

<b>ITEM: 6.8</b>	<b>REPORT SUMMARY MINOR VARIANCE APPLICATION FILE NUMBER A107/24</b>
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Report Date: September 6, 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 Engineering	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Recommend Approval/No Conditions
Development Planning	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Application Under Review
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
TRCA	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

<b>PUBLIC &amp; APPLICANT CORRESPONDENCE (SEE SCHEDULE C)</b>				
<p>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.</p>				
Correspondence Type	Name	Address	Date Received <small>(mm/dd/yyyy)</small>	Summary
Applicant			08/01/2024	Planning Justification Letter

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

<b>ADJOURNMENT HISTORY</b>	
<p>* Previous hearing dates where this application was adjourned by the Committee and public notice issued.</p>	
Hearing Date	Reason for Adjournment <small>(to be obtained from NOD_ADJ)</small>
None	N/A

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



**MINOR VARIANCE APPLICATION  
FILE NUMBER A107/24**

<b>CITY WARD #:</b>	5
<b>APPLICANT:</b>	300 Atkinson Inc.
<b>AGENT:</b>	Sabrina Sgotto & Steven Pham
<b>PROPERTY:</b>	300 Atkinson Ave, Thornhill
<b>ZONING DESIGNATION:</b>	See Below
<b>VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:</b>	Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential" by Volume 2, Section 13.61 300 Atkinson Avenue (OPA #65)
<b>RELATED DEVELOPMENT APPLICATIONS:</b>	OP.19.001, Z.19.002, DA. 19.083 & 19CDM-21V005
<b>PURPOSE OF APPLICATION:</b>	Relief from the Zoning By-law is being requested to permit the as-built conditions of the townhouse units constructed on Block 1 and Blocks 7 to 15, inclusive. Relief is also required to facilitate related Site Plan Application DA.19.081.  The blocks over Part 10 on Plan 65R-15225 (300 Atkinson Avenue), including Block 1 and Blocks 7 to 15, as outlined on the Plan of Survey have not been created yet.

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

**The subject lands are zoned RT1 – Townhouse Residential Zone and subject to the provisions of Exception 14.1127 under Zoning By-law 001-2021, as amended.**

#	Zoning By-law 001-2021	Variance requested
1	A maximum encroachment of 0.6 metres into any required yard is permitted for a canopy [Table 4-1].	To permit a maximum encroachment of 0.8 metres into any required yard for a canopy for Blocks 7-15.
2	The minimum required Front Yard Setback shall be 2.0 m for Blocks 13 and 15 [Exception 14.1127.1.3]	To permit a minimum Front Yard Setback of 1.46 m for Part 75 of Block 13, and 0.92 m for Part 51 of Block 15
3	The minimum required Rear Yard Setback shall be 2.4 m for Block 1 [Exception 14.1127.1.4]	To permit a minimum Rear Yard Setback of 1.42 m for Part 1 of Block 1.

**The subject lands are zoned RT1 – Residential Townhouse Zone and subject to the provisions of Exception 9(1538) under Zoning By-law 1-88, as amended.**

#	Zoning By-law 1-88	Variance requested
4	A maximum encroachment of 0.5 metres into any required yard is permitted for a canopy [Section 3.14 a)].	To permit a maximum encroachment of 0.8 metres into any required yard for a canopy for Blocks 7-15.
5	The minimum required Front Yard shall be 2.0 m for Blocks 13 and 15 [Exception 9(1538) ev)].	To permit a minimum Front Yard of 1.46 m for Part 75 of Block 13, and 0.92 m for Part 51 of Block 15
6	The minimum required Rear Yard shall be 2.4 m for Block 1 [Exception 9(1538) evi)].	To permit a minimum Rear Yard of 1.42 m for Part 1 of Block 1.

## HEARING INFORMATION

**DATE OF MEETING:** Thursday, September 12, 2024

**TIME:** 6:00 p.m.

**MEETING LOCATION:** Vaughan City Hall, Woodbridge Room (2<sup>nd</sup> Floor), 2141 Major Mackenzie Drive

**LIVE STREAM LINK:** [Vaughan.ca/LiveCouncil](http://Vaughan.ca/LiveCouncil)

### PUBLIC PARTICIPATION

If you would like to speak to the Committee of Adjustment at the meeting, either remotely or in person, please complete the [Request to Speak Form](#) and submit to [cofa@vaughan.ca](mailto:cofa@vaughan.ca)

If you would like to submit written comments, please quote file number above and submit by mail or email to:

**Email:** [cofa@vaughan.ca](mailto:cofa@vaughan.ca)

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

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

**THE DEADLINE TO REGISTER TO SPEAK ELECTRONICALLY OR SUBMIT WRITTEN COMMENTS ON THE ABOVE NOTED FILE(S) IS NOON ON THE LAST BUSINESS DAY BEFORE THE MEETING.**

## INTRODUCTION

Staff and Agencies act as advisory bodies to the Committee of Adjustment. The comments contained in this report are presented as recommendations to the Committee.

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

<b>Date Public Notice Mailed:</b>	August 29, 2024
<b>Date Applicant Confirmed Posting of Sign:</b>	August 14, 2024
<b>Applicant Justification for Variances:</b> <small>*As provided in Application Form</small>	Please refer to planning justification letter.
<b>Was a Zoning Review Waiver (ZRW) Form submitted by Applicant:</b> <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"/>
<b>COMMENTS:</b>	
None	
<b>Committee of Adjustment Recommended Conditions of Approval:</b>	None

## BUILDING STANDARDS (ZONING)

\*\*See Schedule B for Building Standards (Zoning) Comments

<b>Building Standards Recommended Conditions of Approval:</b>	None
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## DEVELOPMENT PLANNING

\*\*See Schedule B for Development Planning Comments.

<b>Development Planning Recommended Conditions of Approval:</b>	TBD
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## DEVELOPMENT ENGINEERING

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

Development Engineering does not object to Minor Variance A107/24

<b>Development Engineering Recommended Conditions of Approval:</b>	None
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## PARKS, FORESTRY & HORTICULTURE (PFH)

No comments received to date.

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

No comment no concerns

<b>Development Finance Recommended Conditions of Approval:</b>	None
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## BY-LAW AND COMPLIANCE, LICENSING AND PERMIT SERVICES

No comments received to date.

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

No comments received to date.

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

No comments received to date.

<b>Fire Department Recommended Conditions of Approval:</b>	None
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## 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 <a href="mailto:Alyssa.pangilinan@vaughan.ca">Alyssa.pangilinan@vaughan.ca</a>	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.

**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.

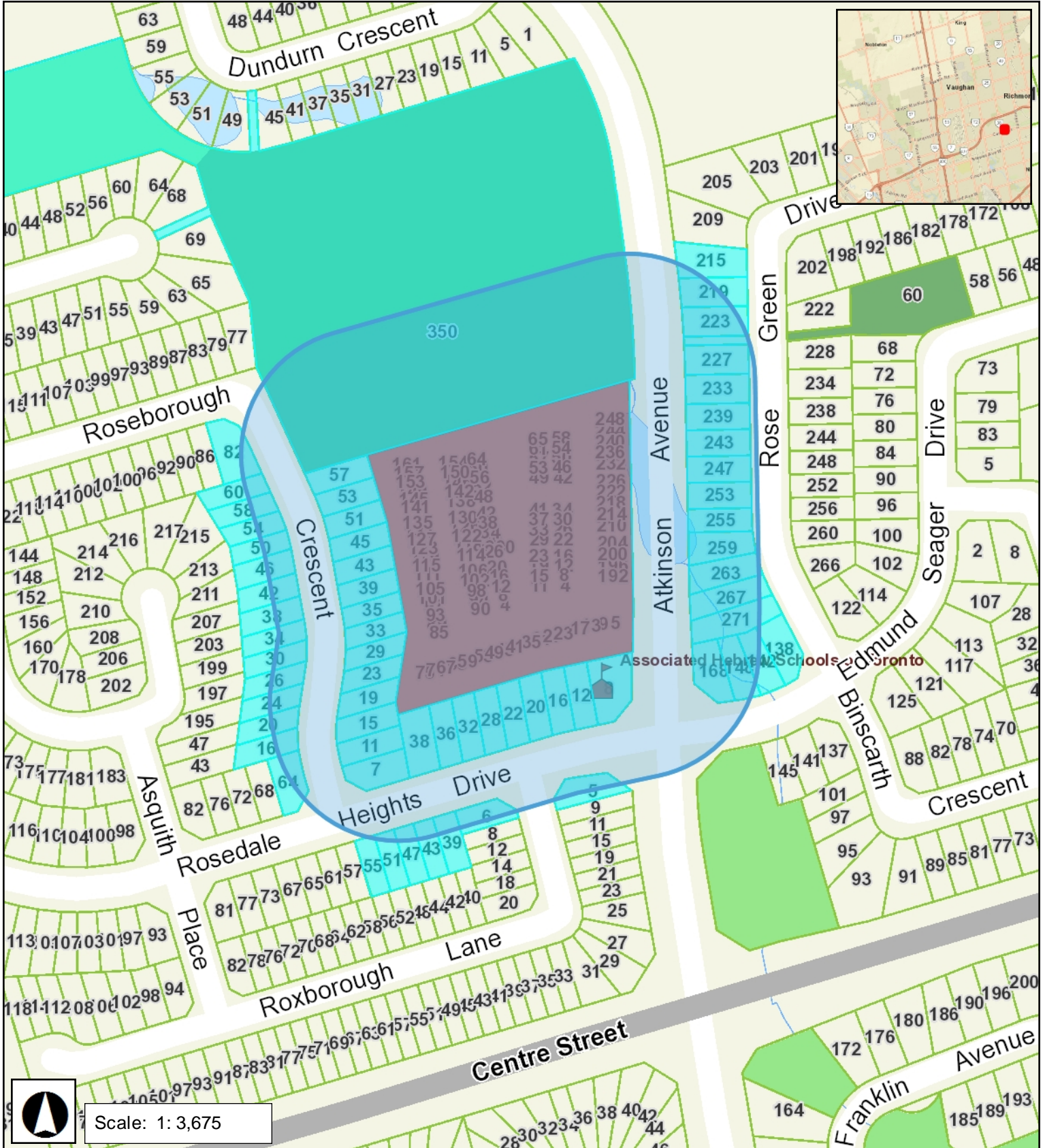
That the payment of the City Development Charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the City's Development Charges By-law in effect at the time of payment.

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**







R. AVIS SURVEYING INC.

METRIC : DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

© COPYRIGHT: "NO PERSON MAY COPY, REPRODUCE, DISTRIBUTE OR ALTER THIS PLAN IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF R. AVIS SURVEYING, O.L.S."

NOTES AND LEGEND

BEARINGS SHOWN HEREON ARE GRID BEARINGS AND ARE DERIVED FROM OBSERVED REFERENCE POINTS (A) AND (B), HAVING A BEARING OF N09°38'20"W BY REAL TIME NETWORK (RTN) OBSERVATIONS ZONE 10, CENTRAL MERIDIAN 81° WEST LONGITUDE. (6° MODIFIED TRANSVERSE MERCATOR PROJECTION, NAD 83 (CSRS-2010).

DISTANCES SHOWN HEREON ARE GROUND DISTANCES AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY A COMBINED SCALE FACTOR OF 0.999762.

- DENOTES SURVEY MONUMENT FOUND
□ DENOTES SURVEY MONUMENT PLANTED
SSIB DENOTES STANDARD IRON BAR
SIB DENOTES SHORT STANDARD IRON BAR
IB DENOTES IRON BAR
CC DENOTES CUT CROSS
WIT DENOTES WITNESS
MEAS/M DENOTES MEASURED
OU DENOTES ORIGIN UNKNOWN
RP DENOTES REGISTERED PLAN 65M-2219
P DENOTES PLAN OF SURVEY BY KRCMAR SURVEYORS LTD., O.L.S. DATED SEPTEMBER 20, 2018
P1 DENOTES PLAN 65R-15225
(1370) DENOTES KRCMAR SURVEYORS LTD. O.L.S.
(U) DENOTES UNDERGROUND GARAGE WALL P1 LEVEL

FOR EASE OF BEARING COMPARISONS A ROTATION OF 1°08'45" CCW (COUNTER-CLOCKWISE) WAS APPLIED TO REGISTERED PLAN 65M2219 AND PLAN 65R-15225.

FOR EASE OF BEARING COMPARISONS A ROTATION OF 1°04'40" CCW (COUNTER-CLOCKWISE) WAS APPLIED TO PLAN 65R-15225 AND PLAN OF SURVEY BY KRCMAR SURVEYORS LTD. O.L.S. DATED SEPTEMBER 20, 2018.

Table with 3 columns: OBSERVED REFERENCE POINTS (ORPs), UTM ZONE 17, NAD83 (CSRS-2010). Includes POINT ID, NORTHING, and EASTING for ORP A, ORP B, and points 1 through 9.

- (1) THE UTM COORDINATES LISTED ABOVE ARE TO AN URBAN ACCURACY, PER SUBSECTION 14(2) OF ONTARIO REGULATION 216/10 FILED UNDER THE SURVEYORS ACT.
(2) THE UTM COORDINATES LISTED ABOVE ARE TO BE USED FOR GEOGRAPHIC INFORMATION SYSTEM INTEGRATION ONLY AND CANNOT BE USED TO RE-ESTABLISH THE PROPERTY CORNERS OR BOUNDARIES SHOWN HEREON.

PART 2 : REPORT SUMMARY MUNICIPAL ADDRESS: 300 ATKINSON AVENUE VAUGHAN

- PROPERTY DESCRIPTION: PIN 03260-0354(LT) PCL 165-2, SEC 65M2219; PT BLK 165, PL 65M2219, PART 10, 65R15225; VAUGHAN
- MUNICIPAL ZONING: THIS SURVEY DOES NOT CERTIFY ZONING COMPLIANCE.
- REGISTERED EASEMENTS:
• SUBJECT TO EASEMENT FOR BELL CANADA AS IN INST. YR3601145.
• SUBJECT TO EASEMENT FOR ALECTRA UTILITIES CORPORATION AS IN INST. YR3585629.
• SUBJECT TO EASEMENT FOR ENBRIDGE GAS INC. AS IN INST. YR3610784.
• SUBJECT TO EASEMENT FOR ROGERS COMMUNICATIONS CANADA INC. AS IN INST. YR3613959.
- BUILDING TIES SHOWN HEREON ARE TO THE CONCRETE FOUNDATIONS UNLESS OTHERWISE NOTED.
- BUILDING LAID OUT IN ACCORDANCE WITH THE SITE PLAN AND INSTRUCTION.

PREPARED FOR : 300 ATKINSON INC. (CURRENT OWNER)

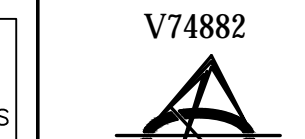
SURVEYOR'S CERTIFICATE

I CERTIFY THAT
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT AND THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE 21ST DAY OF MARCH, 2024

MARCH 21, 2024
DATE FARROKH ASSAIE ARDAKANY
Ontario Land Surveyor

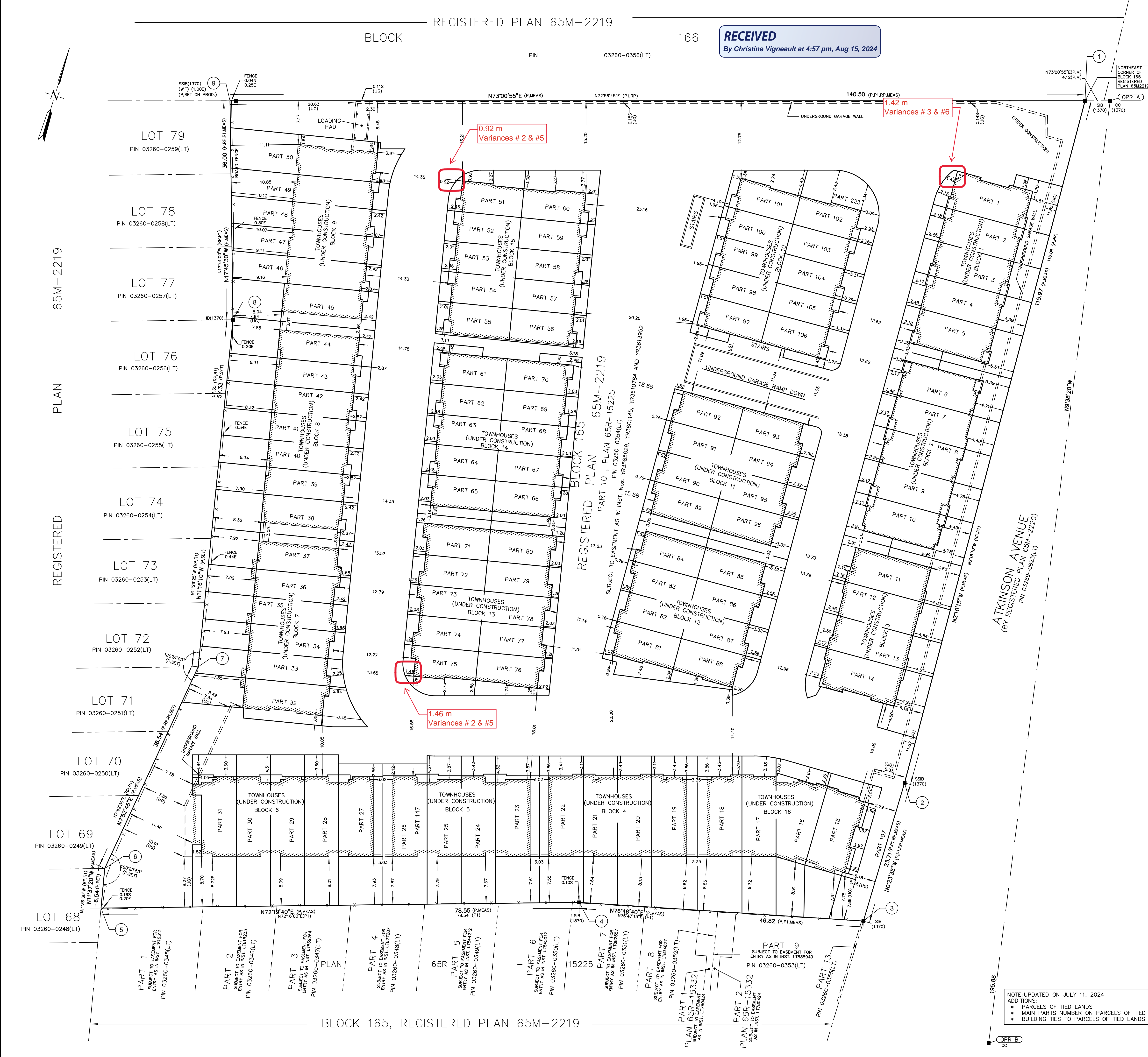
"THIS PLAN OF SURVEY RELATES TO AOLS PLAN SUBMISSION FORM NUMBER V74882"

ASSOCIATION OF ONTARIO LAND SURVEYORS PLAN SUBMISSION FORM V74882



R. AVIS SURVEYING INC.
SUITE 203
235 YORKLAND BOULEVARD
TORONTO, ONTARIO
M2J 4Y8
TEL: (416) 490-8352 FAX: (416) 491-6206
www.ravissurveying.com

THIS PLAN IS NOT VALID UNLESS IT IS AN EMBOSSED ORIGINAL COPY ISSUED BY THE SURVEYOR IN ACCORDANCE WITH REGULATION 1026, SECTION 29(3).
CHECKED BY: FA
CALCULATED BY: FA
DRAWN BY: SR/AS
PROJECT No.: 3262-3
DRAWING No.: 3262-3BLS2.DWG



BLOCK 165, REGISTERED PLAN 65M-2219

NOTE: UPDATED ON JULY 11, 2024
ADDITIONS:
• PARCELS OF TIED LANDS
• MAIN PARTS NUMBER ON PARCELS OF TIED LANDS
• BUILDING TIES TO PARCELS OF TIED LANDS





REFER TO THE FOLLOWING ENLARGED PLAN SHEETS A251A, A251B, A251C AND A251D FOR NOTES, DIMENSIONS AND ROOM NUMBERS.

### PARKING LEVEL KEY PLAN

### GENERAL NOTES

- extent of canopy
- main building edge
- canopy projection

NO.	REVISION/ISSUE	DATE
4	ISSUED FOR ORIGINAL TENDER	NOV 25 2022
3	ISSUED FOR WINDOWS AND ROOFING TENDER	OCT 21 2022
2	ISSUED FOR BUILDING PERMIT	AUG 05 2022
1	ISSUED FOR UNDERGROUND AND MASONRY TENDER	JUNE 29 2022

PROJECT TITLE

**ROSE PARK**  
TOWNHOMES

**300 ATKINSON AVENUE**  
VAUGHAN, ONTARIO

813 - 4789 YONGE ST. TORONTO  
M2N 0G3 ICON ARCHITECTS CA  
T:416-224-0505 F:416-224-0504

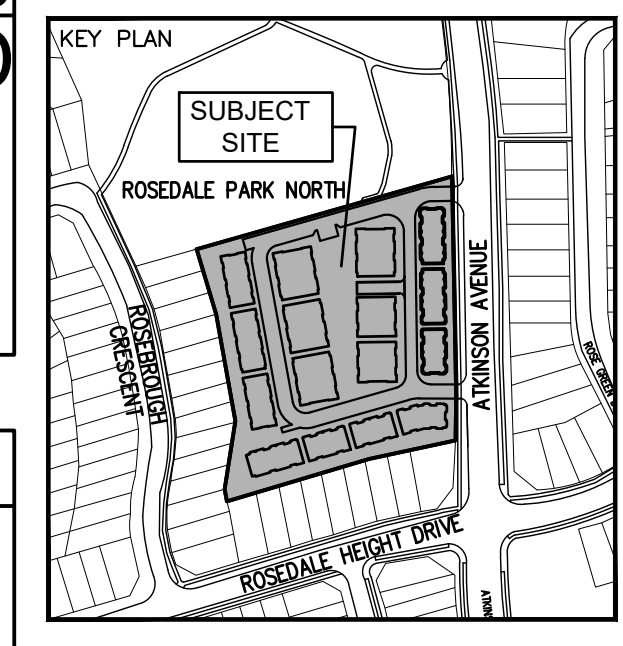
**ICON**  
ARCHITECTS

Drawing title:

**OVERALL GROUND LEVEL PLAN**

Scale: 1:250	Drawn by: R.GAVA
Date: JANUARY 2022	Checked by: G.DALESIO
Project No. 17130	Drawing No. A251

ALL DRAWINGS AND RELATED DOCUMENTS ARE THE COPYRIGHT PROPERTY OF ICON ARCHITECTS INC. AND MUST BE RETURNED UPON REQUEST. REPRODUCTION OF DRAWINGS AND RELATED DOCUMENTS IN WHOLE OR IN PART IS FORBIDDEN WITHOUT WRITTEN PERMISSION OF ICON ARCHITECTS INC. ALL DIMENSIONS AND MEASUREMENTS MUST BE CHECKED AND VERIFIED BY THE CONTRACTOR. THE CONTRACTOR MUST REPORT ALL DISCREPANCIES AND ERRORS OR OMISSIONS TO THE ARCHITECT IN WRITING. THIS DRAWING IS NOT FOR CONSTRUCTION UNLESS IT CLEARLY STATES "ISSUED FOR CONSTRUCTION" BY THE ARCHITECT ON THE REVISION COLUMN. DO NOT SCALE DRAWINGS.





**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
Alectra	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments
TRCA	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

**Date:** August 13<sup>th</sup> 2024

**Attention:** **Christine Vigneault**

**RE:**

**File No.:** **A107-24**

**Related Files:**

**Applicant** Weston Consulting

**Location** 300 Atkinson Avenue





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:

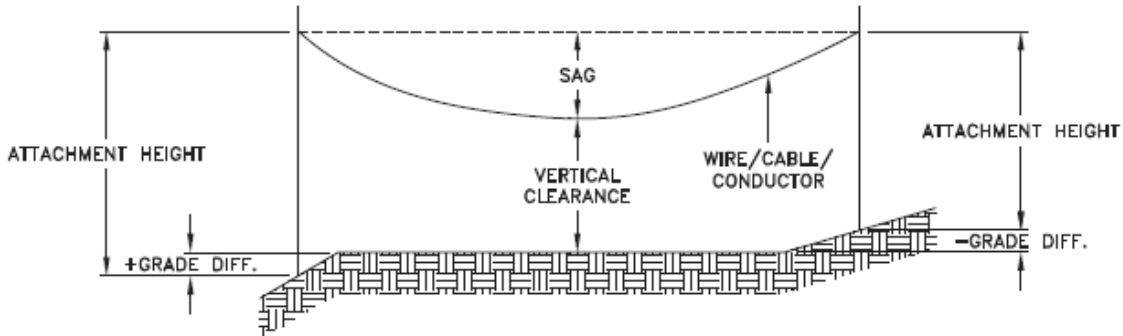
Mr. Stephen Cranley, C.E.T  
Supervisor, Distribution Design, ICI & Layouts (North)  
**Phone:** 1-877-963-6900 ext. 31297

**E-mail:** [stephen.cranley@alectrautilities.com](mailto:stephen.cranley@alectrautilities.com)

Mitchell Penner  
Supervisor, Distribution Design-Subdivisions  
**Phone:** 416-302-6215

**Email:** [Mitchell.Penner@alectrautilities.com](mailto: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"

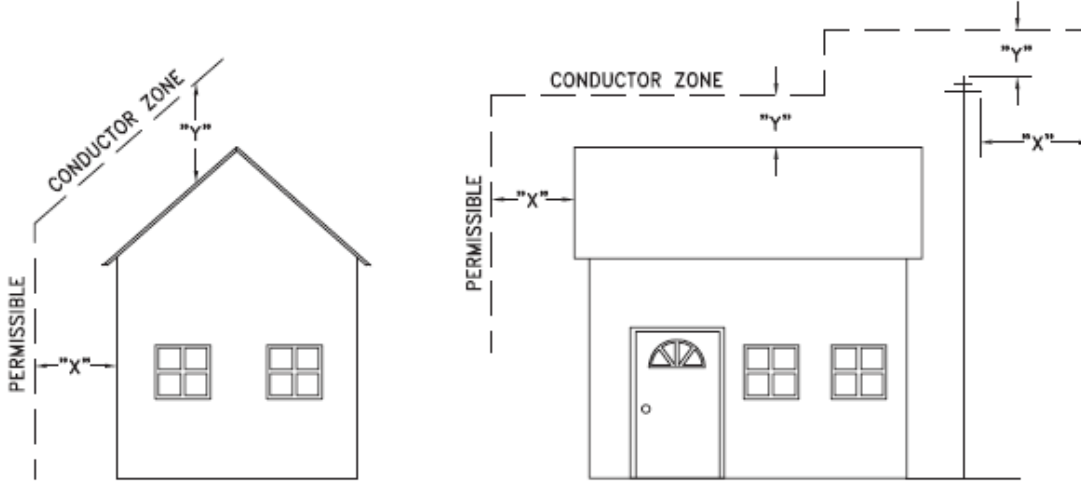
**REFERENCES**

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:** August 12, 2024  
**Applicant:** Weston Consulting  
**Location:** 300 Atkinson Avenue  
PLAN 65M2219 Block 165  
**File No.(s):** A107/24

**Zoning Classification:**

The subject lands are zoned RT1 – Townhouse Residential Zone and subject to the provisions of Exception 14.1127 under Zoning By-law 001-2021, as amended.

#	Zoning By-law 01-2021	Variance requested
1	A maximum encroachment of 0.6 metres into any required yard is permitted for a canopy [Table 4-1].	To permit a maximum encroachment of 0.8 metres into any required yard for a canopy for Blocks 7-15.
2	The minimum required Front Yard Setback shall be - 2.0 m for Blocks 13 and 15 [Exception 14.1127.1.3]	To permit a minimum Front Yard Setback of 1.46 m for Part 75 of Block 13, and 0.92 m for Part 51 of Block 15
3	The minimum required Rear Yard Setback shall be - 2.4 m for Block 1 [Exception 14.1127.1.4]	To permit a minimum Rear Yard Setback of 1.42 m for Part 1 of Block 1.

The subject lands are zoned RT1 – Residential Townhouse Zone and subject to the provisions of Exception 9(1538) under Zoning By-law 1-88, as amended.

#	Zoning By-law 1-88	Variance requested
4	A maximum encroachment of 0.5 metres into any required yard is permitted for a canopy [Section 3.14 a)].	To permit a maximum encroachment of 0.8 metres into any required yard for a canopy for Blocks 7-15.
5	The minimum required Front Yard shall be - 2.0 m for Blocks 13 and 15 [Exception 9(1538) ev)].	To permit a minimum Front Yard of 1.46 m for Part 75 of Block 13, and 0.92 m for Part 51 of Block 15
6	The minimum required Rear Yard shall be - 2.4 m for Block 1 [Exception 9(1538) evi)].	To permit a minimum Rear Yard of 1.42 m for Part 1 of Block 1.

**Staff Comments:**

**Other Comments:**

General Comments	
7	The applicant shall be advised that additional variances may be required upon review of detailed drawing for building permit/site plan approval.

**Conditions of Approval:**

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

\* Comments are based on the review of documentation supplied with this application.

**From:** [Cameron McDonald](#)  
**To:** [Committee of Adjustment](#)  
**Subject:** [External] RE: A107/24 (300 Atkinson Avenue) – REQUEST FOR COMMENTS, CITY OF VAUGHAN  
**Date:** Thursday, August 15, 2024 3:37:47 PM  
**Attachments:** [image002.png](#)

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**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.

Good afternoon,

Based on a review of our screening mapping, I can confirm that the subject property is not located within TRCA's Regulated Area. As such, any site alteration or development on the property would not require a permit from TRCA.

Based on the above, we have no comments/requirements.

Regards,

**Cameron McDonald**

Planner I

Development Planning and Permits | Development and Engineering Services

T: [\(437\) 880-1925](tel:(437)880-1925)

E: [cameron.mcdonald@trca.ca](mailto:cameron.mcdonald@trca.ca)

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



**From:** [Development Services](#)  
**To:** [Christine Vigneault](#)  
**Cc:** [Committee of Adjustment](#)  
**Subject:** [External] RE: A107/24 (300 Atkinson Avenue) – REQUEST FOR COMMENTS, CITY OF VAUGHAN  
**Date:** Monday, August 26, 2024 4:11:38 PM  
**Attachments:** [image001.png](#)  
[image003.png](#)

**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.

Hi Christine,

The Regional Municipality of York has completed its review of the minor variance application – A107/24 (300 Atkinson Avenue) and has no comment.

Please provide us with a digital 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 Planning | Economic and Development Services Branch | Corporate Services Department

The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1  
1-877-464-9675 ext. 71521 | [niranjan.rajevan@york.ca](mailto:niranjan.rajevan@york.ca) | [www.york.ca](http://www.york.ca)

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

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**SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE**

<b>Correspondence Type</b>	<b>Name</b>	<b>Address</b>	<b>Date Received (mm/dd/yyyy)</b>	<b>Summary</b>
Applicant			08/01/2024	Planning Justification Letter



Office of the City Clerk  
City of Vaughan  
2141 Major Mackenzie Drive  
Vaughan, ON L6A 1T1

July 31, 2024  
File 8553-2

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

**RE: Planning Justification Letter – Minor Variance Application (A107/24)  
300 Atkinson Avenue, City of Vaughan**

Weston Consulting is the planning consultant for 300 Atkinson Inc., the registered owner of the property municipally known as 300 Atkinson Avenue in the City of Vaughan (herein referred to as the “Subject Property”). This letter has been prepared to provide planning justification in support of a Minor Variance application that is requesting relief from front and rear yard setbacks and canopy encroachment provisions under Zoning By-Law 1-88 and Zoning By-law 001-2021 to legalize the as-builts conditions of the townhouse units located on Block 1 and Blocks 7 to 15 on the Plan of Survey of Part of Block 165 Registered Plan 65M-2219.

### Property Context

The Subject Property is located west of Atkinson Avenue and north of Centre Street in the City of Vaughan. The Subject Property has an approximate lot area of 16,990.6 square metres and maintains an approximate frontage of 139.68 metres along Atkinson Avenue. The legal description of the site is as follows:

A PARCEL OR TRACT OF LAND BEING IN THE CITY OF VAUGHAN, IN THE REGIONAL MUNICIPALITY OF YORK, LEGALLY DESCRIBED AS PCL 165-2 SEC 65M-2219; PT BLK 165, PL 65M-2219, PART 10, 65R-15225 MUNICIPALLY KNOWN AS 300 ATKINSON AVENUE, CITY OF VAUGHAN.

Per the Parcel Abstract dated July 30, 2024, the legal description of the Subject Property remains Part 10, 65R-15225 and no reference plan has been deposited after Plan 65R-15225. The blocks over Part 10, 65R-15225 as outlined on the Plan of Survey have not been created yet. The ownership over Part 10 remains with 300 Atkinson Inc.

### Policy Context

Map 1 (Regional Structure) of the York Region Official Plan 2022 identifies the Subject Property within the *Urban Area*. The Subject Property is designated as *Community Area* per Map 1A (Land Use Designations), which permits a broad range of residential uses.

Schedule 1 (Urban Structure) of the City of Vaughan Official Plan 2010 (VOP 2010) designates the Subject Property within *Community Areas*, which permits a broad range of residential uses. The Subject Property is designated as *Low-Rise Residential* per Schedule 13 (Land Use). The *Low-Rise Residential* designation permits street townhouses. Furthermore, the site is subject to Site-Specific Policy #60 – OPA #65 per Schedule 14C (Areas Subject to Site Specific Plans) of the VOP 2010, which permits 68 back-to-back townhouses in 3 blocks within the *Low-Rise Residential* designation on the property.

The Subject Property is zoned *RT1 Residential Townhouse Zone Exception 9 (1538)* under Zoning By-law 1-88, which permits 106 common element condominium townhouse units with underground parking, at-grade amenity areas, and visitor parking, subject to site specific development standards. Zoning By-law 001-2021 zones the Subject Property as *RT1 Residential Townhouse Zone Exception 14.1127*, which also permits 106 common element condominium townhouse units with underground parking, at-grade amenity areas, and visitor parking, again subject to site specific development standards.

### Development Applications History

Applications for an Official Plan Amendment (OP.19.001) and Zoning By-Law Amendment (Z.19.002) were submitted on February 20, 2019 to permit a townhouse and back-to-back townhouse blocks on the Subject Property. An application for Site Plan Approval (DA.19.083) was then submitted on December 4, 2019 and later consolidated with another Site Plan Approval application (DA.19.081) in the September 23, 2020 resubmission for both applications.

By-law 099-2021 was enacted by Council on June 22, 2021 to approve OPA 65 adding Site-Specific Policy #60 to the VOP 2010 to permit the back-to-back townhouses. By-law 139-2022 and By-law 140-2022 were passed and came into effect on June 28, 2022 to rezone the Subject Property to *RT1 Residential Townhouse Zone Exception 9 (1538)* under Zoning By-law 1-88 and *RT1 Residential Townhouse Zone Exception 14.1127* under Zoning By-law 001-2021.

A Draft Plan of Common Elements Condominium application (19CDM-21V005) was submitted on September 23, 2021 alongside a resubmission of Site Plan Approval application DA.19.083. The Site Plan Agreement was executed on May 3, 2023 and registered on May 25, 2023. The Condominium application received draft conditional approval at the March 26, 2024 Council meeting. The Notice of Decision was issued on April 17, 2024 and the last date of appeal was on May 7, 2024. Most recently, an application for Part Lot Control (PLC.24.005) was submitted on June 11, 2024 and is currently being processed by City Staff for review and comment.

#### 1. Purpose of Minor Variance Application Submission

The purpose of this Minor Variance application is to seek relief from the front yard and rear yard setback provisions under the *RT1 Residential Townhouse Zone Exception 9 (1538)* of Zoning By-law 1-88 and the *RT1 Residential Townhouse Zone Exception 14.1127* of Zoning By-law 001-2021, and to seek relief from the canopy provisions under the parent Zoning By-law 1-88 and Zoning By-law 001-2021 to permit the as-built conditions of the townhouse units as outlined in Table 1 and Table 2 below.

The townhouses were constructed in accordance with the stamp-approved site plan from application DA.19.081 and the associated building permits; however, the attached Plan of Survey of Part of Block 165 Registered Plan 65M-2219, included as an attachment herein, identified several deficiencies with respect to front and rear yard setbacks and the canopies as outlined in Tables 1 and 2. Therefore, relief is requested from the site-specific and general provisions of Zoning By-laws 1-88 and 001-2021.

**Table 1 – Proposed Variances under Zoning By-law 1-88**

#	Zoning By-law 1-88	Variance Requested
1.	The required minimum front yard setback for Blocks 5, 6 & 13 to 15 is 2.0 metres [Zoning By-law 1-88, Exception 1538 Section ev)]	To permit a minimum front yard setback of 0.90 metres for Part 51 of Block 15 and 1.42 metres for Part 75 of Block 13.

2.	The required minimum rear yard setback for Blocks 1 to 3 is 2.4 metres. [Zoning By-law 1-88, Exception 1538 Section evi)]	To permit a minimum rear yard setback of 1.41 metres for Part 1 of Block 1.
3.	The maximum projection for a canopy into a required yard is 0.5 metres [Zoning By-law 1-88, Provision 3.14 a)]	To permit a maximum projection for a canopy into a required yard of 0.8 metres for Blocks 7 to 15.

**Table 2 – Proposed Variances under Zoning By-law 001-2021**

#	Zoning By-law 001-2021	Variance Requested
4.	The required minimum front yard setback for Blocks 5, 6 & 13 to 15 is 2.0 metres [Zoning By-law 001-2021, Exception 14.1127 Section 14.1127.1.3]	To permit a minimum front yard setback of 0.90 metres for Part 51 of Block 15 and 1.42 metres for Part 75 of Block 13.
5.	The required minimum rear yard setback for Blocks 1 to 3 is 2.4 metres. [Zoning By-law 001-2021, Exception 14.1127 Section 14.1127.1.4]	To permit a minimum rear yard setback of 1.41 metres for Part 1 of Block 1.
6.	The maximum projection for a canopy into any required yard is 0.6 metres [Zoning By-law 001-2021, Section 4.13.1 & Table 4-1]	To permit a maximum projection for a canopy into a required yard of 0.8 metres for Blocks 7 to 15.

## 2. Policy Analysis and Planning Justification

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

- I. The variance requested maintains the general intent and purpose of the Official Plan;
- II. The variance requested maintains the general intent and purpose of the Zoning By-law;
- III. The variance is desirable for the appropriate use of the land; and,
- IV. The variance is minor in nature.

We have reviewed each of the deficiencies identified by the examiner and provided justification as to how each of the proposed variances meet the four tests under the *Planning Act*.

### 1. Maintains the General Intent and Purpose of the Official Plan

Table 3 details how each of the requested variances for the noted deficiencies meet the general intent and purpose of the Official Plan:

**Table 3 – Planning Justification for Minor Variance Test #1**

Variance	Justification
<b>Variance #1 and #4 (Front Yard Setback)</b>	Policy 9.1.2.4.d. and Policy 9.2.3.2.d. of the Official Plan requires townhouse developments to provide for front yard setbacks that are consistent with minimum setback requirements to provide for appropriate separation distances

Variance	Justification
	<p>between the adjacent road and other dwellings, and to accommodate landscaping.</p> <p>The proposed variance seeks to legalize the as-built front yard conditions for Part 51 and Part 75. Part 51 and Part 75 have minimum front yard setbacks of 0.90 metres and 1.42 metres, respectively. These as-built conditions do not impact the provision of landscaping (i.e. trees and sodding) that were proposed for Part 51 and Part 75. Only sodding was proposed for these parts and which has been provided accordingly. The deficiencies are also limited to small portions of the front yards for Part 51 and Part 75; most of their front yards comply with the minimum front yard setbacks prescribed in the site-specific zoning exceptions. Overall, the as-built conditions for Part 51 and Part 75 are consistent with minimum setback requirements and provide for appropriate buffering and landscaping. We believe that these proposed variances maintain the general intent and purpose of Official Plan Policy 9.1.2.4.d. and 9.2.3.2.d.</p>
<p><b>Variance #2 &amp; #5 (Rear Yard Setback)</b></p>	<p>Policy 9.1.2.4.d. and Policy 9.2.3.2.d. of the Official Plan requires townhouse developments to provide for rear yard setbacks that are consistent with minimum setback requirements. The general intent of this is to provide for appropriate separation distances amongst townhouse units and roads.</p> <p>The proposed variance seeks to legalize the as-built rear yard condition for Part 1, which has a minimum rear yard setback of 1.41 metres. Similar to our rationale above, this as-built condition does not impact the provision of landscaping as only sodding was proposed and is currently provided. The deficiency is also limited to a small portion of the rear yard for Part 1 given its position as a corner lot resulting in a smaller rear yard at the corner to accommodate the side yard condition. However, Part 1 maintains appropriate separation distances with other lots as no other townhouse unit faces the rear yard of Part 1. Overall, the as-built condition for Part 1 is consistent with minimum setback requirements and provide for appropriate buffering, landscaping, and private amenity area. We believe that these proposed variances maintain the general intent and purpose of Official Plan Policy 9.1.2.4.d. and 9.2.3.2.d.</p>
<p><b>Variance #3 &amp; #6 (Canopy Projection)</b></p>	<p>Policy 9.1.2.4.d. and Policy 9.2.3.2.e. of the Official Plan require townhouse developments to respect the scale and massing of adjacent development and any applicable urban design guidelines. The general intent of this is to ensure that new development fits into the existing built form context of <i>Low-Rise Residential Areas</i> in Established Community Areas.</p> <p>The proposed variance seeks to legalize the as-built canopies for Blocks 7 to 15 which project 0.8 metres into the front yard. Blocks 7 to 15 consist of the townhouse blocks located at and facing inwards toward the interior of the Subject Property. The other blocks along Atkinson Avenue and the southern lot line which are visible from the public realm are comprised of townhouse units</p>

Variance	Justification
	with canopies that comply with the maximum permitted projections of canopies (0.5 metres in Zoning By-law 1-88 and 0.6 metres in Zoning By-law 001-2021). Given their locations and orientations, the oversized canopies of Blocks 7 to 15 will continue to fit into and respect the existing built form context of the area. As well, these canopies will provide additional weather protection per Performance Standard 5.2.2.j. of the City-Wide Urban Design Guidelines. Overall, we believe that these proposed variances maintain the general intent and purpose of Official Plan Policy 9.1.2.4.d. and 9.2.3.2.d.

Based on the above, it is our opinion that the proposed variances maintain the general intent and purpose of the City of Vaughan Official Plan.

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

Table 4 details how the proposed variances for the noted deficiencies meet the general intent and purpose of the Zoning By-laws:

**Table 4 – Planning Justification for Minor Variance Test #2**

Variance	Justification
<b>Variance #1 and #4 (Front Yard Setback)</b>	The general purpose and intent of a front yard setback is to provide sufficient room for landscaping and buffering amongst dwellings and roads. The proposed variance will maintain the general purpose and intent of the Zoning By-law as the deficient front yard setbacks represent minimums that are limited to the pinch points between the front lot lines and the main walls resulting from Part 51 and Part 75's positions as corner lots. Most of the proposed front yard conditions provide for setbacks close to and meeting the by-law minimum. Sodding was provided in accordance with the approved Landscape Plan. Furthermore, the deficient front yards do not impact the separation distances with the lots in front of Part 51 and Part 75 as illustrated on the Plan of Survey. Thus, it is our opinion that this proposed variance meets the general intent and purpose of the Zoning By-law.
<b>Variance #2 &amp; #5 (Rear Yard Setback)</b>	Please refer to our justification for Variance #2 and #5 in Table 3. The proposed variance will maintain the general purpose and intent of the Zoning By-law as the 1.41 metre setback represent a minimum that is limited to the pinch point between the rear lot line and the main wall, which results from Part 1's position as a corner lot. Most of the proposed rear yard condition provides for a setback close to and meeting the by-law minimum. Sodding was provided in accordance with the approved Landscape Plan. Furthermore, the deficient rear yard does not impact the privacy of Part 1 as no other townhouse unit faces this lot. Thus, it is our opinion that this proposed variance meets the general intent and purpose of the Zoning By-law.
<b>Variance #3 &amp; #6 (Canopy Projection)</b>	The general intent and purpose of a maximum canopy projection in the Zoning By-law is to ensure that outdoor building elements are appropriately sized and massed, and to ensure that they do not exceed the front yard and encroach into



Variance	Justification
	adjacent property. As earlier discussed, the as-built canopies for Blocks 7 to 15 are oriented toward the interior of the Subject Property and will respect the existing built form context of the area. As well, the minimum front yard that is being requested in this application is 0.9 metres for Part 51 of Block 15 and Part 75 of Block 13. Therefore, the oversized canopies will not exceed the minimum front yards on the Subject Property. Thus, it is our opinion that this proposed variance meets the general intent and purpose of the Zoning By-law.

Based on the above, it is our opinion that the proposed variances maintain the general intent and purpose of Zoning By-Law 569-2013.

### 3. Desirable for the Appropriate Use of Land

Table 5 details how the proposed variances for the noted deficiencies are desirable for the appropriate use of land:

**Table 5 – Planning Justification for Minor Variance Test #3**

Variance	Justification
<b>Variance #1 and #3 (Front Yard Setback)</b>	The proposed variances are necessary to legalize the as-built condition and allow the applicant of the Condo application 19CDM-21V005 to clear conditions of draft approval. This would then allow the applicant to establish the condominium corporation that would maintain the common elements of the Subject Property, as well as close on the units sold to future residents. We believe this to be appropriate for the desirable use of land as it is legalizing built housing stock within the community.
<b>Variance #2 &amp; #4 (Rear Yard Setback)</b>	Please refer to the rationale above.
<b>Variance #3 &amp; #6 (Canopy Projection)</b>	The proposed variances will allow the applicant to legalize the as-built condition of the canopies, clear conditions of draft approval for condominium application 19CDM-21V005, and establish the condominium corporation. The oversized canopies will also allow for additional weather protection for Blocks 7 to 15. We believe this to be appropriate for the desirable use of land.

Based on the above, it is our opinion that the proposed variances are desirable for the appropriate of the Subject Property as a common element condominium townhouse development.

#### 4. Minor in Nature

Table 5 details how the requested variances for the remaining deficiencies will result in impacts that are only minor in nature:

**Table 6 – Planning Justification for Minor Variance Test #4**

Variance	Justification
<b>Variance #1 and #3 (Front Yard Setback)</b>	The proposed variances represent a numerical deficiency of 1.1 metres for Part 51 and 0.58 metres for Part 75. from the minimum front yard setback requirement that is limited to the aforementioned pinch point. We believe that this deficiency is minor in nature as it did not preclude opportunities to provide sodding within the front yard per the Landscape Plan, nor does it numerically impact the separation distances with the lots in front of Part 51 and Part 75 given their positions along a road curvature.
<b>Variance #2 &amp; #4 (Rear Yard Setback)</b>	The proposed variances represent numerical deficiency of 0.99 metres (Part 1) from the minimum rear yard setback requirement that is limited to the aforementioned pinch points. We believe that this deficiency is minor in nature given that it did not preclude opportunities to provide sodding within the rear yard per the Landscape Plan, and the privacy of the unit in Part 1 is maintained as no other townhouse faces this lot.
<b>Variance #3 &amp; #6 (Canopy Projection)</b>	Variances #3 and #6 exceed the maximum allowable canopy projection by 0.3 metres under Zoning By-law 1-88 and 0.2 metres under Zoning By-law 001-2021. It is our opinion that this deficiency is minor in nature given that the oversized canopies are oriented toward the interior of the Subject Property and will respect the existing built form context of the area as a result.

Based on the above, it is our opinion that the impacts of the proposed variances are minor in nature and represent good planning.

#### 3. Conclusion

Based on our analysis and the information provided herein, we are of the opinion that the requested variances in this application meet the general intent and purpose of the Official Plan and Zoning By-law, are desirable and appropriate for the Subject Property, and would have impacts that are minor in nature. In our opinion, the criteria prescribed by Section 45(1) of the *Planning Act* are satisfied.

We are of the opinion that the proposed application has merit and represents good planning, and should be approved. We request that the enclosed application be considered and approved by the Committee of Adjustment.

The following digital materials have been submitted in support of the proposed Minor Variance application:

1. Application Form, completed digitally by Weston Consulting,
2. Surveyor's Real Property Report – Part 1: Plan of Survey of Part of Block 165 Registered Plan 65M-2219 prepared by R. Avis Surveying Inc., dated May 21, 2024; and,
3. Landscape Plan L-1 and L-2, prepared by Adesso Design Inc., dated May 2, 2022.
4. Parcel Abstract, prepared by Owens Wright LLP, dated July 30, 2024.
5. Canopy Projections Illustration, prepared by Icon Architects, dated April 17, 2024.



The application fee in the amount of \$6,252.50 has already been provided and processed online. We trust that the information and materials provided in this submission are sufficient for the purpose of completing the Zoning Review and circulating the application for review and comment. Should there be any questions or additional information that is required, please do not hesitate to contact the undersigned at [ssgotto@westonconsulting.com](mailto:ssgotto@westonconsulting.com) or Steven Pham at [spham@westonconsulting.com](mailto:spham@westonconsulting.com).

Yours truly,  
**Weston Consulting**  
Per:



Sabrina Sgotto, HBA, RPP, MCIP  
Vice President

c. 300 Atkinson Avenue Inc.

## SCHEDULE D: BACKGROUND

Application No. (City File)	Application Description (i.e. Minor Variance Application; Approved by COA / OLT)
None	N/A