



File: A184/19

Applicant: Madison Viva Bathurst Holdings Limited

Address: 9800 Bathurst St Vaughan

Agent: KLM Planning Partners Inc.

Please note that comments and written public submissions received after the preparation of this Staff Report (up until noon on the last business day prior to the day of the scheduled hearing date) will be provided as an addendum.

Commenting Department	<input checked="" type="checkbox"/> Positive Comment	Condition(s) <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
	<input checked="" type="checkbox"/> Negative Comment	
Committee of Adjustment	<input checked="" type="checkbox"/>	
Building Standards	<input checked="" type="checkbox"/>	
Building Inspection	<input checked="" type="checkbox"/>	
Development Planning		
Cultural Heritage (Urban Design)		
Development Engineering	<input checked="" type="checkbox"/>	
Parks, Forestry and Horticulture Operations	<input checked="" type="checkbox"/>	
By-law & Compliance	<input checked="" type="checkbox"/>	
Financial Planning & Development	<input checked="" type="checkbox"/>	
Fire Department	<input checked="" type="checkbox"/>	
TRCA		
Ministry of Transportation		
Region of York	<input checked="" type="checkbox"/>	
Alectra (Formerly PowerStream)	<input checked="" type="checkbox"/>	
Public Correspondence (see Schedule B)	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	

Adjournment History: N/A

Background History: N/A

Staff Report Prepared By: Pravina Attwala
Hearing Date: Thursday, July 9, 2020



**Minor Variance
Application**

Agenda Item: 6

A184/19

Ward: 4

Staff Report Prepared By: Pravina Attwala, Assistant Secretary Treasurer

Date & Time of Live Stream Hearing: Thursday, July 9, 2020 at 6:00 p.m.

As a result of COVID-19, Vaughan City Hall and all other City facilities are closed to the public at this time.

A live stream of the meeting is available at Vaughan.ca/LiveCouncil

Please submit written comments by mail or email to:

City of Vaughan
Office of the City Clerk – Committee of Adjustment
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1
cofa@vaughan.ca

To make an electronic deputation at the meeting please contact the Committee of Adjustment at cofa@vaughan.ca or 905-832-8504. Ext. 8332

Written comments or requests to make a deputation must be received by noon on the last business day before the meeting.

- Applicant:** Madison Viva Bathurst Holdings Limited
- Agent:** KLM Planning Partners Inc.
- Property:** **9800 Bathurst St Vaughan**
- Zoning:** The subject lands are zoned RA3, Apartment Residential Zone and subject to the provisions of Exception 9(1328) under By-law 1-88 as amended
- OP Designation:** Vaughan Official Plan: High-Rise Residential
- Related Files:** DA.19.066
- Purpose:** Relief from the by-law is being requested to permit the construction of a proposed 15-storey Senior's Rental Apartment (second phase of the VIVA Thornhill Woods Retirement Community) and to facilitate Site Plan Application DA.19.066.

The following variances are being requested from By-Law 1-88, as amended, to accommodate the above proposal:

By-law Requirement	Proposal
1. A maximum of 162 Apartment dwelling units is permit located on the 2nd to 15th Floor of Building , Residential Suites are not permitted in Buiding"B".	1. To permit a maximum of 152 Apartment dwelling units located on the 1st Floor and on the 3rd to 15th floor inclusive and to permit 16 Residence Suites located on the 2nd Floor of Building "B".
2. The Residence Suite parking ratio was not permitted for Building "B".	2. To permit the parking ratio of 0.4 space per residence suites for Building "B".
3. A minimum of 289 parking spaces are required for the subjects.	3. To permit a minimum required parking space total for a Residential Apartment Dwelling (Phase 2) of 187 parking space (0.98 spaces/dwellingunit plus and additional 0.2 visitor parking spaces/dwelling unit, and 0.4 spaces/ residential suite) for building "B" as shown on Schdedule E-1456 to By-law 1-88a.a., and to permit a minimum of 241parking spaces required for the subject lands as shown on Schedule "E-1456" to By-law 1-88a.a.

Background (previous applications approved by the Committee on the subject land): N/A

For information on the previous approvals listed above please visit www.vaughan.ca. To search for a file number, enter it using quotes around it. For example, "A001/17".

To search property address, enter street number and street name using quotes. For example, "2141 Major Mackenzie". Do not include street type (i.e. drive).

Adjournment History: N/A

Staff & Agency Comments

Please note that staff/agency comments received after the preparation of this Report will be provided as an addendum item to the Committee. Addendum items will shall only be received by the Secretary Treasurer until **noon** on the last business day **prior** to the day of the scheduled Meeting.

Committee of Adjustment:

Public notice was mailed on June 24, 2020

Applicant confirmed posting of signage on June 10, 2020

Property Information	
Existing Structures	Year Constructed
Building	Purchased March 10, 2010

Applicant has advised that they cannot comply with By-law for the following reason(s): It is not possible to comply with the provisions of the by-law because it is not feasible to include an additional two storeys of underground parking due to existing soil and water table conditions. Furthermore, the overall proposal has been revised to propose Residence Suites on the 2nd floor in order to maintain the programming from Phase 1.

Adjournment Request: None.

Building Standards (Zoning Review):

Stop Work Order(s) and Order(s) to Comply: Order No. 16-000006, Order to Comply - Fill By-Law for, Issue Date: Jul 26, 2016

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

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

Please note as of January 1, 2015 Accessible Parking Spaces are subject to the provisions of Ontario Regulation - O.Reg.413/12, Subsections 80.32 through 80.39, which supersede the current by-law requirements in By-law 1-88 as amended.

Building Inspections (Septic):

No comments or concerns

Development Planning:

Application under review

Development Engineering:

The Transportation Engineering division of the City's Development Engineering Department has reviewed the updated parking study prepared by Transplan Associates and supports its findings. The development proposes 187 parking spaces at a rate of 0.98 spaces / unit plus 0.2 visitor spaces / units, and 0.4 spaces per unit for assisted living suites. The parking study shows the proposed parking supply for Phase 2 developments will be sufficient based on proxy site data that was collected from several comparable developments.

The Development Engineering (DE) Department does not object to variance application A184/19.

Parks, Forestry and Horticulture Operations:

Forestry has no comments at this time.

By-Law and Compliance, Licensing and Permit Services:

No comments or concerns.

Financial Planning and Development Finance:

That the payment of the City Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and City-wide Development Charge By-law in effect at time of payment.

That the payment of Region of York Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and Regional Development Charges By-laws in effect at time of payment.

That the payment of Education Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Education Act and York Region District School Board and York Catholic District School Board Development Charges By-laws in effect at time of payment

That the payment of applicable Special Area Development Charges are payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and Special Area Development Charge By-laws in effect at time of payment.

Fire Department:

The following was missing from the drawing 1) Fire hydrant public or private 2) Fire route 3) what is the width of the road under OBC 3.2.5.6 (4) provisions for firefighting shall comply with OBC 3.2.5.

Schedule A – Plans & Sketches

Schedule B – Public Correspondence

Application Cover Letter

Public Correspondence (2 Geshar Crescent)

Public Correspondence (Petition submitted by 2 Geshar Crescent, signed by 2, 6, 10, 18, 26, 30, 42 & 48 Geshar Crescent & 5, 11, 23 & 31 Asner Avenue)

Schedule C - Agency Comments

Alectra (Formerly PowerStream) – No concerns or objections

Region of York – No concerns or objections

Schedule D - Previous Approvals (Notice of Decision)

None

Staff Recommendations:

Staff and outside agencies (i.e. TRCA) act as advisory bodies to the Committee of Adjustment. Comments received are provided in the form of recommendations to assist the Committee.

The Planning Act sets the criteria for authorizing minor variances to the City of Vaughan's Zoning By-law. Accordingly, review of the application considers 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.

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: N/A

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. 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.

Please Note:

Relief granted from the City's Zoning By-law is determined to be the building envelope considered and approved by the Committee of Adjustment.

Development outside of the approved building envelope (subject to this application) must comply with the provisions of the City's Zoning By-law or additional variances may be required.

Elevation drawings are provided to reflect the style of roof to which building height has been applied (i.e. flat, mansard, gable etc.) as per By-law 1-88 and the Committee of Adjustment approval. Please note, that architectural design features (i.e. window placement), that do not impact the style of roof approved by the Committee, are not regulated by this decision.

Notice to the Applicant – 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 to Public

PLEASE NOTE: As a result of COVID-19, Vaughan City Hall and all other City facilities are closed to the public at this time.

PUBLIC CONSULTATION DURING OFFICE CLOSURE: Any person who supports or opposes this application, but is unable to attend the hearing, may make a written submission, together with reasons for support or opposition. Written submissions on an Application shall only be received until **noon** on the last business day **prior** to the day of the scheduled hearing. Written submissions can be mailed and/or emailed to:

City of Vaughan
Office of the City Clerk – Committee of Adjustment
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1
cofa@vaughan.ca

ELECTRONIC PARTICIPATION: During the COVID-19 emergency, residents can view a live stream of the meeting Vaughan.ca/LiveCouncil. To make an electronic deputation, residents must complete and submit a [Public Deputation Form](#) no later than **noon** on the last business prior to the scheduled hearing. To obtain a Public Deputation Form please contact our office or visit www.vaughan.ca

Presentations to the Committee are generally limited to 5 minutes in length. Please note that Committee of Adjustment meetings may be audio/video recorded. Your name, address comments and any other personal information will form part of the public record pertaining to this application.

Presentations to the Committee are generally limited to 5 minutes in length. Please note that Committee of Adjustment meetings may be audio/video recorded. Your name, address comments and any other personal information will form part of the public record pertaining to this application.

PUBLIC RECORD: Personal information 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.

NOTICE OF DECISION: If you wish to be notified of the decision in respect to this application or a related Local Planning Appeal Tribunal (LPAT) 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.

For further information please contact the City of Vaughan, Committee of Adjustment

T 905 832 8585 Extension 8002
E CofA@vaughan.ca

Schedule A: Plans & Sketches

Please note that the correspondence listed in Schedule A is not comprehensive. Plans & sketches received after the preparation of this staff report will be provided as an addendum.

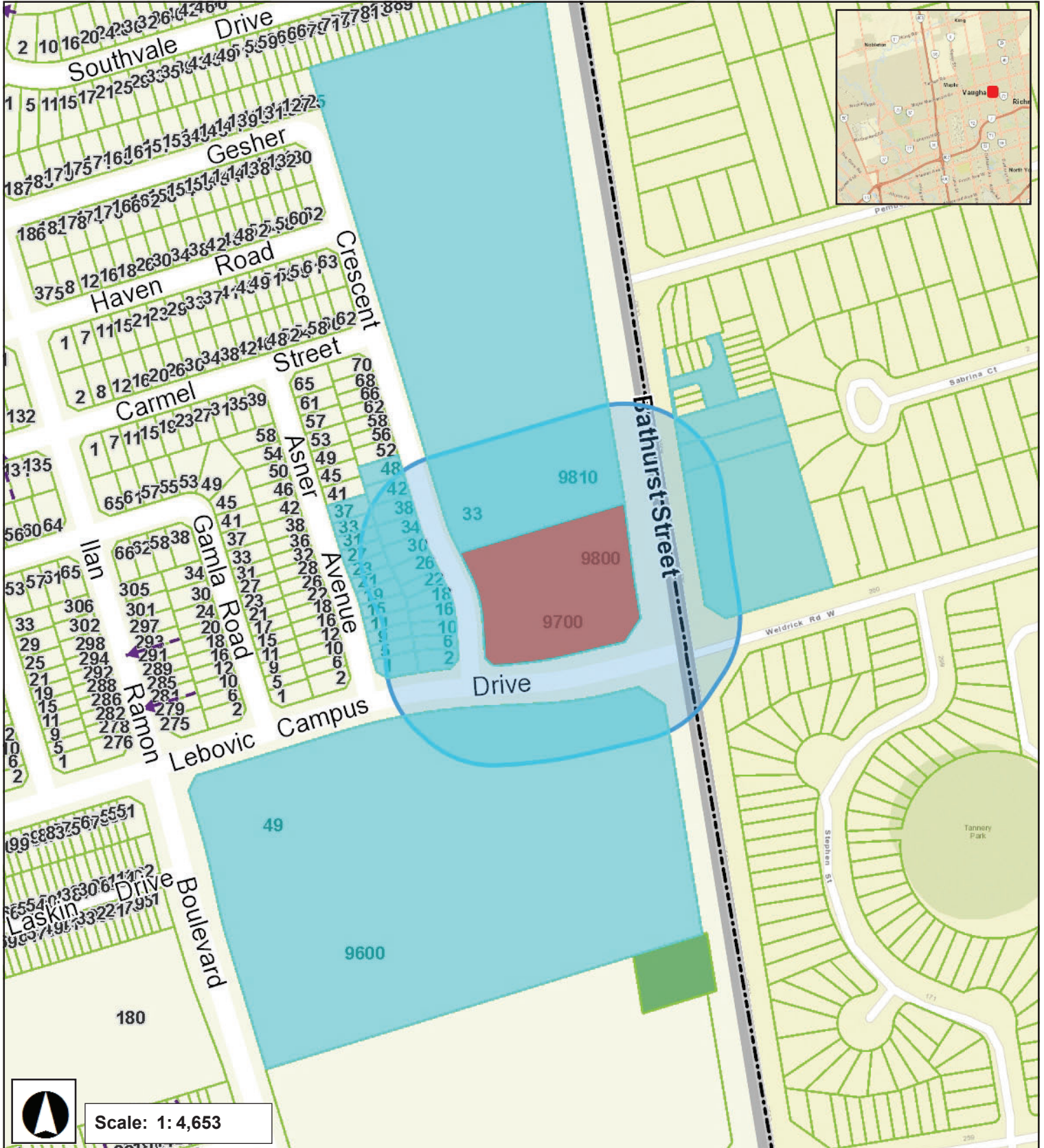
**Location Map
Plans & Sketches**



LOCATION MAP - A184/19

9800 BATHURST STREET, THORNHILL

Major Mackenzie Drive



Rutherford Road

January 31, 2020 1:30 PM

Minor Variance Sketch

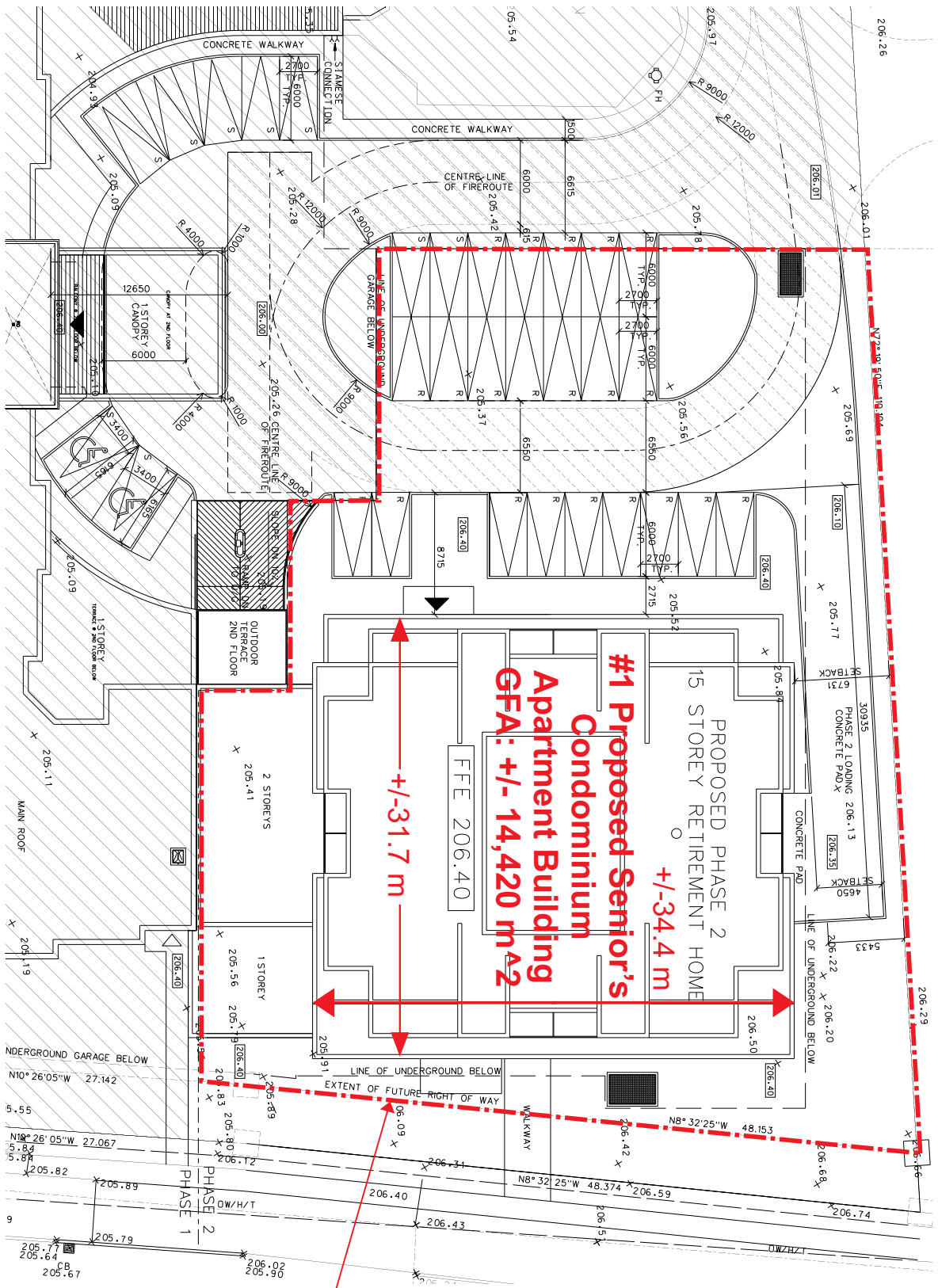
Part of Lots 17 and 18, Concession 2

Lebovic Campus Drive and Bathurst Street

City of Vaughan, Region of York

A184/19

RECEIVED
June 8, 2020
 Committee of Adjustment



Area subject to
 Minor Variance

June 5, 2020

1. To permit an Apartment Dwelling having a maximum of 152 dwelling units located within the 1st floor and on the 3rd to 15th floor inclusive and to permit 16 Residence Suites located on the 2nd floor.
2. To permit a minimum of 0.4 parking spaces required per Residence Suite.
3. To permit a minimum required parking space total for a Residential Apartment Dwelling (Phase 2) of 187 parking spaces (0.98 spaces/dwelling unit plus an additional 0.2 visitor parking spaces/dwelling unit, and 0.4 spaces/Residence Suite) for Building "B" as shown on Schedule 'E-1456' to By-law 1-88, and to permit a minimum of 241 parking spaces required for the subject lands as shown on Schedule 'E-1456' to By-law 1-88.

AERIAL ORTHOPHOTOGRAPH

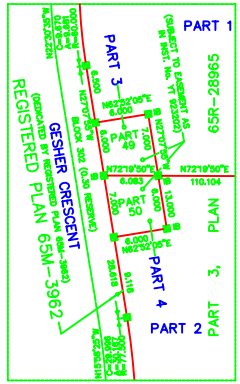


Madison Viva Bathurst Holdings Limited

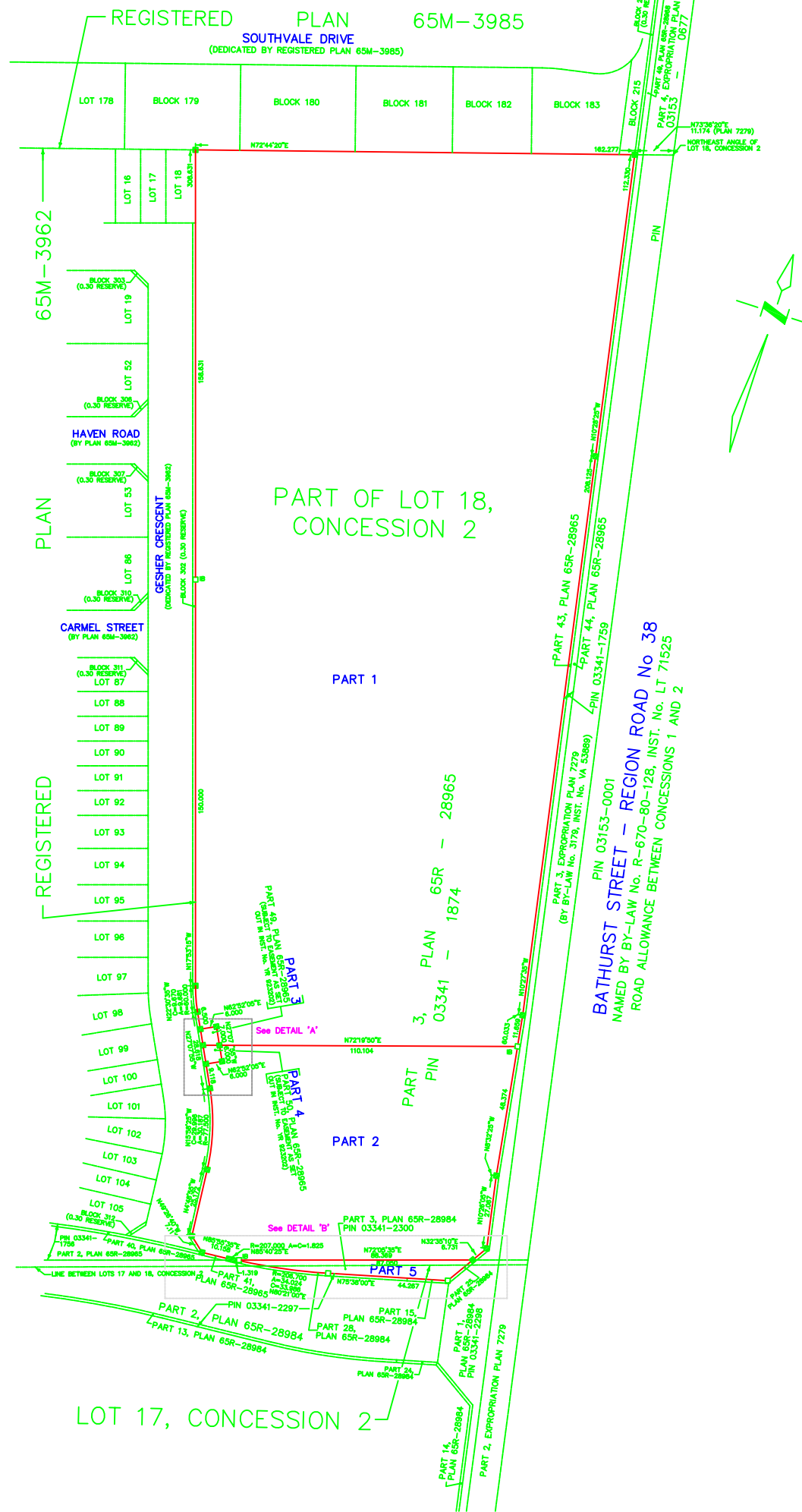
Part of Lots 17 and 18, Concession 2
City of Vaughan
Region of York



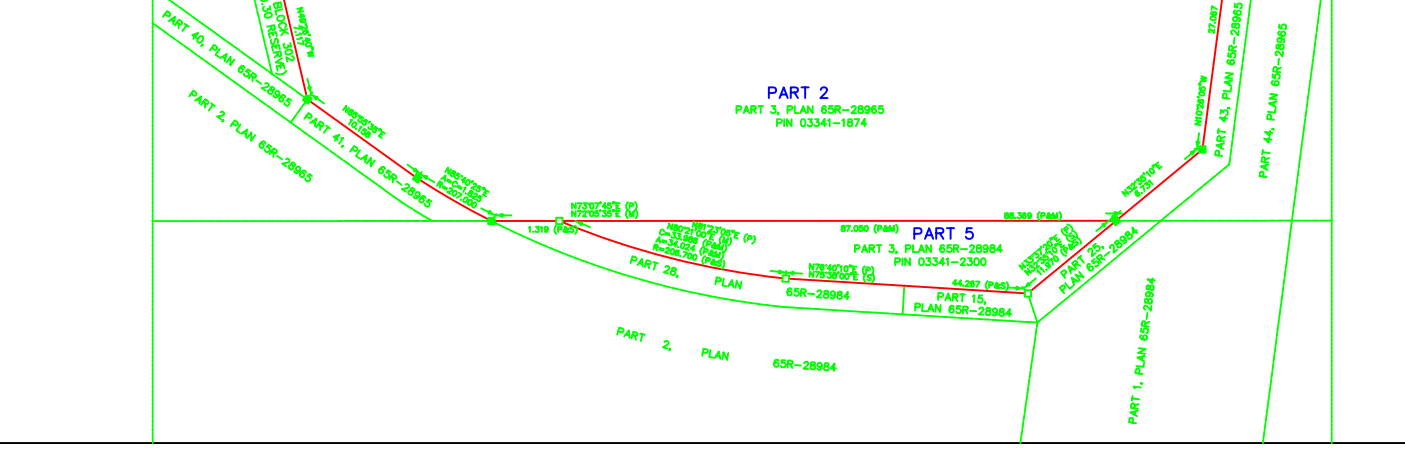
METRIC: DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.



DETAIL 'A'
NOT TO SCALE



DETAIL 'B'
NOT TO SCALE



I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.

PLAN 65R-30361

DATE OCTOBER 12, 2007.

RECEIVED AND DEPOSITED
DATE

W.M. FENTON
ONTARIO LAND SURVEYOR

ASST. DEP. LAND REGISTRAR FOR THE LAND TITLES DIVISION OF YORK REGION No. 65

SCHEDULE				
PART	PART OF LOT	CONCESSION	ALL OF PIN	AREA (m ²)
1				46421.8
2	18	2	03341-1874	8561.2
3				39.0
4				39.0
5	17 AND 18		03341-2300	409.1

PARTS 3 AND 4 - SUBJECT TO EASEMENT AS IN INST. No. YR 923202.

PLAN OF SURVEY OF
PART OF LOTS 17 AND 18,
CONCESSION 2
(GEOGRAPHIC TOWNSHIP OF VAUGHAN, COUNTY OF YORK)
CITY OF VAUGHAN
REGIONAL MUNICIPALITY OF YORK
SCALE 1:1000



NOTES

- DENOTES PLANTED MONUMENT
- FOUND MONUMENT
- SHORT STANDARD IRON BAR
- IRON BAR
- SCHAEFFER & DZALDOV LIMITED, O.L.S.
- PLAN 65R-28984
- MEASURED
- SET

0.30 RESERVES HAVE BEEN EXAGGERATED FOR CLARITY.
ALL FOUND MONUMENTS ARE SSB'S UNLESS NOTED OTHERWISE.
ALL FOUND MONUMENTS ARE NUMBERED 922 UNLESS NOTED OTHERWISE.
BEARINGS SHOWN HEREON ARE GRID BEARINGS DERIVED FROM THE 8' UTM COORDINATE SYSTEM NAD 83, ZONE 17, CENTRAL MERIDIAN 81° WEST LONGITUDE USING HORIZONTAL CONTROL MONUMENTS HAVING PUBLISHED VALUES AS FOLLOWS:
HCM 105980129 NORTHING 4856135.088, EASTING 623900.225
HCM 105980125 NORTHING 4855520.866, EASTING 621917.811.
DISTANCES SHOWN ON THIS PLAN ARE GROUND DISTANCES.

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON THE 25th DAY OF SEPTEMBER, 2007.

DATE OCTOBER 2, 2007.

W.M. FENTON
Ontario Land Surveyor

SCHAEFFER & DZALDOV LIMITED
ONTARIO LAND SURVEYORS

64 JARDIN DRIVE CONCORD, ONTARIO L4K 3P3 TEL (416) 987-0101
DRAWN ACAD/LW CHECKED WMF SCALE 1:1000 JOB NO. 03-543-07

Schedule B: Public Correspondence Received

Please note that the correspondence listed in Schedule B is not comprehensive. Written submissions received after the preparation of this staff report will be provided as an addendum.

Application Cover Letter

Public Correspondence (2 Geshher Crescent)

Public Correspondence (Petition submitted by 2 Geshher Crescent, signed by 2, 6, 10, 18, 26, 30, 42 & 48 Geshher Crescent & 5, 11, 23 & 31 Asner Avenue)



64 Jardin Drive, Unit 1B
Concord, Ontario
L4K 3P3
T. 905.669.4055
F. 905.669.0097
klmplanning.com

File: P-2283

June 5, 2020

City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1T1

Attention: Ms. Christine Vigneault
Secretary Treasurer

Re: Minor Variance Application
Madison VIVA Bathurst Holdings Limited (Phase 2)
Related City File No.: DA.19.066
Lebovic Campus Drive
City of Vaughan

Dear Ms. Vigneault,

On behalf of our clients, Madison VIVA Bathurst Holdings Limited (Phase 2), owners of the above noted lands, we are pleased to submit the following application for Minor Variance. The application is being submitted in response to comments provided by Gregory Seganfreddo (Building Standards Department) for Simple Revision to Site Development Application DA.19.066 in a memo dated November 8, 2019. This application seeks the following variances in response to these comments:

1. To permit an Apartment Dwelling having a maximum of 152 dwelling units located within the 1st floor and on the 3rd to 15th floor inclusive and to permit 16 Residence Suites located on the 2nd floor for Building "B" as shown on Schedule 'E-1456' to By-law 1-88;
2. To permit a minimum parking rate of 0.4 spaces/unit for Residence Suites within Building "B" as shown on Schedule 'E-1456' to By-law 1-88;
3. To permit a minimum required parking space total for a Residential Apartment Dwelling (Phase 2) of 187 parking spaces (0.98 spaces/dwelling unit plus an additional 0.2 visitor parking spaces/dwelling unit, and 0.4 spaces/Residence Suite) for Building "B" as shown on Schedule 'E-1456' to By-law 1-88, and to permit a minimum of 241 parking spaces required for the subject lands as shown on Schedule 'E-1456' to By-law 1-88;

Whereas, the current site-specific zoning provisions found within Section 9(1328) to By-law 1-88 permits the following:

1. *An Apartment Dwelling, having a maximum of 162 dwelling units located on the 2nd to 15th floors inclusive, retail uses to a maximum of 651 m² on the ground floor only, and a day nursery to a maximum of 186 m² on the ground floor only for Building "B" as shown on Schedule 'E-1456' to By-law 1-88;*
2. *Minimum parking requirements as follows:*
 - i. *Residential Apartment Dwelling (Phase 2) – 212 parking spaces (1.1 spaces/dwelling unit, plus an additional 0.2 spaces for visitor parking);*
 - ii. *Retail Store – 15 parking spaces (maximum Gross Floor Area (GFA) of 465m²; 1 space/31m² retail GFA);*
 - iii. *Day Nursery – 3 parking spaces (maximum GFA of 186m²); and,*
 - iv. *A minimum of 289 parking spaces shall be provided on the Subject Lands.*

The above noted variances would facilitate the development of a 15-storey Senior's Rental Apartment (Phase 2) building consisting of 152 senior's rental apartment units on the 1st floor as well as the 3rd – 15th floor inclusive, and 16 Residence Suites on the 2nd floor. This proposal represents the second phase of the V!VA Thornhill Woods Retirement Community. The first phase has been constructed and consists of 135 Residence Suites. Both phases are proposed to be serviced by a total of 241 parking spaces, 54 spaces for Phase 1 and 187 spaces for Phase 2.

The subject lands are designated 'High Rise Residential H:15; D:4' by *Schedule 13 Land Use* within the 2010 Vaughan Official Plan (2010 VOP). Furthermore, the lands are zoned 'RA3 - Apartment Residential, Exception 9(1328)' by By-law 1-88, as amended.

In preparation of the proposed application, the four tests of a Minor Variance as provided for in Section 45(1) of the Planning Act, R.S.O. 1990, c. P.13, have been reviewed below:

1. General Intent and Purpose of the Official Plan is Maintained

As noted above, the lands subject to the proposed variances are currently designated 'High-Rise Residential H:15; D:4' by the 2010 VOP. According to the policy 9.2.2.5 of the Official Plan, Residential units are a permitted use and High-Rise Buildings are a permitted building type within this land use designation. Furthermore, policies 9.2.1.4 and 9.2.1.5 state that the 'H:15' and 'D:4' notations included within the land use designation ensure that any development proposed does not exceed a height of 15 storeys nor a density of 4 FSI. The proposed Phase 2 development contemplates a height of 15 storeys and a combined Phase 1 and Phase 2 density of ± 3.0 FSI. Therefore, the general intent and purposed of the Official Plan is maintained.

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

The lands subject to the proposed variance are zoned 'RA3 - Apartment Residential, Exception 9(1328)' by By-law 1-88, as amended. With respect to the first variance, the initial Site Plan had contemplated a retail store and a day nursery on the ground floor as well as residential

condominium units on the 2nd floor. The retail store and daycare were intended to interface with similar uses initially proposed on the ground floor of the Phase 1 development. Since that time, the amenities located on the ground floor of Phase 1 adjacent to Phase 2 have been revised from retail uses to recreational uses, including an exercise room and swimming pool. As such, there are no retail uses being proposed within the either phase, and residential units on the Phase 2 ground floor has been proposed to complement the amenities presently provided within the Phase 1 ground floor. Likewise, the Residence Suites proposed on the 2nd floor of Phase 2 are an extension of Residence Suites located within the 2nd floor of Phase 1.

With respect to the second variance, the parking rate of 0.4 spaces/suite for Residence Suites within the Phase 2 building is the same parking rate within the Phase 1 building for the same residential use.

Lastly, the parking rate for the apartment units has been proposed with the support of a Parking Study prepared by Transplan Associates Inc., dated May, 2020. The study analyzed 2016 Transportation Tomorrow Survey (TTS) data as well as proxy parking surveys at three existing retirement developments that are similar in size and composition. The study concluded that the *"...proposed supply of 187 parking spaces for Phase 2, and 241 overall parking spaces, can accommodate the anticipated normal peak demand occurring at the study site and is considered reasonable and appropriate"*. Please refer to the enclosed Parking Study for more details.

Accordingly, we believe the proposed variances maintain the general intent and purposes of the Zoning By-law.

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

The proposed minor variances will facilitate the development of the second and final phase of the V!VA Thornhill Woods Retirement Community. Developing the first two floors of the Phase 2 building in a consistent manner with Phase 1 would allow for easier access to facilities and services for residents and seamless programming between the two buildings.

The initial need for reducing the depth of underground parking was realized when analysis of the underground soil conditions found they were not optimal for underground parking facilities. As a result, the underground parking design has been revised to reduce impacts on underground conditions, and as a result, the number of parking spaces and underground parking depth have decreased. The reduced number of parking spaces has been determined to be sufficient and appropriate by the attached Parking Study prepared by Transplan Associates Inc.

In this regard, the proposed variance will facilitate a desirable built form and an appropriate use of the subject lands.

4. Variance is Minor in Nature

The proposed Phase 2 building conforms to the policies of the 2010 VOP and maintains the intent of By-law 1-88, as amended. As such, there are no adverse impacts anticipated on surrounding uses as all of the setback and height requirements within the site-specific zoning provisions have been maintained.

Furthermore, the variances seeking a reduction in overall parking for Phase 2 and the subject lands are a result of proposed changes to use and tenure type as well as the aforementioned soil conditions. The Phase 2 proposal no longer includes retail at grade, and also proposes rental tenure instead of condominium ownership, which has been found to require less parking as determined and supported by the utilization analysis found in the enclosed Parking Study prepared by Transplan Associates Inc.

Applying the current site-specific zoning by-law parking rates would result in a minimum requirement of 206 parking spaces allotted to Phase 2 (152 apartment units at a rate of 1.1 residential spaces/unit and 0.2 visitor spaces/unit, and 16 Residence Suites at a rate of 0.4 spaces/suite). The 187 proposed Phase 2 parking spaces represents a reduction of $\pm 9.7\%$ to the total required residential parking.

Applying the current site-specific zoning by-law parking rates would result in a minimum requirement of 260 parking spaces allotted to both phases (135 Residence Suites in Phase 1 at a rate of 0.4 spaces/suite and 206 spaces required for Phase 2). The 241 proposed parking spaces represents a decrease of $\pm 7.6\%$ of total parking

With respect to the total parking requirements for both phases, the minimum required parking is proposed to be reduced from 289 to 241 spaces. The initial minimum requirement for total parking considered the initial Phase 2 proposal, including the retail at grade and condominium tenure type. The proposed number of total parking spaces has been deemed appropriate for the subject lands when considering the new Phase 2 proposal, which has removed the retail and commercial uses and changed the tenure type from condominium to rental, as supported by the enclosed Parking Study prepared by Transplan Associates Inc. Based on this, it is our opinion that the proposed variance is minor in nature.

In consideration of the above, we are of the opinion that the proposed minor variance associated with the subject lands maintain the general intent of the Official Plan and Zoning By-law, are minor in nature and is appropriate for the subject lands. It is our opinion that the proposed variances meet the four (4) tests under Section 45(1) of the Planning Act.

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

1. One (1) application form for a Minor Variance Application, fully executed;
3. One (1) copy of the Parking Study prepared by Transplan Associates Inc., dated May 2020;
4. One (1) sketch of the proposed Minor Variance, prepared by KLM Planning Partners Inc., and
5. One (1) cheque in the amount of \$2,887.00 made payable to the City of Vaughan reflecting the fee required for a Minor Variance for Residential Uses, and
6. One (1) compact disk containing digital copies of the above noted materials.

Trusting the above and enclosed are in order, please do not hesitate to contact the undersigned should you have any questions or concerns.

Yours truly,

KLM PLANNING PARTNERS INC.



Ryan Virtanen, BES, MCIP, RPP
Partner

CC: Ms. Monica Dashwood, VIVA Retirement Communities

Attwala, Pravina

Subject: FW: [External] Minor Variance Application A184/19 section 45 of planning Act RSO 1990 c.P.13

-----Original Message-----

From: Vadim Sverdlik [REDACTED]

Sent: Friday, March 06, 2020 4:01 PM

To: Committee of Adjustment <CofA@vaughan.ca>

Cc: Racco, Sandra <Sandra.Racco@vaughan.ca>; Bevilacqua, Maurizio <Maurizio.Bevilacqua@vaughan.ca>

Subject: [External] Minor Variance Application A184/19 section 45 of planning Act RSO 1990 c.P.13

Hello, All,

please be advise about following comments for By-Law 1-88 Vaughan in the lie of 19-March-20 hearing for 9800 Bathurst Street proposed Apartment High-Rise Building "B":

1. Residence Suite is not permitted in Building "B" Why City is permitting 16 Residence Suites starting from 1st floor? this is contradict with 1-88 By-Law and in close proximity to my house at 2-Gesher Crescent, Vaughan. This will be disturbance and noise to my house. Especially that Residence Suite are propose to start from 1st floor, please? And Residence Suite meant Rental? This contradict with neighboring nature of single detached and TH.

I am clearly oppose to this proposed idea.

2. Why City is permitting 0.4 parking space ratio Residence Suite parking for Building "B" ? is it inside or outside parking spaces ? we have a constant parking issue associated with 9800 Bathurst St Vaughan and nearest 9600 Bathurst Street Vaughan JCC Facility before proposed building "B".

3. City request 239 total parking spaces for Building "A" and "B" which is below minimum 289 parking spaces are required by 1-88 By-Law.

in conjunction with # 2 => this will increase illegal 3-hours permitted parking issue on both Gesher Crescent and Lebovic Campus.

do not see any parking study by City in conjunction to proposed amendment to 1-88 By-Law, please?

in addition, I do not see any Gesher street widening that require to accommodate 15-floor Condo Building "B" - transportation, fire evacuation as well as supply transportation to proposed building.

The Gesher street is not collecting road but local road with allowed parking on both side of street. and already heavy traffic for local road.

Do we have any proposed entrance from Bathurst street to proposed Building "B" 9800 Bathurst Street?

If not => additional transportation study are require, please?

Thanks,

Vadim Sverdlik

2 Gesher Crescent, Vaughan
[REDACTED]

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Attwala, Pravina

Subject: FW: [External] Minor Variance Application A184/19 section 45 of planning Act RSO 1990 c.P.13
Attachments: PetitionToOpposeConstructionResRentalBuilding15Floor9800BathurstStreet.pdf

From: Vadim Sverdlik [REDACTED]
Sent: March-16-20 9:09 AM
To: Vigneault, Christine <Christine.Vigneault@vaughan.ca>
Cc: Attwala, Pravina <Pravina.Attwala@vaughan.ca>; Racco, Sandra <Sandra.Racco@vaughan.ca>; Bevilacqua, Maurizio <Maurizio.Bevilacqua@vaughan.ca>; [REDACTED]
Subject: Re: [External] Minor Variance Application A184/19 section 45 of planning Act RSO 1990 c.P.13

Hello, Christine and All,
Please see below the attached Petition for your consideration with concerned Vaughan citizens signatures from affected Geshher Crescent/Asner Street to oppose building a Construction of Residential Rental Building 15-Floor at 9800 Bathurst Street, Vaughan :
Thanks,
Vadim Sverdlik
2 Geshher Crescent

THIS PETITION TO OPPOSE CONSTRUCTION OF BUILDING RESIDENTAL RENTAL 15-FLOOR BUILDING 9800 BATHURST STREET

RE: Minor Variance Application A184/19 section 45 of planning Act RSO 1990 c.P.13

1. The proposed 15-floor high-rise rental residential building will conflict with nature of our Lebovic Campus/Geshher Crescent neighborhood – detached and TH buildings. Standard of living at detached houses and THs will be decrease.
2. The proposed building will congest local Geshher Crescent traffic as well as Lebovic Campus and nearest local streets.
The Geshher Crescent is local road (not collector road) with parking on both sides of street. The Geshher Crescent street widening is not permissible due to constructed detached houses on west side of street
3. The proposed building will increase illegal parking issues on Geshher Crescent, Lebovic Campus Drive and nearest streets
4. The proposed building will represent social issues related to Residential Rental Apartment Units.
5. The proposed rental building will represent danger to students at nearest Leo Baeck Day School at 9600 Bathurst Street as well as Anna Frank P.S school at 431 Ilan Ramon Blvd
6. The proposed building will increase noise and disturbance to quiet detached neighbourhood houses
7. The proposed building will need a study for supply trucks and another big vehicles accessibility from local Geshher Crescent street
8. The proposed building will need building evacuation study from Fire Chief if any Fire evacuation
9. The proposed building will reduce values of nearest detached houses.
As such the value adjustment of nearest detached houses will be require by City of Vaughan => and reduction of affected detached houses Property Tax Values will be in result of Reduction of Property Tax Values collected by City of Vaughan

The Neighbors of Geshher Crescent, Vaughan would appreciate expeditious consideration for Non-approval Zoning and No Construction BUILDING RESIDENTAL RENTAL 15-FLOOR BUILDING 9800 BATHURST STREET

THIS PETITION TO OPPOSE CONSTRUCTION OF BUILDING RESIDENTAL RENTAL 15-FLOOR BUILDING 9800 BATHURST STREET

RE: Minor Variance Application A184/19 section 45 of planning Act RSO 1990 c.P.13







1. The proposed 15-floor high-rise rental residential building will conflict with nature of our Lebovic Campus/Gesher Crescent neighborhood – detached and TH buildings. Standard of living at detached houses and THs will be decrease.
2. The proposed building will congest local Gesher Crescent traffic as well as Lebovic Campus and nearest local streets.
The Gesher Crescent is local road (not collector road) with parking on both sides of street. The Gesher Crescent street widening is not permissible due to constructed detached houses on west side of street
3. The proposed building will increase illegal parking issues on Gesher Crescent, Lebovic Campus Drive and nearest streets
4. The proposed building will represent social issues related to Residential Rental Apartment Units.
5. The proposed rental building will represent danger to students at nearest Leo Baeck Day School at 9600 Bathurst Street as well as Anna Frank P.S school at 431 Ilan Ramon Blvd
6. The proposed building will increase noise and disturbance to quiet detached neighbourhood houses
7. The proposed building will need a study for supply trucks and another big vehicles accessibility from local Gesher Crescent street
8. The proposed building will need building evacuation study from Fire Chief if any Fire evacuation
9. The proposed building will reduce values of nearest detached houses.
As such the value adjustment of nearest detached houses will be require by City of Vaughan => and reduction of affected detached houses Property Tax Values will be in result of Reduction of Property Tax Values collected by City of Vaughan

The Neighbors of Gesher Crescent, Vaughan would appreciate expeditious consideration for Non-approval Zoning and No Construction BUILDING RESIDENTAL RENTAL 15-FLOOR BUILDING 9800 BATHURST STREET

Petition:

We, the Neighbors of Gesher Crescent, Vaughan call on the City of Vaughan oppose to do a construction BUILDING RESIDENTAL RENTAL 15-FLOOR BUILDING 9800 BATHURST STREET

Name/Address/Signatures

Igor Katsnelson	6 Gesher Cres	
Vadim Sverdlik	2 Gesher Crescent	Vaughan 
Betti Darinski	10 Gesher crescent	Vaughan 
Dimitri Kabanov	18 GESHHER CRES.	
Ovir David Hadary	26 Gesher cres., maple	
VIJAY SELVAN	30 GESHER CRES	Bay street 
IPROSHA MUTHUNAWAGONNA	48 Gesher crescent	
PASNER AVE MAPLE	Parviz Kariman	

W

VITAI SELVAN 30 Kasher [REDACTED]

MEISUAN FANG 42 Gasher Cres [REDACTED]

STANISLAV KOMPANIYETS 5 ASNER AV. [REDACTED]

JOHN KLEIN 15 ASNER AVENUE [REDACTED]

Mark Kagan 11 ASNER AVE [REDACTED]

19 ASNER AVE

WILL FONIN ~~ASNER~~ (23 ASNER AVE)

JOSEPH SOLOMON - 31 ASNER AVE Joseph

Schedule C: Agency Comments

Please note that the correspondence listed in Schedule C is not comprehensive. Comments received after the preparation of this staff report will be provided as an addendum.-

Alectra (Formerly PowerStream) – No concerns or objections
Region of York – No concerns or objections



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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
Phone: 1-877-963-6900 ext. 31297
Fax: 905-532-4401
E-mail: stephen.cranley@alectrautilities.com

Mr. Tony D'Onofrio
Supervisor, Subdivisions & New Services
Phone: 1-877-963-6900 ext. 24419
Fax: 905-532-4401
Email: tony.donofrio@alectrautilities.com

Attwala, Pravina

Subject: FW: REVISED APPLICATION - A184/19 (9800 BATHURST STREET) REQUEST FOR COMMENTS
(Vaughan Committee of Adjustment)

From: Hurst, Gabrielle <Gabrielle.Hurst@york.ca>

Sent: June-11-20 10:01 AM

To: Attwala, Pravina <Pravina.Attwala@vaughan.ca>; MacPherson, Adriana <Adriana.MacPherson@vaughan.ca>;
Providence, Lenore <Lenore.Providence@vaughan.ca>

Subject: [External] RE: REVISED APPLICATION - A184/19 (9800 BATHURST STREET) REQUEST FOR COMMENTS (Vaughan
Committee of Adjustment)

Good morning Pravina,

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

Gabrielle

Gabrielle Hurst mcip rpp | Associate Planner | Community Planning and Development Services | Corporate Services
The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1
1-877 464 9675 ext 71538 | Gabrielle.hurst@york.ca | www.york.ca