



File: A024/21

Applicant: Tesmar Holdings Inc.

Address: 9075-9085 Jane Street, Concord

Agent: Ryan Mino-Leahan
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	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Development Engineering	<input checked="" type="checkbox"/>	<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	<input checked="" type="checkbox"/>	
Region of York	<input checked="" type="checkbox"/>	
Alectra (Formerly PowerStream)	<input checked="" type="checkbox"/>	
Public Correspondence (see Schedule B)	<input checked="" type="checkbox"/>	

Adjournment History: None

Background History: None

Staff Report Prepared By: Lenore Providence

Hearing Date: Thursday, March 18, 2021

***Please note that additional comments may be received after the publication of the Staff Report. These comments will be processed as an addendum (see website for details).**



Minor Variance Application

Agenda Item: 12

A024/21

Ward: 4

Staff Report Prepared By: Lenore Providence, Assistant Secretary Treasurer

Date & Time of Live Stream Hearing: Thursday, March 18, 2021 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:** Tesmar Holdings Inc.
- Agent:** Ryan Mino-Leahan - KLM Planning Partners Inc.
- Property:** **9075-9085 Jane Street, Concord**
- Zoning:** The subject lands are zoned RA3 and subject to the provisions of Exception 9(1467) under By-law 1-88 as amended.
- OP Designation:** Vaughan Mills Centre Secondary Plan (VMCSP): “High-Rise Mixed-Use” by the Vaughan Official Plan 2010 (VOP 2010), Volume 2, Section 11.7.
- Related Files:** DA.14.037 & DA.21.007, 19CDM-20V005 & 19CDM-20V006
- Purpose:** Relief from By-law 1-88, as amended, is being requested to permit the construction of two proposed residential apartment buildings on the subject land shown as Tower A and Tower B on the plans submitted with the application, and to facilitate the related Site Plan Application (DA.14.037 & DA.21.007) and Draft Plan of Condominium applications (19CDM-20V005 & 19CDM-20V006).

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

By-law Requirement	Proposal
1. The minimum required number of visitor parking spaces for the 568 dwelling units on the lot is 114. [9(1467)C.bi)]The proposed number of visitor parking spaces on the lot is 113.	1. The proposed number of visitor parking spaces on the lot is 113.
2. A Minimum Amenity Area of 16,000 m ² shall be required over the total site area; and shall include a publicly accessible privately-owned amenity space having a minimum area of 1,840m ² . [9(1467)C.ii)]	2. A Minimum Amenity Area of 14,157.72 m ² is proposed over the total site area including a publicly accessible privately-owned amenity space having an area of 1,880m ² .
3. A pedestrian connection from Jane street to the Publicly Accessible Private Open Space with a minimum width of 6.0m is required. [9(1467)C.jv)V.]	3. The proposed width of the pedestrian connection from Jane street to the Publicly Accessible Private Open Space is 2.8 metres wide.

Background (previous applications approved by the Committee on the subject land): None

Adjournment History: None

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 March 3, 2021

Applicant confirmed posting of signage on March 1, 2021

Property Information	
Existing Structures	Year Constructed
Dwelling	2003-2005
Shed	2003-2005

Applicant has advised that they cannot comply with By-law for the following reason(s):

The zoning provisions of Section 9(1467) requires a pedestrian connection from Jane Street to the Publicly Accessible Private Open Space with a minimum width of 6.0m. The minimum width of the walkway shown on the drawings approved through the City's review of the related Site Development Application (DA.14.037) is 2.8 metres wide.

The Site Plan Application and Building Permit related to the proposed development was approved with one (1) deficient visitor parking space. Through the currently active Draft Plan of Condominium Application, the visitor parking deficiency was noted by staff. The request for the reduction of one (1) visitor parking space will not have any adverse impacts.

Adjournment Request: N/A

Building Standards (Zoning Review):

Stop Work Order(s) and Order(s) to Comply: There are no outstanding Orders on file.

Building Permit No. 14-003872 for Condo. Apartment Building - New, Issue Date: Dec 02, 2020

Building Permit No. 14-003872 for Condo. Apartment Building - Foundation - Only, Issue Date: Aug 08, 2018

Building Permit No. 18-000463 for Retaining Wall - New, Issue Date: Jun 28, 2018

Building Permit No. 18-002766 for Single Use (Industrial) - New, Issue Date: Dec 05, 2018

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

Building Inspections (Septic):

No comments or concerns

Development Planning:

Vaughan Official Plan 2010 ('VOP 2010'): "High-Rise Mixed-Use", by Volume 2: 11.7 Vaughan Mills Centre Secondary Plan ('VMCSP').

The Owner is requesting permission to reduce the minimum visitor parking spaces from 114 to 113, minimum amenity area from 16,000m² to 14,157m², and minimum width of a pedestrian connection from 6m to 2.8m to facilitate two (2) residential apartment buildings, being 23 storeys (Building A) and 20 storeys (Building B) containing a total of 568 residential units, approved through Site Development File DA.14.037. File DA.14.037 was approved with conditions at the Local Planning Appeal Tribunal (File PL140839).

Presently, Draft Plan of Condominium applications for Buildings A (File 19CDM-20V005) and B (File 19CDM-20V006) were submitted on August 11, 2020. Through the review of the applications, zoning deficiencies were identified as the plans were not consistent to those approved in File DA.14.037. On February 11, 2021, a minor amendment Site Development File DA.21.007 was submitted to review the changes along with this application before Committee to rectify the deficiencies. Should Committee approve the variances, a condition that File DA.21.007 be approved to the satisfaction of Development Planning is included in the conditions of approval. Development Planning staff has no objection to the proposed variances, as the reductions are minor and appropriate for development of the land. The removal of a single visitor parking space was reviewed by the Transportation Division of the Development Engineering Department and have no concerns as the reduction is minimal and will have no impact to the functionality of site.

Development Planning staff acknowledges the minimum amenity area of 16,000m² was calculated using a maximum of 600 residential units (26.6 m² of amenity space per residential unit). As stated in the KLM Planning Partners Inc. justification letter dated on March 2, 2021, the current proposal contemplates 568 residential units with a total amenity area of 14,157.72 m², equal to 24.92 m² of amenity space per residential unit which is a reduction of 1.6 m² of amenity space per residential unit. This confirms 88% of the required amenity area is being provided in Phase I (Buildings A and B) with the intent to fulfill the remaining 12% through a Phase II (future development) on the remaining land holdings. Parks Infrastructure Planning and Urban Design staff confirm a 2.8m pedestrian multi-use pathway is acceptable, since there is sufficient

pavement width to accommodate landscaping and planters, requested through the Site Development Application File DA.14.037 to account for the undesirable downfall wind effects in the area.

The Development Planning Department have reviewed the application and is of the opinion that it 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.

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

That Site Development Application File DA.21.077 be approved to the satisfaction of the Development Planning Department.

Development Engineering:

The Development Engineering (DE) Department does not object to variance application A024/21. subject to the following condition(s):

1. The Owner/applicant shall submit updated engineering drawings and reports to the City's Development Engineering Department that reflects the changes made on the approved site plan application DA.14.037 for review and approval by the Development Engineering Department.
2. The Owner/applicant shall submit updated transportation reports that reflects the changes in parking requirement to the satisfaction of Development Engineering.

Comments:

The subject development was approved under site plan file DA.14.037. Development Engineering acknowledges that there is a related site plan amendment application DA.21.007 currently under review and therefore the clearance of the conditions can be obtained through DA.21.007.

Parks Development - Forestry:

No comments or concerns

By-Law and Compliance, Licensing and Permit Services:

No comments or concerns

Financial Planning and Development Finance:

No comment no concerns

Fire Department:

no comments on the two minor variances: 1) pedestrian walkway 2) parking spaces.

Schedule A – Plans & Sketches

Schedule B – Public Correspondence

Application Justification Letter

Schedule C - Agency Comments

Alectra (Formerly PowerStream) – No concerns or objections

Region of York – No concerns or objections

MTO – Located outside of MTO permit control area

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:

	Department/Agency	Condition
1	Development Engineering Farzana Khan 905-832-8585 x 3608 Farzana.Khan@Vaughan.ca	1. The Owner/applicant shall submit updated engineering drawings and reports to the City’s Development Engineering Department that reflects the changes made on the approved site plan application DA.14.037 for review and approval by the Development Engineering Department. 2. The Owner/applicant shall submit updated transportation reports that reflects the changes in parking requirement to the satisfaction of Development Engineering.
2	Development Planning Roberto Simbana 905-832-8585 x 8810 Roberto.simbana@vaughan.ca	That Site Development Application File DA.21.077 be approved to the satisfaction of the Development Planning Department.

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.

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.

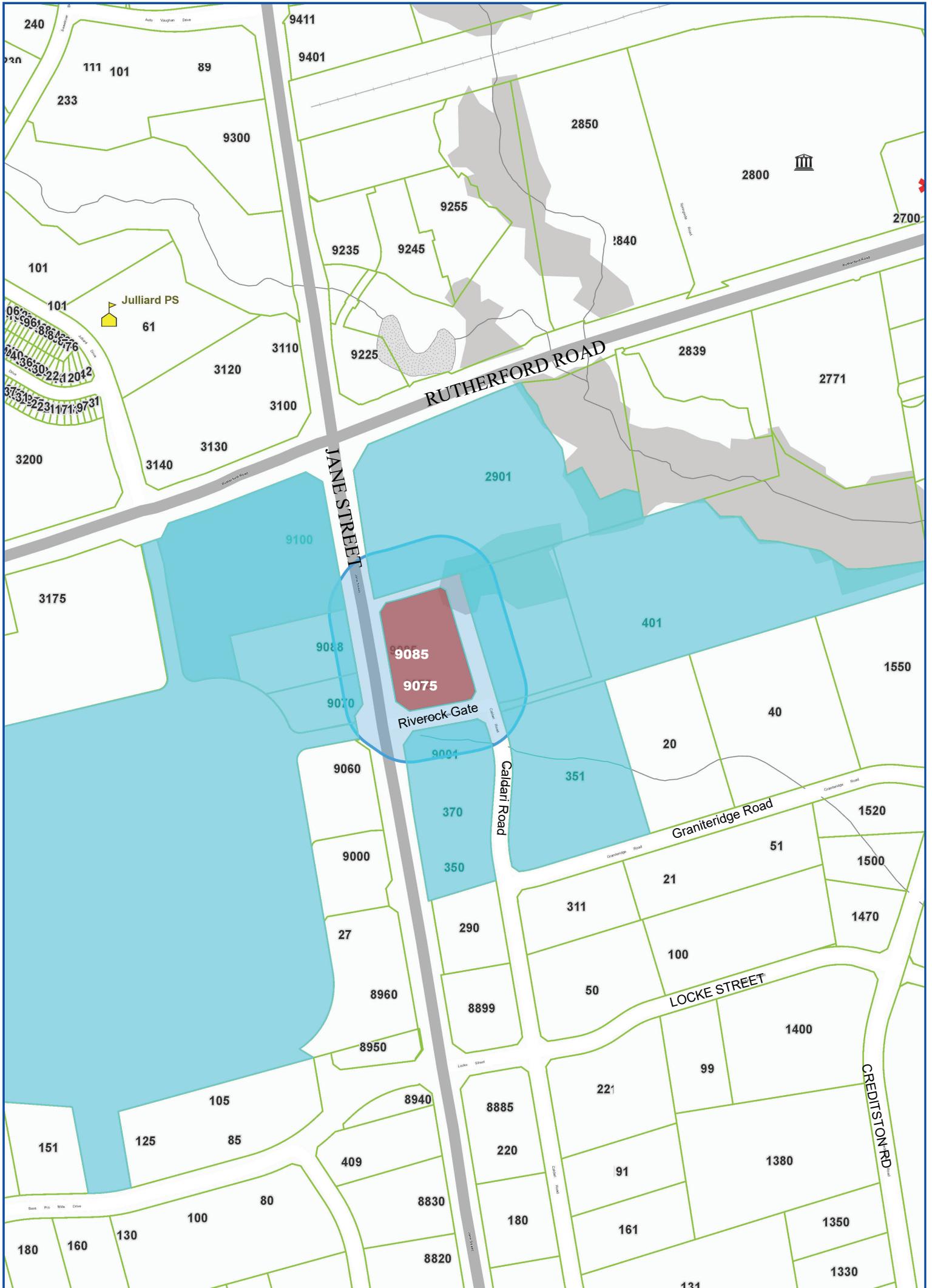
For further information please contact the City of Vaughan, Committee of Adjustment

T 905 832 8585 Extension 8394
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**



Map Information:



Title:

9075 & 9085 Jane Street, Concord

NOTIFICATION MAP - A024/21

Disclaimer:

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



Scale: 1:6,244

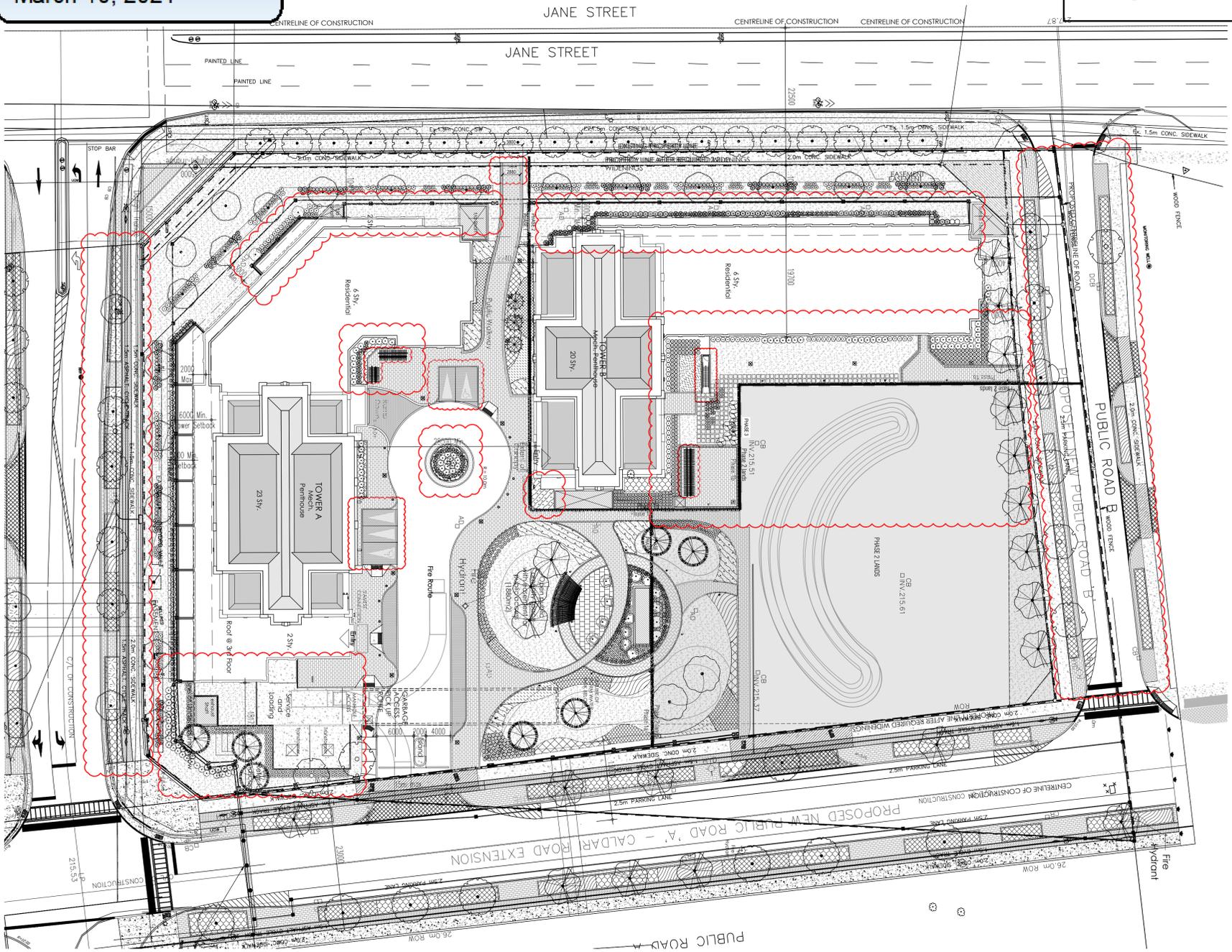
0 0.10 km



Created By:

Infrastructure Delivery
Department
February 22, 2021 5:11 PM

Projection:
NAD 83
UTM Zone
17N



REQUIRED / PERMITTED	TOWER A	TOWER B	TOTAL
1. SITE AREA	4,500 m ²	4,280 m ²	4,280 m ²
2. COVERAGE	5,145 m ²	3,085 m ²	13,830 m ²
3. G.F.A.	4,500 m ²	4,280 m ²	4,280 m ²
4. F.S.I.	3.3	3.2	3.3
5. UNITS*	508	283	568
6. PARKING REQUIRED	0.65 RES SPACES / 18	1.75 x 0.65 = 1.14	3.00 x 0.65 = 1.95
7. PARKING PROVIDED	322	312	634
8. AMENITY	14,157.72 m ²	1,880 m ²	14,157.72 m ²
9. LOADING SPACES	23 CITY MAX	20 CITY	23 CITY MAX
10. BUILDING HEIGHT	23 CITY MAX	23 CITY	23 CITY MAX
11. SETBACKS	1.0 m MIN	1.0 m MIN	1.0 m MIN
12. TOWER FLOOR AREA	770 m ² MAX	759 m ²	759 m ²
13. TOWER SEPARATION	28 m MIN	29.74 m	29.74 m
14. DRIVEWAY WIDTH	15 m MAX	8.5 m	8.5 m
15. LOOKERS			

TOTAL UNIT COUNT MAY VARY DEPENDING ON MARKET DEMAND
 * Area of Non-Residential to be provided in Phase 2
 ** Provided amenity shall include the units used for the Publicly Accessible Private Open Space

- The proposed number of visitor parking spaces on the lot is 113.**
- A Minimum Amenity Area of 14,157.72 m² is proposed over the total site area including a publicly accessible privately-owned amenity space having an area of 1,880m².**
- The proposed width of the pedestrian connection from Jane Street to the Publicly Accessible Private Open Space is 2.8 metres wide.**

This drawing is not to be used for construction purposes unless accompanied by the appropriate engineering and architectural drawings. The contractor must verify and confirm the accuracy of the information provided in this drawing. The client is responsible for the accuracy of the information provided in this drawing. The client is responsible for the accuracy of the information provided in this drawing. The client is responsible for the accuracy of the information provided in this drawing.

STATISTICAL INFORMATION

GENERAL NOTES

CONTEXT PLAN

LIST OF DRAWINGS

GENERAL INFORMATION

STATISTICAL INFORMATION

GENERAL NOTES

CONTEXT PLAN

LIST OF DRAWINGS

GENERAL INFORMATION

GRAZIANI CORAZZA ARCHITECTS INC.

PARK AVENUE SOLAR DEVELOPMENT

VAUGHAN ONTARIO

B. GRAZIANI
Project Architect

R. LINCOLN
Assistant Designer

D. BIASE
Owner By

Feb 05, 2021
Plot Date

670.07
Job #

1:400 A102

SITE PLAN AND STATISTICS TOWER A+B

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 Justification Letter

Revised

March 2, 2021

A024/21



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

P-3164

March 2, 2021

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

Attention: Ms. Christine Vigneault
Manager of Development Services & Secretary Treasurer to the Committee of Adjustment

Re: Minor Variance Application
Tesmar Holdings Inc. – Building A & B
9075 & 9085 Jane Street
City of Vaughan, Regional Municipality of York

Dear Ms. Vigneault,

KLM Planning Partners Inc. is the land use planning consultant retained by Tesmar Holdings Inc. (“Tesmar”), owners of 9075 & 9085 Jane Street (“Subject Lands”). On behalf of our client, we are pleased to submit a Minor Variance Application as it relates to the above noted lands.

The Subject Lands are located on the north east corner of Jane Street and Riverock Gate and are known municipally as 9075 & 9085 Jane Street. The Subject Lands have a land area of approximately 7,000 m² and lot frontage of approximately +/- 48 metres along Jane Street.

The Subject Lands are designated by “High-Rise Mixed-Use” by the Vaughan Mills Centre Secondary Plan (“VMCSP”) and are currently zoned RA3 – Residential Apartment Zone by Vaughan Zoning By-law 1-88, subject to Exception 9(1467).

On May 23, 2014, Tesmar submitted a Site Development Application (DA.14.037) to the City of Vaughan to facilitate the proposed residential apartment buildings. The City failed to make a decision on the site plan and on November 11, 2014, Tesmar filed an appeal to the Ontario Municipal Board (“OMB”), carrying forward as the Local Planning Appeal Tribunal (“LPAT”). The LPAT issued an oral decision on January 26, 2018 approving the Site Development Application with conditions, which was confirmed in its written decision dated August 27, 2018.

A building permit was subsequently issued and the Subject Lands are currently being developed with 2 residential apartment buildings being 23 storeys (Tower A) and 20 storeys (Tower B) respectively with a combined total of 568 residential units. Construction of the proposed development is well advanced with residents expected to move into the development in 2021.

An application for Draft Plan of Condominium (“DPOC”) for Towers A & B (19CDM-20V005 & 19CDM-20V006) was submitted on August 11, 2020. The materials submitted were consistent with the drawings approved through the related Site Development Application (DA.14.037). However, through the City’s subsequent review of related applications, deficiencies with the plans compliance with the Zoning By-law were identified. The variances proposed are to enable the DPOC to proceed to a recommendation by the City and facilitate the residents scheduled move-in date (Spring/Summer 2021).

Additionally, a Minor Amendment to an Approved Site Development Application (DA.21.007) was submitted on February 11, 2021, to reflect minor modifications to the materials approved as part of Site Development Application (DA.14.037). This application is currently under review by City staff and external agencies. Please note, the changes proposed as part of the minor amendment application have no bearing on the variances being sought.

In light of the above, we require relief from Zoning By-law 1-88 to permit the following:

- 1) To reduce the minimum width of a pedestrian connection from Jane Street to the Publicly Accessible Private Open Space to a minimum width of 2.8 metres.

Whereas the zoning provisions of By-law 1-88 Section 9(1467) requires a pedestrian connection from Jane Street to the Publicly Accessible Private Open Space with a minimum width of 6.0 metres.

- 2) To provide a minimum amenity area of 14, 157.72 m² through Phase 1A and 1B over the total site area including a publicly accessible privately-owned amenity space having an area of 1,880 m².

Whereas the zoning provisions of the By-law 1-88 Section 9(1467) requires a minimum amenity area of 16,000 m² shall be required over the total site area; and shall include a publicly accessible privately-owned amenity space having a minimum area of 1,840m².

- 3) The reduction of one (1) visitor parking space (0.008%). A total of 568 residential units are proposed within Tower A and Tower B. As per the parking requirements of the Zoning By-law, a total of 114 visitor parking spaces are required (568 x 0.20 = 113.6 - Rounded up to 114). We request that a minimum of 113 visitor parking spaces are required.

Whereas the zoning provisions of By-law 1-88 Section 9(1467) requires 0.20 parking spaces per residential unit for visitors.

The following summarizes how the tests of a Minor Variance pursuant to Section 45(1) of the *Planning Act* are satisfied.

1) Is the general intent and purpose of the Official Plan being maintained?

The Subject Lands are located within the Vaughan Mills Centre Secondary Plan (the “Secondary Plan”) as shown on Schedules 13 – Land Use and 14A – Area Subject to Secondary Plans of the Vaughan Official Plan 2010 (VOP 2010). The Subject Lands are designated “High-Rise Mixed-Use” on Schedule C – Land Use Designation of the Secondary Plan. Residential units are a permitted use within the “High-Rise Mixed-Use” designation.

The Subject Lands are also subject to special provisions in Section 18.4 of the Secondary Plan as a result of an order in connection with LPAT Case No(s): PL140839 and PL070347. These special provisions deal with land use, phasing of transportation improvements, site plan control, land use compatibility and the implementation of environmental studies.

The proposed variance does not seek a change in land use and the proposed development has recently received Site Plan Approval (DA.14.037) confirming conformity with the special provisions in Section 18.4 of the Secondary Plan. It is our opinion, that the intent and purpose of the Official Plan is maintained.

2) Is the general intent and purpose of the Zoning By-law being maintained?

The Subject Lands are currently zoned RA3 (H) - Apartment Residential Zone subject to Exception 9(1467) by Zoning By-law 1-88, as amended. Residential units are a permitted use under the Zoning By-law.

Three minor variances are proposed as part of this application. The first is minor variance is to reduce the minimum width of a pedestrian connection from Jane Street to the Publicly Accessible Private Open Space to a minimum width of 2.8 metres. The second variance is required due to the phased sequencing of the development and we seek to provide a total of 14,157.72 m² of amenity area on the subject lands. The third variance is to reduce the minimum number of required visitor parking spaces by one (1) space (0.008%).

The proposed pedestrian connection width provides ample space for the anticipated pedestrian volume and activity. Please note, the standard municipal sidewalk width is typically 1.5 metres in order to provide a basic level of service.

Through Phase 1A and 1B a total of 14,157.72 m² of amenity area is being constructed, which equates to 88% of the total amenity area to be provided over the entire site. As alluded to above, due to the nature of the development and the phasing across the subject lands a total of 88% of the total amenity area is provided in Phase 1A and 1B. The application to facilitate the development of Phase 2, the remaining portion of the overall lands will result in the creation of meeting and exceeding the minimum amenity area requirement of 16,000 m². We

note, the Phase 2 submission materials are currently being prepared with an anticipated submission date of Spring/Summer 2021.

The zoning provisions of By-law 1-88 Section 9(1467) requires 0.20 parking spaces per residential unit for visitors. A total of 568 residential units are proposed within Tower A and B. As a result, a total of 114 visitor parking spaces are required ($568 \times 0.20 = 113.6$ - Rounded up to 114). Our request to reduce the minimum visitor parking spaces to a total of 113, a reduction of one (1) visitor parking space or 0.008%, will not result in any adverse impacts to the overall development.

It is also important to note that these matters were considered by Vaughan staff and approved through the related site-plan application and building permits. The relief being requested of the Committee of Adjustment is to permit the ongoing construction of the proposed development consistent with the design approved by the City.

Based on the foregoing, the proposed variances maintain the general intent and purpose of the Zoning By-law.

3) Are the variances desirable for the approved development or use of the land?

The approval of the proposed variance would facilitate the development of a use which is permitted under the current Official Plan designation and Zoning By-law. The proposed pedestrian connection width of 2.8 metres exceeds the municipal standard sidewalk width of 1.5 metres for a basic level of service and provides additional opportunity for soft landscaping on either side of the walkway. The minimum amenity area provided through Phase 1A and 1B equates to 88% of the amenity area to be provided across the subject lands for future tenants and citizens of Vaughan to utilize. With the full built out lands forthcoming subsequent to approvals for the final phase of development. Additionally, the reduction in the minimum number of visitor parking spaces represents a reduction of 0.008% and therefore does not warrant a parking study as the proposed reduction is minor in nature. It is anticipated that the reduced parking requirement will have no adverse impacts on the overall development.

A key objective of the Secondary Plan is to increase residential and employment densities within the Vaughan Mills Centre and to create a sustainable urban environment. The proposed development exemplifies this objective by creating a compact urban form that supports higher order transit, offers community amenities, housing options and complete community initiatives.

Therefore, it is our opinion that the proposed variances are desirable for the approved development and use of the Subject Lands.

4) Are the variances minor in nature?

The proposed variances seek to reduce the minimum width of a pedestrian connection to 2.8 metres and to decrease the minimum visitor parking space requirement to 113 parking spaces, a reduction of one (1) visitor parking space or 0.008%. Due to the nature of the development and its phasing, only 88% of the minimum amenity area is being developed through Phase 1A and 1B. The intent is to meet and exceed the minimum amenity area requirement of 16,000 m² once the site is fully built out. Phase 2, the last phase of development will achieve this objective.

For the reasons noted above, all of the variances are minor in nature and are not anticipated to result in any adverse impacts within the proposed development or on surrounding lands.

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

- 1) A completed and signed Committee of Adjustment Application Form;
- 2) A cheque in the amount of \$3,060.00 for the Minor Variance Application Fee; and,
- 3) A Site Plan, prepared by Graziani + Corazza Architects Inc., dated January 26, 2021.

We trust that the above materials are in order. Should you have any questions with respect to the enclosed or require anything further, please do not hesitate to contact the undersigned or Aidan Pereira from our office.

Yours truly,

KLM PLANNING PARTNERS INC.



Ryan Mino-Leahan, BURPL, MCIP, RPP
Partner

cc. Luis Correia, Tesmar Holdings Inc.
Aidan Pereira, KLM Planning Partners Inc.

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

MTO – Located outside of MTO permit control area



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

Mr. Tony D'Onofrio
Supervisor, Subdivisions (Alectra East)
Phone: 1-877-963-6900 ext. 24419

E-mail: stephen.cranley@alectrautilities.com

Email: tony.donofrio@alectrautilities.com

Providence, Lenore

Subject: FW: A024-21 - REQUEST FOR COMMENTS - 9075-9085 Jane Street, Concord - (Full Circulation)

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

Sent: February-25-21 8:36 AM

To: Providence, Lenore <Lenore.Providence@vaughan.ca>

Cc: MacPherson, Adriana <Adriana.MacPherson@vaughan.ca>; Attwala, Pravina <Pravina.Attwala@vaughan.ca>

Subject: [External] RE: A024-21 - REQUEST FOR COMMENTS - 9075-9085 Jane Street, Concord - (Full Circulation)

Good morning Lenore,

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

Gabrielle

Gabrielle Hurst MCIP RPP | Community Planning and Development Services | The Regional Municipality of York | 1-877
464 9675 ext 71538 | Gabrielle.hurst@york.ca | www.york.ca

Providence, Lenore

Subject: FW: A024-21 - REQUEST FOR COMMENTS - 9075-9085 Jane Street, Concord - (Full Circulation)
Attachments: A024-21 - CIRCULATION.pdf

From: Blaney, Cameron (MTO) <Cameron.Blaney@ontario.ca>

Sent: February-23-21 10:34 AM

To: Providence, Lenore <Lenore.Providence@vaughan.ca>

Subject: [External] FW: A024-21 - REQUEST FOR COMMENTS - 9075-9085 Jane Street, Concord - (Full Circulation)

Hello Lenore,

This site is not within MTO permit control area and MTO has no concerns.

Cameron Blaney | Corridor Management Planner | Simcoe & York

Highway Corridor Management Section – Central Operations

159 Sir William Hearst Avenue | Ministry of Transportation

7th Floor, Building D | Downsview, Ontario | M3M 0B7

416-358-7871

Cameron.Blaney@ontario.ca