

**WESTON
CONSULTING**

planning + urban design

COMMUNICATION – C55

ITEM 1

**Committee of the Whole (Public Meeting)
October 29, 2020**

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

October 28, 2020
File 7584

Attn: City Clerk

Dear Sir,

**RE: Part of Lot 3, Concession 3 (Parts 6&7 of R-Plan 65R-33852), Concord
Draft Zoning By-law
City of Vaughan**

Weston Consulting are the Planners for Keele-407 Development Corp., the owners of the property located at north-east corner of Keele St and Great Gulf Drive in the City of Vaughan. We have reviewed the Phase 3 Draft Zoning By-law material and note that the Site Specific exception 1010 does not include the Committee of Adjustment approvals that were obtained in 2017. These approved variances to the Zoning By-law are as follows:

- **2017 – Application A168-17**
 1. A minimum of 376 parking spaces;
 2. A minimum of zero loading spaces for Building A;
 3. A minimum of zero loading spaces for Building B;
 4. A minimum unit size within a multi-unit building of 176.54 m²;
 5. A minimum rear yard setback of 8.0 metres; and
 6. A minimum landscape strip width of 8 metres.

The Committee decision is attached for your reference.

We have reviewed Section 1.6 of the Phase 3 Draft Zoning By-law text and are concerned that the minor variances achieved in 2017 will no longer be in effect on the passing of the new Zoning By-law. Section 1.6.2.1 contains three tests to recognize existing Planning Act approvals. We note that the minor variance approval was authorized by the Committee of Adjustment on or after January 1, 2015 and on or before the effective date of this by-law since it is not in effect as of yet. This satisfies the first two tests.

Our concern is that the approved variance does not meet the third test as a building permit has already been issued. Thus, based on our interpretation, the existing building would become a non-conforming land use as per Section 1.9.

It would be greatly appreciated if you could confirm that the minor variances obtained in the application noted above will remain in full force and effect when the new Zoning by-law comes into effect.

Thank you in advance for your assistance.

Yours truly,

Weston Consulting

A handwritten signature in black ink, appearing to read 'K. Franklin', written in a cursive style.

Kurt Franklin BMath, MAES, MCIP, RPP
Vice President

cc. Mr. Sandy Minuk, Keele-407 Development Corp.
Mr. Brandon Correia, Manager – Special Projects, City of Vaughan

NOTICE OF DECISION

MINOR VARIANCES

FILE NUMBER: A168/17

APPLICANT: KEELE - 407 DEVELOPMENT CORP.

PROPERTY: Part of Lot 3, Concession 3 (Parts 6&7 of Registered Plan 65R33852), Concord.

ZONING: The subject lands are zoned EM1 and subject to the provisions of Exception 9(1360) under By-law 1-88, as amended

PRIOR to the hearing the applicant amended the Sketch as follows:

***By amending variance #1 A minimum of 376 parking spaces
NOT A minimum of 377 parking spaces***

PURPOSE: To permit the construction of 5 industrial buildings.

PROPOSAL:

376

- 1) A minimum of ~~377~~ parking spaces,
- 2) A minimum of zero loading spaces for building A,
- 3) A minimum of zero loading spaces for building B,
- 4) A minimum unit size within a multi-unit building of 176.54 square metres,
- 5) A minimum rear yard setback of 8.0 metres, and,
- 6) A minimum landscape strip width of 8 metres

BY-LAW REQUIREMENT:

- 1) A minimum of 401 parking spaces,
- 2) A minimum of 1 loading spaces for building A,
- 3) A minimum of 2 loading spaces for building B,
- 4) A minimum unit size within a multi-unit building of 274 square metres,
- 5) A minimum rear yard setback of 14.0 metres, and,
- 6) A minimum landscape strip width of 9 metres

A sketch is attached illustrating the request.

MOVED BY:

SECONDED BY:

THAT the Committee is of the opinion that the variances sought, can be considered minor and are desirable for the appropriate development and use of the land. The general intent and purpose of the By-law and the Official Plan will be maintained.



The Committee of Adjustment received written and/or oral submissions before and/or during the hearing and have taken these submissions into consideration when making the decision.

THAT Application No.A168/17, **KEELE - 407 DEVELOPMENT CORP.**, be **APPROVED**, in accordance with the sketches and conditions attached:

1. The Owner shall successfully obtain site plan approval for Site Development File DA.16.088, if required and to the satisfaction of the Development Planning Department.
2. That if the condition(s) listed above is/are not fulfilled and the Building Permit is not applied for within twelve (12) months of the date this decision becomes final and binding, the said decision shall expire and shall be deemed to have been annulled and rescinded by the Committee. **(PLEASE NOTE THAT THIS TIME PERIOD CANNOT BE EXTENDED IN ANY WAY, FAILURE TO MEET THIS DEADLINE WILL RESULT IN REQUIRING A NEW APPLICATION AND FEE.)**

COMMITTEE OF ADJUSTMENT VARIANCE

A168/17

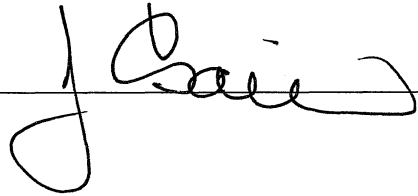
VERY IMPORTANT: IT IS THE RESPONSIBILITY OF THE OWNER/APPLICANT AND/OR AGENT TO OBTAIN AND PROVIDE A CLEARANCE LETTER FROM EACH AGENCY AND/OR DEPARTMENT LISTED IN THE CONDITIONS WHETHER "IF REQUIRED" APPEARS IN THE CONDITION OR NOT, AND FORWARD THIS CLEARANCE LETTER TO THE SECRETARY-TREASURER AS SOON AS THE CONDITIONS ARE FULFILLED.

FAILURE TO COMPLY WITH THIS PROCEDURE WILL RESULT IN A LETTER BEING FORWARDED BY THE SECRETARY-TREASURER INDICATING THIS FILE HAS LAPSED AND, THEREFORE, WILL NECESSITATE THAT A NEW APPLICATION BE SUBMITTED TO LEGALIZE THIS PROPERTY.

THIS MINOR VARIANCE DECISION IS NOT A BUILDING PERMIT AUTHORIZING CONSTRUCTION UNDER THE BUILDING CODE ACT, R.S.O. 1990, AS AMENDED. A BUILDING PERMIT MAY BE REQUIRED. PLEASE CONTACT THE BUILDING STANDARDS DEPARTMENT IN THE EVENT THAT YOU REQUIRE FURTHER CLARIFICATION.

CARRIED.

CHAIR:



Signed by all members present who concur in this decision:

ABSENT

M. Mauti,
Chair

J. Cesario,
Vice Chair

R. Buckler,
Member

H. Zheng,
Member

A. Perrella,
Member

CERTIFICATION

I hereby certify this to be a true copy of the decision of the Committee of Adjustment, and this decision was concurred in by a majority of the members who heard this application.

Todd Coles, ACST(A), MCIP, RPP
Manager of Development Services
and Secretary-Treasurer to
Committee of Adjustment

Date of Hearing:

June 08, 2017

Last Date of Appeal:

June 28, 2017

APPEALS

APPEALS MUST BE RECEIVED BY THIS OFFICE NO LATER THAN 4:30 P.M. ON THE LAST DATE OF APPEAL NOTED ABOVE.

Should you decide to appeal this decision to the Ontario Municipal Board, a copy of an appeal form is available for download in Microsoft Word and Adobe Acrobat versions from the Ontario Municipal Board website at www.omb.gov.on.ca. If you do not have Internet access, these forms can be picked up at the City of Vaughan, Committee of Adjustment offices.

Please fill out Form A1 and follow the instructions as provided by the Ontario Municipal Board and submit your appeal to the City of Vaughan, Committee of Adjustment on or before the date stated above. You must enclose the completed form with the \$708.00 processing fee, paid by certified cheque or money order, to the "TREASURER, CITY OF VAUGHAN" and the appeal fee of \$300.00 for each application appealed, paid by certified cheque or money order, made payable to the "ONTARIO MINISTER OF FINANCE".

NOTE: The Planning Act provides for appeals to be filed by "persons". As groups or associations, such as residents or ratepayers groups which do not have incorporated status, may not be considered "persons" for the purposes of the Act, groups wishing to appeal this decision should do so in the name of individual group members, and not in the name of the group.

CONDITIONS

IF ANY CONDITIONS ARE IMPOSED ON THIS APPLICATION, THE FINAL DATE FOR FULFILLING THEM IS:
June 28, 2018

REVISED JUNE 7, 2017

A168/17

- 1) A minimum of 376 parking spaces
- 2) A minimum of zero loading spaces for building A
- 3) A minimum of zero loading spaces for building B
- 4) A minimum unit size within a multi-unit building of 176.54 sq metres
- 5) A minimum rear yard setback of 8.0 metres
- 6) A minimum landscape strip width of 8 metres

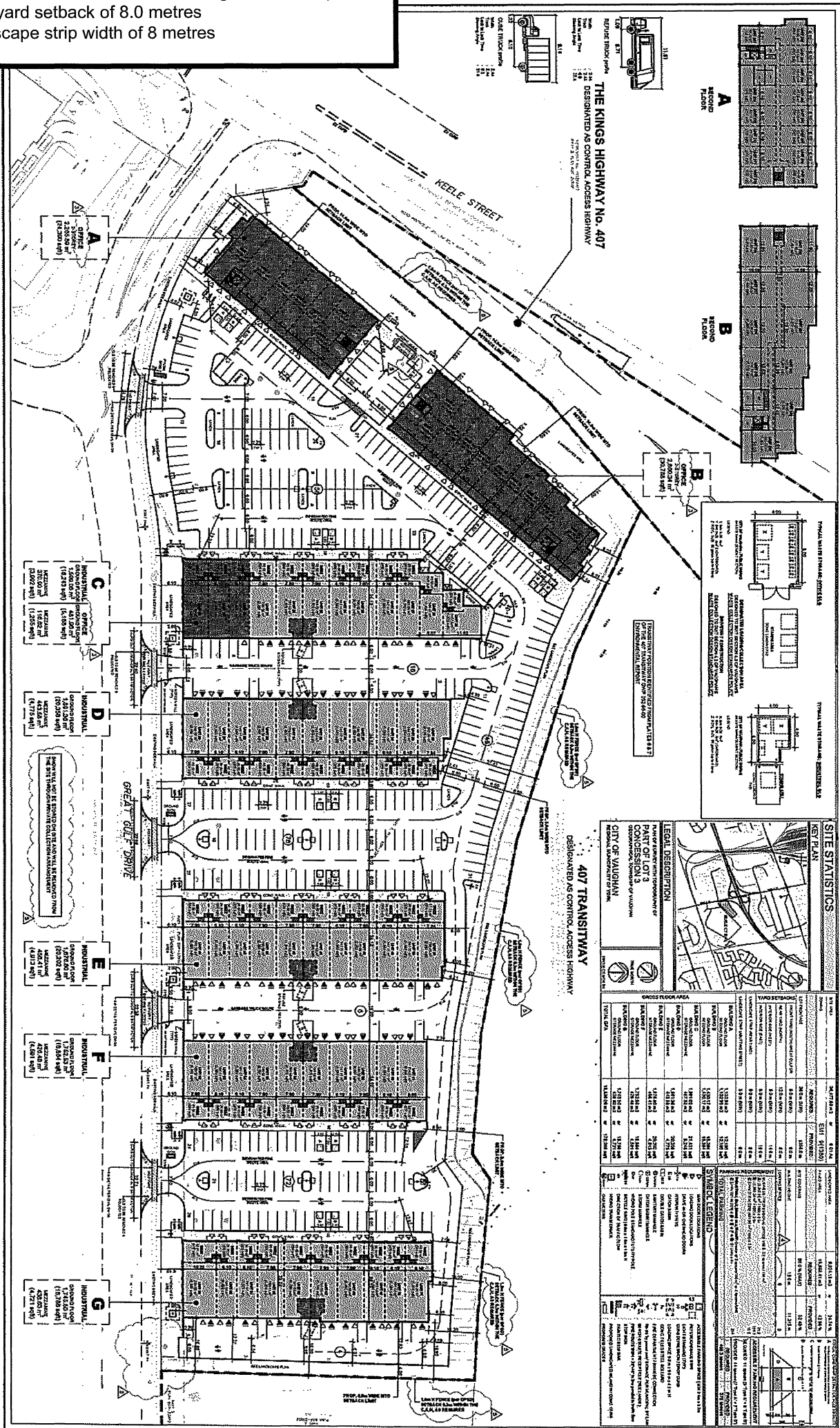
REVISION	DATE	NO.	REVISION	DATE
1	SEP 21, 2016	1	COORDINATED WITH LIVING	SEP 21, 2016
2	SEP 21, 2016	2	REMOVED TO SUIT MUNICIPAL	SEP 21, 2016
3	SEP 21, 2016	3	REMOVED BUILDING	SEP 21, 2016
4	SEP 21, 2016	4	REMOVED BUILDING	SEP 21, 2016
5	SEP 21, 2016	5	REMOVED BUILDING	SEP 21, 2016
6	SEP 21, 2016	6	REMOVED BUILDING	SEP 21, 2016
7	SEP 21, 2016	7	REMOVED BUILDING	SEP 21, 2016
8	SEP 21, 2016	8	REMOVED BUILDING	SEP 21, 2016
9	SEP 21, 2016	9	REMOVED BUILDING	SEP 21, 2016
10	SEP 21, 2016	10	REMOVED BUILDING	SEP 21, 2016
11	SEP 21, 2016	11	REMOVED BUILDING	SEP 21, 2016
12	SEP 21, 2016	12	REMOVED BUILDING	SEP 21, 2016
13	SEP 21, 2016	13	REMOVED BUILDING	SEP 21, 2016
14	SEP 21, 2016	14	REMOVED BUILDING	SEP 21, 2016
15	SEP 21, 2016	15	REMOVED BUILDING	SEP 21, 2016
16	SEP 21, 2016	16	REMOVED BUILDING	SEP 21, 2016
17	SEP 21, 2016	17	REMOVED BUILDING	SEP 21, 2016
18	SEP 21, 2016	18	REMOVED BUILDING	SEP 21, 2016
19	SEP 21, 2016	19	REMOVED BUILDING	SEP 21, 2016
20	SEP 21, 2016	20	REMOVED BUILDING	SEP 21, 2016
21	SEP 21, 2016	21	REMOVED BUILDING	SEP 21, 2016
22	SEP 21, 2016	22	REMOVED BUILDING	SEP 21, 2016
23	SEP 21, 2016	23	REMOVED BUILDING	SEP 21, 2016
24	SEP 21, 2016	24	REMOVED BUILDING	SEP 21, 2016
25	SEP 21, 2016	25	REMOVED BUILDING	SEP 21, 2016
26	SEP 21, 2016	26	REMOVED BUILDING	SEP 21, 2016
27	SEP 21, 2016	27	REMOVED BUILDING	SEP 21, 2016
28	SEP 21, 2016	28	REMOVED BUILDING	SEP 21, 2016
29	SEP 21, 2016	29	REMOVED BUILDING	SEP 21, 2016
30	SEP 21, 2016	30	REMOVED BUILDING	SEP 21, 2016
31	SEP 21, 2016	31	REMOVED BUILDING	SEP 21, 2016
32	SEP 21, 2016	32	REMOVED BUILDING	SEP 21, 2016
33	SEP 21, 2016	33	REMOVED BUILDING	SEP 21, 2016
34	SEP 21, 2016	34	REMOVED BUILDING	SEP 21, 2016
35	SEP 21, 2016	35	REMOVED BUILDING	SEP 21, 2016
36	SEP 21, 2016	36	REMOVED BUILDING	SEP 21, 2016
37	SEP 21, 2016	37	REMOVED BUILDING	SEP 21, 2016
38	SEP 21, 2016	38	REMOVED BUILDING	SEP 21, 2016
39	SEP 21, 2016	39	REMOVED BUILDING	SEP 21, 2016
40	SEP 21, 2016	40	REMOVED BUILDING	SEP 21, 2016
41	SEP 21, 2016	41	REMOVED BUILDING	SEP 21, 2016
42	SEP 21, 2016	42	REMOVED BUILDING	SEP 21, 2016
43	SEP 21, 2016	43	REMOVED BUILDING	SEP 21, 2016
44	SEP 21, 2016	44	REMOVED BUILDING	SEP 21, 2016
45	SEP 21, 2016	45	REMOVED BUILDING	SEP 21, 2016
46	SEP 21, 2016	46	REMOVED BUILDING	SEP 21, 2016
47	SEP 21, 2016	47	REMOVED BUILDING	SEP 21, 2016
48	SEP 21, 2016	48	REMOVED BUILDING	SEP 21, 2016
49	SEP 21, 2016	49	REMOVED BUILDING	SEP 21, 2016
50	SEP 21, 2016	50	REMOVED BUILDING	SEP 21, 2016
51	SEP 21, 2016	51	REMOVED BUILDING	SEP 21, 2016
52	SEP 21, 2016	52	REMOVED BUILDING	SEP 21, 2016
53	SEP 21, 2016	53	REMOVED BUILDING	SEP 21, 2016
54	SEP 21, 2016	54	REMOVED BUILDING	SEP 21, 2016
55	SEP 21, 2016	55	REMOVED BUILDING	SEP 21, 2016
56	SEP 21, 2016	56	REMOVED BUILDING	SEP 21, 2016
57	SEP 21, 2016	57	REMOVED BUILDING	SEP 21, 2016
58	SEP 21, 2016	58	REMOVED BUILDING	SEP 21, 2016
59	SEP 21, 2016	59	REMOVED BUILDING	SEP 21, 2016
60	SEP 21, 2016	60	REMOVED BUILDING	SEP 21, 2016
61	SEP 21, 2016	61	REMOVED BUILDING	SEP 21, 2016
62	SEP 21, 2016	62	REMOVED BUILDING	SEP 21, 2016
63	SEP 21, 2016	63	REMOVED BUILDING	SEP 21, 2016
64	SEP 21, 2016	64	REMOVED BUILDING	SEP 21, 2016
65	SEP 21, 2016	65	REMOVED BUILDING	SEP 21, 2016
66	SEP 21, 2016	66	REMOVED BUILDING	SEP 21, 2016
67	SEP 21, 2016	67	REMOVED BUILDING	SEP 21, 2016
68	SEP 21, 2016	68	REMOVED BUILDING	SEP 21, 2016
69	SEP 21, 2016	69	REMOVED BUILDING	SEP 21, 2016
70	SEP 21, 2016	70	REMOVED BUILDING	SEP 21, 2016
71	SEP 21, 2016	71	REMOVED BUILDING	SEP 21, 2016
72	SEP 21, 2016	72	REMOVED BUILDING	SEP 21, 2016
73	SEP 21, 2016	73	REMOVED BUILDING	SEP 21, 2016
74	SEP 21, 2016	74	REMOVED BUILDING	SEP 21, 2016
75	SEP 21, 2016	75	REMOVED BUILDING	SEP 21, 2016
76	SEP 21, 2016	76	REMOVED BUILDING	SEP 21, 2016
77	SEP 21, 2016	77	REMOVED BUILDING	SEP 21, 2016
78	SEP 21, 2016	78	REMOVED BUILDING	SEP 21, 2016
79	SEP 21, 2016	79	REMOVED BUILDING	SEP 21, 2016
80	SEP 21, 2016	80	REMOVED BUILDING	SEP 21, 2016
81	SEP 21, 2016	81	REMOVED BUILDING	SEP 21, 2016
82	SEP 21, 2016	82	REMOVED BUILDING	SEP 21, 2016
83	SEP 21, 2016	83	REMOVED BUILDING	SEP 21, 2016
84	SEP 21, 2016	84	REMOVED BUILDING	SEP 21, 2016
85	SEP 21, 2016	85	REMOVED BUILDING	SEP 21, 2016
86	SEP 21, 2016	86	REMOVED BUILDING	SEP 21, 2016
87	SEP 21, 2016	87	REMOVED BUILDING	SEP 21, 2016
88	SEP 21, 2016	88	REMOVED BUILDING	SEP 21, 2016
89	SEP 21, 2016	89	REMOVED BUILDING	SEP 21, 2016
90	SEP 21, 2016	90	REMOVED BUILDING	SEP 21, 2016
91	SEP 21, 2016	91	REMOVED BUILDING	SEP 21, 2016
92	SEP 21, 2016	92	REMOVED BUILDING	SEP 21, 2016
93	SEP 21, 2016	93	REMOVED BUILDING	SEP 21, 2016
94	SEP 21, 2016	94	REMOVED BUILDING	SEP 21, 2016
95	SEP 21, 2016	95	REMOVED BUILDING	SEP 21, 2016
96	SEP 21, 2016	96	REMOVED BUILDING	SEP 21, 2016
97	SEP 21, 2016	97	REMOVED BUILDING	SEP 21, 2016
98	SEP 21, 2016	98	REMOVED BUILDING	SEP 21, 2016
99	SEP 21, 2016	99	REMOVED BUILDING	SEP 21, 2016
100	SEP 21, 2016	100	REMOVED BUILDING	SEP 21, 2016

407-KEELE
CENTRE

A. BALDASSARRA
Architect Inc.

7000 Jane Street, Suite 200
Toronto, Ontario M3J 1K6
Tel: (416) 593-0722
Fax: (416) 593-0723

SITE PLAN
DA16088
DATE: MARCH 2016
SCALE: 1:500
PROJECT NO: A-1.0



KEY PLAN		SITE STATISTICS	

Keele Street



City of Vaughan



The City of Vaughan makes every effort to ensure that this map is free of errors but does not warrant that the map or its features are spatially, tabularly, or temporally accurate or fit for a particular use. This map is provided by the City of Vaughan without warranties of any kind, either expressed or implied.