



File: A142/21

Applicant: City of Vaughan

Address: Lands located in proximity of Maplecrete Road & Highway 7. Legal Description: Parts 2 and 4 on Registered Plan 65R-38333; and Parts 1-8 (all inclusive) on Registered Plan 65R-39315

Agent: Cortel Group

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 <input checked="" type="checkbox"/> Negative Comment	Condition(s) <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
Committee of Adjustment	<input checked="" type="checkbox"/>	
Building Standards	<input checked="" type="checkbox"/>	
Building Inspection		
Development Planning	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Development Engineering	<input checked="" type="checkbox"/>	
Parks, Forestry and Horticulture Operations		
By-law & Compliance		
Financial Planning & Development	<input checked="" type="checkbox"/>	
Fire Department		
TRCA	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Metrolinx	<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: N/A

Background History: N/A

Staff Report Prepared By: Pravina Attwala
Hearing Date: Thursday, July 22, 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: 15

A142/21

Ward: 1

Staff Report Prepared By: Pravina Attwala, Assistant Secretary Treasurer

Date & Time of Live Stream Hearing: Thursday, July 22, 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: City of Vaughan

Agent: Cortel Group

Property: Lands located in proximity of Maplecrete Road & Highway 7. Legal Description: Parts 2 and 4 on Registered Plan 65R-38333; and Parts 1-8 (all inclusive) on Registered Plan 65R-39315

Zoning: The subject lands are zoned EM1 - Prestige Employment Zone under By-law 1-88 as amended.

OP Designation: “Station Precinct”, Volume 2, Section 11.8 Vaughan Metropolitan Centre (VMC) Secondary Plan with a maximum height of 30-storeys and maximum density of 5.0 times the area of the lot (FSI).

Related Files: None

Purpose: Relief from By-law 1-88, as amended, is being requested to permit mixed-use development over the subject lands.

The “below grade underground parking garage accessory to a mixed-use development provisions” (Variance #1) will apply to the entirety of the subject lands which include Parts 2 and 4 on Registered Plan 65R-38333; and Parts 1-8 (all inclusive) on Registered Plan 65R-39315.

The lands to be included in Schedule E-1376 (Variance #2) is Part 2 on Plan 65R-38333 only.

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

By-law Requirement	Proposal
1. The proposed uses are not permitted within an EM1 Zone. [6.2.1]	1. To permit the below grade underground parking garage accessory to a mixed-use development.
2. The lands are not part of the Subject Lands as shown on Schedule "E-1376". [9(1248, Schedule	2. To permit the lands to be included as part of the Subject Lands as shown on Schedule "E-1376".

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

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

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

Adjournment History: N/A

Staff & Agency Comments

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

Committee of Adjustment:

Public notice was mailed on July 7, 2021

Applicant confirmed posting of signage on July 12, 2021

Property Information	
Existing Structures	Year Constructed
N/A (underground parking)	N/A (underground parking)

Applicant has advised that they cannot comply with By-law for the following reason(s): The underground parking structure encroaches into the lands and are being purchased by Royal 7 Developments to form part of the condo.

Recommended conditions of approval:

1. That the applicant obtains a municipal address from the GIS Mapping Section of the Development Planning Department and that confirmation of address creation be provided to the Secretary Treasurer.

Adjournment Request: None

Building Standards (Zoning Review):

A complete Zoning Review could not be completed based on the information submitted. The extent of this Zoning Review was limited to confirming the requested variances only.

This application is related to Development Approval file DA.18.050. Minor Variance Decision A106/18 (which was approved as part of the review of this development) is subject to a number of conditions. Please note that a Clearance Letter from the Committee of Adjustment is required to confirm that these conditions have been cleared in order to apply the granted variances from the zoning by-law.

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

The subject lands may be subject to Ontario Regulation 166/06 (TRCA - Toronto and Region Conservation Authority).

Building Inspections (Septic):

No response

Development Planning:

Official Plan: Vaughan Official Plan 2010 ('VOP 2010'): "Station Precinct", by Volume 2: 11.12 Vaughan Metropolitan Centre ('VMC') Secondary Plan

The lands subject to this application are currently owned by the City of Vaughan. At its June 22, 2021 meeting, Council authorized agency status to the applicant, in respect of the subject lands to submit *Planning Act* applications to advance the construction of the Expo 5 Tower 60-storey mixed-use development (File DA.18.050) that was approved by Council on June 12, 2019.

The Applicant (Royal 7 Developments Ltd.) is requesting permission to allow mixed use developments on the Subject Lands zoned "EM1 Prestige Employment Zone", legally described as Parts 2 and 4 on Registered Plan 65R-38333; and Parts 1-8 (all inclusive) on Registered Plan 65R-39315, and for a portion of the Subject Lands specifically known as Part 2 on Registered Plan 65R-38333 to be included in Schedule "E-1376".

The purpose of the first variance is to facilitate Council's approval of the Expo 5 Tower development on the easterly portion of the Subject Lands, and to also facilitate a future mixed-use development on abutting lands to the west municipally known as 2966 Highway 7 which will encroach on the westerly portion of the Subject Lands. To facilitate these two developments, the City has agreed to sell the east portion of the subsurface and air rights of the Subject Lands to the Applicant, known as Part 2 on Registered Plan 65R-38333 and Parts 2 and 6 on Registered Plan 65R-39315 respectively. The remaining west portion of the subsurface and air rights of the Subject Lands, known as Part 4 on Registered Plan 65R-38333 and Parts 4 and 8 on Registered Plan 65R-39315 respectively, will be sold to the landowners of 2966 Highway 7. The at-grade surface area of the lands, legally described as Parts 5 and 7 on Registered Plan 65R-39315 will be retained by the City for a future public pedestrian mews for access into the Edgeley Pond and Park to the north when fully constructed.

Agreements of Purchase and Sale transactions between the City and the abutting landowners are currently underway to sell subsurface and air rights of the Subject Lands.

The purpose of the second variance is to facilitate Council's approval of the Expo 5 Tower development to permit encroachment of the development's underground parking garage on easterly portion of the subsurface area of the City-owned lands (Part 2 on Registered Plan 65R-38333). As mentioned, this subsurface area will be sold to the Applicant through an ongoing Agreement and Purchase and Sale transaction.

Development Planning staff has no objection to the requested variances, as the impacted areas for development will be conveyed to the respective landowners to the east and west through on-going Agreements and Purchase of Sale transactions.

Furthermore, Zoning By-law 1-88, which zones the subject site EM1 is outdated as the VMC Secondary Plan envisions this site to facilitate an urbanized mixed-use development that is conducive for a downtown setting. Through the City's Comprehensive Zoning By-law Review that is currently underway, staff will recommend the deletion of the current employment zoning to be replaced with an appropriate zone that conforms with the vision of the VMC Secondary Plan for these lands.

The Development Planning Department is of the opinion that the requested variances are minor in nature, maintain the general intent and purpose of the Official Plan and Zoning By-law, and are desirable for the appropriate development of the land as the variances will facilitate a urbanized developments that will advance the Council's vision for the VMC as the City's emerging downtown.

The Development Planning Department recommends approval of the application, subject to the Conditions of Approval.

That the Owners of the Expo Tower 5 development and lands municipally known as 2966 Highway 7 execute respective Agreements of Purchase and Sale with the City on terms satisfactory to the Office of the City Solicitor, regarding the transfer of subsurface and air rights of the pedestrian mews.

Development Engineering:

The Development Engineering (DE) Department does not object to variance application A142/21.

VMC Transportation comment: VMC Transportation has reviewed the above-mentioned minor variance application and have no further comments/conditions.

Parks Development - Forestry:

No comments received to date.

By-Law and Compliance, Licensing and Permit Services:

No comments received to date

Development Finance:

No comment no concerns

Fire Department:

No comments received to date

Schedule A – Plans & Sketches**Schedule B – Public Correspondence**

Public Correspondence (Application Cover Letter)

Schedule C - Agency Comments

Alectra (Formerly PowerStream) – No concerns or objections

Region of York – No concerns or objections

Metrolinx – No concerns or objections

TRCA – comments with conditions

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 Planning Roberto Simbana 905-832-8585 x 8810 roberto.simbana@vaughan.ca	That the Owners of the Expo Tower 5 development and lands municipally known as 2966 Highway 7 execute respective Agreements of Purchase and Sale with the City on terms satisfactory to the Office of the City Solicitor, regarding the transfer of subsurface and air rights of the pedestrian mews.
2	TRCA Stephen Bohan 416-661-6600 x 5743 Stephen.bohan@trca.ca	The applicant provides the required fee amount of \$1,155 payable to the Toronto and Region Conservation Authority

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 Ontario Land Tribunal (OLT) hearing you must complete a Request for Decision form and submit to the Secretary Treasurer (ask staff for details). In the absence of a written request to be notified of the Committee's decision you will **not** receive notice.

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

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

Schedule A: Plans & Sketches

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

Location Map
Plans & Sketches



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

PLAN 65R-38333

RECEIVED AND DEPOSITED
 DATE MARCH 12, 2019
 DATE MARCH 12th, 2019
 J. EDUARDO LINHARES
 ONTARIO LAND SURVEYOR
 REPRESENTATIVE FOR LAND REGISTRAR FOR THE LAND TITLES DIVISION OF YORK REGION (No.65)

SCHEDULE				
PART	PART OF	CONCESSION	PART OF PIN	AREA (m ²) AT GRADE
1				284.5
2				---
3	LOT 6	4	03276-0270(LT)	284.5
4				---
5				26.0

STRATA PLAN OF SURVEY OF
PART OF LOT 6, CONCESSION 4
 (ORIGINAL TOWNSHIP OF VAUGHAN, COUNTY OF YORK)
CITY OF VAUGHAN

SCALE 1:250
 0 5 10 15 20 25m

KRCMAR SURVEYORS LTD.
 METRIC: DISTANCES AND COORDINATES SHOWN HEREON ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

BEARING
 BEARINGS SHOWN HEREON ARE GRID BEARINGS DERIVED FROM REGISTERED PLAN 65M-4490, REFERRING TO THE 3' UTM COORDINATE SYSTEM, ZONE 10, CENTRAL MERIDIAN 79°30' WEST LONGITUDE. (NAD 27, 1974 ADJUSTMENT).
 DISTANCES SHOWN HEREON ARE ADJUSTED GROUND DISTANCES AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY A SCALE FACTOR OF 0.999873.

TO OBTAIN BEARINGS RELATED TO THE 6' UTM COORDINATE SYSTEM, ZONE 17, CENTRAL MERIDIAN 81°00' WEST LONGITUDE, (NAD 83 (CSRS)(2010)), APPLY A COUNTER-CLOCKWISE ROTATION OF 01°02'00" TO THE BEARINGS SHOWN.

6' UTM ZONE 17 COORDINATES
 NAD 83 (CSRS)(2010) (CENTRAL MERIDIAN 81°00' WEST LONGITUDE)
 THE UTM COORDINATES LISTED BELOW ARE TO URBAN ACCURACY AND COMPLY WITH SUBSECTION 14(2) OF ONTARIO REGULATION 216/10 FILED UNDER THE SURVEYORS ACT.

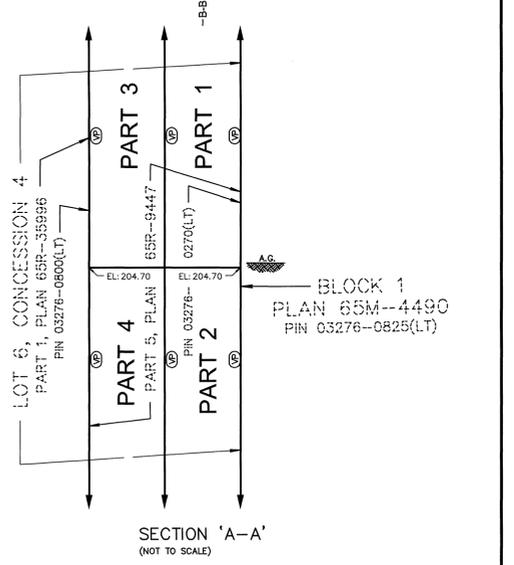
SPECIFIED CONTROL POINTS		
MONUMENT ID.	NORTHING	EASTING
(A) SIB	4 850 330.901	618 849.893
(B) SIB	4 850 177.775	618 936.194

OBSERVED REFERENCE POINTS		
POINT	NORTHING	EASTING
1	4 850 217.81	618 880.13
2	4 850 163.12	618 894.08

COORDINATE VALUES SHOWN ARE FOR GEOGRAPHIC INFORMATION SYSTEM INTEGRATION ONLY. COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

- LEGEND**
- DENOTES PROPERTY BOUNDARY
 - DENOTES CHANGE IN VERTICAL LIMITATION
 - DENOTES SURVEY MONUMENT FOUND
 - DENOTES SURVEY MONUMENT PLANTED
 - SIB DENOTES STANDARD IRON BAR
 - SSIB DENOTES SHORT STANDARD IRON BAR
 - IB DENOTES IRON BAR
 - (S) DENOTES SET
 - (M) DENOTES MEASURED
 - (OU) DENOTES ORIGIN UNKNOWN
 - (P7) DENOTES PLAN 65M-4490
 - (P8) DENOTES PLAN 65R-35386
 - (830) DENOTES E.W. PETZOLD, O.L.S.
 - (1042) DENOTES BRIAN KEITH EDWARDS, O.L.S.
 - (1370) DENOTES KRCMAR SURVEYORS LTD., O.L.S.
 - EL DENOTES GEODETIC ELEVATION
 - (NIL) DENOTES NO VERTICAL LIMITATIONS
 - (NUL) DENOTES NO UPPER LIMITATIONS
 - (NLL) DENOTES NO LOWER LIMITATIONS
 - UL DENOTES UPPER LIMITATION IN METRES
 - LL DENOTES LOWER LIMITATION IN METRES
 - HP DENOTES HORIZONTAL PLANE
 - CVL DENOTES CHANGE IN VERTICAL LIMITATION
 - X-X DENOTES SEE SECTION X-X

ELEVATION
 ELEVATIONS SHOWN HEREON ARE GEODETIC AND ARE RELATED TO CITY OF VAUGHAN BENCH MARK No. 23-6 HAVING AN ELEVATION OF 202.862 METRES.



SURVEYOR'S CERTIFICATE
 I CERTIFY THAT:
 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
 2. THE SURVEY WAS COMPLETED ON THE 7th DAY OF MARCH, 2019
 DATE MARCH 8, 2019
 J. EDUARDO LINHARES
 ONTARIO LAND SURVEYOR

PLAN AVAILABLE AT www.ProtectYourBoundaries.ca

FIELD:	JL	DRAWN:	NL	CHECKED:	J.E.L.	JOB NO:	00-202
DWG NAME:	00-202R08	PLOT INFO:	10.26.19/feb/2019	WORK ORDER NO:	22127	1137 Centre Street, Thornhill, ON L4J 3M6 905.738.0053 F 905.738.9221 www.krcmar.ca	

KRCMAR

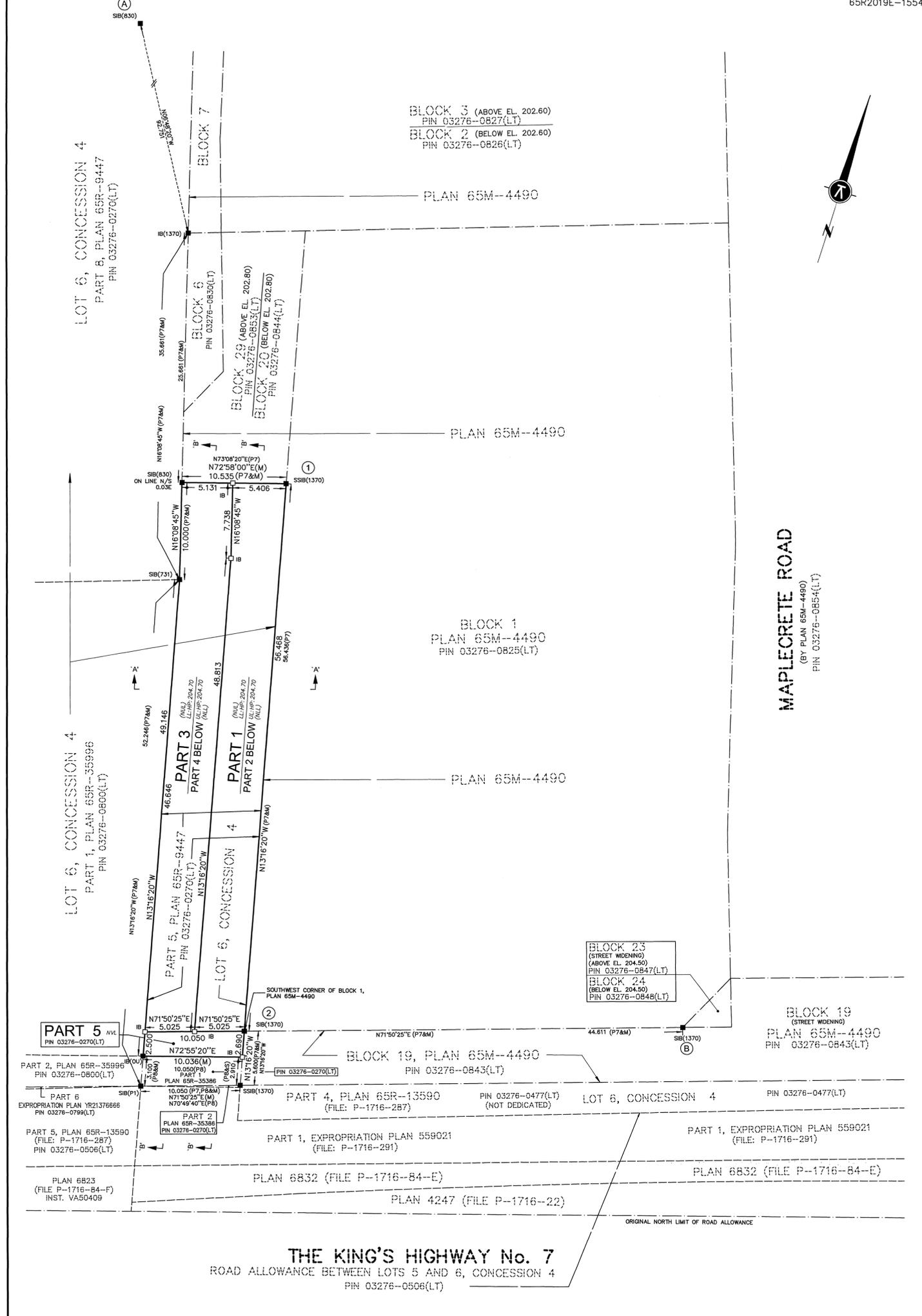
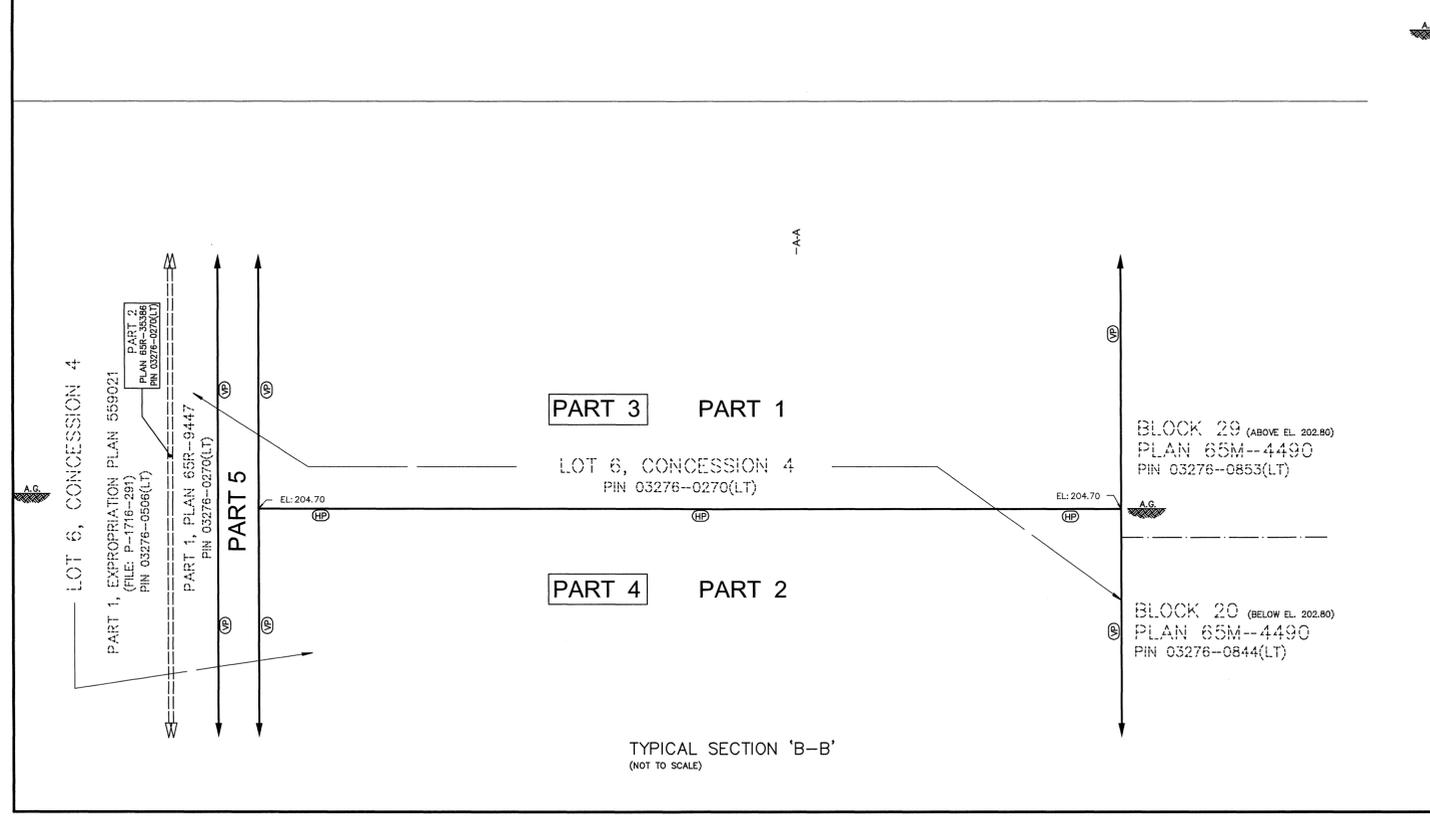


DIAGRAM 1 - SHOWING CONFIGURATION OF PART LIMITS AT ELEVATION 206.00 METRES (Approximate Grade)



TYPICAL SECTION 'B-B' (NOT TO SCALE)

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

PLAN 65R-39315

RECEIVED AND DEPOSITED

DATE FEBRUARY 22, 2021

DATE Feb 24, 2021

J. EDUARDO LINHARES
ONTARIO LAND SURVEYOR

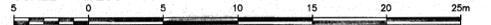
"A King"
REPRESENTATIVE FOR LAND REGISTRAR FOR THE LAND TITLES DIVISION OF YORK REGION (No.65)

SCHEDULE

PART	PART OF	CONCESSION	PART OF PIN	AREA (m ²) AT GRADE
1				105.4
2				---
3				105.0
4				---
5	LOT 6	4	03276-0270(LT)	179.0
6				---
7				179.5
8				---

STRATA PLAN OF SURVEY OF
PART OF LOT 6, CONCESSION 4
(ORIGINAL TOWNSHIP OF VAUGHAN, COUNTY OF YORK)
CITY OF VAUGHAN

SCALE 1:250



KRCMAR SURVEYORS LTD.

METRIC: DISTANCES AND COORDINATES SHOWN HEREON ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

BEARING

BEARINGS SHOWN HEREON ARE GRID BEARINGS DERIVED FROM REGISTERED PLAN 65M-4490, REFERRING TO THE 3rd UTM COORDINATE SYSTEM, ZONE 10, CENTRAL MERIDIAN 79°30' WEST LONGITUDE, (NAD 27, 1974 ADJUSTMENT).

DISTANCES SHOWN HEREON ARE ADJUSTED GROUND DISTANCES AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY A SCALE FACTOR OF 0.999873.

TO OBTAIN BEARINGS RELATED TO THE 6th UTM COORDINATE SYSTEM, ZONE 17, CENTRAL MERIDIAN 81°00' WEST LONGITUDE, (NAD 83 (CSRS)(2010)), APPLY A COUNTER-CLOCKWISE ROTATION OF 01°02'00" TO THE BEARINGS SHOWN.

6th UTM ZONE 17 COORDINATES
NAD 83 (CSRS)(2010) (CENTRAL MERIDIAN 81°00' WEST LONGITUDE)
THE UTM COORDINATES LISTED BELOW ARE TO URBAN ACCURACY AND COMPLY WITH SUBSECTION 14(2) OF ONTARIO REGULATION 216/10 FILED UNDER THE SURVEYORS ACT.

SPECIFIED CONTROL POINTS		
MONUMENT ID.	NORTHING	EASTING
(A) SIB	4 850 330.901	618 849.893
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OBSERVED REFERENCE POINTS		
POINT	NORTHING	EASTING
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2	4 850 163.12	618 894.08

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LEGEND

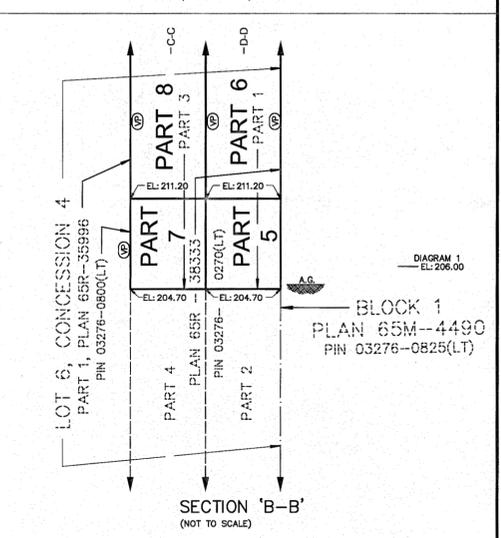
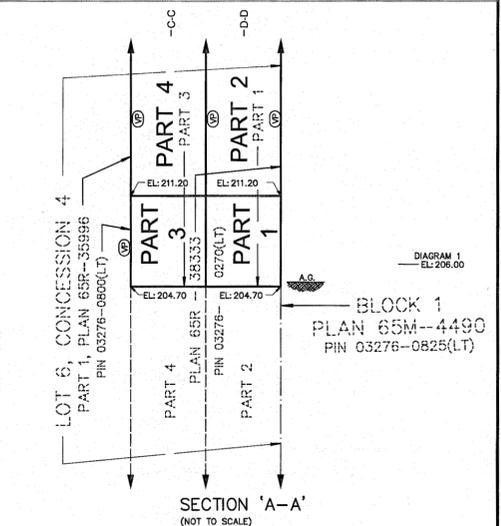
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- IB DENOTES IRON BAR
- CP DENOTES CONCRETE PIN
- CC DENOTES CUT CROSS
- (WT) DENOTES WITNESS
- (S) DENOTES SET
- (M) DENOTES MEASURED
- (P7) DENOTES PLAN 65M-4490
- (P8) DENOTES PLAN 65R-38333
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- LL DENOTES LOWER LIMITATION IN METRES
- HP DENOTES HORIZONTAL PLANE
- CVL DENOTES CHANGE IN VERTICAL LIMITATION
- X-X DENOTES SEE SECTION X-X

ELEVATION

ELEVATIONS SHOWN HEREON ARE GEODETIC AND ARE RELATED TO CITY OF VAUGHAN BENCH MARK No. 23-6 HAVING AN ELEVATION OF 202.862 METRES.

NOTE

SUBSTANTIAL COMPLIANCE WITH O.REG. 525/91 DUE TO CONSTRUCTION ACTIVITY.



SURVEYOR'S CERTIFICATE

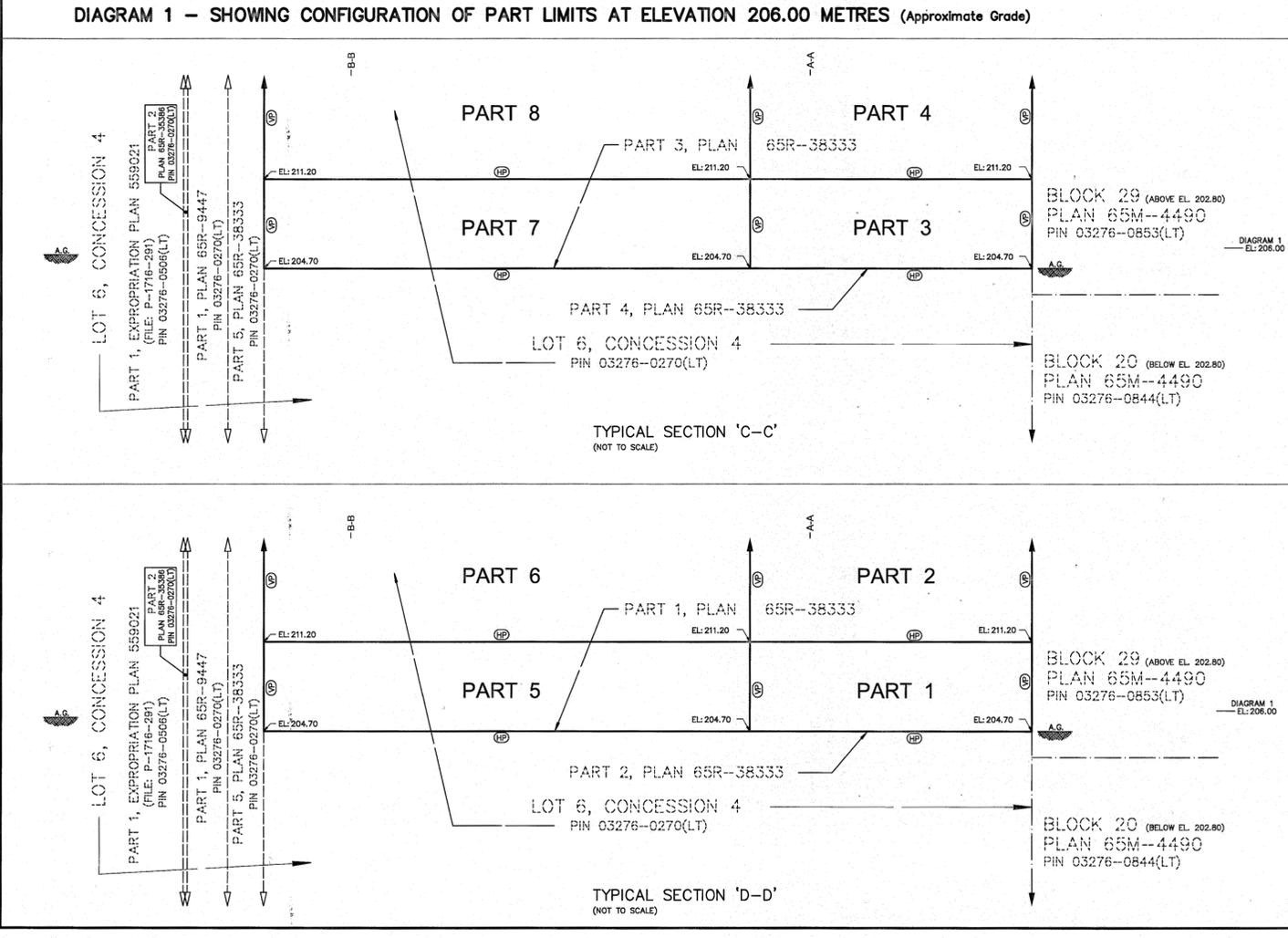
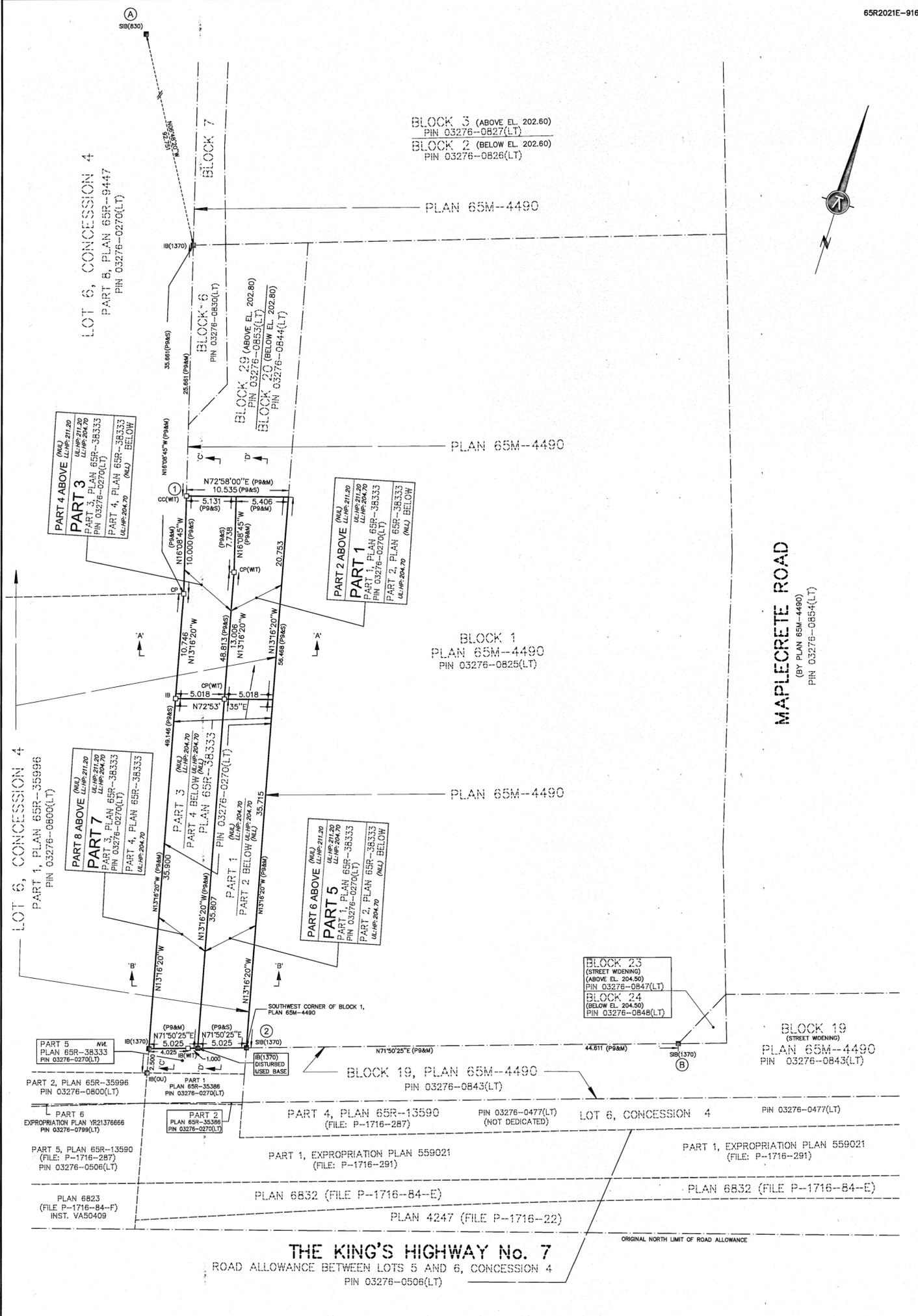
I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE 4th DAY OF FEBRUARY, 2021

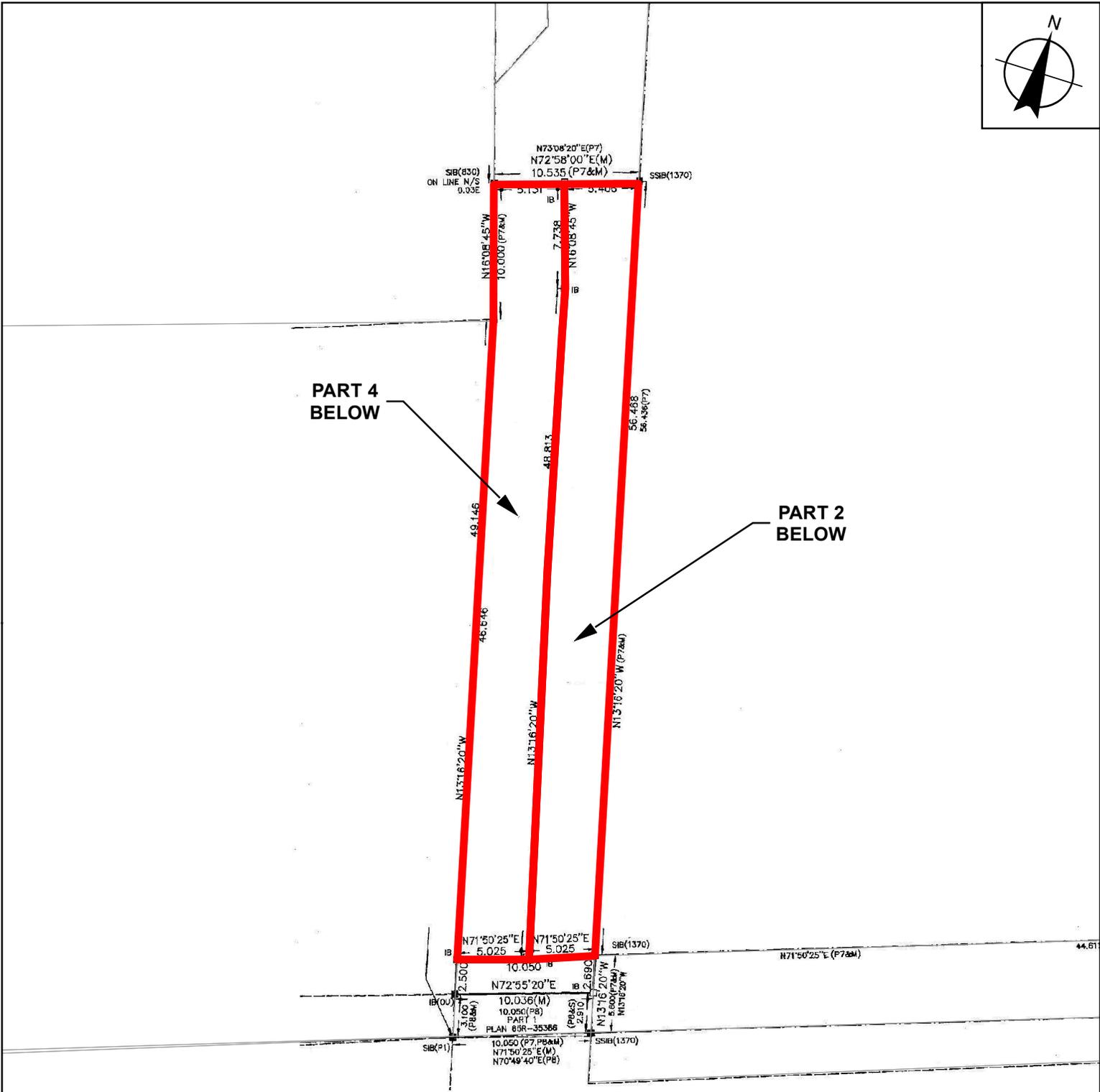
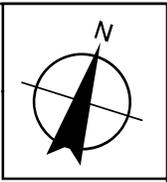
DATE FEBRUARY 10, 2021

J. EDUARDO LINHARES
ONTARIO LAND SURVEYOR

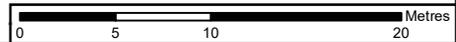
PLAN AVAILABLE AT www.ProtectYourBoundaries.ca						
FIELD	J.L.	DRAWN	N.L.	CHECKED	J.E.L.	JOB NO.
DWG NAME:	00-202RP13	PLOT INFO:	15.25.17/Feb/2021	WORK ORDER NO.:	33777	
1137 Centre Street Thornhill ON L4J 3M6 905.738.0053 F.905.738.9221 www.krcmar.ca						

KRCMAR





 Subject Lands



Reference Plan
65R-38333

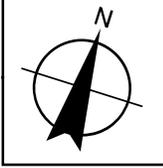
LOCATION:
Part of Lot 6, Concession 4
APPLICANT:
Royal 7 Developments



Attachment

FILE: DA.18.050
RELATED FILES:
DA.16.111 and 19CDM-19V008
DATE: June 8, 2021

2

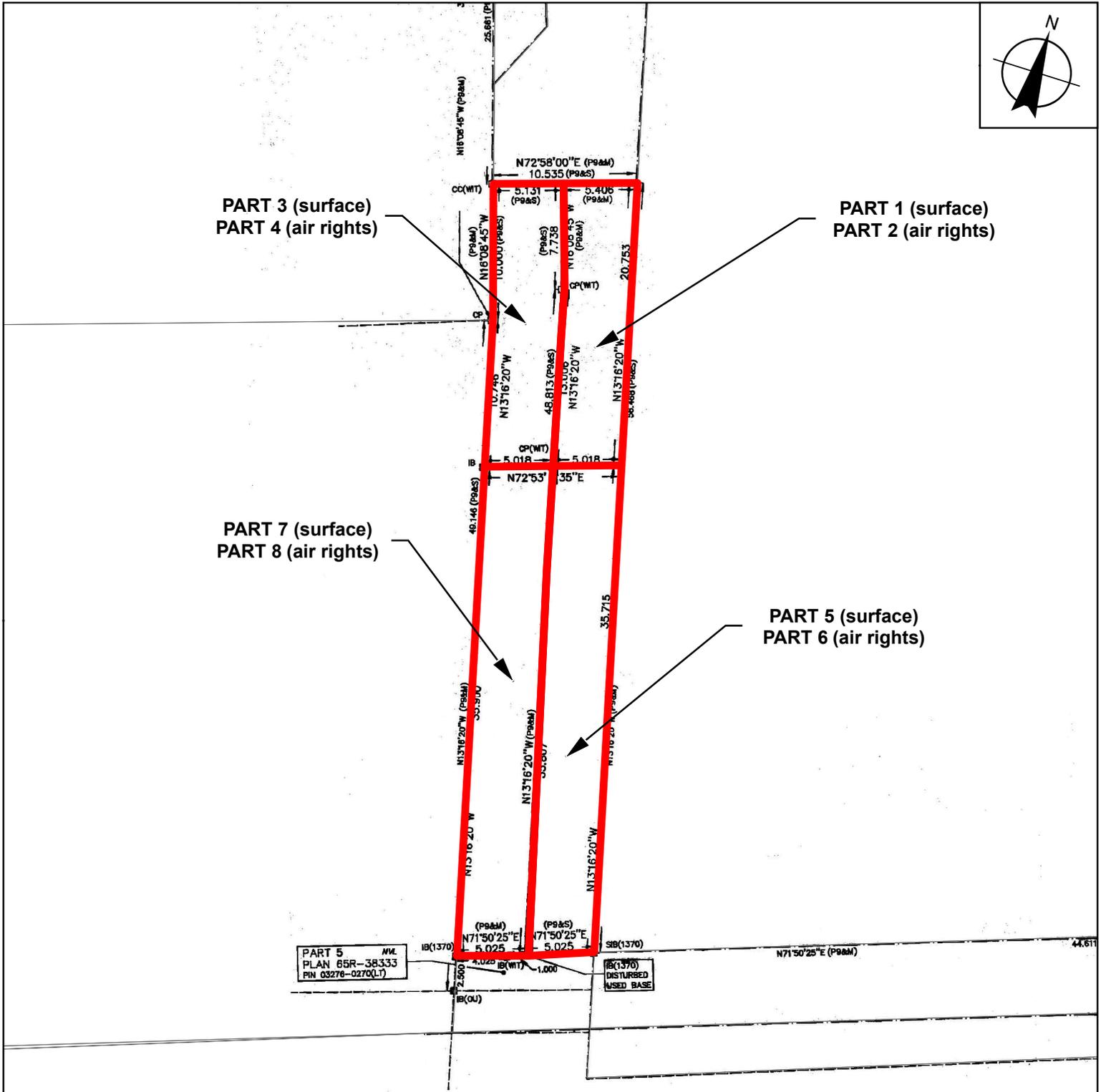


PART 3 (surface)
PART 4 (air rights)

PART 1 (surface)
PART 2 (air rights)

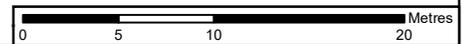
PART 7 (surface)
PART 8 (air rights)

PART 5 (surface)
PART 6 (air rights)



HIGHWAY 7

 Subject Lands



Reference Plan 65R-39315

LOCATION:
Part of Lot 6, Concession 4
APPLICANT:
Royal 7 Developments



Attachment

FILE: DA.18.050
RELATED FILES:
DA.16.111 and
19CDM-19V008
DATE: June 8, 2021

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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.

A142/21 – Public Correspondence (Application Cover Letter)



ROYAL 7 DEVELOPMENTS LTD

2800 HWY 7 W. SUITE 301 VAUGHAN ON L4K
1W8 P:905-695-0800 F:905-695-0801

July 13th 2021

Committee of Adjustment
City of Vaughan
Vaughan City Hall, Level 100
2141 Major Mackenzie Dr.
Vaughan, ON L6A 1T1

Dear Members of the Committee:

Re: *Minor Variance Application*
Part 5 – 65M 4490

Introduction and Background

Expo City development is distinct within the Vaughan Metropolitan Centre, being the first to provide for intensification and compact development to support the now open TTC Subway Station. This was made possible by way of a 2008 Ontario Municipal Board decision, which approved give high-rise residential towers on the subject site (Files Z.06.051 and 19T-00V21). This approval has specifically been recognized within the 2010 Vaughan Official Plan and VMC Secondary Plan (Policy), distinguishing this site from others within the VMC. The underground of the subject lands will be purchased with 50% by Royal 7 Development and 50% by Zzen/Midvale to the West to allow for the construction of the Underground Parking Garage. The City will retain the surface for the Pedestrian Mews that connects to Edgeley Pond and Park.

The application is to provide for the following adjustments to the zoning by-law;

1. To permit the below grade underground parking garage accessory to a mixed-use development
2. To permit the lands to be included as part of the Subject Land as shown on Schedule “E-1376”

These adjustments are minor in our opinion, maintain the general intent and purpose of the Official Plan and Zoning By-law, and are desirable for the appropriate use and development of the site.

The design will result in a building that is both complementary and attractive in the context of both Highway 7 along the southern boundary of the site and the newly planned Edgeley Pond and Park to the northwest. The proposal will contribute to a vibrant and active streetscape along Highway 7, as well as provide for an iconic tower of high architectural quality tower in a location designated for tall buildings and intensification.

The requested variances and analysis of the four tests under Section 45(1) of the Planning Act is provided below.

Analysis of Four Tests

1. Maintain the General Intent and Purpose of the Official Plan

The subject site is designated as “Station Precinct” and subject to a site-specific policy 9.3.4 within the Vaughan Metropolitan Centre (VMC) Secondary Plan. The site-specific policy provides that the site-specific zoning by-law is deemed to conform to the Official Plan, and that the secondary plan shall not prevent the consideration of minor variances to the zoning by-law that are in keeping with the objectives, policies and schedules of the secondary plan.

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

The zoning by-law approved in 2008 and amended in May 2017, provides for high-rise, high density residential and commercial uses within five blocks. The general intent of the by-law is to establish an urban form of development with a vibrant public realm along a grid network of streets and complementing the park space to the north. In this respect, the proposed variance for increase in floor area maintain this general intent and do not result in any adverse impacts on surrounding properties, streets or open spaces.

3. Is Desirable for the Appropriate Development and Use of the land or building

It is desirable to redevelop an underutilized site within the VMC, which is in close proximity to a TTC subway station and new park space to the north. The development will provide for a high-quality architectural complement to the newly planned park along its north boundary and will provide for an iconic final phase to the successful Expo City development, which is the first to be developed in support of transit in the VMC.

4. Is Minor

The test of minor is primarily one of impact, but also has regard to size and importance of a variance. In this regard, there would be no adverse impact on adjacent properties resulting from the variances. The proposed building and uses would complement both Highway 7 and the adjacent parkland and would not result in adverse traffic impacts in comparison to an as of right development.

Enclosures

In support of the application, please find the following additional documents:

- Minor Variance Application form duly authorized as required
- Site Plan showing location of lands and area effected

Should you require any additional information, please do not hesitate to contact me at our office at 905-695-0800.

Yours very truly,

Royal 7 Developments Ltd.

Nicole Sgrignuoli, BURPI

Planning + Development

Office: (905)695-0800

Mobile: (416)720-2468

Nicole.s@cortelgroup.com

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

Metrolinx – No concerns or objections

TRCA – comments with conditions



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

Pravina Attwala

Subject: FW: Request for Comments - A142/21 (Parts 2 and 4 on Registered Plan 65R-38333; and Parts 1-8 (all inclusive) on Registered Plan 65R-39315)

From: Alexandra Goldstein <Alexandra.Goldstein@metrolinx.com>

Sent: July-13-21 9:47 AM

To: Pravina Attwala <Pravina.Attwala@vaughan.ca>

Subject: [External] RE: Request for Comments - A142/21 (Parts 2 and 4 on Registered Plan 65R-38333; and Parts 1-8 (all inclusive) on Registered Plan 65R-39315)

Good morning,

Thank you for circulating the above listed application to Metrolinx for our review. I note that the subject property falls outside of our review zone and as such we defer to YRT and TTC as the commenting authority. In the future, please remove Metrolinx from circulations related to the above listed application.

Thanks,
Alex

July 8, 2021

CFN 64195.22

SENT BY E-MAIL: Christine.Vigneault@vaughan.ca

Ms. Christine Vigneault
Secretary Treasurer
Committee of Adjustment
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario L6A 1T1

Dear Ms. Vigneault:

**Re: Minor Variance Application A142/21
Part of Lot 6, Concession 4
Parts 2 & 4 on Plan 65R-38333 and Parts 1-8 on Plan 65R-39315
2901 Highway 7
City of Vaughan, Region of York
City of Vaughan (Agent: Royal 7 Developments)**

This letter acknowledges receipt of the above noted application, received by the Toronto and Region Conservation Authority (TRCA) on June 30, 2021. TRCA staff has reviewed the application and offers the following comments for the consideration of the Committee of Adjustment.

Background

It is our understanding that the purpose of the below noted variances is to facilitate the construction of an underground parking structure associated with the Tower 5 development of the Expo City project. The proponent has noted in their application that they are seeking the following variances:

1. To allow for the underground parking garage to encroach underneath the pedestrian mews as the lands are currently zoned EM1 which does not permit an underground parking structure.
2. The subject lands are currently owned by the City of Vaughan and were not including in the building envelope shown on schedule E-1376A.

Application-Specific Comments

The subject property is located within TRCA's Regulated Area of the Humber River Watershed because it is adjacent to a valley corridor and Regulatory Storm flood plain associated with Black Creek. The limits of development on the subject property and the adjacent property (2920 Highway 7) on which Tower 5 of the Expo City development is being constructed, have been established and refined through a number of planning processes including Draft Plan of Subdivision 19T-00V21, Official Plan Amendment OP.06.019, Zoning By-law Amendment Z.06.051, Site Plan Control Application DA.11.058 and the Edgeley Pond and Park Environmental Assessment and detailed design process. Furthermore, TRCA staff has taken part in the review of a Site Plan Application (DA.18.050) for the 5th Phase of the Expo project which includes the final detailed design of the residential tower, and the proposed foundation and underground garage works. TRCA staff are currently in the process of issuing a permit to authorize the proposed excavation and foundation works associated with the underground parking structure.

Fees

By copy of this letter, the applicant is advised that TRCA has implemented a fee schedule for our planning application review services. This application is subject to a \$1,155 (Variance – Industrial/Commercial/Subdivision/Institutional – Minor) review fee. The applicant is responsible for fee payment and should forward the application fee to this office as soon as possible.

Recommendation

Based on the above, TRCA staff have **no objection** to the approval of Minor Variance Application A142/21 subject to the following conditions:

1. The applicant provides the required fee amount of \$1,155 payable to the Toronto and Region Conservation Authority.

We trust these comments are of assistance. Should you have any questions, please contact me at extension 5743 or at Stephen.bohan@trca.ca

Sincerely,



Stephen Bohan
Planner

Development Planning and Permits | Development and Engineering Services

Copy: Margaret Holyday, City of Vaughan (Margaret.Holyday@vaughan.ca)
Roberto Simbana, City of Vaughan (Roberto.Simbana@vaughan.ca)

Pravina Attwala

Subject: FW: Request for Comments - A142/21 (Parts 2 and 4 on Registered Plan 65R-38333; and Parts 1-8 (all inclusive) on Registered Plan 65R-39315)

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

Sent: July-06-21 10:56 AM

To: Pravina Attwala <Pravina.Attwala@vaughan.ca>

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

Subject: [External] RE: Request for Comments - A142/21 (Parts 2 and 4 on Registered Plan 65R-38333; and Parts 1-8 (all inclusive) on Registered Plan 65R-39315)

Good morning Pravina,

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

Regards,

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