

**To:** Christine Vigneault, Committee of Adjustment Secretary Treasurer  
**From:** Mauro Peverini, Director of Development Planning  
**Date:** July 9, 2020  
**Name of Owner:** Madison Viva Bathurst Holdings Limited  
**Location:** CONC 2 Lot 18 municipally known as 9800 Bathurst Street  
**File No.(s):** A184/19

**ADDENDUM**  
**AGENDA ITEM**  
**6**  
**COMMITTEE OF ADJUSTMENT**

**Proposed Variance(s):**

- 1) To permit a maximum of 152 apartment dwelling units located on the 1st floor, 3rd to 15th floor inclusive and to permit 16 residence suites located on the 2nd floor of Building "B".
- 2) To permit the parking ratio of 0.4 space per residence suites for Building "B".
- 3) To permit a minimum required parking space total for a residential apartment dwelling (Phase 2) of 187 parking space (0.98 spaces/dwelling unit plus an additional 0.2 visitor parking spaces/dwelling unit, and 0.4 spaces/ residential suite) for Building "B" as shown on Schedule E-1456 to By-law 1-88 a.a., 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 a.a.

**By-Law Requirement(s):**

- 1) A maximum of 162 apartment dwelling units is permit located on the 2nd to 15<sup>th</sup> Floor of the building, residence suites are not permitted in Building "B".
- 2) The residence suite parking ratio was not permitted for Building "B".
- 3) A minimum of 289 parking spaces are required for the subject lands.

**Official Plan:**

Vaughan Official Plan 2010 ('VOP 2010'): "High-Rise Residential" with a maximum building height of 15-storeys and a floor space index ('FSI') of 4 times the lot area.

**Comments:**

The Owner is requesting the above-noted variances to assist with the development of a 15-storey high-rise building (Building "B") located on the Subject Lands.

Previous Official Plan Amendment, Zoning By-law Amendment and Site Development Application Files OP.09.002, Z.09.009 DA.09.078 were approved to permit two high-rise mixed-use buildings on the Subject Lands. Site-Specific Exception 9(1326) for Phase 2 Building B included a maximum gross floor area ('GFA') of 651m<sup>2</sup> for retail uses and a maximum GFA of 186m<sup>2</sup> for a day nursery on the ground floor only for Building "B". The Owner has determined not to proceed with the retail component or day nursery and submit a Simple Revision to Site Development Application (DA.19.066) to address the changes reflected in the above noted variances.

The Development Planning Department has no objection to Variance 1 with the decrease of maximum residential apartment units from 162 to 152 (located on the 1<sup>st</sup> floor and 3<sup>rd</sup> to 15<sup>th</sup> floor) and permit a maximum of 16 Residence Suites (located on the 2<sup>nd</sup> floor). VOP 2010 encourages "Supportive Housing" with the purpose of providing affordable housing options to the populations in need of assistance similar to the proposed "Residence Suite" as permitted in Building A. In addition, VOP 2010 Policy 7.5.1.1 speaks to supporting a wide range of housing options including ownership and rental housing, social housing, housing for seniors, supportive housing, etc., that meets the needs of people with disabilities and support Vaughan's diverse population.

Furthermore, the site-specific by-law associated with the Subject Lands permits 135 "Residence Suites" in Phase I as-of-right. Increasing it by an additional 16 units is not altering the intended use of lands which was to develop a 'Senior Car Retirement Community'. Additionally, the site-specific by-law speaks of retail uses in terms of "maximums" and was considered appropriate at the time given the surrounding lands were predominately residential. Presently, the Subject Lands are near other commercial developments (Swartz Reisman Centre and Rutherford Market Place) which are within a 10 minute walking distance and provide the same uses (day nursery, pharmacy, and other retail uses) contemplated in the site-specific by-law.

The Development Planning Department has no objection to Variance 2 and 3, as the previous uses for Building "B" (Phase 2) permitted commercial at grade and residential apartment dwelling units which demand a higher parking ratio than "Residence Suites". The proposed Residence Suites (Supportive Housing Units) provide sanitary services, however, does not permit cooking facilities nor cooking equipment within the unit. As such, the new Residence Suite units are a less

intensive use than an apartment dwelling unit, (Variance #2). Through the review of similar developments (Palisades and Origin Evergreen) an overall parking reduction was justified for these types of units. A parking decrease from 289 to 241 spaces was established by permitting a parking ratio (Variance #3) of 0.98 per dwelling unit, 0.2 visitor parking per dwelling unit and 0.4 parking stall per Residential Suite (Supportive Housing Unit) for Building “B”, which is examined in detail and justified in the revised Parking Study (prepared by Transplan Associates Inc., dated May 2020) submitted. Transportation Engineering staff concur with the findings in the parking study and have no further concerns. It should also be noted the same parking ratio for the “Residence Suites” approved under Z.09.009 through the development of Building “A” had utilized the same parking ratio 0.4 spaces per residential suite.

The Development Planning Department is of the opinion that the proposal is minor in nature, maintains the general intent and purpose of the Official Plan and Zoning By-law, and is desirable for the appropriate development of the land.

**Recommendation:**

The Development Planning Department recommends approval of the minor variance application, subject to the following condition.

**Conditions of Approval:**

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

1. That Site Development File DA.19.066 be approved to the satisfaction of the Development Planning Department.

**Comments Prepared by:**

Roberto Simbana, Planner I  
Margaret Holyday, Senior Planner