



# Staff Report Summary

# Item 1

Ward 4

**File:** B002/21

**Applicant:** Penguin Calloway (Vaughan) Inc.

**Address:** 100 New Park Pl Concord

**Agent:** Matthew Kruger

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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"/>	
Development Planning		
Development Engineering	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Parks, Forestry and Horticulture Operations	<input checked="" type="checkbox"/>	
By-law & Compliance		
Financial Planning & Development	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Real Estate Department	<input checked="" type="checkbox"/>	<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"/>	
Bell Canada	<input checked="" type="checkbox"/>	
Public Correspondence (see Schedule B)		

Adjournment History: N/A

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Background History: B023/18 (see next page for details)

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Staff Report Prepared By: Pravina Attwala  
Hearing Date: Thursday, April 29, 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).*



**Consent Application**

Agenda Item: 1

**B002/21**

Ward: 4

**Prepared By: Pravina Attwala Assistant Secretary Treasurer**

**Date & Time of Live Stream Hearing:** Thursday, April 29, 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](http://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](mailto:cofa@vaughan.ca)

To make an electronic deputation at the meeting please contact the Committee of Adjustment at [cofa@vaughan.ca](mailto: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:** Penguin Calloway (Vaughan) Inc.

**Agent:** Matthew Kruger

**Property:** 100 New Park Pl Concord

**Zoning:** The subject lands are zoned C9, Corporate Centre Zone, and subject to the provisions of Exception 9(1389) under By-law 1-88 as amended.

**OP Designation:** Vaughan Official Plan 2010, Volume 2, Vaughan Metropolitan Centre ('VMC'): "Station Precinct" with a maximum building height of 6 to 22 storeys and a Floor Space Index ('FSI') of 3.5 to 6 times the area of the lot.

**Related Files:** B023/18 (Lapsed)

**Purpose:** Consent is being requested to sever a parcel of land for mortgage purposes approximately 8,153 square metres at grade and 10,175 square metres below grade while retaining a parcel of land approximately 45,968 square metres at grade

The severed lands will have frontage onto Applemill Road and contain a fifteen (15) storey office building (at grade) and two levels of underground parking (below grade) that serve the tower and include a direct underground pedestrian connection to the TTC subway station.

The retained lands have frontage onto Edgeley Boulevard and are currently being used to support an existing commercial/office building and temporary parking lot.

**Background (Previous Applications approved by the Committee on the subject land:**

Application No.:	Description:	Status of Approval: Approved/Refused/Withdrawn/ OMB/Concurrent
B023/18	Sever parcel of land for mortgage purposes	Approved February 7, 2019 (Lapsed)

For information on the previous approvals listed above please visit [www.vaughan.ca](http://www.vaughan.ca). To search for a file number, enter it using quotes around it. For example, "B001/17".

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 April 14, 2021

Applicant confirmed posting of signage on March 31, 2021

Existing Building or Structures on the subject land:

15-storey Office Tower including commercial uses at-grade. No buildings will be demolished.

Recommended conditions of approval:

1. That the applicant's solicitor provides the secretary-treasurer with a copy of the prepared draft transfer document to confirm the legal description and PIN of the subject lands. Subject land applies **only** to the severed parcel, leased land, easement etc. as conditionally approved by the Committee of Adjustment.
2. That the applicant provides two (2) full size copies of the deposited plan of reference of the entire land which conforms substantially with the application as submitted.
3. Payment of the Certificate Fee as provided on the City of Vaughan's Committee of Adjustment Fee Schedule.

**Adjournment Request:** None

### Building Standards (Zoning Review):

Stop Work Order(s) and Order(s) to Comply: N/A

Building Permit(s) Issued: N/A

Building Department Staff have no additional comments in respect to this application.

### Development Planning:

Official Plan: Vaughan Official Plan 2010, Volume 2, Vaughan Metropolitan Centre ('VMC'): "Station Precinct" with a maximum building height of 6 to 22 storeys and a Floor Space Index ('FSI') of 3.5 to 6 times the area of the lot.

Application under review.

### Development Engineering:

The Development Engineering (DE) Department does not object to consent application B002/21 subject to the following condition(s):

The Owner/applicant shall arrange to prepare and register a reference plan at their expense for the conveyance of the subject lands and showing all existing and proposed easements to the satisfaction of DE. The Owner/applicant shall submit a draft reference plan to the Development Engineering Department for review prior to deposit.

Development Engineering (DE) may require the Owner to agree to enter into an Amending Subdivision Agreement to satisfy registration time lapse issues related to the existing Subdivision Agreement and in conjunction with the subject lands.

### Real Estate:

Please be advised that the cash-in-lieu condition for the above-noted severance is being waived. Cash-in-lieu was collected pursuant to Section 42 of the Planning Act and the City's Cash-in-lieu Policy, under the Site Plan file DA.12.085. The applicant has been advised of the above.

### Parks Development - Forestry:

No comments or concerns

### By-Law and Compliance, Licensing and Permit Services:

No comments received to date.

### Financial Planning and Development Finance:

No comment no concerns

Recommended Conditions of Approval:

1. The owner shall pay of a Tree Fee, approved by Council as of the date of granting the consent. Payment is to be made by certified cheque, to the satisfaction of the City of Vaughan Financial Planning and Development Finance Department (contact Nelson Pereira to have this condition cleared).
2. The owner shall pay all property taxes as levied. Payment is to be made by certified cheque, to the satisfaction of the City of Vaughan Financial Planning and Development Finance Department (contact Nelson Pereira to have this condition cleared).

**Fire Department:**

No comments on severance of new lot

**Schedule A – Plans & Sketches**

**Schedule B – Public Correspondence**

None

**Schedule C - Agency Comments**

Alectra (Formerly PowerStream) – No concerns or objections

Region of York – No concerns or objections

MTO – This site is within MTO permit control area, this site will require MTO review prior to any work on site

Bell Canada – comments (Bell Canada’s request for easement protection at 100 New Park PI Concord)

**Schedule D - Previous Approvals (Notice of Decision)**

Consent Application B023/18

**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 standard to which provincial interests, provincial and local policies and goals are implemented. Accordingly, review of the application considers the following:

- ✓ Conform to Section 51(24) as required by Section 53(12) of the Planning Act.
- ✓ Conform to the City of Vaughan Official Plan.
- ✓ Conform to the Provincial Policy Statements as required by Section 3(1) of the Planning Act.

Should the Committee **adjourn** this application the following condition(s) is required: N/A

Should the Committee find it appropriate to approve this application, the following conditions have been recommended:

	<b>Department/Agency</b>	<b>Condition</b>
1	Committee of Adjustment Christine Vigneault  905-832-8585 x 8332 <a href="mailto:christine.vigneault@vaughan.ca">christine.vigneault@vaughan.ca</a>	<ol style="list-style-type: none"> <li>1. That the applicant’s solicitor provides the secretary-treasurer with a copy of the prepared draft transfer document to confirm the legal description and PIN of the subject lands. Subject land applies <b>only</b> to the severed parcel, leased land, easement etc. as conditionally approved by the Committee of Adjustment.</li> <li>2. That the applicant provides two (2) full size copies of the deposited plan of reference of the entire land which conforms substantially with the application as submitted.</li> <li>3. Payment of the Certificate Fee as provided on the City of Vaughan’s Committee of Adjustment Fee Schedule.</li> </ol>
2	Development Engineering Farzana Khan  905-832-8585 x 3608 <a href="mailto:Farzana.Khan@Vaughan.ca">Farzana.Khan@Vaughan.ca</a>	<ol style="list-style-type: none"> <li>1. The Owner/applicant shall arrange to prepare and register a reference plan at their expense for the conveyance of the subject lands and showing all existing and proposed easements to the satisfaction of DE. The Owner/applicant shall submit a draft reference plan to the Development Engineering Department for review prior to deposit.</li> <li>2. Development Engineering (DE) may require the Owner to agree to enter into an Amending Subdivision Agreement to satisfy registration time lapse issues related to the existing Subdivision Agreement and in conjunction with the subject lands.</li> </ol>

	Department/Agency	Condition
3	Development Finance Nelson Pereira  905-832-8585 x 8393 <a href="mailto:nelson.pereira@vaughan.ca">nelson.pereira@vaughan.ca</a>	1. The owner shall pay of a Tree Fee, approved by Council as of the date of granting the consent. Payment is to be made by certified cheque, to the satisfaction of the City of Vaughan Financial Planning and Development Finance Department (contact Nelson Pereira to have this condition cleared). 2. The owner shall pay all property taxes as levied. Payment is to be made by certified cheque, to the satisfaction of the City of Vaughan Financial Planning and Development Finance Department (contact Nelson Pereira to have this condition cleared).
4	Development Planning Roberto Simbana  905-832-8585 x 8810 <a href="mailto:Roberto.simbana@vaughan.ca">Roberto.simbana@vaughan.ca</a>	Application under review.

### Warning:

**Conditions must be fulfilled within one year from the date of the giving of the Notice of Decision, failing which this application shall thereupon be deemed to be refused. No extension to the last day for fulfilling conditions is permissible.**

### 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](mailto:cofa@vaughan.ca)

**ELECTRONIC PARTICIPATION:** During the COVID-19 emergency, residents can view a live stream of the meeting [Vaughan.ca/LiveCouncil](http://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](http://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 more information please contact the City of Vaughan, Committee of Adjustment**

T 905 832 8585 Extension 8002  
E [CofA@vaughan.ca](mailto: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**

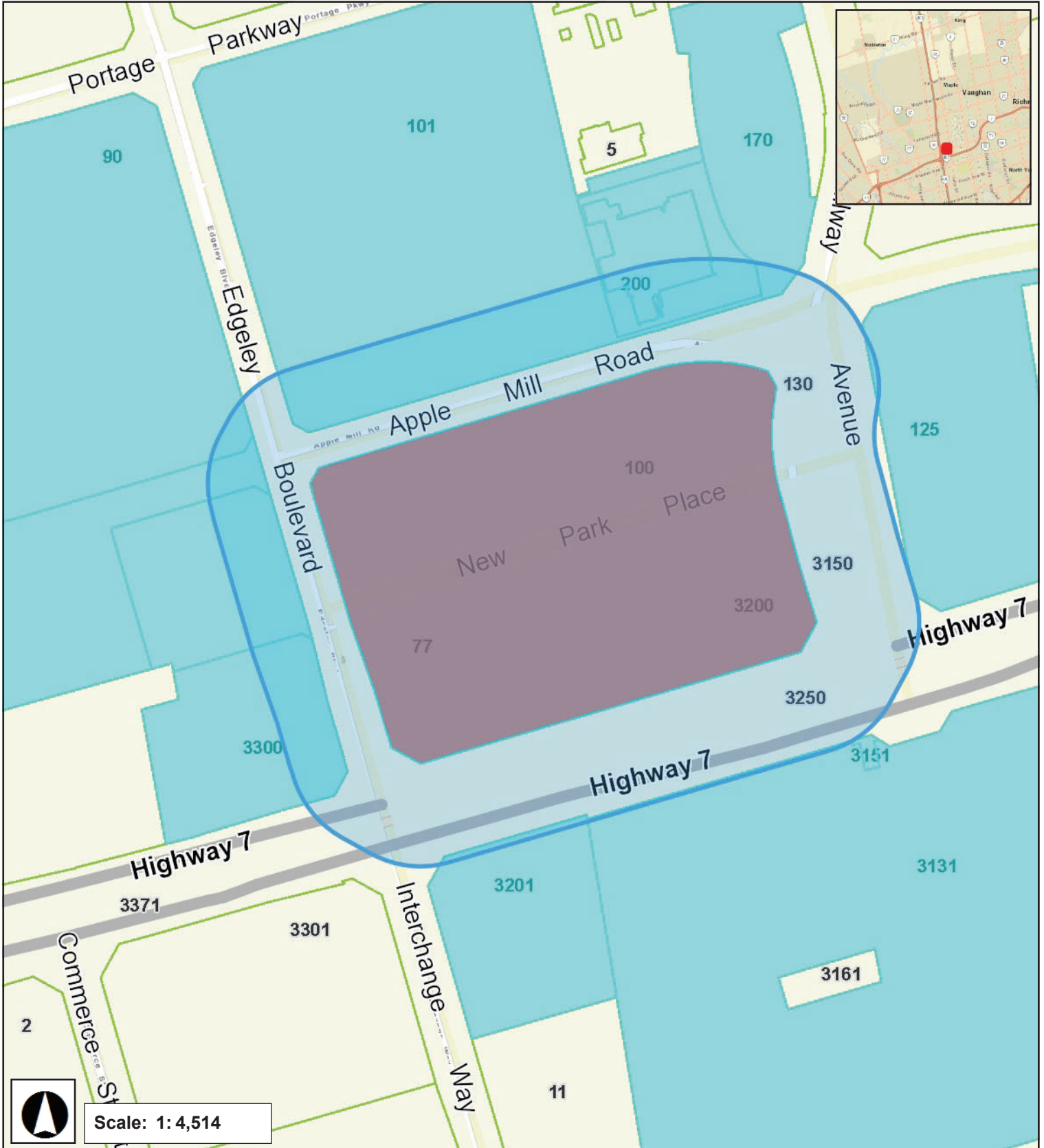




# LOCATION MAP - B002/21

100 NEW PARK PLACE, CONCORD

## Langstaff Road



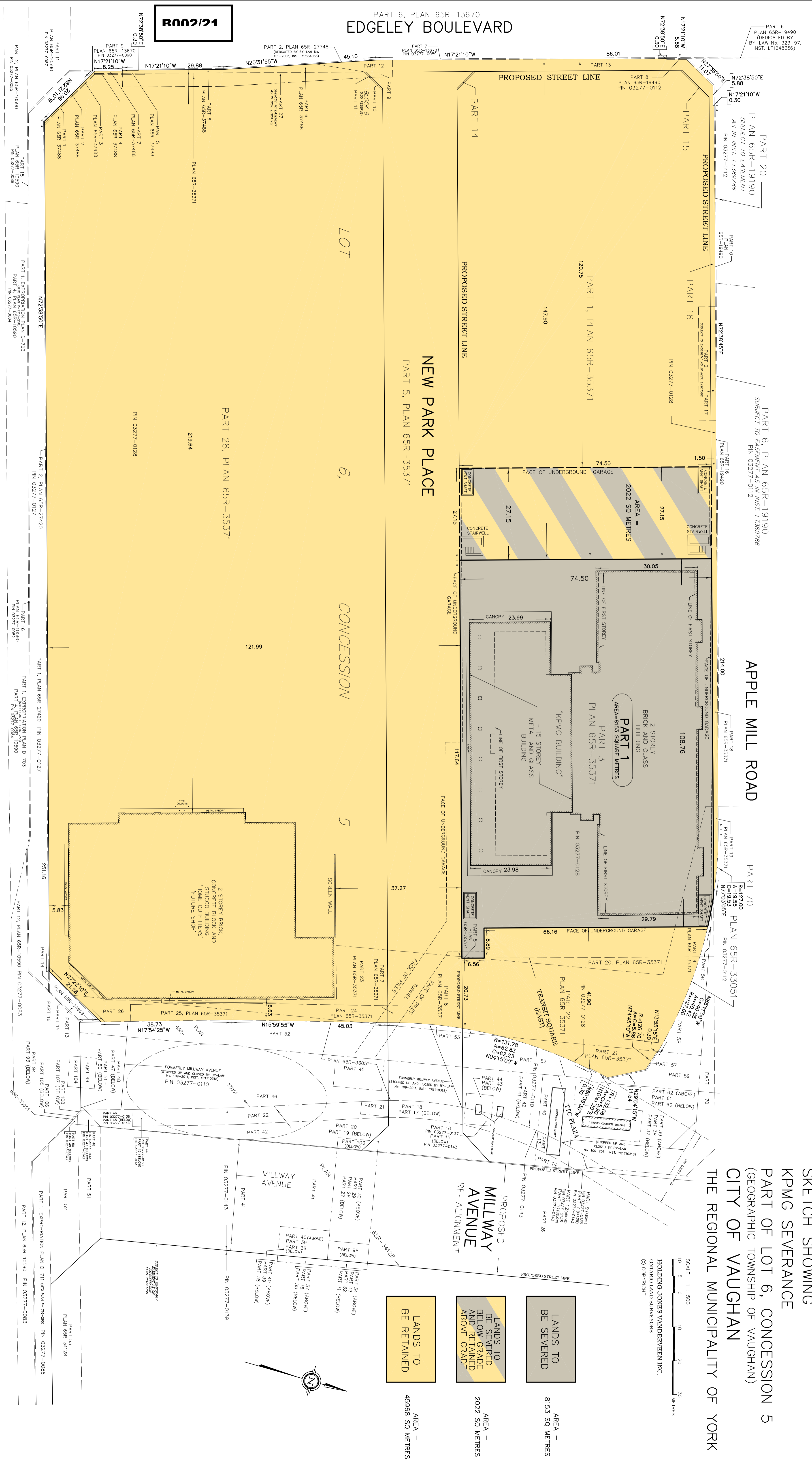


SKETCH SHOWING  
 KPMG SEVERANCE  
 PART OF LOT 6, CONCESSION 5  
 (GEOGRAPHIC TOWNSHIP OF VAUGHAN)  
 CITY OF VAUGHAN  
 THE REGIONAL MUNICIPALITY OF YORK

SCALE 1 : 500  
 0 5 10 20 30 METRES

HOLDING JONES VANDERVEEN INC.  
 ONTARIO LAND SURVEYORS  
 © COPYRIGHT

- LANDS TO BE SEVERED  
AREA = 8153 SQ. METRES
- LANDS TO BE SEVERED BELOW GRADE AND RETAINED ABOVE GRADE  
AREA = 2022 SQ. METRES
- LANDS TO BE RETAINED  
AREA = 45968 SQ. METRES



PART 6, PLAN 65R-13670  
 EDGELEY BOULEVARD

**R002/21**

HIGHWAY 7 - REGION ROAD No. 7

DATE : NOVEMBER 8, 2018

HOLDING JONES VANDERVEEN INC.  
 ONTARIO LAND SURVEYORS  
 1700 LANGSTAFF ROAD, SUITE 1002  
 VAUGHAN, ON L4K 3S3  
 PHONE: 905-660-4000, 416-443-3800 FAX: 905-660-4000  
 SCALE: 1:500 DRAWN BY: T.F. CHECKED BY: C.V. JOB NO: 95-686-KPMG-SEVERANCE-SKETCH

## **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.

**None**

## **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 – This site is within MTO permit control area, this site will require MTO review prior to any work on site**

**Bell Canada – comments (Bell Canada's request for easement protection at 100 New Park PI Concord)**



Discover the possibilities

### COMMENTS:

- We have reviewed the proposed Consent Application and have no comments or objections to its approval.
- We have reviewed the proposed Consent Application and have no objections to its approval, subject to the following comments (attached below).
- We have reviewed the proposed Consent Application and have the following concerns (attached below).

Alectra Utilities (formerly PowerStream) has received and reviewed the proposed Consent 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  
**Fax:** 905-532-4401  
**E-mail:** [stephen.cranley@alectrautilities.com](mailto:stephen.cranley@alectrautilities.com)

Mr. Tony D'Onofrio  
Supervisor, Subdivisions (Alectra East)  
**Phone:** 1-877-963-6900 ext. 24419  
**Fax:** 905-532-4401  
**Email:** [tony.donofrio@alectrautilities.com](mailto:tony.donofrio@alectrautilities.com)

## Attwala, Pravina

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**Subject:** FW: B002/21 - REQUEST FOR COMMENTS - 905-21-149  
**Attachments:** B002-21 - Circulation.pdf; 905-21-149 letter.pdf

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**From:** Gordon, Carrie <carrie.gordon@bell.ca>  
**Sent:** March-30-21 11:55 AM  
**To:** Attwala, Pravina <Pravina.Attwala@vaughan.ca>  
**Subject:** [External] FW: B002/21 - REQUEST FOR COMMENTS - 905-21-149

Good morning Pravina,

Please find attached Bell Canada's request for easement protection at 100 New Park Pl Concord. We look forward to receiving the Committee of Adjustment's decision for this severance.

Kind regards,

*Carrie Gordon*



External Liaison – Right of Way Control Centre  
140 Bayfield St, Fl 2  
Barrie ON, L4M 3B1  
T: 705-722-2244/844-857-7942  
F :705-726-4600



Bell Canada  
FI-2, 140 Bayfield St.  
Barrie, Ontario  
L4M 3B1

Fax: 705-722-2263  
Tel: 705-722-2244  
E-mail: [carrie.gordon@bell.ca](mailto:carrie.gordon@bell.ca)



March 30, 2021

Vaughan – Committee of Adjustment  
2141 Major Mackenzie Drive  
Vaughan, Ontario  
Canada  
L6A 1T1

Attention: Christine Vigneault, Secretary Treasurer to the Committee of Adjustments  
Email only: [Pravina.Attwala@vaughan.ca](mailto:Pravina.Attwala@vaughan.ca)

Dear Madam:

**Subject: Consent Application - Severance**  
**100 New Park PI Concord**  
**CofA File: B002/21**

**Bell File: 905-21-149**

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Subsequent to review of the Severance Application by our local Engineering Department it has been identified that Bell Canada will require a transfer of easement over these lands, to protect existing buried facilities, supply service to the properties and to maintain service in the area. According to our records, Bell Canada has buried cable and conduit with associated infrastructure that run parallel to the north, east and south property boundaries at 100 New Park PI. We request the easement be the full length of the facilities, as shown as an approximation on the attached sketch.

Bell Canada would like to confirm that a blanket easement over the lands or a specific easement measured 3.0m wide (1.5m on either side of the buried plant), and to a minimum of 1m past any pedestal installation as can be accommodated, would satisfy our needs. With respect to the buried plant, it will be necessary for the surveyor to arrange for a locates report to identify the exact conduit/cable location.

Since the easement is necessary in order to provide and maintain service to this area, all costs associated with this transaction is the responsibility of the landowner. Compensation should be set to the nominal amount of \$2.00 for the acquisition of these rights. Additionally, Bell Canada requires separate, registered postponements for any mortgages and certification of title.

We hope this proposal meets with your approval and request a copy of the Committee of Adjustments decision. We look forward to the owners' Solicitor contacting us with a draft reference plan and accompanying draft easement documents for our approval prior to registration, along with an acknowledgement and direction for our execution.

If you have any questions or concerns, please feel free to contact me.

Yours truly,

A handwritten signature in blue ink that reads "Carrie Gordon".

Carrie Gordon  
Right of Way Associate  
(Encl.)







## Attwala, Pravina

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**Subject:** FW: B002/21 - REQUEST FOR COMMENTS

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**From:** Blaney, Cameron (MTO) <Cameron.Blaney@ontario.ca>  
**Sent:** April-07-21 1:41 PM  
**To:** Attwala, Pravina <Pravina.Attwala@vaughan.ca>  
**Subject:** [External] RE: B002/21 - REQUEST FOR COMMENTS

Hello Pravina,

This site is within MTO permit control area, this site will require MTO review prior to any work on site.

I went through the files and I am not certain if anything is being proposed to be constructed, but if anything is planned MTO will be required to review.

**Cameron Blaney | Corridor Management Planner | Simcoe & York**  
Highway Corridor Management Section – Central Operations  
159 Sir William Hearst Avenue | Ministry of Transportation  
7<sup>th</sup> Floor, Building D | Downsview, Ontario | M3M 0B7  
416-358-7871  
[Cameron.Blaney@ontario.ca](mailto:Cameron.Blaney@ontario.ca)

## Attwala, Pravina

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**Subject:** FW: B002/21 - REQUEST FOR COMMENTS  
**Attachments:** image005.emz

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**From:** Hurst, Gabrielle <Gabrielle.Hurst@york.ca>  
**Sent:** April-14-21 8:02 AM  
**To:** Vigneault, Christine <Christine.Vigneault@vaughan.ca>  
**Cc:** Committee of Adjustment <CofA@vaughan.ca>  
**Subject:** [External] RE: B002/21 - REQUEST FOR COMMENTS

Good morning Christine,  
The Regional Municipality of York has completed its review of the above consent application 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](mailto:gabrielle.hurst@york.ca) | [www.york.ca](http://www.york.ca)

## **Schedule D: Previous Approvals (Notice of Decision)**

**Consent Application B023/18**

**NOTICE OF DECISION**  
**Consent Application B023/18**  
 Section 53 of the Planning Act, R.S.O, 1990, c.P.13

- Date of Hearing:** Thursday, February 07, 2019
- Applicant:** Penguin-Calloway (Vaughan) Inc.
- Agent:** Ida Assogna
- Property:** 100 New Park Place, Concord
- Zoning:** The subject lands are zoned C9, Corporate Centre Zone and subject to the provisions of Exception 9(1389) under By-law 1-88 as amended.
- OP Designation:** VOP 2010: 'Station Precinct' and 'Major Parks and Open Spaces' by the Vaughan Metropolitan Centre (VMC) Secondary Plan (Vol. 2, Section 11.12).
- Related Files:** None
- Purpose:** Consent is being requested to sever a parcel of land for mortgage purposes approximately 8,153 square metres at grade and 10,175 square metres below grade while retaining a parcel of land approximately 45,968 square metres at grade
- The severed lands will have frontage onto Applemill Road and contain a fifteen (15) storey office building (at grade) and two levels of underground parking (below grade) that serve the tower and include a direct underground pedestrian connection to the TTC subway station.
- The retained lands have frontage onto Edgeley Boulevard and are currently being used to support an existing commercial/office building and temporary parking lot.
- Sketch:** A sketch illustrating the request has been attached to the decision.

**Having regard to the written and oral submissions related to this application as required by Section 53(18), the requirements of Section 51(24) as required by Section 53(12) and matters of Provincial interest (Provincial Policy Statement) as required by Section 3(1) of the Planning Act, R.S.O. 1990, c. P. 13, as amended, it is the decision of the Committee that provisional consent of the application:**

THAT Application No. B023/18 on behalf of Penguin-Calloway (Vaughan) Inc. be **APPROVED**, in accordance with the sketches attached and subject to the following conditions:

	Department/Agency	Condition
1	Committee of Adjustment Christine Vigneault  905-832-8585 x 8332 <a href="mailto:christine.vigneault@vaughan.ca">christine.vigneault@vaughan.ca</a>	<ol style="list-style-type: none"> <li>1. That the applicant's solicitor provides the secretary-treasurer with a copy of the prepared draft transfer document to confirm the legal description and PIN of the subject lands. Subject land applies <b>only</b> to the severed parcel, leased land, easement etc. as conditionally approved by the Committee of Adjustment.</li> <li>2. That the applicant provides two (2) full size copies of the deposited plan of reference of the entire land which conforms substantially with the application as submitted.</li> <li>3. Payment of the Certificate Fee as provided on the City of Vaughan's Committee of Adjustment Fee Schedule.</li> </ol>

2	<p>Real Estate Franca Mazzanti</p> <p>905-832-8585 x 8474 <a href="mailto:franca.mazzanti@vaughan.ca">franca.mazzanti@vaughan.ca</a></p>	<p>The applicant shall provide the City with an appraisal report and valuation of the subject land (land only) to be prepared by an accredited appraiser. Payment of a Parkland levy to the City in lieu of the deeding of land for park purposes shall be made if a new lot is being created. Said levy is to be (2%) of the appraised market value of the subject land as of the date of the Committee of Adjustment giving notice to the Applicant of the herein decision. Said levy shall be approved by the Senior Manager of Real Estate. Payment shall be made by certified cheque only.</p>
3	<p>Development Engineering Brad Steeves</p> <p>905-832-8585 x 8977 <a href="mailto:brad.steeves@vaughan.ca">brad.steeves@vaughan.ca</a></p>	<p>The Owner/applicant shall arrange to prepare and register a reference plan at their expense for the conveyance of the subject lands and showing all existing and proposed easements to the satisfaction of DE. The Owner/applicant shall submit a draft reference plan to the Development Engineering Department for review prior to deposit.</p>
4	<p>Development Finance Nelson Pereira</p> <p>905-832-8585 x 8393 <a href="mailto:nelson.pereira@vaughan.ca">nelson.pereira@vaughan.ca</a></p>	<ol style="list-style-type: none"> <li>1. The owner shall pay of a Tree Fee, approved by Council as of the date of granting the consent. Payment is to be made by certified cheque, to the satisfaction of the City of Vaughan Financial Planning and Development Finance Department (contact Nelson Pereira to have this condition cleared).</li> <li>2. The owner shall pay all property taxes as levied. Payment is to be made by certified cheque, to the satisfaction of the City of Vaughan Financial Planning and Development Finance Department (contact Nelson Pereira to have this condition cleared).</li> </ol>

**WARNING:**

**Conditions must be fulfilled within one year from the date of the giving of the Notice of Decision, failing which this application shall be deemed to be refused. Section 53(41), The Planning Act R.S.O., 1990**






**For the following reasons:**

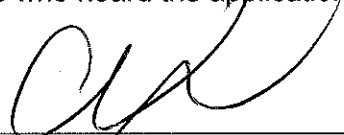
1. The proposal conforms to Section 51(24) as required by Section 53(12) of the Planning Act.
2. The proposal conforms to the City of Vaughan Official Plan.
3. The proposal conforms to the Provincial Policy Statements as required by Section 3(1) of the Planning Act.

**Written & oral submissions were received from the following:**

<p><b>Public Written Submissions</b></p> <p>* Public Correspondence received and considered by the Committee in making this decision</p>	<p><b>Public Oral Submissions</b></p> <p>*Please refer to the approved Minutes of Thursday , February 07, 2019 meeting for submission details.</p>
<p>Name: SmartCentres Address: 700 Applewood Crescent, Vaughan Nature of Correspondence: Cover Letter</p>	<p>Name: Address:</p>

**SIGNED BY ALL MEMBERS PRESENT WHO CONCUR IN THIS DECISION:**

		
R. Buckler Member	A. Perrella Member	H. Zheng Member
		
A. Antinucci Member		S. Kerwin Member

<b>DATE OF HEARING:</b>	<b>Thursday, February 7, 2019</b>
<b>DATE OF NOTICE:</b>	<b>February 15, 2019</b>
<b>LAST DAY FOR *APPEAL:</b> *Please note that appeals must be received by this office no later than 4:30 p.m. on the last day of appeal.	<b>March 7, 2019</b> 4:30 p.m.
<b>LAST DAY FOR FULFILLING CONDITIONS:</b>	<b>February 15, 2020</b> 4:30 p.m.
<b>CERTIFICATION:</b> I hereby certify that this is a true copy of the decision of the City of Vaughan Hill Committee of Adjustment and this decision was concurred in by a majority of the members who heard the application.   <hr/> Christine Vigneault, ACST Manager Development Services & Secretary-Treasurer Committee of Adjustment	

**Appealing to The Local Planning Appeal Tribunal**  
The *Planning Act*, R.S.O. 1990, as amended, Section 53

The applicant, the Minister or any other person or public body who has an interest in the matter may within **20 days after** the giving of notice appeal to the Local Planning Appeal Tribunal (LPAT) against the decision of the Committee by filing with the Secretary-Treasurer of the Committee a notice of appeal (A1 Appeal Form) setting out the objection to the decision and the reasons in support of the objection accompanied by payment to the Secretary-Treasurer of the fee prescribed by the Tribunal under the *Local Planning Appeal Tribunal Act*.

Note: A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

When **no appeal is lodged** within twenty days after the giving of notice the decision becomes final and binding and notice to that effect will be issued by the Secretary-Treasurer.

**Appeal Fees & Forms**

**Local Planning Appeal Tribunal:** The LPAT appeal fee is \$300 plus \$25 for each additional consent/variance appeal filed by the same appellant against connected applications. The LPAT Appeal Fee must be paid by certified cheque or money order payable to the "Minister of Finance". Notice of appeal forms (A1 Appeal Form – Minor Variance) can be obtained at [www.elto.gov.on.ca](http://www.elto.gov.on.ca) or by visiting our office.

**City of Vaughan LPAT Processing Fee:** \$817.00 per application

\*Please note that all fees are subject to change.

## Important Information

**Conditions of Approval:** It is the applicant's responsibility to ensure that all conditions of approval have been fulfilled in accordance with the Committee's decision and the last day for fulfilling conditions (by 4:30 p.m.). Contact information has been provided for each respective department and agency to assist you with completing these conditions. Please note that some conditions may require two to three months to process.

**No extension to the last day for fulfilling conditions is permissible and no further notice will be provided regarding the lapsing of your consent application.**

**Notice of Changes to the Provisional Consent:** The Committee of Adjustment may change the conditions of a provisional consent at any time before the consent is given. You will be entitled to receive notice of any changes to the conditions of the provisional consent if you have made a written request to be notified of changes to the conditions of the provisional consent.

**Lapsing of the Consent:** If the conditions of approval are not satisfied within the prescribed time period (as provided in Section 53(41) of the Planning Act), the consent is deemed refused for failure to fulfill the conditions and has lapsed.

**Final Approval:** Final approval of the application will be issued in the form of a Certificate (pursuant to Section 53(42) of the Planning Act) once **all** conditions of the provisional consent have been satisfied.

## 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;

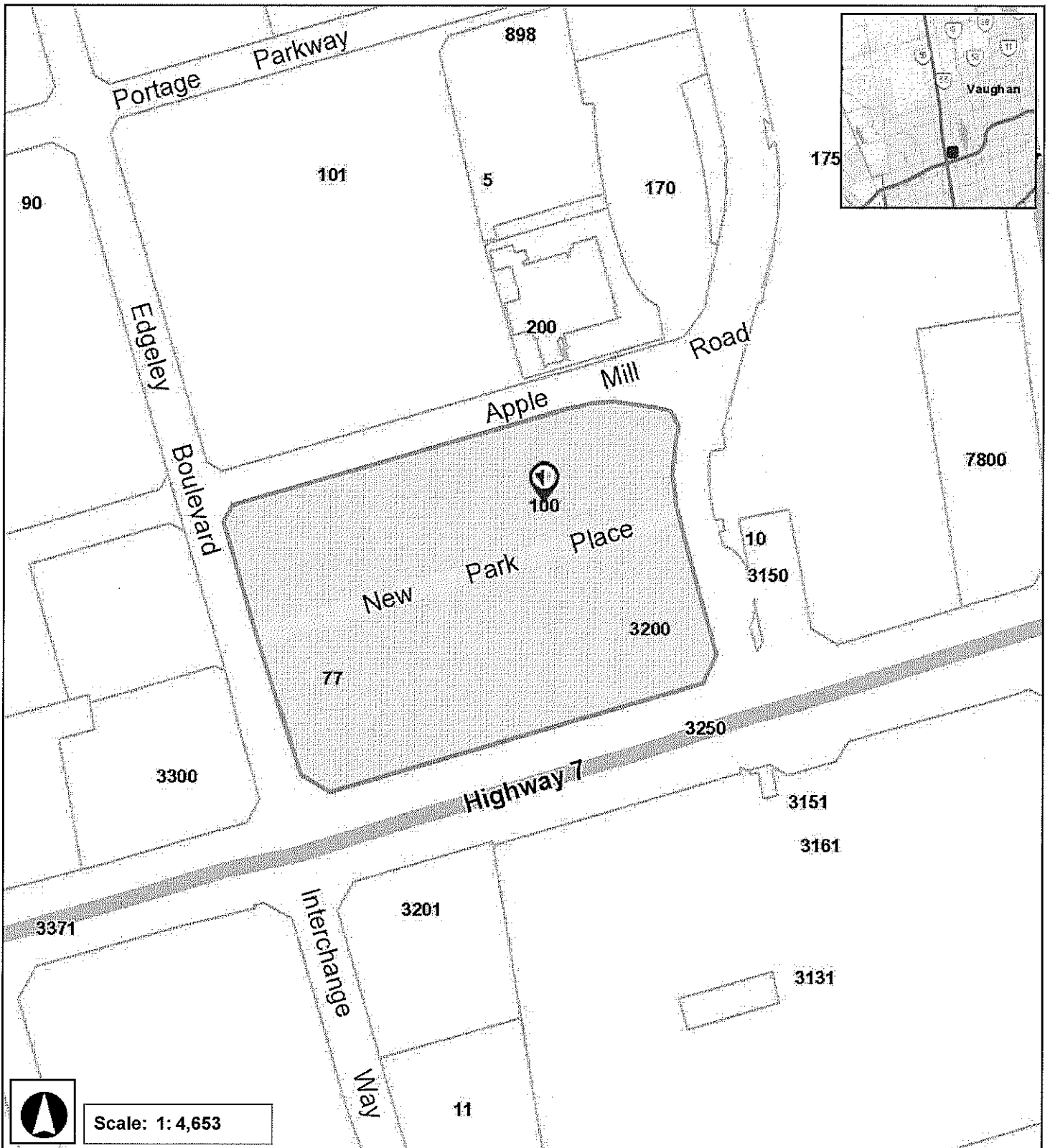
**For further information please contact the City of Vaughan, Committee of Adjustment**

T 905 832 8585 x 8002  
E [CofA@vaughan.ca](mailto:CofA@vaughan.ca)



# VAUGHAN LOCATION MAP B023/18

00 NEW PARK PLACE, CONCORD



EDGELEY BOULEVARD

PROPOSED STREET LINE

PROPOSED STREET LINE

PROPOSED STREET LINE

NEW PARK PLACE

APPLE MILL ROAD

SKETCH SHOWING  
KPMG SEVERANCE  
PART OF LOT 6, CONCESSION 5  
(GEORGETOWN TOWNSHIP OF VAUGHAN)  
CITY OF VAUGHAN  
THE REGIONAL MUNICIPALITY OF YORK

HOLDING JONES VANDERVEEN INC.  
ORLANDO LAND SURVEYORS

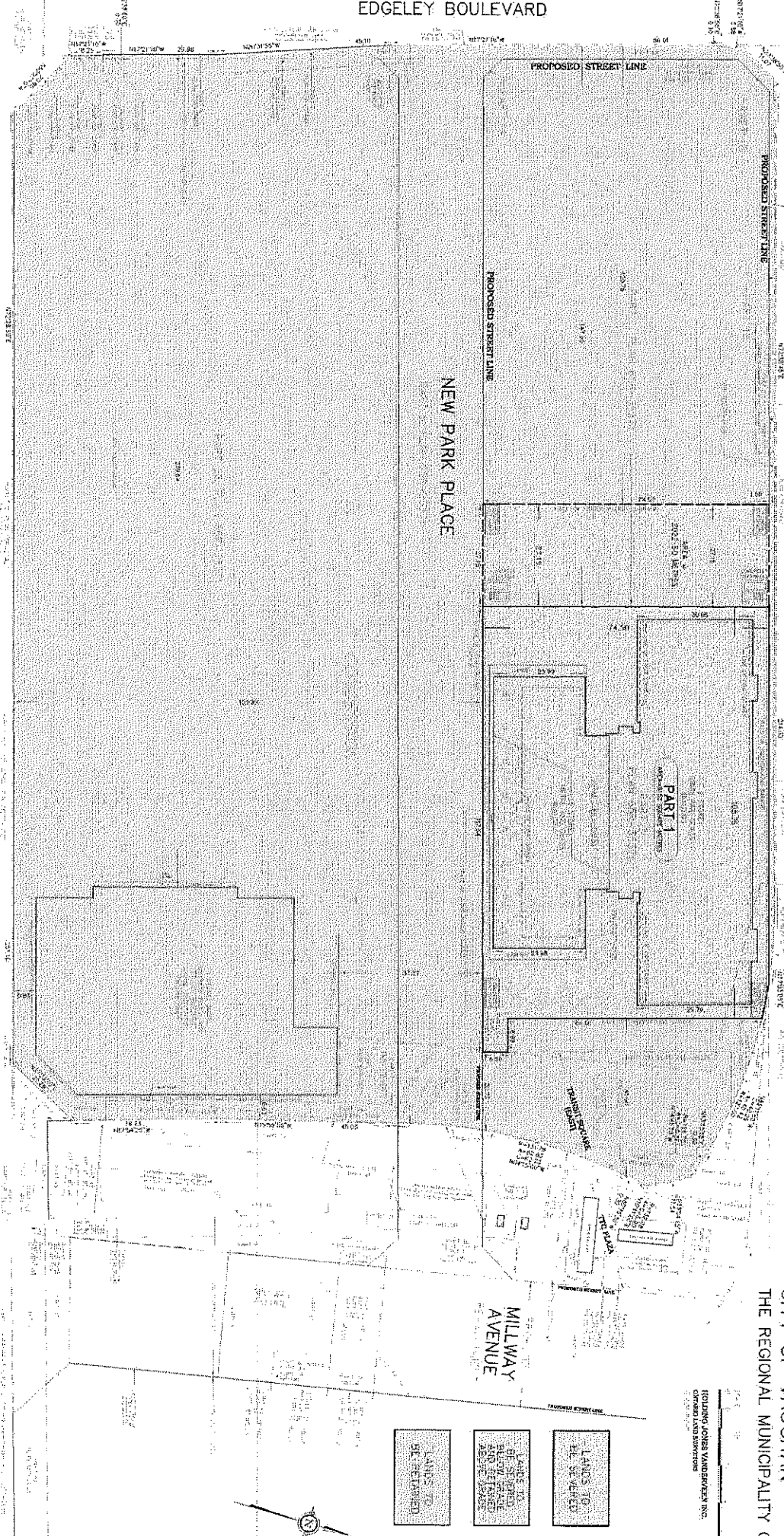
LANDS TO BE SEVERED	AREA = 5123 SQ METRES
LANDS TO BE SET ASIDE FOR OPEN SPACE	AREA = 2023 SQ METRES
LANDS TO BE RETAINED	AREA = 47402 SQ METRES



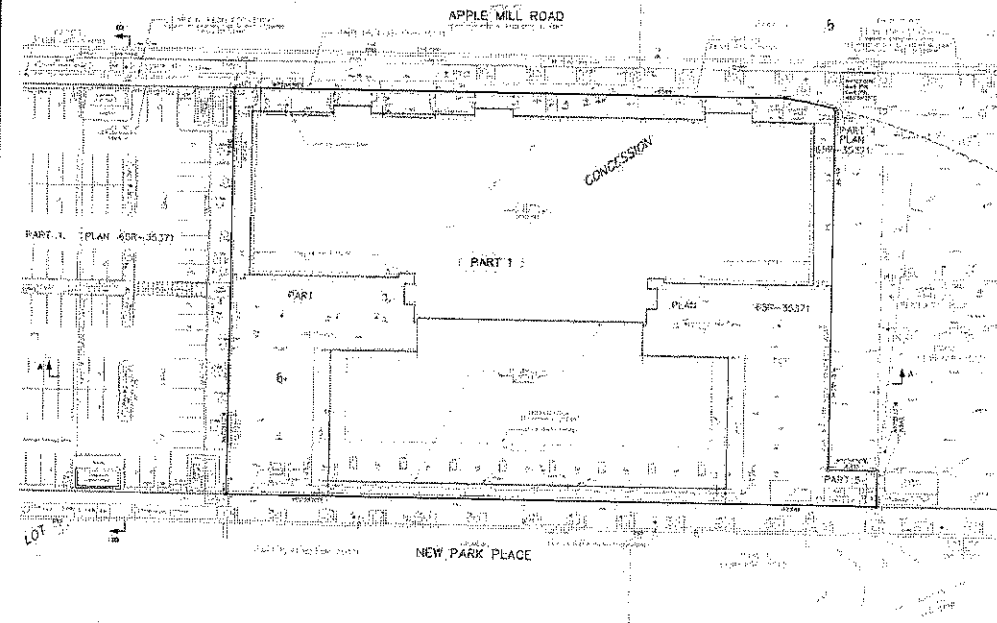
HIGHWAY 7 - REGION ROAD No. 7

DATE: FEBRUARY 9, 2015

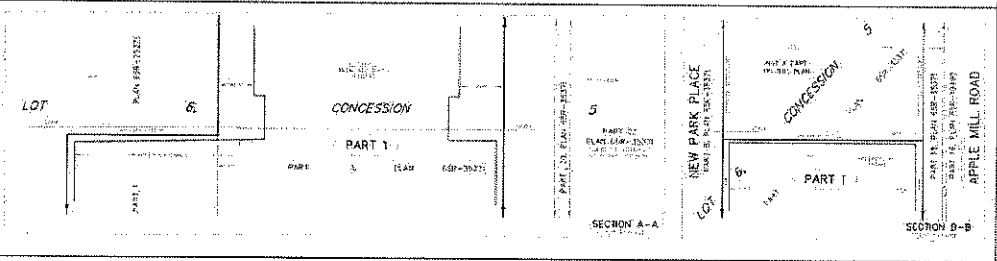
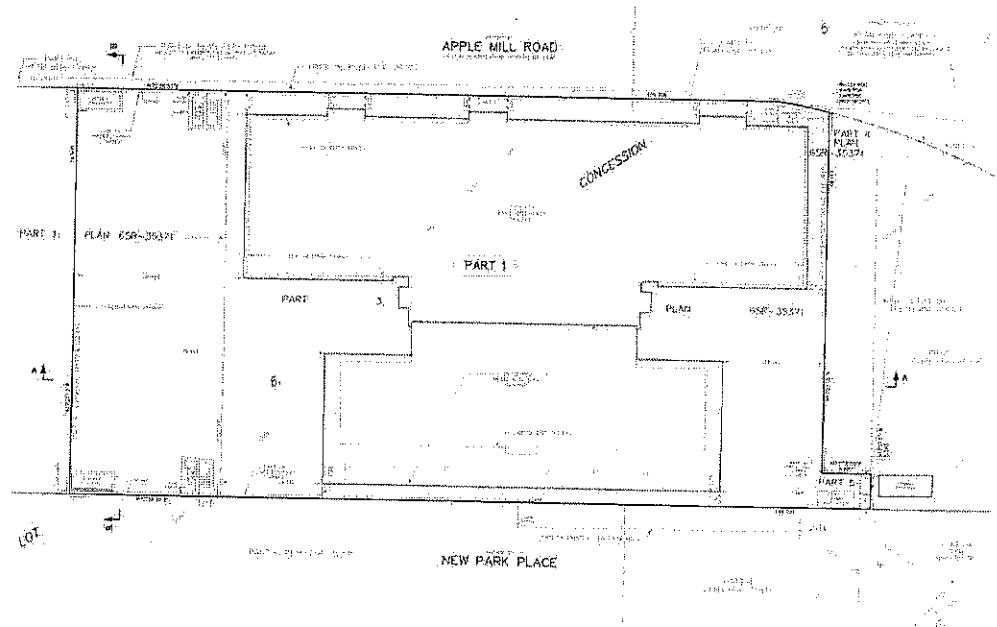
HOLDING JONES VANDERVEEN INC.  
ORLANDO LAND SURVEYORS  
100 SHEPPARD AVENUE EAST, SUITE 100  
SCARBOROUGH, ONTARIO M1S 1T7  
PHONE: 416-291-2277 FAX: 416-291-2278  
WWW.HOLDINGJONESVANDERVEEN.COM



UPPER PLAN, ABOVE GRADE ELEVATION 204.00



LOWER PLAN, BELOW GRADE ELEVATION 202.00



PLAN 65R-			
NO.	DESCRIPTION	DATE	BY

PLAN OF SURVEY OF  
PART OF LOT 6  
CONCESSION 5  
(GEOGRAPHIC TOWNSHIP OF VAUGHAN)  
CITY OF VAUGHAN  
THE REGIONAL MUNICIPALITY OF YORK

BEARING, DISTANCE AND CO-ORDINATE NOTES

LINE	BEARING	DISTANCE	COORDINATE
1	N 0° 00' 00" E	100.00	100.00
2	S 0° 00' 00" E	100.00	0.00
3	S 90° 00' 00" E	100.00	100.00
4	N 90° 00' 00" E	100.00	0.00

NOTES

- 1. ALL DIMENSIONS ARE IN METERS.
- 2. ALL ANGLES ARE IN DEGREES.
- 3. ALL BEARINGS ARE TRUE BEARINGS.
- 4. ALL DISTANCES ARE IN METERS.
- 5. ALL COORDINATES ARE IN METERS.

SURVEY NOTES

- 1. THE SURVEY WAS CONDUCTED ON THE 15th DAY OF MAY 2016.
- 2. THE SURVEY WAS CONDUCTED BY THE SURVEYOR.
- 3. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE SURVEY ACT.
- 4. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE SURVEY REGULATIONS.

NOTES

- 1. THE SURVEY WAS CONDUCTED ON THE 15th DAY OF MAY 2016.
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- 4. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE SURVEY REGULATIONS.

SURVEYOR'S CERTIFICATE

I, the undersigned, being a duly qualified and licensed Surveyor, do hereby certify that the foregoing is a true and correct copy of the original survey plan as filed in my office.

DATE: 15th MAY 2016

**HOLDING JONES VANDERBYN INC.**  
ONTARIO LAND SURVEYORS

1000 SHEPPARD AVENUE EAST, SUITE 100  
SCARBOROUGH, ONTARIO M1S 1T7

PHONE: (416) 291-1111  
FAX: (416) 291-1112  
WWW.HJVI.COM