INSPECTION (SEPTIC)

No comments received to date.

| | |
|---------------------------------------------------------|------|
| Building Inspection Recommended Conditions of Approval: | None |
|---------------------------------------------------------|------|

FIRE DEPARTMENT

No comments received to date.

| | |
|-----------------------------------------------------|------|
| Fire Department Recommended Conditions of Approval: | None |
|-----------------------------------------------------|------|

RECOMMENDED CONDITIONS OF APPROVAL SUMMARY

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:

| # | DEPARTMENT / AGENCY | CONDITION |
|---|--------------------------------------------------------------------------------------------------------|-----------|
| 1 | Development Planning Joshua.cipolletta@vaughan.ca | TBD |

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.

IMPORTANT INFORMATION

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

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.

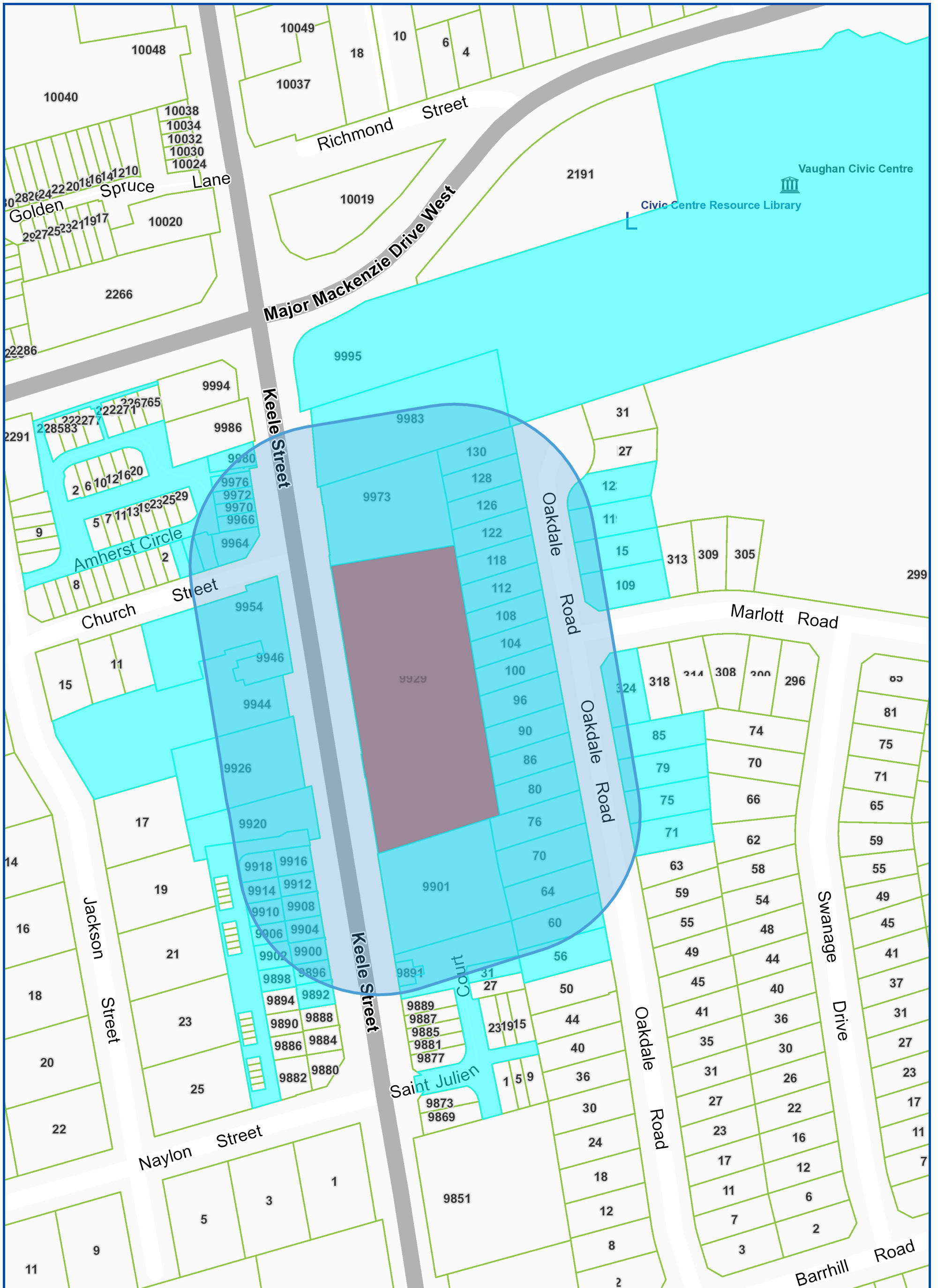
That the payment of the City Development Charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the City's Development Charges By-law in effect at the time of payment.

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

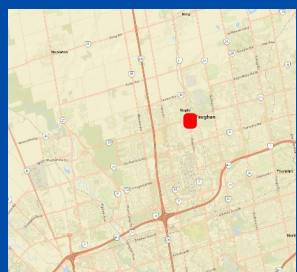
That the payment of Special Area Development charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and The City's Development Charge By-law in effect at the time of Building permit issuance to the satisfaction of the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



Map Information:



Title:

NOTIFICATION MAP - A149/23

9929 Keele Street, Maple

Disclaimer:

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



Scale: 1:2,257

0 0.04 km



Created By:

Infrastructure Delivery
Department
March 19, 2024 9:43 AM

Projection:
NAD 83
UTM Zone
17N

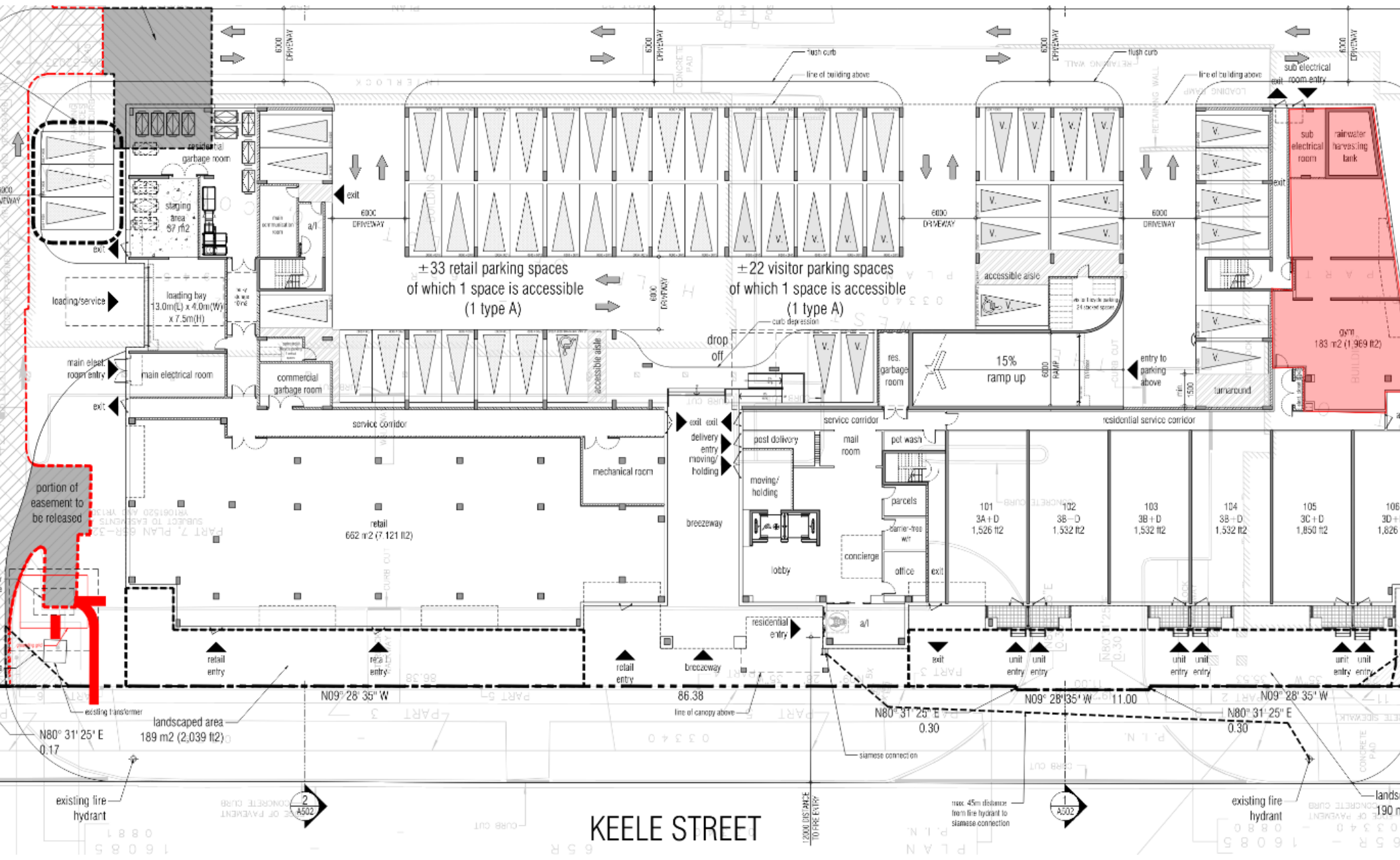
Zoning Classification:

PLANS PREPARED BY APPLICANT

The subject lands are zoned MMS – Main Street Mixed-Use Maple Zone, and subject to the provisions of Exception 14.72 under Zoning By-law 001-2021, as amended.

| Zoning By-law 001-2021 | Variance requested |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1 A maximum building height of 4-storeys (15.5 m) measured to the surface of the roof exclusive of the mechanical room and no residential units or any other use shall be permitted above the 4 th storey [Exception 14.72.2.1.c.i]. | To permit a maximum building height of 5 storeys (18.0m) measured to the surface of the roof exclusive of the mechanical room as well as to permit residential units above the 4 th storey. |
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| 5 A maximum of 35% of the total amenity area shall consist of amenity area located on a rooftop or terrace [Exception 14.72.2.1.o.]. | To permit a maximum of 41% of the total amenity area to be located on a rooftop or terrace. |
| 6 A total of 136 parking spaces shall be provided within a parking structure located below grade [Exception 14.72.3.1e.] | To permit a total of 127 parking spaces to be provided within a parking structure located above grade. |

Ground Floor Plan



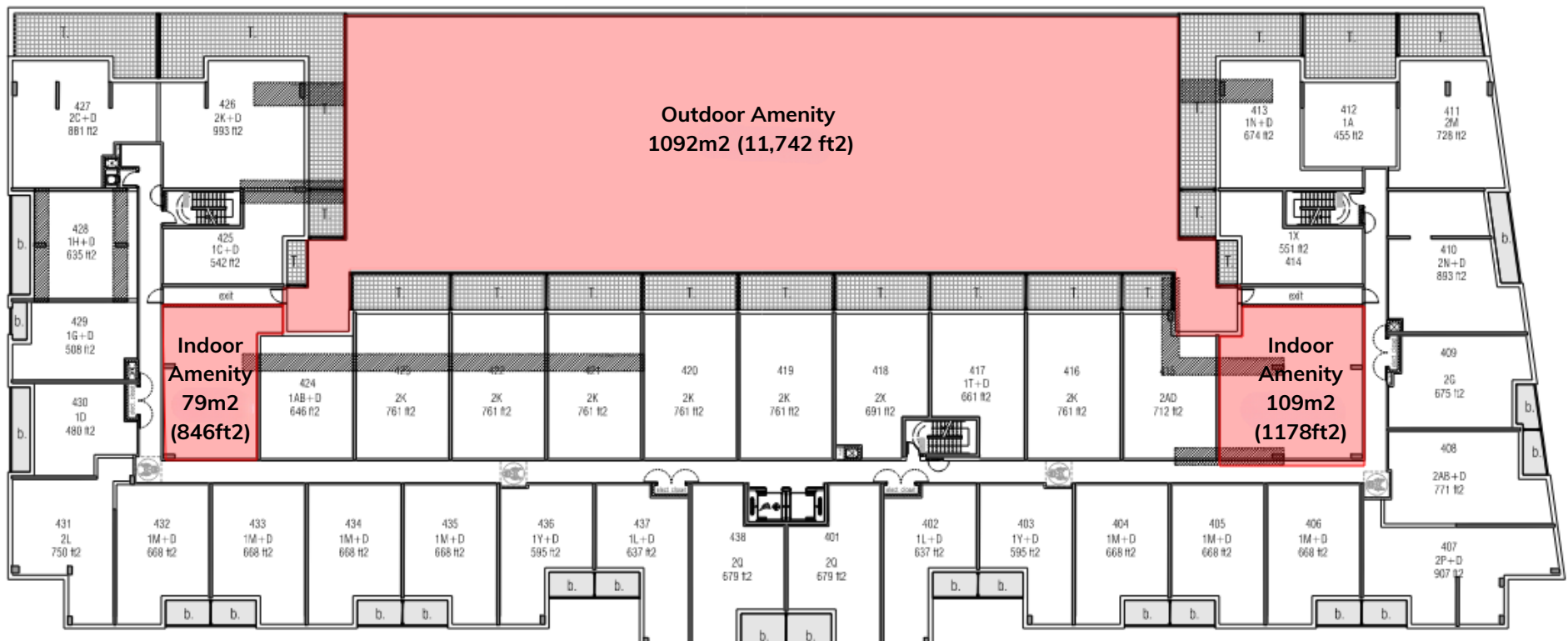
Elevation: Keele Street Frontage



Amenity Space Updated Statistics

| | Zoning By-law 163-2022 RA2(H) 9(157) Required | Proposed |
|----------------------|-----------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Amenity Space | | |
| Total Amenity Space* | The minimum amenity area 3,155 m ² | 2,736 m ² (Indoor ground & 4 TH floor: 371 m ²) (Outdoor, at-grade landscaped area: 379 m ²) (Outdoor 4 TH floor contiguous area: 1,092 m ²) (Private balcony area: 894 m ²) |
| Total | 3,155 m² (indoor and outdoor) | 2,736 m² (indoor and outdoor) |

4th Floor Amenity Space (Note: all other amenity space can be found on the Ground floor and on the private balconies)



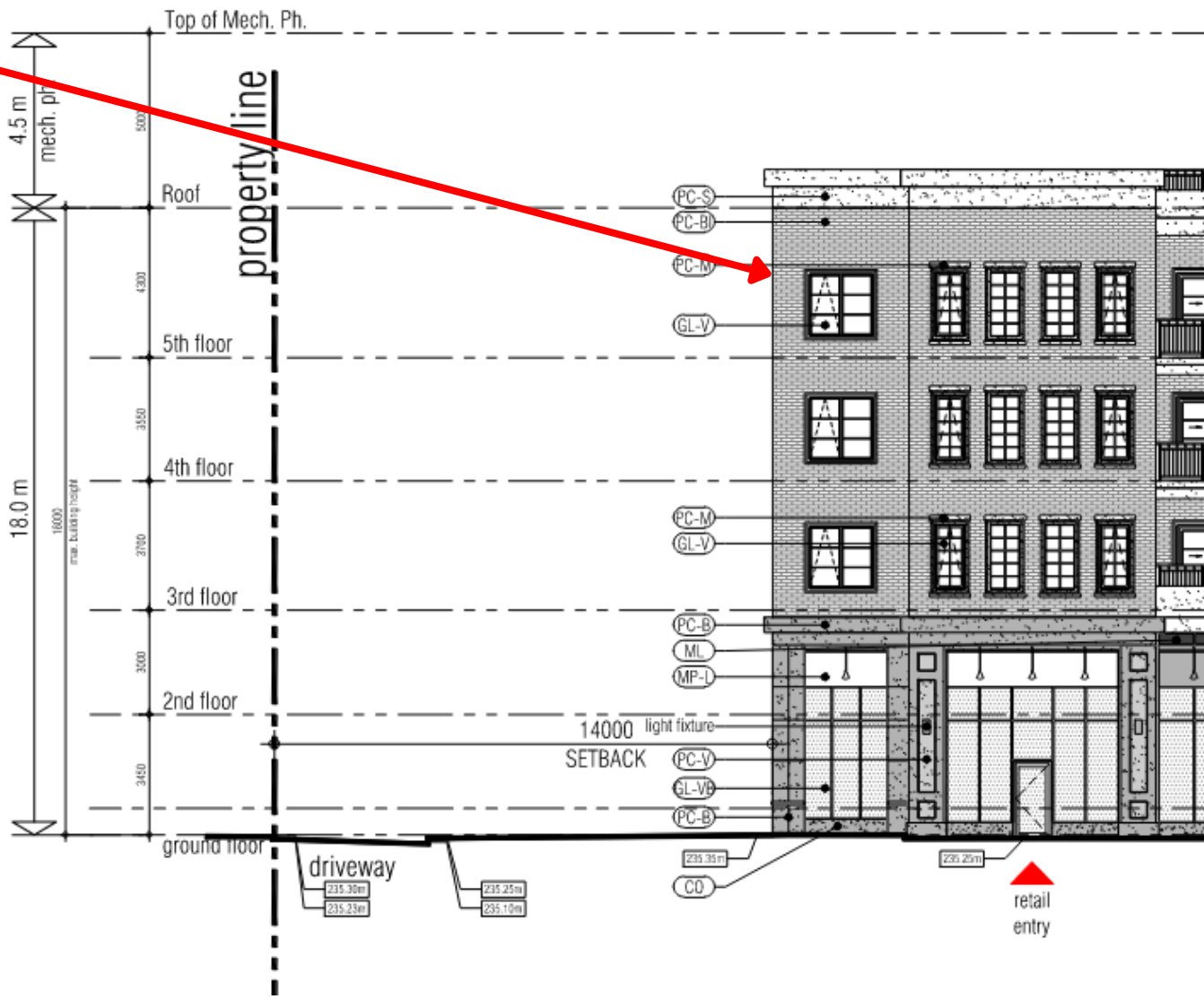
Elevation+ 5th Floor Unit Count Breakdown:

| Unit Count and Breakdown | | |
|--------------------------|------------|-------------|
| Unit Count | | |
| Ground | 6 | |
| 2 nd Floor | 2 | |
| 3 rd Floor | 24 | |
| 4 th Floor | 38 | |
| 5 th Floor | 40 | |
| Total: | 110 | |
| Unit Breakdown | | |
| 1 Bedroom | 10 | 55% |
| 1 Bedroom + Den | 50 | |
| 2 Bedroom | 30 | 40% |
| 2 Bedroom + Den | 14 | |
| 3 Bedroom + Den | 6 | 5% |
| Total: | 110 | 100% |

| Surface | % | m ² |
|---------------------------------|-----------|---------------------------------------------|
| Building Area | 31% | 2,306 m ² |
| Paved Area | 48% | 3,580m ² |
| Landscaped Area (Snow Storage)* | 21% (2%)* | 1,605 m ² (159 m ²)* |

*Snow Storage is included as part of Landscaped Area

4



Integrated Parking Structure on the second and third level

6





9929 Keele Street Site Statistics
Official Plan Designation: Local Centre, Low-Rise Mixed Use, FS1.1.4, 4-Storey
Existing Zoning (City of Vaughan By-law 1-88): RA2(H) (R157) Apartment Residential

| Site Area | | General Development Statistics Table | |
|----------------|-------|------------------------------------------------------|----------------------------------------|
| m ² | Acres | Total Number of Units | 110 |
| 7,561 | 1.73 | Average Unit Size GFA | 69 m ² /738 ft ² |
| 24,382 | 0.76 | Lot Area per Unit (m ² /ft ²) | 69 m ² /740 ft ² |
| | | Total Parking Provided | 186 |
| | | Total Bicycle Parking Provided | 140 |

| Proposed | | Unit Count and Breakdown | |
|----------------------------------------|--------------------------------------------------|--------------------------|-----------|
| GFA (m ² /ft ²) | Units/No | Unit Count | Breakdown |
| Above Grade | 1,441 m ² (15,619 ft ²) | Ground | 6 |
| 2nd Floor | 814 m ² (8,744 ft ²) | 2nd Floor | 2 |
| 3rd Floor | 1,411 m ² (15,207 ft ²) | 3rd Floor | 24 |
| 4th Floor | 2,507 m ² (26,977 ft ²) | 4th Floor | 38 |
| 5th Floor | 2,507 m ² (26,977 ft ²) | 5th Floor | 40 |
| Mech Fl. | 241 m ² (2,594 ft ²) | Total | 110 |
| Subtotal | 10,532 m ² (113,368 ft ²) | 1 Bedroom | 10 |
| Retail | 220 m ² (2,375 ft ²) | 2 Bedroom + Den | 50 |
| Subtotal | 220 m ² (2,375 ft ²) | 2 Bedroom | 30 |
| Total | 11,252 m ² (121,119 ft ²) | 2 Bedroom + Den | 14 |
| | | 3 Bedroom | 6 |
| | | 3 Bedroom + Den | 10 |
| | | Total | 110 |
| | | 100% | |

| Proposed | | Surface | |
|-----------------------------------------|--------------------------------------------------|------------------------|-----|
| Area (m ² /ft ²) | % | Area (m ²) | % |
| Total | 683 m ² (7,354 ft ²) | Building Area | 31% |
| Retail | 486 m ² (5,236 ft ²) | Paved Area | 48% |
| Total | 10,694 m ² (115,112 ft ²) | Landscaped Area | 21% |
| | | Green Storage | 22% |

| Required | | Proposed | |
|-------------------------------|--------------------------------------|-------------------------------|--------------------------------------------------------------------------------|
| By-law | Value | By-law | Value |
| FS1 | By-law 164-2012 OPA #92 | GFA/Site Area | 4,388 m ² (47,497 ft ²) |
| Max FS | 3.4 | Lot Coverage | 60.81% |
| Landscaped Area | Zoning By-law 1-88 RA2(H) (R157) | Minimum Landscaped Open Space | 1,605 m ² (17,283 ft ²) |
| Minimum Landscaped Open Space | 20% | Minimum Height (m) | 21.22 m |
| Minimum Height (m) | Zoning By-law 163-2012 RA2(H) (R157) | Max Height | 4 Storey |
| Max Height | 4 Storey | Minimum Frontage | 18.0m (measured from ground floor to top of roof) + 4.5m (mezzanine penthouse) |
| Minimum Frontage | Zoning By-law 1-88 RA2(H) (R157) | Minimum Frontage | 30m |
| Minimum Frontage | 30m | | |

| Required | | Proposed | |
|---------------------------|---------------|---------------------------|-------|
| By-law | Value | By-law | Value |
| Setbacks | Schedule 6.02 | Minimum Front Yard | 3.0m |
| Minimum Front Yard | 3.0m | Minimum Rear Yard | 3.4m |
| Minimum Rear Yard | 3.4m | Minimum Side Yard (North) | 3.0m |
| Minimum Side Yard (North) | 3.0m | Minimum Side Yard (South) | 3.0m |
| Minimum Side Yard (South) | 3.0m | | |

| Required | | Proposed | |
|----------------------|-------------------------------------------|----------------------|-------------------------------------------|
| By-law | Value | By-law | Value |
| Amenity Space | Zoning By-law 163-2012 RA2(H) (R157) | Total Amenity Space* | 2,736 m ² |
| Total Amenity Space* | The minimum amenity area | Total | 3,155 m ² (indoor and outdoor) |
| Total | 3,155 m ² (indoor and outdoor) | | |

| Required | | Proposed | |
|---------------------------------------------|----------------------------------|---------------------------------------------|----------------------|
| By-law | Value | By-law | Value |
| Parking | Zoning By-law 1-88 RA2(H) (R157) | Residential** | 128 (13.9VE)** |
| Residential** | 165 (1.5 space/unit) | Visitor | 22 |
| Visitor | 28 (0.25 space/unit) | Existing (at least 100m)*** | 27 (0.25 space/100m) |
| Existing (at least 100m)*** | 27 (0.25 space/100m) | Commercial (212 m ²)**** | 6 (0.27 space/100m) |
| Commercial (212 m ²)**** | 6 (0.27 space/100m) | Spaces granted to the property to the North | 3 |
| Spaces granted to the property to the North | 3 | Total | 186 |
| Total | 227 | | |

| Required | | Proposed | |
|---------------------------|----------------------------------|-------------------------------|------------------------------|
| By-law | Value | By-law | Value |
| Accessible Parking Spaces | Zoning By-law 1-88 RA2(H) (R157) | 7 (0.25 Type A, 4.75 Type B)* | 7 (0.25 Type A, 4.75 Type B) |

| Required | | Proposed | |
|---------------------------|----------------------------------|-------------------------------|------------------------------|
| By-law | Value | By-law | Value |
| Accessible Parking Spaces | Zoning By-law 1-88 RA2(H) (R157) | 7 (0.25 Type A, 4.75 Type B)* | 7 (0.25 Type A, 4.75 Type B) |

| Required | | Proposed | |
|---------------|----------------------------------|-------------|------------------|
| By-law | Value | By-law | Value |
| Loading Space | Zoning By-law 1-88 RA2(H) (R157) | Residential | 1 loading space |
| Residential | N/A | Commercial | 1 loading space |
| Commercial | 3 Space | Total | 2 loading spaces |
| Total | 3 Space | | |

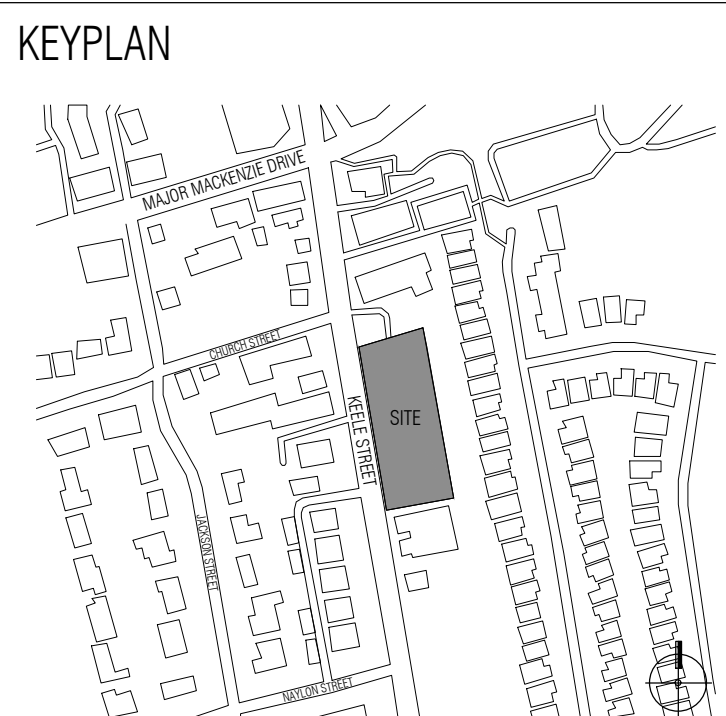
| Required | | Proposed | |
|----------------------------------|----------------------------------|------------|----------------------------|
| By-law | Value | By-law | Value |
| Bicycle Parking | Zoning By-law 1-88 RA2(H) (R157) | Short-term | 24 |
| Residential (110 units) | N/A | Long-term | 106 (1.02 spaces per unit) |
| Commercial (863 m ²) | N/A | Total | 130 |
| Total | 30 | | |

| Required | | Proposed | |
|-----------------------|-----------------------------------|-----------------------|-----------------------------------|
| By-law | Value | By-law | Value |
| Waste Removal | Zoning By-law 1-88 RA2(H) (R157) | Loading Space | 13m (3) x 4m (4) x 7.5m (3) |
| Loading Space | N/A | Staging Area | 30m ² |
| Staging Area | 30m ² | Bin Storage | 30m ² |
| Bin Storage | 30m ² | Bin Size | 3 cu. yards |
| Bin Size | 3 cu. yards | Bin Count | 3 |
| Bin Count | 3 | Residential Recycling | 45 units/container = 107 + 45 = 3 |
| Residential Recycling | 45 units/container = 107 + 45 = 3 | Residential Organic | 35 units/container = 107 + 35 = 3 |
| Residential Organic | 35 units/container = 107 + 35 = 3 | Residential Garbage | 50 units/container = 107 + 50 = 3 |
| Residential Garbage | 50 units/container = 107 + 50 = 3 | Total | 9 bins |
| Total | 9 bins | | |

- ### NOTES
- For Landscaping, refer to landscape drawings.
 - For proposed grading, refer to landscape/grading drawings.
 - All perimeter existing information indicated taken from survey.
 - All work to be done in conformance with the 2012 Ontario Building Code (O.B.C., as amended).
 - This drawing to be read in conjunction with all other drawings comprising the complete set of approved drawings for this development.
 - All roads have been designed to meet the Canadian Highway Bridge Code, CAN/CSA S6 and will be surfaced in order to be accessible under all climate conditions.
 - Refer to the signage and pavement marking plan drawings for the signage and marking plans on ground level and underground parking level.

- ### SURVEY INFORMATION
- SKETCH OF PART OF THE WEST HALF OF LOT 20, CONCESSION 3 (GEOGRAPHIC TOWNSHIP OF VAUGHAN, COUNTY OF YORK) CITY OF VAUGHAN REGIONAL MUNICIPALITY OF YORK
- RADY-PENK & EDWARD SURVEYING LTD.
 ONTARIO LAND SURVEYORS
 643 Chrislea Road, Suite 7
 Woodbridge, Ontario L4L 8A3
 Tel: (905)264-5000 Fax: (905)264-5001
 Tel: (905)264-0881 Fax: (905)264-2099
 Website: www.r-pe.ca

- ### LIST OF DRAWINGS
- | | |
|--------------------------------|--------|
| A101 CONTEXT PLAN & STATISTICS | 1:1000 |
| A102 SITE PLAN | 1:200 |
| A301 GROUND FLOOR PLAN | 1:200 |
| A302 2ND FLOOR PLAN | 1:200 |
| A303 3RD FLOOR PLAN | 1:200 |
| A304 4TH FLOOR PLAN | 1:200 |
| A305 5TH FLOOR PLAN | 1:200 |
| A401 EAST & WEST ELEVATIONS | 1:200 |
| A402 NORTH & SOUTH ELEVATIONS | 1:150 |
| A411 COLORED ELEVATION | 1:100 |
| A501 BUILDING SECTIONS | 1:200 |



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- OCT. 26. 2022 ISSUED FOR SPA SUBMISSION E.C.
- DEC. 12. 2022 ISSUED FOR SUBMISSION TO ALECTRA E.C.
- FEB. 26. 2024 ISSUED FOR COMMITTEE OF ADJUSTMENT E.C.

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 By RECEIVED at 9:58 am, Mar 11, 2024

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 Phone: 905.795.2601 Fax: 905.795.2844 www.gc-architects.com

PROPOSED MIXED USE DEVELOPMENT

Keele & Major Mackenzie

Project Architect: E. CORAZZA
 Assistant Designer: L. WONG
 Drawn By: D. WONG/S. SAMAREH/O. HADI/W. CHIU
 Checked By: D. BIASE
 Plot Date: Mar. 7, 2024
 Job #: 1240.14

CONTEXT PLAN & STATISTICS

1:1000 **A101**

TITLEBLOCK SIZE: 610 x 950

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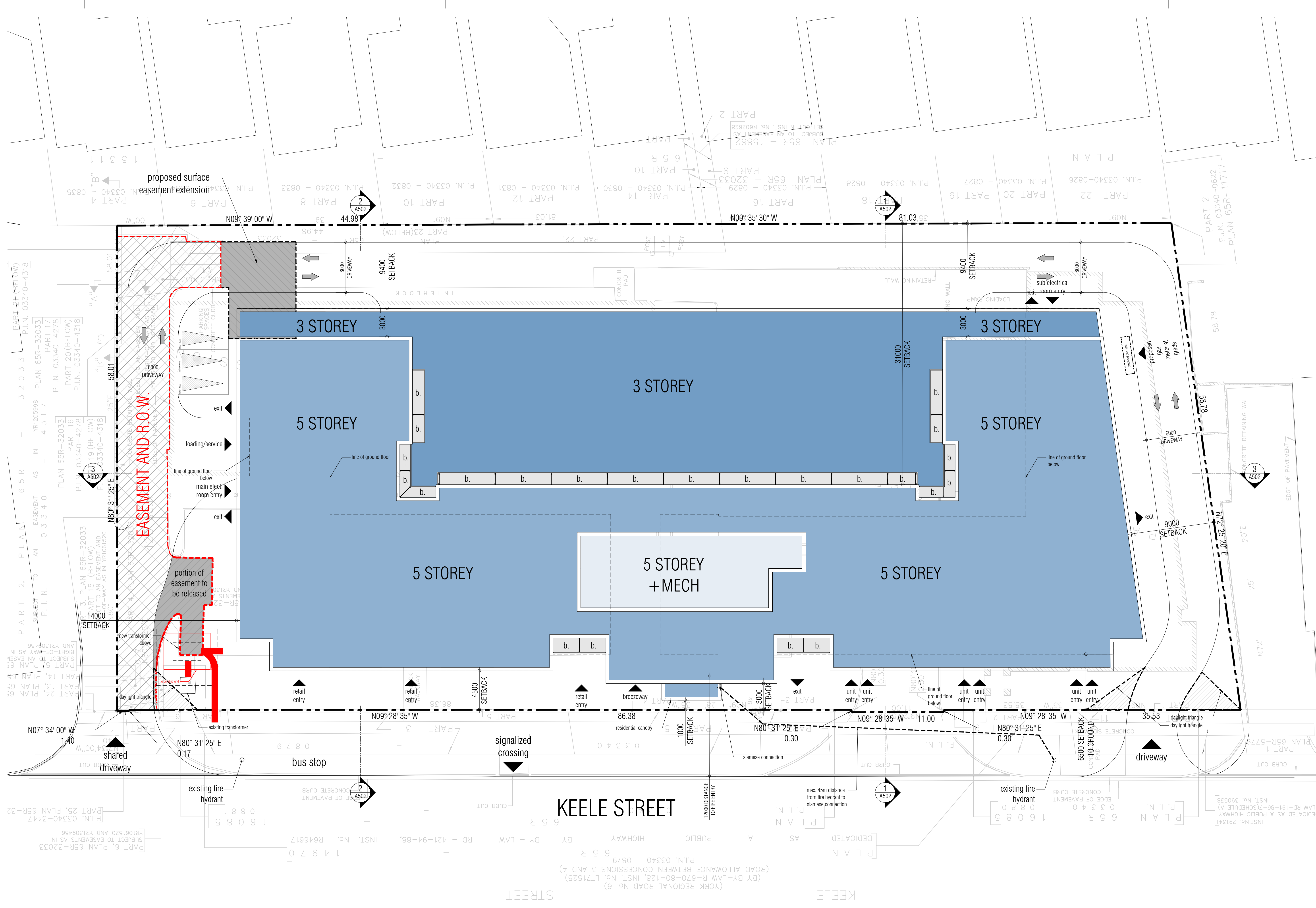
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PROPOSED MIXED USE DEVELOPMENT
Keele & Major Mackenzie

| VAUGHAN TRINITY POINT ONTARIO | |
|-------------------------------|------------------------------------|
| Project Architect: | E. CORAZZA |
| Assistant Designer: | L. WONG |
| Drawn By: | L. WONG/S. SAMAREH/O. HADI/W. CHIU |
| Checked By: | D. BIASE |
| Plot Date: | Mar. 7, 2024 |
| Job # | 1240.14 |

SITE PLAN



TITLEBLOCK SIZE: 610 x 950

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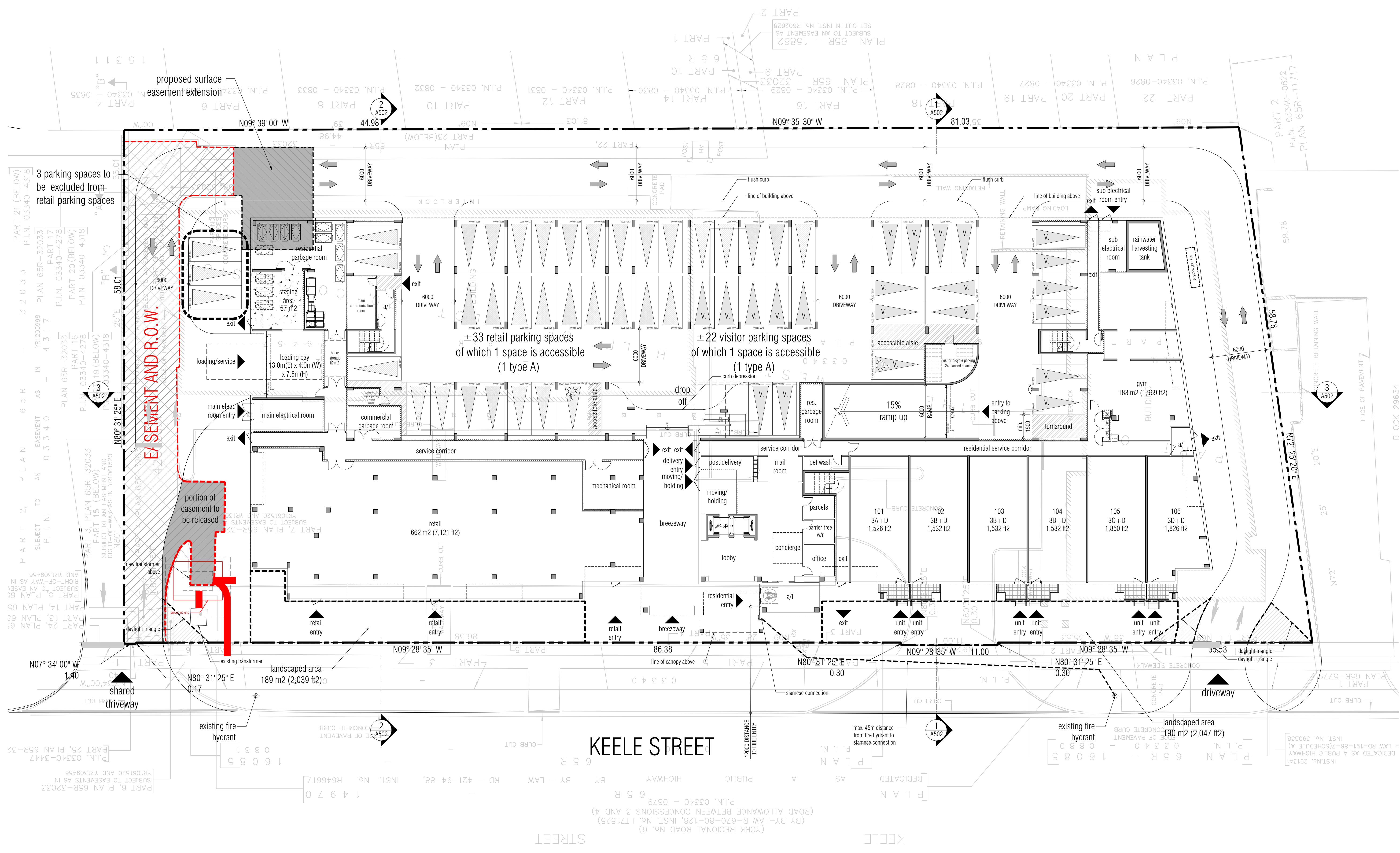
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 Checked By: D. BIASE
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 Job #: 1240.14

GROUND FLOOR PLAN

1:200 **A301**

TITLEBLOCK SIZE: 610 x 950

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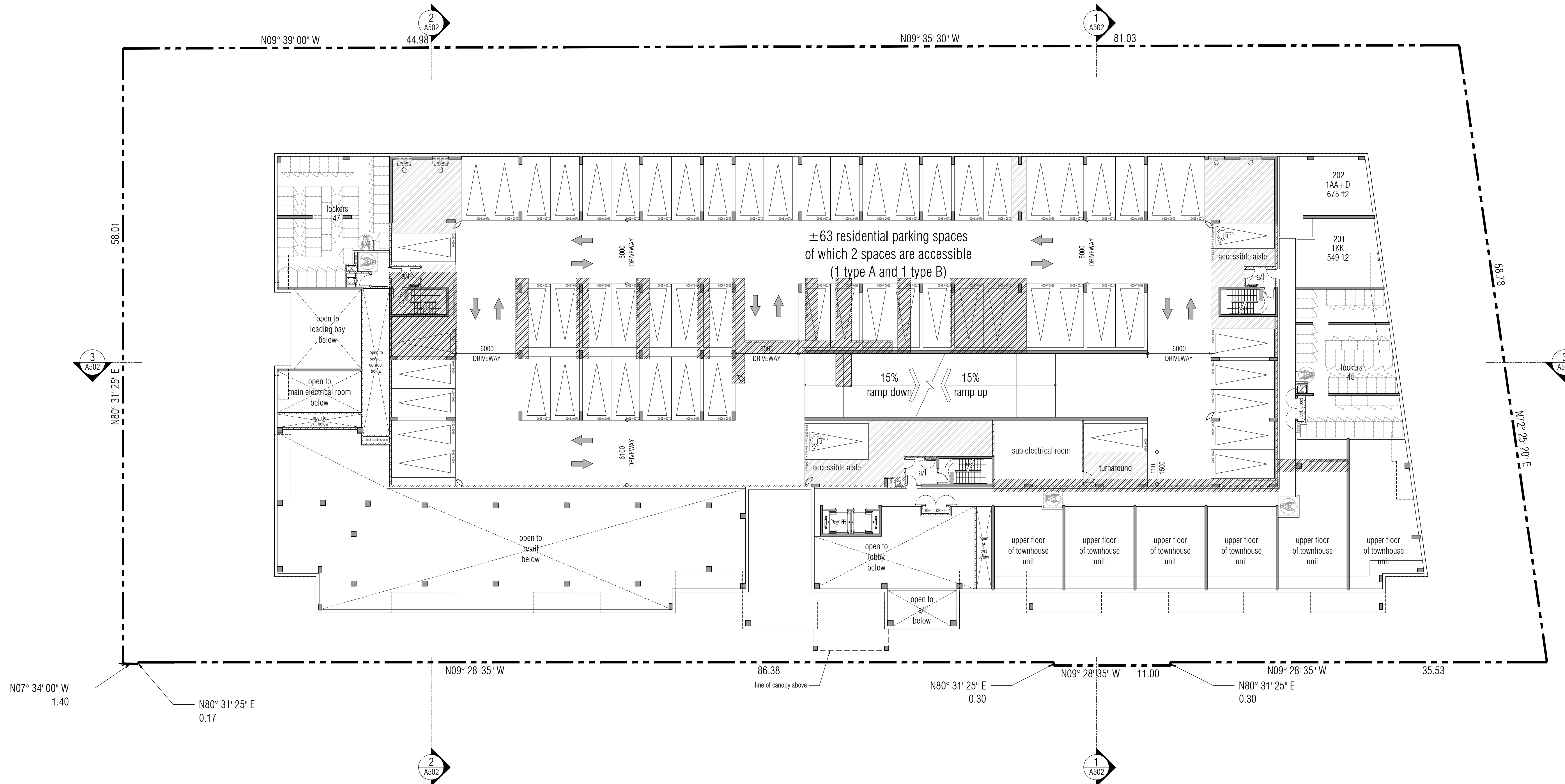
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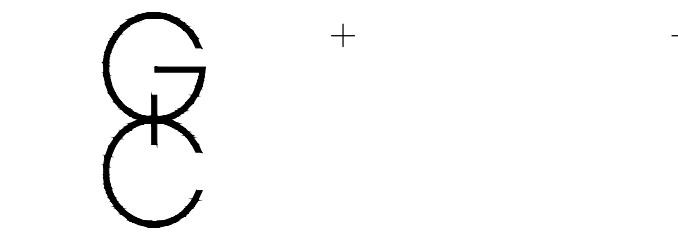
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 Plot Date: Mar. 7, 2024
 Job #: 1240.14

2ND FLOOR PLAN

1:200 **A302**

TITLEBLOCK SIZE: 610 x 950

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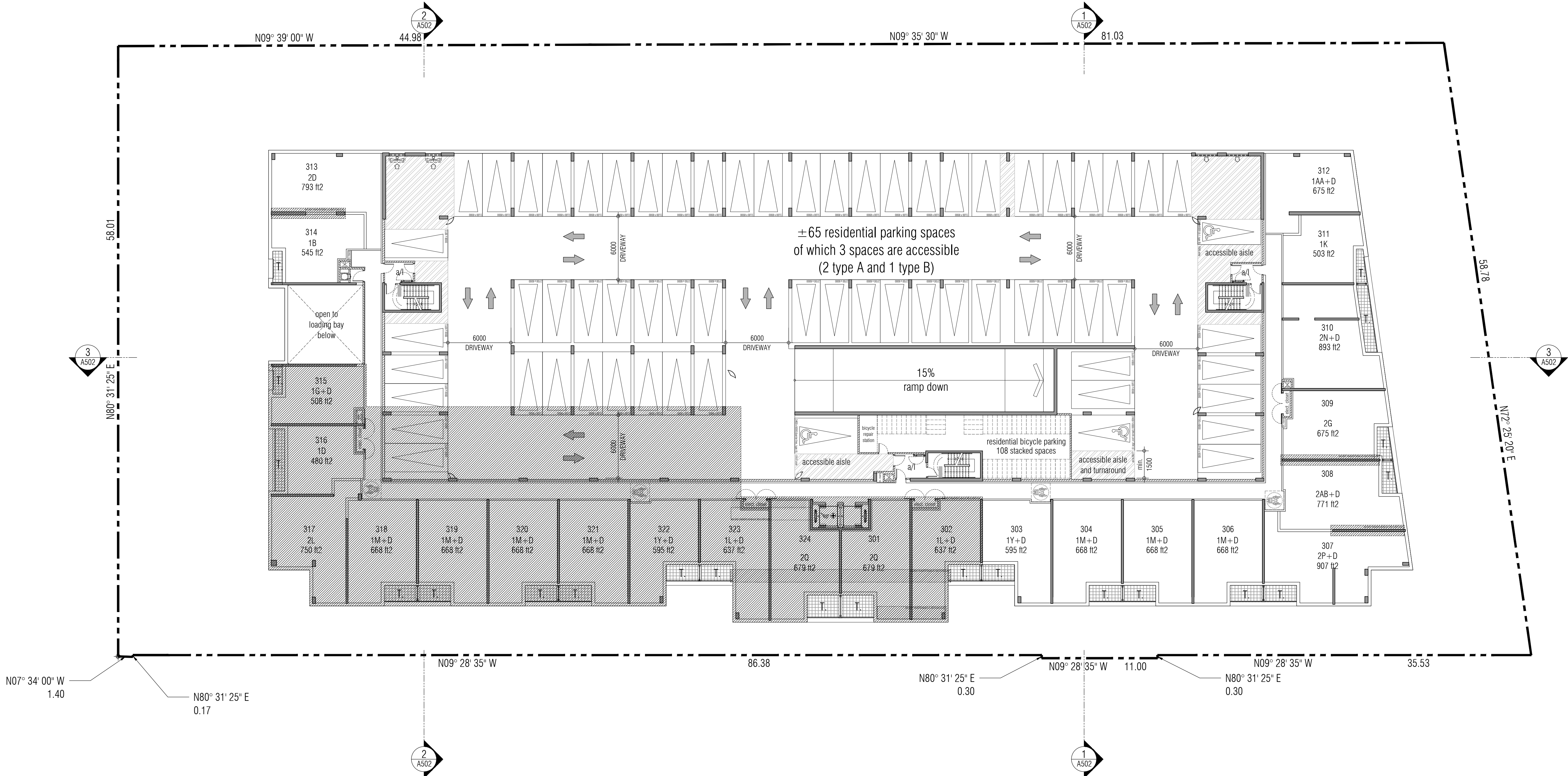
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 Drawn By: L. WONG/S. SAMAREH/O. HADI/W. CHIU
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 Job #: 1240.14

3RD FLOOR PLAN

1:200 **A303**

TITLEBLOCK SIZE: 610 x 950

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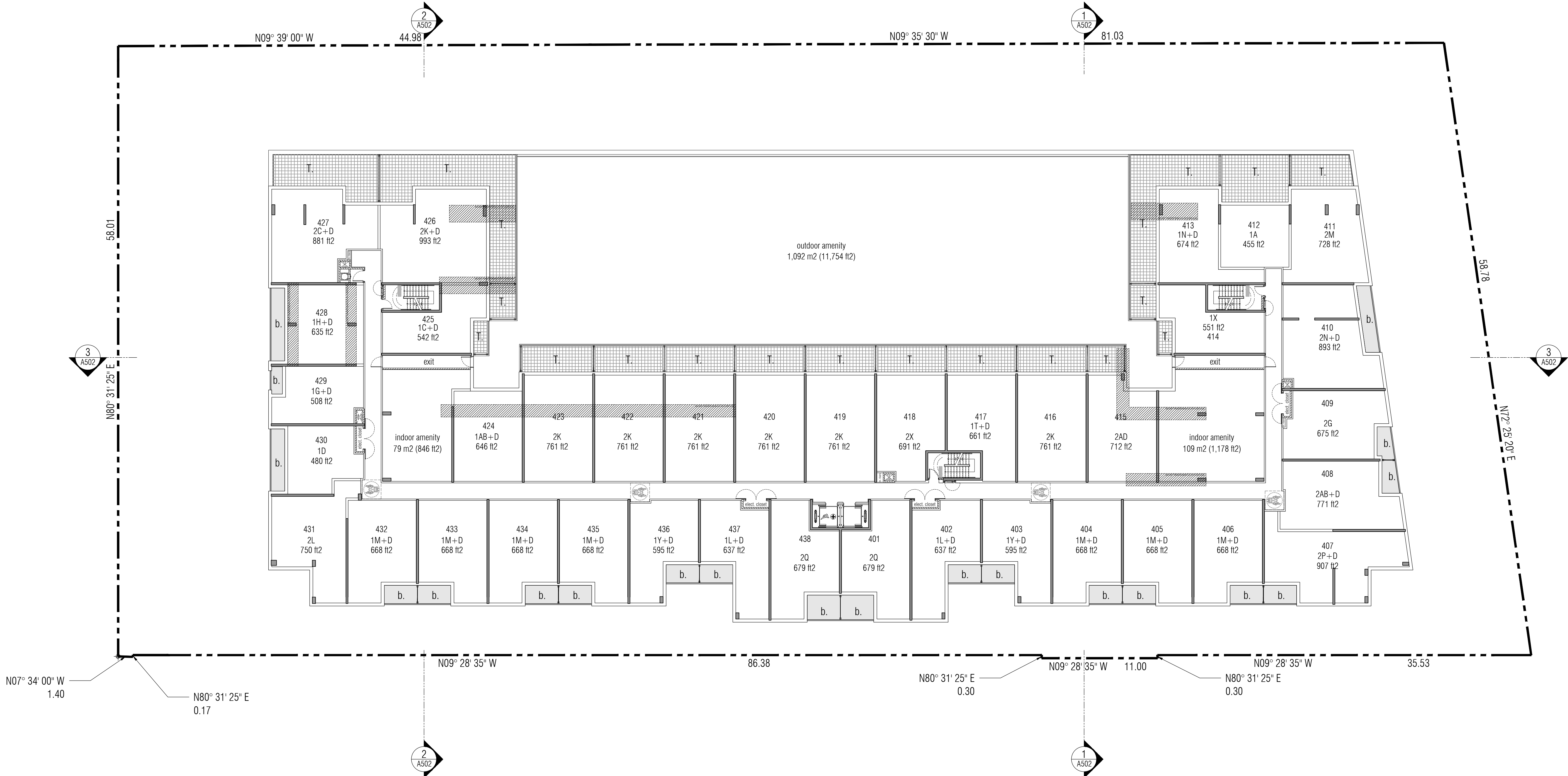
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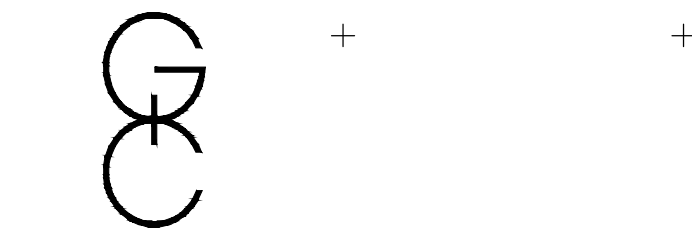
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4TH FLOOR PLAN

1:200 **A304**

TITLEBLOCK SIZE: 610 x 950

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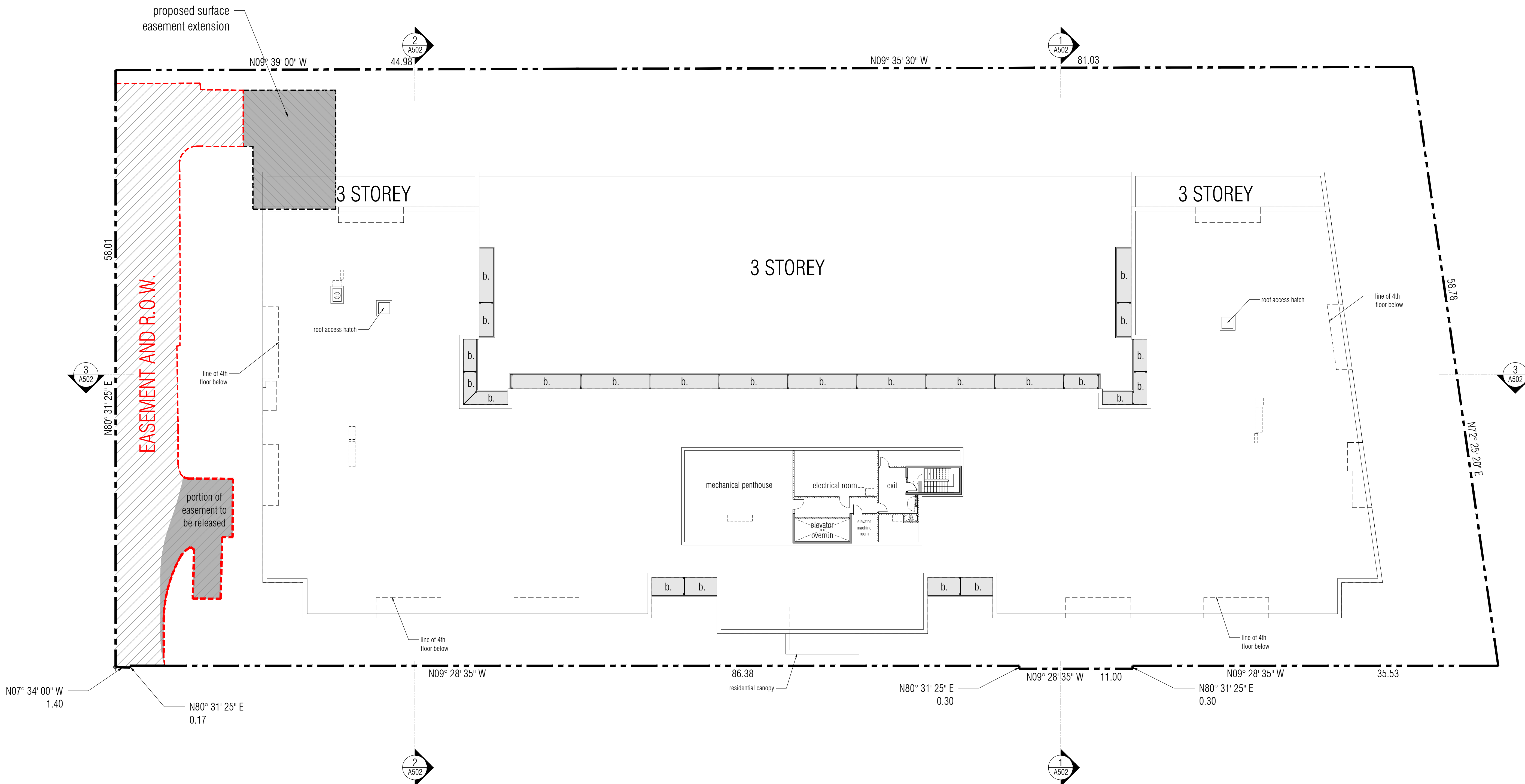
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| 04. | OCT.26.2022 | ISSUED FOR SPA SUBMISSION | E.C. |
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 Plot Date: Mar. 7, 2024
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MECH.PH FLOOR PLAN

1:200 **A306**

**SCHEDULE B:
COMMENTS FROM AGENCIES, BUILDING STANDARDS &
DEVELOPMENT PLANNING**

| Department / Agency <small>*Comments Received</small> | Conditions Required | | Nature of Comments |
|-----------------------------------------------------------------|------------------------------|----------------------------------------|---------------------------|
| Building Standards (Zoning) *See Schedule B | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | General Comments |
| Development Planning | Yes <input type="checkbox"/> | No <input type="checkbox"/> | Application Under Review |

| External Agencies <small>*Comments Received</small> | Conditions Required | | Nature of Comments <small>*See Schedule B for full comments</small> |
|---------------------------------------------------------------|------------------------------|----------------------------------------|-------------------------------------------------------------------------------|
| Alectra | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | General Comments |
| Region of York | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | General Comments |
| TRCA | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | General Comments |

Date: September 21st 2023

Attention: **Christine Vigneault**

RE: Request for Comments

File No.: **A149-23**

Related Files:

Applicant Architects Hariri Pontarini

Location 9929 Keele Street



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:

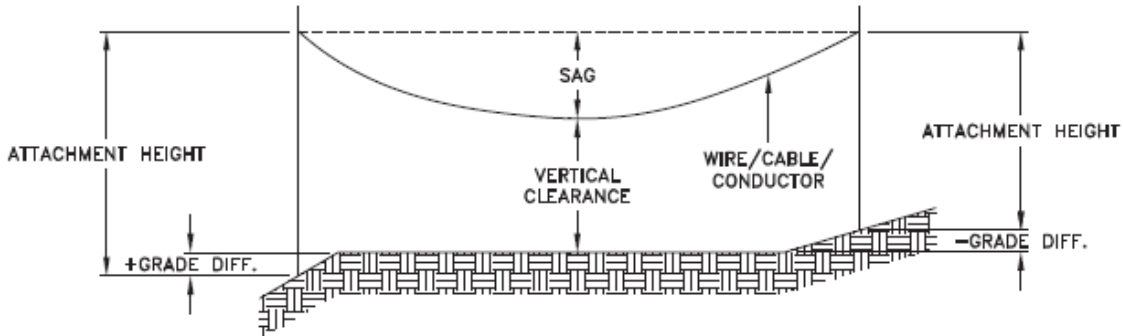
Mr. Stephen Cranley, C.E.T
Supervisor, Distribution Design, ICI & Layouts (North)
Phone: 1-877-963-6900 ext. 31297

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" |

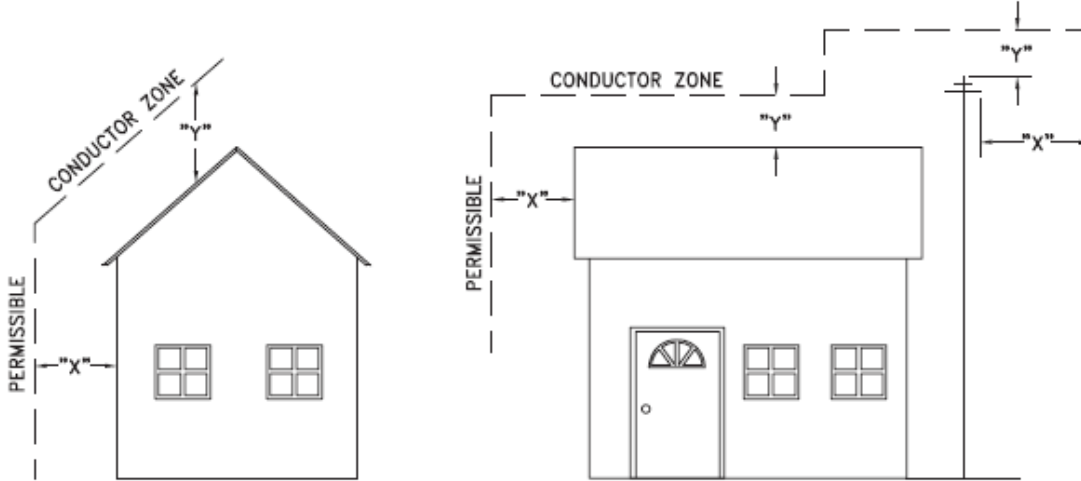
REFERENCES

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: March 4, 2024
Applicant: Trinity Point Developments
Location: 9929 Keele Street
CONC 3 Part of Lot 20
File No.(s): A149/23

Zoning Classification:

The subject lands are zoned MMS – Main Street Mixed-Use Maple Zone, and subject to the provisions of Exception 14.72 under Zoning By-law 001-2021, as amended.

| Zoning By-law 001-2021 | | Variance requested |
|-------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1 | A maximum building height of 4-storeys (15.5 m) measured to the surface of the roof exclusive of the mechanical room and no residential units or any other use shall be permitted above the 4 th storey [Exception 14.72.2.1.c.i]. | To permit a maximum building height of 5 storeys (18.0m) measured to the surface of the roof exclusive of the mechanical room as well as to permit residential units above the 4 th storey. |
| 2 | No portion of the building shall exceed the maximum building height shown with number of storeys on Schedule E-162, exclusive of an accessory roof construction such as a chimney, tower, steeple, parapets, guardrails, stair enclosures, elevator or mechanical room [Exception 14.72.2.1.c.ii.] | To permit a portion of the building to exceed the maximum building height shown with number of storeys on Schedule E-162. |
| 3 | The minimum amount of combined indoor and outdoor amenity area to be provided shall be 3,155 m ² [Exception 14.72.2.1.j.]. | To permit a minimum combined indoor and outdoor amenity area of 2,701 m ² . |
| 4 | A dwelling unit shall not be permitted above the 4 th storey [Exception 14.72.2.1.i.]. | To permit dwelling units to be located above the 4 th storey. |
| 5 | A maximum of 35% of the total amenity area shall consist of amenity area located on a rooftop or terrace [Exception 14.72.2.1.o.]. | To permit a maximum of 41% of the total amenity area to be located on a rooftop or terrace. |
| 6 | A total of 136 parking spaces shall be provided within a parking structure located below grade [Exception 14.72.3.1e.] | To permit a total of 127 parking spaces to be provided within a parking structure located above grade. |

Staff Comments:

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

There are no outstanding Orders on file

Building Permit(s) Issued:

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

Other Comments:

| General Comments | |
|-------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|
| 1 | The applicant shall be advised that additional variances may be required upon review of detailed drawing for building permit/site plan approval. |
| 2 | The subject lands are located in the Maple Heritage Conservation Area. |

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.

Prabhdeep Kaur

From: Kristen Regier <Kristen.Regier@trca.ca>
Sent: Thursday, September 21, 2023 1:09 PM
To: Committee of Adjustment
Cc: Pravina Attwala; Christine Vigneault
Subject: [External] RE: A149/23 (9929 KEELE STREET) - REQUEST FOR COMMENTS

Hello,

The subject property at 9929 Keele Street, Vaughan is not located within TRCA's Regulated Area. TRCA's Planning and Regulatory policy interests are not impacted.

As such, TRCA has no comments on the application.

Best,

Kristen Regier, MA (she / her)

Planner I

Development Planning and Permits | Development and Engineering Services

Toronto and Region Conservation Authority (TRCA)

T: [437-880-2129](tel:437-880-2129)

E: kristen.regier@trca.ca

A: [101 Exchange Avenue, Vaughan, ON, L4K 5R6](https://www.trca.ca) | [trca.ca](https://www.trca.ca)



Pravina Attwala

Subject: FW: [External] RE: A149/23 (9929 KEELE STREET) - REQUEST FOR COMMENTS

From: Development Services <developmentsservices@york.ca>
Sent: November-03-23 6:03 PM
To: Christine Vigneault <Christine.Vigneault@vaughan.ca>
Cc: Committee of Adjustment <CofA@vaughan.ca>
Subject: [External] RE: A149/23 (9929 KEELE STREET) - REQUEST FOR COMMENTS

Hi Christine,

The Regional Municipality of York has completed its review of the minor variance application – A149/23 (9929 Keele Street) and has no comment.

Please provide us with a copy of the notice of decision for our records.

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



Our Mission: **Working together to serve our thriving communities – today and tomorrow**

Please consider the environment before printing this email.

SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE

| Correspondence Type | Name | Address | Date Received (mm/dd/yyyy) | Summary |
|---------------------|------------------|-------------------------|-------------------------------|-------------------------------|
| Applicant | | | | Cover Letter |
| Applicant | | | | Planning Justification Report |
| Public | Sundisha Koonjul | 9973 Keele St, Unit 210 | 03/26/2024 | Letter in objection |



RECEIVED

By RECEIVED at 8:58 am, Mar 11, 2024

March 7, 2024

City of Vaughan

2141 Major Mackenzie Dr.

Vaughan, Ontario

L6A 1T1

Attention: Christine Vigneault
Manager of Development Services and
Secretary-Treasurer to the Committee of Adjustment

Dear Ms. Vigneault,

RE: **Revised Minor Variance Application No. A149/23**
Sharewell Investments Inc.
9929 Keele St.
City of Vaughan

Trinity Point Developments is the applicant for Sharewell Investments Inc. regarding the captioned Minor Variance Application No. A149/23 in respect of the lands at 9929 Keele Street (herein referred to as the 'Subject Property'). Application No. A149/23 was originally scheduled to be considered at the October 19, 2023 Committee of Adjustment meeting. However, further investigation of the existing subsurface artesian condition on the subject property necessitated a revision to the design of the proposed mixed-use development and as such, we requested a deferral of the application to enable the design revision to be undertaken and Site Plan Application DA.23.001 and Minor Variance Application No. A149/23 to be revised accordingly. Consequently, the enclosed materials and justification have been prepared in support of the revised captioned application which is based on the revised design.

A Site Plan application for the subject property was submitted to the City on January 12, 2023 for a mixed-use development consisting of a 4-storey building with a total of 110 apartment units and a ground floor commercial area, comprising a total Gross Floor Area of 10,978 m² (118,166.2 ft.²). The application (DA.23.001) was deemed to be complete by the City on February 28, 2023 and the application was circulated with the first submission comments received from the City. As noted above, the design of the proposed mixed-use development has been revised and the Site Plan application will be revised accordingly and re-submitted to the City upon consideration of the captioned Minor Variance application by the Committee of Adjustment, which seeks relief based on the revised design.

1681 Langstaff Rd,
Vaughan, ON L4K 5T3

Trinitypoint.com
T 416-525-4507

1.0 Summary of Proposed Variances

The following is a summary of the proposed variances applied for:

1. To permit a maximum building height of 5-storeys (18.0 m), whereas the maximum height permitted is 4-storeys (15.5 m), as set out in Section 14.72.2 (1) (c) (i) and (ii) and Figure E-162 of By-law No. 001-2021;
2. To permit dwelling units on the 5th storey, whereas a dwelling unit shall not be permitted above the 4th storey, as set out in Section 14.72.2 (1)(j) of By-law No. 001-2021;
3. To permit a total of 128 parking spaces to be provided in an above-grade parking structure integrated within the building, whereas a total of 136 parking spaces shall be provided within a parking structure located below-grade, as set out in Section 14.72.3 (1) (e) of By-law No. 001-2021; and
4. To permit a minimum amenity area of 2736 m², whereas a minimum amenity area of 3115 m² is required, as set out in Section 14.72.2 (1) (i) of By-law No. 001-2021.
5. To permit a maximum of 41 % of the total amenity area to be located on a rooftop or terrace, whereas a maximum of 35% of the total amenity area is permitted to be located on a rooftop or terrace, as set out in Section 14.72.2.1 (o) of By-law No. 001-2021.

2.0 Locational Context

The subject property site is at the municipal address 9929 Keele Street, Vaughan (Maple), Ontario., just south of Major Mackenzie Drive West. The site is on the east side of Keele Street, South of Major Mackenzie Drive West. The subject property has a site area of 0.737 (hectares (1.82 acres) and is currently occupied by a commercial plaza containing two, one-storey commercial buildings.

Surrounding Land uses consist of the following:

- | | |
|--------|----------------------------------------------------------------------------------------------------|
| North: | 4-storey residential building |
| South: | 3-storey mixed use building in an area designated as Low-Rise Mixed Use |
| East: | 2-storey single-detached dwellings in an area designated and Zoned as Low-Rise Residential |
| West: | A place of worship, along with a Canada post office, and a 3-storey residential apartment building |

3.0 Background

The Official Plan Amendment and Zoning By-law Amendment applications (Z.20.043 and OP.20.016) were submitted to the City of Vaughan on December 21, 2020, by Trinity Point Developments, and a Notice of Complete Application was issued by the City and provided on February 8, 2021. City staff provided several comments, which were addressed and resubmitted on February 28, 2022. The Official Plan and Zoning By-law Amendments were approved by the Committee of the Whole on June 21, 2022, and ratified by City Council on June 28, 2022. Zoning By-law Amendment Nos. 163-2022 and 164-2022 (OPA No.82) are currently in full force and effect.

With the approval of the City's New Comprehensive Zoning By-law No 001-2021, Sharewell Investments Inc. appealed the Zoning By-law to ensure that the site specific exceptions conferred on the subject property through the approval of By-law No. 163-2022, which amended the then in force Comprehensive Zoning By-law No. 1-88, were recognized as an exception in Zoning By-law No. 001-2021. The appeal was settled and resulted in Site Specific Exception No. 14.72 (By-law No. 163-2022) being included in Zoning By-law No 001-2021.

4.0 Revised Design and Site Plan Application

While awaiting receipt of the 1st submission Site Plan Application comments, and working through structural, servicing and dewatering designs in response to the subsurface artesian groundwater condition (uplift pressure) from the shallow depth aquifer located beneath the site, the project hydrogeological engineer advised that based on continued investigation and monitoring of the groundwater, that the originally recommended design options that were being considered (either waterproofing the foundation/raft slab/foundation tie downs or continuously dewatering of groundwater into the City's storm sewer) raised potential long term structural concerns (groundwater leaking into the underground parking garage and/or potential building uplift). As such, it was strongly recommended to eliminate the 1-level underground parking garage structure (which could be subjected to groundwater infiltration and/or artesian uplift pressure due to its close proximity to the level of the aquifer) and relocate the parking structure above-grade and integrate it within the building.

As a result, the proposed mixed-use project has been redesigned to include an above-grade parking structure for resident parking fully integrated within the building and located on the 2nd and 3rd storeys. Residential visitor parking has been also relocated to the covered ground floor parking area together with the commercial parking.

Incorporating the integrated above-grade parking structure (2 parking levels and associated ramps and required headroom clearance) while maintaining thicker floor slabs, the non-carbon based VRF HVAC system, recapturing the displaced residential units approved by Council, the indoor and outdoor amenity areas, bicycle parking, storage lockers, mechanical/electrical rooms in the redesigned building, precipitated the addition of one additional storey, resulting in a 5

storey building with a building height of 18 m, which represents a nominal 2.5 m (8.2 ft.) increase in height. The redesigned building maintains 110 residential units (104 apartment units and 6, 2-story ground floor units which have direct access to Keele St.), totaling 9,824 m² (105,741 ft.²) Gross Floor Area and 688 m² (7,409 ft.²) of ground floor Commercial Gross Floor Area, for a total project Gross Floor Area of 10,512 m² (113,150 ft.²), resulting in a Floor Space Index (FSI) of 1.39.

Vehicular ingress/egress for the revised development continues to be provided by two entrances off of Keele Street, one of which is the existing northerly entrance which is shared with the adjacent residential condominium development to the north via reciprocal easements. The drive aisle will direct vehicles to the rear(east) side of the building, where covered at-grade parking for both the commercial uses and the residential visitors is located. The access ramp to the residential above-grade parking is located within the covered at-grade parking area. The proposed revised development continues to put a major focus on a total indoor and outdoor amenity area (2,736m²), which is comprised of outdoor at-grade landscaped space (379 m²), an outdoor amenity area located on the 4th floor (1092 m²), private balcony areas (894 m²), and two indoor amenity areas located on the 4th floor (371 m²) contiguous to the outdoor amenity area.

A Minor Variance Application is required to support the overall architectural revisions and refinements incorporated into the project design as a result of the relocation of the underground parking structure to an above-ground integrated parking structure within the building, as a result of the subsurface artesian conditions, as well as to improve the functionality and environmental sustainability, while also providing additional design flexibility to the proposed mixed-use development.

5.0 Proposed Variances

The proposed variances to Zoning By-law No. 001-2021, as amended by By-law No. 163-2022, are further described as follows:

1. **To permit a maximum building height of 5 storeys (18.0 m), whereas the maximum height permitted is 4 storeys (15.5 m) as set out in Section 14.72.2 (1) (c) (i) and (ii) and Figure E-162 of By-law No. 001-2021; and**
2. **To permit dwelling units on the 5th storey, whereas a dwelling unit shall not be permitted above the 4th storey as set out in Section 14.72.2 (1) (j) of By-law No. 001-2021**

In response to the potential of long term impacts on the below grade parking garage structure from the existing sub surface artesian condition on the subject property, the project has been redesigned to relocate the below grade structure to an above grade parking structure that is fully integrated with the building and is located on the 2nd and 3rd storeys of the redesigned building. In order to accommodate the relocated structure and associated ramps and the required headroom clearances, and recover the residential units on the second and third storeys that were

displaced to accommodate the parking structure, a 5th storey has been added to the proposed design to accommodate the displaced units.

Due to artesian groundwater pressure under the site, thicker floor slabs are also required to increase the building's weight in order to counterbalance the upward pressure of the artesian condition, resulting in unit ceiling heights being reduced. The requested additional 1 storey (2.5 m height) would be distributed between floors 2 through 5, resulting in the provision of more functional and livable units with higher ceiling heights, including the addition of an upper floor to the 6 at-grade units, resulting in larger family sized units.

In addition, the proposed development will be using a VRF (Variant Refrigrant Flow) HVAC system. The VRF system, which is powered by electricity and is therefore non-carbon based, is being implemented to assist the development in achieving the required Silver Sustainability Metrics Performance threshold. This standard is required for sites located along Intensification Corridors and Heritage Conservation Districts, which can be found in the 2023 Sustainability Metrics Program Guidebook. The imposition of the Silver threshold recently came into force, after the approval of the Official Plan and Zoning By-law amendment applications by Council, which amongst other performance standards, prescribed a maximum height.

The VRF units are installed in the condominium units horizontally within the ceiling, rather than vertically like a standard HVAC system (Heat Pump or Fan Coil), thereby resulting in additional floor heights being required in order to accommodate the VRF system, while maintaining a comfortable and functional ceiling height within the units. Noise attenuation is another major reason for the requested additional floor height. In order to accommodate the proper noise attenuation measures within each ceiling, together with the appropriate clearances required for the installation of the VRF system, the increased floor height is necessary. The increased floor height permits the accommodation of the mechanical system and noise attenuation measures, including attenuation measures for the two indoor amenity areas on the 4th floor, while still maintaining appropriate ceiling heights reflective of market demand and ensuring the efficient functionality and livability of the units and the indoor amenity areas.

The requested relief in Variance No. 2 is directly related to the addition of the 5th storey as described above regarding Variance No.1, and removes the restriction and thereby permits the location of dwelling units on the proposed additional 5th storey.

3. To permit a total of 128 parking spaces to be provided in an above-grade parking structure integrated within the building, whereas a total of 136 parking spaces shall be provided within a parking structure located below-grade, as set out in Section 14.72.3 (1) (e) of By-law No. 001-2021.

The requested relief would facilitate the relocation of the resident and residential visitor parking spaces originally located within the below grade parking garage structure, to an above grade

parking structure that is integrated within the building and located on floors 2 and 3 (resident parking), in response to potential long term impacts to the originally proposed below grade parking structure, from the artesian groundwater conditions located just below the subject property. The residential visitor parking is relocated to within the covered at-grade parking area together with the required commercial parking.

The original project design as approved by Council through the approval of OPA No. 82 and Zoning Amendment No. 163-2022, included a 1-level below grade parking structure which contained 136 parking spaces (114 residential spaces and 22 residential visitor spaces). The required commercial spaces and 1 residential visitor parking space were located at-grade in a covered parking area.

As such, relief is required to facilitate the relocation of the below grade parking structure and parking spaces, to an above grade parking structure integrated within the building, which will contain 128 resident parking spaces for 110 residential units. The required 22 residential visitor parking spaces and the required 33 commercial parking spaces have been consolidated at-grade in a covered parking area contiguous to the commercial area, via the pedestrian breezeway, and the residential lobby entrance.

4. **To permit a minimum amenity area of 2736 m², whereas a minimum amenity area of 3115 m² is required, as set out in Section 14.72.2 (1) (i) of By-law No. 001-2021; and**
5. **To permit a maximum of 41 % of the total amenity area to be located on a rooftop or terrace, whereas a maximum of 35% of the total amenity area is permitted to be located on a rooftop or terrace, as set out in Section 14.72.2.1 (o) of By-law No. 001-2021.**

The relocation of the below grade parking structure to an above grade parking structure integrated within the building impacted the 2nd and 3rd floors of the original design and resulted in the relocation/recapture of the displaced units to a new 5th storey, together with the relocation of the outdoor amenity area and contiguous indoor amenity area from the 2nd floor to the 4th floor. The at-grade outdoor amenity area remains unchanged.

As a result of the relocation and the redesign, the size of the large outdoor amenity area and the two indoor amenity areas has been slightly reduced. In addition, the redesign resulted in the reduction/elimination of the terrace areas on the 4th floor which has resulted in the bulk of the reduction in the total amenity area, and which has resulted in the slight increase in the maximum percentage of amenity area provided on a rooftop or terrace from 35 % to 41%.

Notwithstanding the reduction, the total indoor and outdoor amenity area is still substantial and greatly exceeds the amenity area requirement of Zoning By-law 001-2021 of 574 m², whereas 2736 m² is being provided. The very slight reduction in size and configuration of both the outdoor and indoor amenity areas on the 4th floor does not impact the layout and programming of these

areas, which will still be able to adequately serve the 110 residential units. The total amenity area represents the provision of 24.9 m² of amenity area/unit, whereas Zoning By-law No. 001-2021 requires a minimum of 5.2 m²/unit.

6.0 Planning Analysis and Justification of Proposed Minor Variances

The Planning Act, R.S.O 1990, c. P.13 sets out the legal framework that governs the consideration of minor variance applications by the Committee of Adjustment. Section 45 of the Planning Act states that the Committee of Adjustment can make decisions regarding minor variance applications. Pursuant to Section 45(1) of the Planning Act, a minor variance must satisfy the four tests described in the section below.

1. The Proposed Variances maintain the general intent and purpose of the Official Plan.

The City of Vaughan Official Plan (VOP 2010), as amended by Official Plan Amendment No. 82, designates the subject property, which is located within the Maple Heritage Conservation District, "Low-Rise Mixed Use". The subject property is also located within a Local Centre which encourages a mix of housing types, retail and office uses and densities and within the Maple Heritage Conservation District, and is within 800 m (10 minute walking distance) of the Maple GO Station. VOP 2010 also designates Major Mackenzie Dr. as a Primary Intensification Corridor and Rapid Transit Corridor (with a planned future BRT route), and Keele St. as a Regional Transit Priority Network, which encourages intensification and greater building heights.

Variance Nos.1 and 2 seek to increase the maximum height by one storey (2.5 m), resulting in a 5 storey (18 m) building and to permit residential units on the 5th storey, in order to facilitate the relocation of the below grade parking garage to an above grade parking garage fully integrated into the building, while recapturing the displaced units to accommodate the parking structure on the 5th storey, in response to existing subsurface artesian groundwater conditions. The additional height will also facilitate architectural refinements required to accommodate for thicker structural floor slabs to increase the building weight to counteract the upward pressure from the artesian groundwater condition, noise attenuation measures and appropriate clearances required for the VRF HVAC system for the development, and the provision of an upper level to the 6 at-grade units, resulting in larger, family size units in keeping with Section 7.5.2 of VOP 2010, while maintaining appropriate ceiling heights to maintain the functionality and livability of the units.

Given that the subject property is located within a Local Centre, on a Regional Transit Priority Network, in close proximity to a Primary Intensification Corridor (with a planned future BRT route), the proposed 1 storey (2.5 m) increase in height maintains a contextual appropriateness and maintains conformity with the maximum FSI of 1.4, while ensuring that the project achieves the Silver threshold under the recently approved Sustainability Metrics Program, which came into effect in January 2023, after Council approval of the Official Plan and Zoning By-law Amendment applications in 2022. As per section IB-11 of the Sustainability Metrics Guidebook, utilizing

efficient, non-carbon-based HVAC systems like the VRF system can earn up to 9 additional points. Utilizing a more energy efficient, non-carbon based system is consistent with Section 1.5 of the Official Plan, which states that one of the main goals of the Official Plan is to create a green and sustainable City through minimizing energy use, and sustainable land-use planning.

Variance No.3 would facilitate the relocation of resident parking from within a below grade parking structure to an above grade parking structure that is fully integrated within the building. In the revised design, all commercial parking remains located in a covered parking area on the ground floor, together with all residential visitor parking which has been relocated from the below grade parking garage in the previous design. Resident parking (128 spaces) are located in the 2-level above grade integrated parking structure located on the 2nd and 3rd floors. The above grade parking structure is fully integrated within the building and will not be visible from Keele St. as it is fronted with residential units in conformity with Section 4.3.2.8 of VOP 2010 and has been designed in a manner that is compatible with the heritage surroundings in conformity with Section 6.2.2.9 (f) of VOP 2010. The integrated parking structure will also not be visible from the rear yards of the residences along Oakdale Rd. to the rear of the subject property, as the rear of the building encompassing the above grade structure utilizes a combination of cladding (precast, brick) fenestration that provides natural light into the structure while shielding vehicle headlights into the rear yards, together with balcony railings, so that the rear elevation treatment is consistent with the remainder of the building.

The requested variance would facilitate the continued provision of a secure parking area for resident parking, while permitting all the at-grade parking to be dedicated to both commercial users residential visitors. As noted in Section 4.2.2.6 of the Official Plan, it is a goal of the City of Vaughan to encourage parking lots and structures to be developed as high-quality examples of good urban design with an emphasis placed on permeability and safety. The requested variance is consistent with the Official Plan as it would facilitate secure resident parking located within an integrated above grade parking structure. Furthermore, relocating the residential visitor parking to the covered at-grade area together with the commercial will allow for more efficient design and operations that better supports both the commercial retail space users along with the residents and their visitors.

Variance Nos. 4 and 5 would facilitate a reduction in the minimum amenity area (indoor/outdoor) and the resultant slight increase in the maximum total amenity area permitted to be located on a rooftop or terrace, which was precipitated by the redesign of the building in order to relocate the below grade parking structure to an integrated above grade parking structure in response to artesian groundwater conditions prevalent on the subject property. While the amount of the amenity area has been reduced, outdoor amenity areas continue to be provided at-grade, on the 4th floor (on the rooftop of the integrated parking structure) and on balconies/terraces, together with the two indoor amenity areas on the 4th floor contiguous to the larger outdoor amenity area. As such, conformity is maintained with Sections 9.1.2.7 (i) (provision of appropriate indoor and outdoor amenity areas) and Section 9.2.3.5 (f) (provision of outdoor amenity space on Mid-Rise building rooftops) as the outdoor amenity area is situated on the 3rd storey rooftop portion of

the above grade parking garage. The size and configuration of both the large outdoor amenity area and the two indoor amenity areas have only been slightly reduced such that there is no impact on the layout and programming and the amenity areas can continue to more than adequately serve the needs of the 110 units. While reduced, the amount of total amenity area continues to substantially exceed the requirements of Zoning By-law No. 001-2021, with the provision of 23 m² of amenity area/unit versus the minimum by-law requirement of 5.2 m²/unit.

2. The Proposed Variances maintain the general intent and purpose of the Zoning By-Law.

The City of Vaughan's New Comprehensive Zoning Law No. 01-2021 was enacted on October 21, 2021 and approved by the Ontario Land Tribunal (OLT) on January 18, 2023 and subsequent amendments thereto on April 23, 2023. The Comprehensive Zoning by-law regulates the use of lands within the City of Vaughan, and maintains the character of the City through a variety of requirements. The subject property is zoned Main Street Mixed-Use-Maple Zone (MMS), Exception Number 72 (By-law 163-2022), which reinforces the parent by-law through the provisions relating to built form which ultimately work to ensure that the proposed mixed-use development on the subject property will integrate seamlessly with adjacent built form and the public realm.

The proposed variances maintain the subject property's planned function, built form and Building Envelope as approved by Council (Exception Number 72), and will not have any adverse impacts on adjacent lands and structures. All other performance standards continue to be complied with and as such, the proposed variances maintain the general intent and purpose of Zoning By-law No. 001-2021, as amended by By-law No. 163-2022.

3. The proposed variances will permit a mixed-use development that is desirable for the subject lands.

Through the processing and approval of the Official Plan and Zoning By-law Amendment applications, the appropriateness of the mixed-use development on the subject lands has been established. The proposed variances are required to facilitate the architectural revisions and refinements in respect of the relocation of the below grade parking structure to an above grade structure fully integrated within the building, in response to an existing subsurface artesian condition on the subject property, and are desirable in that they negate any potential long term structural impacts below grade while accommodating the recapture of the displaced residential units on the 2nd and 3rd floor to accommodate the parking structure to the 5th floor. The proposed variances also serve to improve the efficiency, functionality and environmental sustainability of the mixed-use development. The additional height requested of 1 storey (2.5 m) also provides additional design flexibility for floor slab thicknesses which increase the buildings weight, required to counterbalance the upward pressure from the artesian groundwater condition, while also accommodating required noise attenuation measures and the horizontally placed and more environmentally sustainable VRF HVAC system. The revised design also provides for 6 at-grade, two-storey units, resulting in larger family size units consistent with Section 7.5.2 of VOP 2010.

The redesigned building also respects the general intent of the 45 degree angular plane guideline in the City's Mid Rise Buildings Guidelines, with just a slight protrusion into the plane at the 5th floor level only at the two wings of the building. Furthermore, the above grade parking structure is fully integrated within the building and is not visible from Keele St. as it is fronted with residential units, nor is it visible from the rear yards of the units on Oakdale Rd. that back onto the subject property, as it is appropriately cladded with precast/brick/balcony fencing such that it maintains the architectural consistency of the building materials and eliminates any visual or headlight impacts of the vehicles. Finally, consolidating all commercial and residential visitor parking in the covered parking area at-grade allows for better functionality, operational efficiencies and safety for residents and residential visitors, while providing parking in close proximity to both the commercial portion and the residential lobby entrance.

4. The proposed Variances are Minor in Nature.

In light of key considerations such as built form, urban design, public realm, infrastructure and transportation impacts on surrounding uses, it is our opinion that the proposed variances are minor in nature.

The additional height of 1 storey (2.5 m) negates any potential long term impacts on the below grade structure of the building resulting from the existing artesian groundwater condition, by facilitating the relocation of the below grade parking structure to an above grade parking structure which is fully integrated and not visible from either Keele St. or by the residences on Oakdale Rd. to the rear of the subject property, while also accommodating the recapture of the displaced residential units to accommodate the relocated parking structure, in keeping with the number of units previously approved by Council. The revised building design also provides design flexibility to accommodate for thicker structural floor slabs, the VRF HVAC system, and required noise attenuation measures, while maintaining appropriate ceiling heights and the functionality and livability of the units, as well as facilitating the provision of 6, 2-storey at grade larger units that cater to families, larger households and move down purchasers who prefer larger units. Furthermore, all commercial and residential visitor parking has been consolidated at grade in a covered parking area, which permits more efficient operations which better supports both the commercial patrons and the residential visitors given the proximity of the parking to both the commercial portion and the residential lobby entrance. Finally, the reduction in the total amenity area and slight increase in the maximum total amenity area permitted to be located on a rooftop or terrace, is predominantly a result of the reduction in oversized terraces, with the large outdoor amenity area and the two contiguous indoor amenity areas located on the 4th floor only slightly reducing in size, thereby not impacting their layout and programming and ensuring that the residents of the 110 units are more than adequately served. The reduced amount of total amenity area is still substantial and represents over 4 times the minimum amenity area required by Zoning By-law No. 001-2021.

5.0 Conclusion

Based on the preceding analysis, it is our opinion that the proposed variances satisfy the four tests identified in Section 45 (1) of the Planning Act, R.S.O 1990 c. P.13 and represents good planning. The variances will maintain the subject property's overall planned function and built form, as approved by Council, and will not negatively impact the surrounding lands and structures. The requested variances maintain the general intent and purpose of both the Official Plan (VOP 2010), as amended by Official Plan Amendment No. 82, and Zoning By-law No. 01-2021, as amended by By-law No. 163-2022, and are considered to be appropriate for the development of the subject property and are minor in nature. Therefore, we respectfully request that the variances be approved.

In support of the Revised Minor Variance Application, please find enclosed the following:

1. Architectural Plans
2. Variance Chart
3. Setback Chart
4. Size Chart
5. Authorization Form
6. Authorization Statements
7. Sworn Declaration Form
8. Tree Declaration Form

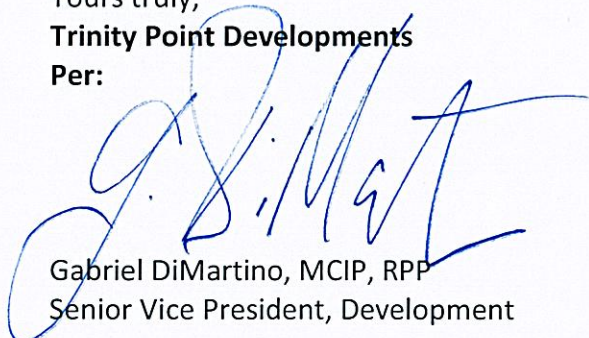
We trust that the information included with this application is complete and sufficient to allow for its circulation, review and scheduling to the April 4, 2024 Committee of Adjustment meeting.

Should you have any questions or require any additional information, please contact the undersigned at 416.525.4507, ext. 211 /gdimartino@trinitypoint.com , or Josh Chiapetta at ext. 212/joshc@trinitypoint.com.

Yours truly,

Trinity Point Developments

Per:



Gabriel DiMartino, MCIP, RPP
Senior Vice President, Development

c.Sharewell Investments Inc.



A149/23

February 26, 2024

City of Vaughan

2141 Major Mackenzie Dr.

Vaughan, Ontario

L6A 1T1

Attention: Christine Vigneault
Manager of Development Services and
Secretary-Treasurer to the Committee of Adjustment

Dear Ms. Vigneault,

RE: **Revised Minor Variance Application No. A149/23**
Sharewell Investments Inc.
9929 Keele St.
City of Vaughan

Trinity Point Developments is the applicant for Sharewell Investments Inc. regarding the captioned Minor Variance Application No. A149/23 in respect of the lands at 9929 Keele Street (herein referred to as the 'Subject Property'). Application No. A149/23 was originally scheduled to be considered at the October 19, 2023 Committee of Adjustment meeting. However, further investigation of the existing subsurface artesian condition on the subject property necessitated a revision to the design of the proposed mixed-use development and as such, we requested a deferral of the application to enable the design revision to be undertaken and Site Plan Application DA.23.001 and Minor Variance Application No. A149/23 to be revised accordingly. Consequently, the enclosed materials and justification have been prepared in support of the revised captioned application which is based on the revised design.

A Site Plan application for the subject property was submitted to the City on January 12, 2023 for a mixed-use development consisting of a 4-storey building with a total of 110 apartment units and a ground floor commercial area, comprising a total Gross Floor Area of 10,978 m² (118,166.2 ft.²). The application (DA.23.001) was deemed to be complete by the City on February 28, 2023 and the application was circulated with the first submission comments received from the City. As noted above, the design of the proposed mixed-use development has been revised and the Site Plan application will be revised accordingly and re-submitted to the City upon consideration of the captioned Minor Variance application by the Committee of Adjustment, which seeks relief based on the revised design.

1681 Langstaff Rd,
Vaughan, ON L4K 5T3

Trinitypoint.com
T 416-525-4507

1.0 Summary of Proposed Variances

The following is a summary of the proposed variances applied for:

1. To permit a maximum building height of 5-storeys (18.0 m), whereas the maximum height permitted is 4-storeys (15.5 m), as set out in Section 14.72.2 (1) (c) (i) and (ii) and Figure E-162 of By-law No. 001-2021;
2. To permit dwelling units on the 5th storey, whereas a dwelling unit shall not be permitted above the 4th storey, as set out in Section 14.72.2 (1)(j) of By-law No. 001-2021;
3. To permit a total of 129 parking spaces to be provided in an above-grade parking structure integrated within the building, whereas a total of 136 parking spaces shall be provided within a parking structure located below-grade, as set out in Section 14.72.3 (1) (e) of By-law No. 001-2021; and
4. To permit a minimum amenity area of 2580 m², whereas a minimum amenity area of 3115 m² is required, as set out in Section 14.72.2 (1) (i) of By-law No. 001-2021.

2.0 Locational Context

The subject property site is at the municipal address 9929 Keele Street, Vaughan (Maple), Ontario., just south of Major Mackenzie Drive West. The site is on the east side of Keele Street, South of Major Mackenzie Drive West. The subject property has a site area of 0.737 (hectares (1.82 acres) and is currently occupied by a commercial plaza containing two, one-storey commercial buildings.

Surrounding Land uses consist of the following:

North: 4-storey residential building

South: 3-storey mixed use building in an area designated as Low-Rise Mixed Use

East: 2-storey single-detached dwellings in an area designated and Zoned as Low-Rise Residential

West: A place of worship, along with a Canada post office, and a 3-storey residential apartment building

3.0 Background

The Official Plan Amendment and Zoning By-law Amendment applications (Z.20.043 and OP.20.016) were submitted to the City of Vaughan on December 21, 2020, by Trinity Point Developments, and a Notice of Complete Application was issued by the City and provided on

February 8, 2021. City staff provided several comments, which were addressed and resubmitted on February 28, 2022. The Official Plan and Zoning By-law Amendments were approved by the Committee of the Whole on June 21, 2022, and ratified by City Council on June 28, 2022. Zoning By-law Amendment Nos. 163-2022 and 164-2022 (OPA No.82) are currently in full force and effect.

With the approval of the City's New Comprehensive Zoning By-law No 001-2021, Sharewell Investments Inc. appealed the Zoning By-law to ensure that the site specific exceptions conferred on the subject property through the approval of By-law No. 163-2022, which amended the then in force Comprehensive Zoning By-law No. 1-88, were recognized as an exception in Zoning By-law No. 001-2021. The appealed was settled and resulted in Site Specific Exception No. 14.72 (By-law No. 163-2022) being included in Zoning By-law No 001-2021.

4.0 Revised Design and Site Plan Application

While awaiting receipt of the 1st submission Site Plan Application comments, and working through structural, servicing and dewatering designs in response to the subsurface artesian groundwater condition (uplift pressure) from the shallow depth aquifer located beneath the site, the project hydrogeological engineer advised that based on continued investigation and monitoring of the groundwater, that the originally recommended design options that were being considered (either waterproofing the foundation/raft slab/foundation tie downs or continuously dewatering of groundwater into the City's storm sewer) raised potential long term structural concerns (groundwater leaking into the underground parking garage and/or potential building uplift). As such, it was strongly recommended to eliminate the 1-level underground parking garage structure (which could be subjected to groundwater infiltration and/or artesian uplift pressure due to its close proximity to the level of the aquifer) and relocate the parking structure above-grade and integrate it within the building.

As a result, the proposed mixed-use project has been redesigned to include an above-grade parking structure for resident parking fully integrated within the building and located on the 2nd and 3rd storeys. Residential visitor parking has been also relocated to the covered ground floor parking area together with the commercial parking.

Incorporating the integrated above-grade parking structure (2 parking levels and associated ramps and required headroom clearance) while maintaining thicker floor slabs, the non-carbon based VRF HVAC system, recapturing the displaced residential units approved by Council, the indoor and outdoor amenity areas, bicycle parking, storage lockers, mechanical/electrical rooms in the redesigned building, precipitated the addition of one additional storey, resulting in a 5 storey building with a building height of 18 m, which represents a nominal 2.5 m (8.2 ft.) increase in height. The redesigned building maintains 110 residential units (104 apartment units and 6, 2-story ground floor units which have direct access to Keele St.), totaling 9,824 m² (105,741 ft.²) Gross Floor Area and 688 m² (7,409 ft.²) of ground floor Commercial Gross Floor Area, for a total project Gross Floor Area of 10,512 m²(113,150 ft.²), resulting in a Floor Space Index (FSI) of 1.39.

Vehicular ingress/egress for the revised development continues to be provided by two entrances off of Keele Street, one of which is the existing northerly entrance which is shared with the adjacent residential condominium development to the north via reciprocal easements. The drive aisle will direct vehicles to the rear(east) side of the building, where covered at-grade parking for both the commercial uses and the residential visitors is located. The access ramp to the residential above-grade parking is located within the covered at-grade parking area. The proposed revised development continues to put a major focus on a total indoor and outdoor amenity area (2,580m²), which is comprised of outdoor at-grade landscaped space (379 m²), an outdoor amenity area located on the 4th floor (1092 m²), private balcony areas (898 m²), and two indoor amenity areas located on the 4th floor (211 m²) contiguous to the outdoor amenity area.

A Minor Variance Application is required to support the overall architectural revisions and refinements incorporated into the project design as a result of the relocation of the underground parking structure to an above-ground integrated parking structure within the building, as a result of the subsurface artesian conditions, as well as to improve the functionality and environmental sustainability, while also providing additional design flexibility to the proposed mixed-use development.

5.0 Proposed Variances

The proposed variances to Zoning By-law No. 001-2021, as amended by By-law No. 163-2022, are further described as follows:

- 1. To permit a maximum building height of 5 storeys (18.0 m), whereas the maximum height permitted is 4 storeys (15.5 m) as set out in Section 14.72.2 (1) (c) (i) and (ii) and Figure E-162 of By-law No. 001-2021; and**
- 2. To permit dwelling units on the 5th storey, whereas a dwelling unit shall not be permitted above the 4th storey as set out in Section 14.72.2 (1) (j) of By-law No. 001-2021**

In response to the potential of long term impacts on the below grade parking garage structure from the existing sub surface artesian condition on the subject property, the project has been redesigned to relocate the below grade structure to an above grade parking structure that is fully integrated with the building and is located on the 2nd and 3rd storeys of the redesigned building. In order to accommodate the relocated structure and associated ramps and the required headroom clearances, and recover the residential units on the second and third storeys that were displaced to accommodate the parking structure, a 5th storey has been added to the proposed design to accommodate the displaced units.

Due to artesian groundwater pressure under the site, thicker floor slabs are also required to increase the building's weight in order to counterbalance the upward pressure of the artesian

condition, resulting in unit ceiling heights being reduced. The requested additional 1 storey (2.5 m height) would be distributed between floors 2 through 5, resulting in the provision of more functional and livable units with higher ceiling heights, including the addition of an upper floor to the 6 at-grade units, resulting in larger family sized units.

In addition, the proposed development will be using a VRF (Variant Refrigrant Flow) HVAC system. The VRF system, which is powered by electricity and is therefore non-carbon based, is being implemented to assist the development in achieving the required Silver Sustainability Metrics Performance threshold. This standard is required for sites located along Intensification Corridors and Heritage Conservation Districts, which can be found in the 2023 Sustainability Metrics Program Guidebook. The imposition of the Silver threshold recently came into force, after the approval of the Official Plan and Zoning By-law amendment applications by Council, which amongst other performance standards, prescribed a maximum height.

The VRF units are installed in the condominium units horizontally within the ceiling, rather than vertically like a standard HVAC system (Heat Pump or Fan Coil), thereby resulting in additional floor heights being required in order to accommodate the VRF system, while maintaining a comfortable and functional ceiling height within the units. Noise attenuation is another major reason for the requested additional floor height. In order to accommodate the proper noise attenuation measures within each ceiling, together with the appropriate clearances required for the installation of the VRF system, the increased floor height is necessary. The increased floor height permits the accommodation of the mechanical system and noise attenuation measures, including attenuation measures for the two indoor amenity areas on the 4th floor, while still maintaining appropriate ceiling heights reflective of market demand and ensuring the efficient functionality and livability of the units and the indoor amenity areas.

The requested relief in Variance No. 2 is directly related to the addition of the 5th storey as described above regarding Variance No.1, and removes the restriction and thereby permits the location of dwelling units on the proposed additional 5th storey.

3. To permit a total of 129 parking spaces to be provided in an above-grade parking structure integrated within the building, whereas a total of 136 parking spaces shall be provided within a parking structure located below-grade, as set out in Section 14.72.3 (1) (e) of By-law No. 001-2021.

The requested relief would facilitate the relocation of the resident and residential visitor parking spaces originally located within the below grade parking garage structure, to an above grade parking structure that is integrated within the building and located on floors 2 and 3 (resident parking), in response to potential long term impacts to the originally proposed below grade parking structure, from the artesian groundwater conditions located just below the subject property. The residential visitor parking is relocated to within the covered at-grade parking area together with the required commercial parking.

The original project design as approved by Council through the approval of OPA No. 82 and Zoning Amendment No. 163-2022, included a 1-level below grade parking structure which contained 136 parking spaces (114 residential spaces and 22 residential visitor spaces). The required commercial spaces and 1 residential visitor parking space were located at-grade in a covered parking area.

As such, relief is required to facilitate the relocation of the below grade parking structure and parking spaces, to an above grade parking structure integrated within the building, which will contain 129 resident parking spaces for 110 residential units. The required 22 residential visitor parking spaces and the required 39 commercial parking spaces have been consolidated at-grade in a covered parking area contiguous to the commercial area, via the pedestrian breezeway, and the residential lobby entrance.

4. To permit a minimum amenity area of 2580 m², whereas a minimum amenity area of 3115 m² is required, as set out in Section 14.72.2 (1) (i) of By-law No. 001-2021.

The relocation of the below grade parking structure to an above grade parking structure integrated within the building impacted the 2nd and 3rd floors of the original design and resulted in the relocation/recapture of the displaced units to a new 5th storey, together with the relocation of the outdoor amenity area and contiguous indoor amenity area from the 2nd floor to the 4th floor. The at-grade outdoor amenity area remains unchanged.

As a result of the relocation and the redesign, the size of the large outdoor amenity area and the two indoor amenity areas has been slightly reduced. In addition, the redesign resulted in the reduction/elimination of the terrace areas on the 4th floor which has resulted in the bulk of the reduction in the total amenity area.

Notwithstanding the reduction, the total indoor and outdoor amenity area is still substantial and greatly exceeds the amenity area requirement of Zoning By-law 001-2021 of 574 m², whereas 2580 m² is being provided. The very slight reduction in size and configuration of both the outdoor and indoor amenity areas on the 4th floor does not impact the layout and programming of these areas, which will still be able to adequately serve the 110 residential units. The total amenity area represents the provision of 23 m² of amenity area/unit, whereas Zoning By-law No. 001-2021 requires a minimum of 5.2 m²/unit.

6.0 Planning Analysis and Justification of Proposed Minor Variances

The Planning Act, R.S.O 1990, c. P.13 sets out the legal framework that governs the consideration of minor variance applications by the Committee of Adjustment. Section 45 of the Planning Act states that the Committee of Adjustment can make decisions regarding minor variance applications. Pursuant to Section 45(1) of the Planning Act, a minor variance must satisfy the four tests described in the section below.

1. The Proposed Variances maintain the general intent and purpose of the Official Plan.

The City of Vaughan Official Plan (VOP 2010), as amended by Official Plan Amendment No. 82, designates the subject property, which is located within the Maple Heritage Conservation District, "Low-Rise Mixed Use". The subject property is also located within a Local Centre which encourages a mix of housing types, retail and office uses and densities and within the Maple Heritage Conservation District, and is within 800 m (10 minute walking distance) of the Maple GO Station. VOP 2010 also designates Major Mackenzie Dr. as a Primary Intensification Corridor and Rapid Transit Corridor (with a planned future BRT route), and Keele St. as a Regional Transit Priority Network, which encourages intensification and greater building heights.

Variance Nos.1 and 2 seek to increase the maximum height by one storey (2.5 m), resulting in a 5 storey (18 m) building and to permit residential units on the 5th storey, in order to facilitate the relocation of the below grade parking garage to an above grade parking garage fully integrated into the building, while recapturing the displaced units to accommodate the parking structure on the 5th storey, in response to existing subsurface artesian groundwater conditions. The additional height will also facilitate architectural refinements required to accommodate for thicker structural floor slabs to increase the building weight to counteract the upward pressure from the artesian groundwater condition, noise attenuation measures and appropriate clearances required for the VRF HVAC system for the development, and the provision of an upper level to the 6 at-grade units, resulting in larger, family size units in keeping with Section 7.5.2 of VOP 2010, while maintaining appropriate ceiling heights to maintain the functionality and livability of the units.

Given that the subject property is located within a Local Centre, on a Regional Transit Priority Network, in close proximity to a Primary Intensification Corridor (with a planned future BRT route), the proposed 1 storey (2.5 m) increase in height maintains a contextual appropriateness and maintains conformity with the maximum FSI of 1.4, while ensuring that the project achieves the Silver threshold under the recently approved Sustainability Metrics Program, which came into effect in January 2023, after Council approval of the Official Plan and Zoning By-law Amendment applications in 2022. As per section IB-11 of the Sustainability Metrics Guidebook, utilizing efficient, non-carbon-based HVAC systems like the VRF system can earn up to 9 additional points. Utilizing a more energy efficient, non-carbon based system is consistent with Section 1.5 of the Official Plan, which states that one of the main goals of the Official Plan is to create a green and sustainable City through minimizing energy use, and sustainable land-use planning.

Variance No.3 would facilitate the relocation of resident parking from within a below grade parking structure to an above grade parking structure that is fully integrated within the building. In the revised design, all commercial parking remains located in a covered parking area on the ground floor, together with all residential visitor parking which has been relocated from the below grade parking garage in the previous design. Resident parking (129 spaces) are located in the 2-level above grade integrated parking structure located on the 2nd and 3rd floors. The above

grade parking structure is fully integrated within the building and will not be visible from Keele St. as it is fronted with residential units in conformity with Section 4.3.2.8 of VOP 2010 and has been designed in a manner that is compatible with the heritage surroundings in conformity with Section 6.2.2.9 (f) of VOP 2010. The integrated parking structure will also not be visible from the rear yards of the residences along Oakdale Rd. to the rear of the subject property, as the rear of the building encompassing the above grade structure utilizes a combination of cladding (precast, brick) fenestration that provides natural light into the structure while shielding vehicle headlights into the rear yards, together with balcony railings, so that the rear elevation treatment is consistent with the remainder of the building.

The requested variance would facilitate the continued provision of a secure parking area for resident parking, while permitting all the at-grade parking to be dedicated to both commercial users residential visitors. As noted in Section 4.2.2.6 of the Official Plan, it is a goal of the City of Vaughan to encourage parking lots and structures to be developed as high-quality examples of good urban design with an emphasis placed on permeability and safety. The requested variance is consistent with the Official Plan as it would facilitate secure resident parking located within an integrated above grade parking structure. Furthermore, relocating the residential visitor parking to the covered at-grade area together with the commercial will allow for more efficient design and operations that better supports both the commercial retail space users along with the residents and their visitors.

Variance No. 4 would facilitate a reduction in the minimum amenity area (indoor/outdoor) which was precipitated by the redesign of the building in order to relocated the below grade parking structure to an integrated above grade parking structure in response to artesian groundwater conditions prevalent on the subject property. While the amount of the amenity area has been reduced, outdoor amenity areas continue to be provided at-grade, on the 4th floor (on the rooftop of the integrated parking structure) and on balconies/terraces, together with the two indoor amenity areas on the 4th floor contiguous to the larger outdoor amenity area. As such, conformity is maintained with Sections 9.1.2.7 (i) (provision of appropriate indoor and outdoor amenity areas) and Section 9.2.3.5 (f) (provision of outdoor amenity space on Mid-Rise building rooftops) as the outdoor amenity area is situated on the 3rd storey rooftop portion of the above grade parking garage. The size and configuration of both the large outdoor amenity area and the two indoor amenity areas have only been slightly reduced such that there is no impact on the layout and programming and the amenity areas can continue to more than adequately serve the needs of the 110 units. While reduced, the amount of total amenity area continues to substantially exceed the requirements of Zoning By-law No. 001-2021, with the provision of 23 m² of amenity area/unit versus the minimum by-law requirement of 5.2 m²/unit.

2. The Proposed Variances maintain the general intent and purpose of the Zoning By-Law.

The City of Vaughan's New Comprehensive Zoning Law No. 01-2021 was enacted on October 21, 2021 and approved by the Ontario Land Tribunal (OLT) on January 18, 2023 and subsequent amendments thereto on April 23, 2023. The Comprehensive Zoning by-law regulates the use of

lands within the City of Vaughan, and maintains the character of the City through a variety of requirements. The subject property is zoned Main Street Mixed-Use-Maple Zone (MMS), Exception Number 72 (By-law 163-2022), which reinforces the parent by-law through the provisions relating to built form which ultimately work to ensure that the proposed mixed-use development on the subject property will integrate seamlessly with adjacent built form and the public realm.

The proposed variances maintain the subject property's planned function, built form and Building Envelope as approved by Council (Exception Number 72), and will not have any adverse impacts on adjacent lands and structures. All other performance standards continue to be complied with and as such, the proposed variances maintain the general intent and purpose of Zoning By-law No. 001-2021, as amended by By-law No. 163-2022.

3. The proposed variances will permit a mixed-use development that is desirable for the subject lands.

Through the processing and approval of the Official Plan and Zoning By-law Amendment applications, the appropriateness of the mixed-use development on the subject lands has been established. The proposed variances are required to facilitate the architectural revisions and refinements in respect of the relocation of the below grade parking structure to an above grade structure fully integrated within the building, in response to an existing subsurface artesian condition on the subject property, and are desirable in that they negate any potential long term structural impacts below grade while accommodating the recapture of the displaced residential units on the 2nd and 3rd floor to accommodate the parking structure to the 5th floor. The proposed variances also serve to improve the efficiency, functionality and environmental sustainability of the mixed-use development. The additional height requested of 1 storey (2.5 m) also provides additional design flexibility for floor slab thicknesses which increase the buildings weight, required to counterbalance the upward pressure from the artesian groundwater condition, while also accommodating required noise attenuation measures and the horizontally placed and more environmentally sustainable VRF HVAC system. The revised design also provides for 6 at-grade, two-storey units, resulting in larger family size units consistent with Section 7.5.2 of VOP 2010.

The redesigned building also respects the general intent of the 45 degree angular plane guideline in the City's Mid Rise Buildings Guidelines, with just a slight protrusion into the plane at the 5th floor level only at the two wings of the building. Furthermore, the above grade parking structure is fully integrated within the building and is not visible from Keele St. as it is fronted with residential units, nor is it visible from the rear yards of the units on Oakdale Rd. that back onto the subject property, as it is appropriately cladded with precast/brick/balcony fencing such that it maintains the architectural consistency of the building materials and eliminates any visual or headlight impacts of the vehicles. Finally, consolidating all commercial and residential visitor parking in the covered parking area at-grade allows for better functionality, operational efficiencies and safety for residents and residential visitors, while providing parking in close proximity to both the commercial portion and the residential lobby entrance.

4. The proposed Variances are Minor in Nature.

In light of key considerations such as built form, urban design, public realm, infrastructure and transportation impacts on surrounding uses, it is our opinion that the proposed variances are minor in nature.

The additional height of 1 storey (2.5 m) negates any potential long term impacts on the below grade structure of the building resulting from the existing artesian groundwater condition, by facilitating the relocation of the below grade parking structure to an above grade parking structure which is fully integrated and not visible from either Keele St. or by the residences on Oakdale Rd. to the rear of the subject property, while also accommodating the recapture of the displaced residential units to accommodate the relocated parking structure, in keeping with the number of units previously approved by Council. The revised building design also provides design flexibility to accommodate for thicker structural floor slabs, the VRF HVAC system, and required noise attenuation measures, while maintaining appropriate ceiling heights and the functionality and livability of the units, as well as facilitating the provision of 6, 2-storey at grade larger units that cater to families, larger households and move down purchasers who prefer larger units. Furthermore, all commercial and residential visitor parking has been consolidated at grade in a covered parking area, which permits more efficient operations which better supports both the commercial patrons and the residential visitors given the proximity of the parking to both the commercial portion and the residential lobby entrance. Finally, the reduction in the total amenity area is predominantly a result of the reduction in oversized terraces, with the large outdoor amenity area and the two contiguous indoor amenity areas located on the 4th floor only slightly reducing in size, thereby not impacting their layout and programming and ensuring that the residents of the 110 units are more than adequately served. The reduced amount of total amenity area is still substantial and represents over 4 times the minimum amenity area required by Zoning By-law No. 001-2021.

5.0 Conclusion

Based on the preceding analysis, it is our opinion that the proposed variances satisfy the four tests identified in Section 45 (1) of the Planning Act, R.S.O 1990 c. P.13 and represents good planning. The variances will maintain the subject property's overall planned function and built form, as approved by Council, and will not negatively impact the surrounding lands and structures. The requested variances maintain the general intent and purpose of both the Official Plan (VOP 2010), as amended by Official Plan Amendment No. 82, and Zoning By-law No. 01-2021, as amended by By-law No. 163-2022, and are considered to be appropriate for the development of the subject property and are minor in nature. Therefore, we respectfully request that the variances be approved.


In support of the Revised Minor Variance Application, please find enclosed the following:

1. Architectural Plans
2. Variance Chart
3. Setback Chart
4. Size Chart
5. Authorization Form
6. Authorization Statements
7. Sworn Declaration Form
8. Tree Declaration Form

We trust that the information included with this application is complete and sufficient to allow for its circulation, review and scheduling to the March 14, 2024 C ommittee of Adjustment meeting.

Should you have any questions or require any additional information, please contact the undersigned at 416.525.4507, ext. 211 /gdimartino@trinitypoint.com , or Josh Chiapetta at ext. 212/joshc@trinitypoint.com .

Yours truly,
Trinity Point Developments
Per:



Gabriel DiMartino, MCIP, RPP
Senior Vice President, Development

c.Sharewell Investments Inc.

Lenore Providence

Subject: FW: [External] File # A149/23

From: Sundisha Koonjul <>
Sent: Tuesday, March 26, 2024 2:20 PM
To: Committee of Adjustment <CofA@vaughan.ca>
Subject: [External] File # A149/23

CAUTION! This is an external email. Verify the sender's email address and carefully examine any links or attachments before clicking. If you believe this may be a phishing email, please use the Phish Alert Button.

Hello City of Vaughan

I am writing with regards to the above-mentioned file pertaining to 9929 Keele St, Vaughan.

I would like to express my opposition to having a 5-storey building in the conservation of Maple Village District. I am a resident of 9973 Keele St, and already the overlap of the building to cover the parking lot is of concern. Now even, the height is being pushed to disregard zoning by-laws.

There should be not a 5th storey, nor residential units above the 4th storey.

This will largely destroy the well-preserved heritage district that Maple prides itself with.

Sundisha Koonjul
9973 Keele St, Unit 210
Maple ON L6A 3Y5

SCHEDULE D: BACKGROUND

None