



File: A153/21

Applicant: 1834375 Ontario Inc.

Address: 1890 Hwy 7, Vaughan

Agent: MHBC Planning Limited

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"/>	
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"/>	
Fire Department		
TRCA	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Ministry of Transportation		
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: Minor Variance A004/20

Staff Report Prepared By: Adriana MacPherson
Hearing Date: Thursday, September 9, 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: 5

A153/21

Ward: 4

Staff Report Prepared By: Adriana MacPherson, Assistant Secretary Treasurer

Date & Time of Live Stream Hearing:	<p>Thursday, September 9, 2021 at 6:00 p.m.</p> <p>As a result of COVID-19, Vaughan City Hall and all other City facilities are closed to the public at this time.</p> <p>A live stream of the meeting is available at Vaughan.ca/LiveCouncil</p> <p>Please submit written comments by mail or email to:</p> <p>City of Vaughan Office of the City Clerk – Committee of Adjustment 2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1 cofa@vaughan.ca</p> <p>To make an electronic deputation at the meeting please contact the Committee of Adjustment at cofa@vaughan.ca or 905-832-8504. Ext. 8332</p> <p>Written comments or requests to make a deputation must be received by noon on the last business day before the meeting.</p>
Applicant:	1834375 Ontario Inc.
Agent:	MHBC Planning Limited
Property:	1890 Hwy 7, Vaughan
Zoning:	The subject lands are zoned RA3, Apartment Residential, RA3 (H1), Apartment Residential (on hold), and OS5, Open Space Environmental Protection Zone and subject to the provisions of Exception 9(1497) under By-law 1-88 as amended.
OP Designation:	Vaughan Official Plan 2010, Volume 2, Concord GO Station Secondary Plan : “High-Rise Mixed-Use” with a maximum building height of 22 storeys and a Floor Space Index ('FSI') subject to policies 3.4 and 8.3.6.
Related Files:	Site Plan Application DA.19.016.
Purpose:	Relief from By-law 1-88, as amended, is being requested to permit the construction of three (3) proposed 27-storey residential buildings with ground floor retail space and four (4) levels of underground parking. Relief is also required to facilitate Site Plan Application DA.19.016.

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

By-law Requirement	Proposal
1. A minimum of 0.8 parking spaces per unit is required for Bachelor/1 bedroom unit, a minimum of 0.95 parking spaces per unit is required for 2 bedroom units, and a minimum of 1.1 parking spaces per unit is required for 3 bedroom units [9(1497)].	1. To permit a minimum of 0.70 parking spaces per unit for residential parking.
2. A minimum of 3 parking spaces per 100 m2 gfa is required for retail or other commercial uses not specifically noted in Exception 9(1497).	2. To permit a minimum of 2.0 parking spaces per 100 m2 gross floor area for retail or other commercial uses not specifically noted in Exception 9(1497).
3. A minimum length of 6.0 metres is required for an accessible parking space [9(1497)].	3. To permit an accessible parking space length of 5.7 metres.

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

Application No.:	Description:	Status of Approval: Approved/Refused/Withdrawn/ OMB/Concurrent
A004/20	Proposal of 3 27-storey residential buildings (Variances to height, landscape, and applicable setbacks)	Approved

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: 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 August 25, 2021

Applicant confirmed posting of signage on August 17, 2021

Property Information	
Existing Structures	Year Constructed
Buildings (Residential)	TBC

Applicant has advised that they cannot comply with By-law for the following reason(s): The proposed reduction in parking would eliminate the need for excess parking on the property which is not required based on the parking analysis by LEA and recent approvals (i.e. Minister’s Zoning Order O. Reg 170/21) thus supporting existing and planned transit in the adjacent area. See cover letter for more detailed information.

Adjournment Request: None

Building Standards (Zoning Review):

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

- Building Permit No. 19-002218 for Retaining Wall - New - (Not Yet Issued)
- Building Permit No. 19-002345 for Condo. Apartment Building - New - (Not Yet Issued)
- Building Permit No. 19-002346 for Condo. Apartment Building - New - (Not Yet Issued)

The subject lands are currently being reviewed under DA.19.016.

The Applicant shall be advised that comments provided by Zoning staff for this application are based solely on the information provided, and the variances being sought. Additional relief from Zoning By-law 1-88 may be required if additional issues of non-conformance and/or revisions are made during the continued review of DA.19.016.

A count of proposed parking spaces cannot be conducted at this time, as the Site Statistics, Site Plan and Parking Level Plans submitted for minor variance do not reflect the proposed reduction in parking applied for in this application (Statistics on Drawing A1.1 Master Site Plan and Stats note a total of 1041 parking spaces to be provided, whereas a total of 866 parking spaces are now proposed). Further relief from Zoning By-law 1-88 may be required if revisions are made as a result of the ongoing DA.19.016.

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).

The subject property may be historically significant.

Building Inspections (Septic):

No comments or concerns

Development Planning:

Vaughan Official Plan 2010, Volume 2, Concord GO Station Secondary Plan: "High-Rise Mixed-Use" with a maximum building height of 22 storeys and a Floor Space Index ('FSI') subject to policies 3.4 and 8.3.6.

The Owner is requesting permission to reduce the minimum residential dwelling parking ratio to 0.76 spaces per unit, residential visitor parking ratio to 0.20 spaces per unit and accessible parking space length to 5.7 m to facilitate a mixed-use development, consisting of three 27-storey residential buildings containing a total of 932 units, 362.7m² of grade related commercial uses and 855 parking spaces distributed over four levels of underground parking (the "proposed development").

Files Z.16.049 and 19T-16V009 were approved by the Ontario Land Tribunal (formally known as the LPAT) on January 18, 2019 (PL171117). On October 23, 2019, Vaughan Council approved Site Development File DA.19.016 to facilitate the proposed development, supported by 4 levels of underground parking containing 1,017 parking spaces.

Presently, the Owner has re-evaluated the parking parameters based on comments received by City staff and submitted an updated Parking Justification Study prepared by LEA, dated July 20, 2021. In addition, the Owner provided a letter prepared by MHBC Planning, dated on July 20, 2021 that undertakes a comprehensive policy review.

Development Planning staff has no objection to the requested variances, as the reduction in parking will not cause an adverse impact to the development approved by Council through DA.19.016. The Transportation Engineering Department are of the opinion that the reduction in parking rates is acceptable and appropriate recognizing the context of the site and extent of the Transportation Demand Management measures proposed. Additionally, Transportation staff confirmed that reducing the accessible parking space length to 5.7 m will not impact the functionality of these spaces nor conflict with Accessibility for Ontarians with Disabilities Act standards.

The Development Planning Department has 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.

Development Engineering:

Staff are in support of the proposed visitor parking rate of 0.20 spaces/unit.

Staff are in support of the proposed retail parking rate of 2.0 spaces/100m².

The Development Engineering (DE) Department does not object to variance application A153/21 subject to the following condition(s):

1. A letter of agreement or copy of the agreement with the car-share operator will be required as a condition. Details must be included with respect to the number of car-share spaces (four spaces), number of years the parking spaces will be dedicated as car-share spaces, if memberships will be subsidized by the applicant, etc.
2. The parking spaces that will be allocated to the car-share operator must be labelled and identified on the site plan drawing. These spaces should be highly visible and conveniently located on the P1 or ground floor level.
3. A letter of agreement or copy of the agreement with the shuttle operator proposed for the site will be required as a condition. Details must be included with respect to the number of fleet vehicles, headway, capacity of each vehicle, areas that will be serviced, and length of the agreement (years of service to be provided)
4. The location where pick-up / drop-off of the shuttle service will be facilitated on-site must be labelled on the site plan drawings.

Parks Development - Forestry:

Forestry has no comments at this time

By-Law and Compliance, Licensing and Permit Services:

No comments received to date

Development Finance:

That the payment of the City Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and City-wide Development Charge By-law in effect at time of payment.

That the payment of Region of York Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and Regional Development Charges By-laws in effect at time of payment.

That the payment of Education Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Education Act and York Region District School Board and York Catholic District School Board Development Charges By-laws in effect at time of payment

That the payment of applicable Area Specific Development Charges are payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and Area Specific Development Charge By-laws in effect at time of payment.

Fire Department:
No comments received to date

Schedule A – Plans & Sketches

Schedule B – Public Correspondence
Applicant Correspondence - Cover Letter

Schedule C - Agency Comments
Alectra (Formerly PowerStream) – No concerns or objections
Region of York – No concerns or objections
TRCA – Comments and Condition

Schedule D - Previous Approvals (Notice of Decision)
Minor Variance A004/20

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. A letter of agreement or copy of the agreement with the car-share operator will be required as a condition. Details must be included with respect to the number of car-share spaces (four spaces), number of years the parking spaces will be dedicated as car-share spaces, if memberships will be subsidized by the applicant, etc. 2. The parking spaces that will be allocated to the car-share operator must be labelled and identified on the site plan drawing. These spaces should be highly visible and conveniently located on the P1 or ground floor level. 3. A letter of agreement or copy of the agreement with the shuttle operator proposed for the site will be required as a condition. Details must be included with respect to the number of fleet vehicles, headway, capacity of each vehicle, areas that will be serviced, and length of the agreement (years of service to be provided). 4. The location where pick-up / drop-off of the shuttle service will be facilitated on-site must be labelled on the site plan drawings.
2	TRCA Hamedeh Razavi 416-661-6600 x 5256 hamedeh.razavi@trca.ca	That the applicant provides the required fee amount of \$1,155.00 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](https://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

Adriana MacPherson

T 905 832 8585 Extension 8360

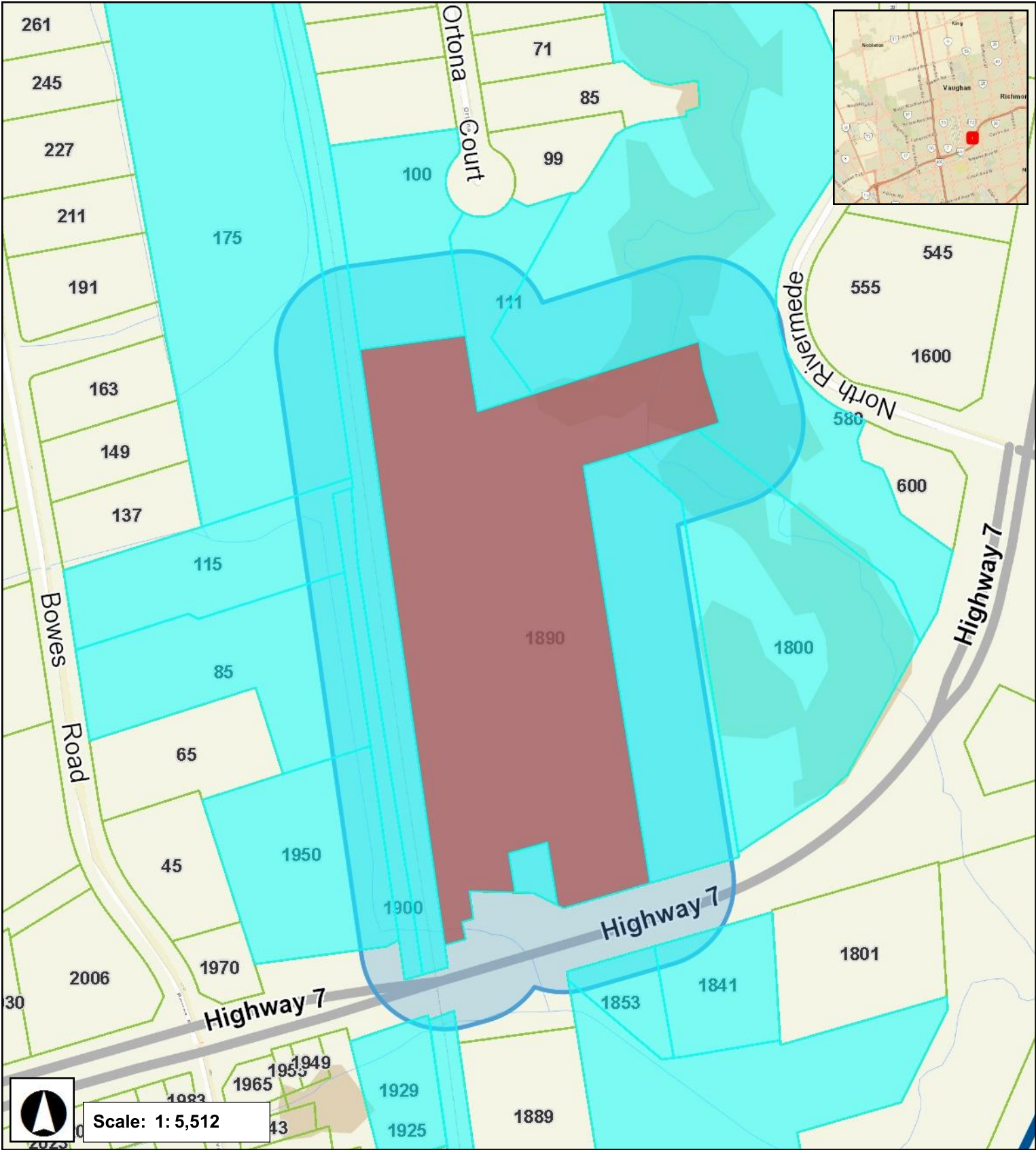
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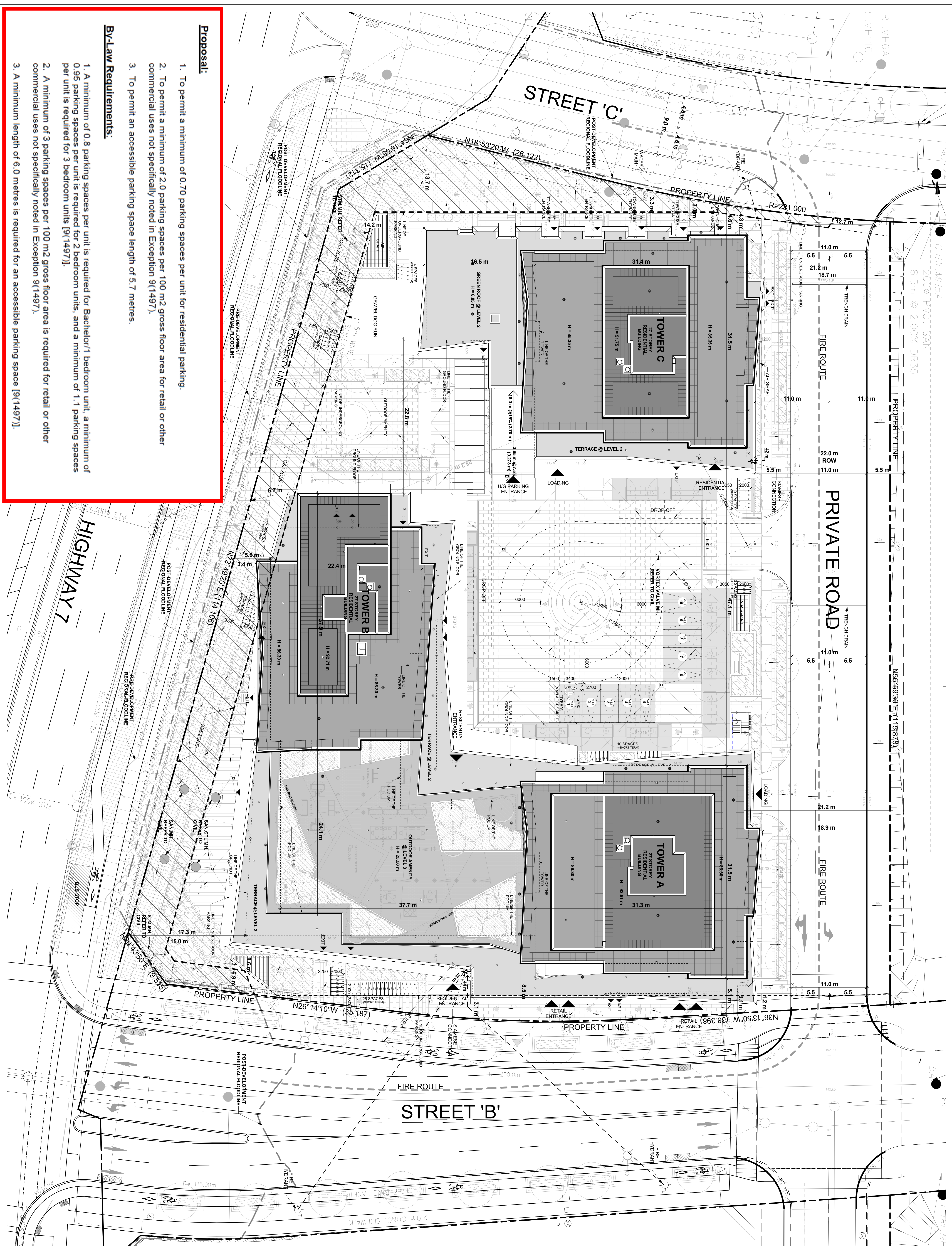
Schedule A: Plans & Sketches

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

1890 Highway 7, Vaughan





Proposal:

1. To permit a minimum of 0.70 parking spaces per unit for residential parking.
2. To permit a minimum of 2.0 parking spaces per 100 m2 gross floor area for retail or other commercial uses not specifically noted in Exception 9(1497).
3. To permit an accessible parking space length of 5.7 metres.

By-Law Requirements:

1. A minimum of 0.8 parking spaces per unit is required for Bachelor/1 bedroom unit, a minimum of 0.95 parking spaces per unit is required for 2 bedroom units, and a minimum of 1.1 parking spaces per unit is required for 3 bedroom units [9(1497)].
2. A minimum of 3 parking spaces per 100 m2 gross floor area is required for retail or other commercial uses not specifically noted in Exception 9(1497).
3. A minimum length of 6.0 metres is required for an accessible parking space [9(1497)].

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.

Applicant Correspondence – Cover Letter

June 22, 2021

Christine Vigneault
Manager, Development Services & Secretary Treasurer to the Committee of Adjustment
Office of the City Clerk
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON, L6A 1T1

Dear Ms. Vigneault,

**RE: APPLICATION FOR MINOR VARIANCE
1890 HIGHWAY 7 WEST, VAUGHAN, ON
OUR FILE: 1512T**

On behalf of our client 18346375 Ontario Inc. (hereinafter referred to as the "Owner"), we are pleased to submit this application for Minor Variance to reduce parking requirements on the lands municipally addressed as 1890 Highway 7 West in the City of Vaughan (hereinafter referred to as the "Subject Lands").

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

1. A completed Minor Variance Application (signed) including the Authorization Form;
2. A copy of the Site Plan prepared by Kirkor Architects and Planners dated on May 22, 2020; and,
3. A copy of the Parking Justification Study prepared by LEA Consulting Ltd.

Upon receipt by the City of the application, our client will pay the required application fee of \$3,060.00 representing the application fee.

PROPOSAL DESCRIPTION

The Minor Variance Application seeks relief from the Zoning By-law to permit the construction a three (3) 27-storey residential buildings with approximately 950 units and 550 sq m of ground floor retail space with four (4) levels of underground parking containing 855 spaces.

REQUESTED RELIEF – VARIANCE REQUIRED

The Subject Lands are subject to the City of Vaughan's Site-Specific By-law 080-2020. Under Site-Specific By-Law 080-2020, the Subject Lands must abide by the parking rate requirements outlined below:

Site-Specific By-Law 080-2020	
Residential Land Uses	Parking Rates
Bachelor/1 bedroom unit	0.8 spaces/unit
2 bedroom units	0.95 spaces/unit
3 bedroom units	1.1 spaces/unit
Residential Visitor Parking	0.2 spaces/unit
Non-Residential	3.0 spaces / 100 sq m GFA

This application proposes to reduce the parking rate requirements to match the recently approved Minister's Zoning Order (MZO) O. Reg. 170/21. The MZO applies to several properties located approximately 550 metres west of the Subject Lands. Given the proximity of the site and similarity regarding the transportation context, which is further discussed below, reduced parking rates should apply to the Subject Lands.

Based on the LEA Parking Report, we are requesting an effective requirement of 0.76 spaces per unit for residents, 0.15 spaces per unit for visitors and the provision to utilize car share spaces to reduce the requirement by four spaces per car share space provided.

PROVINCIAL POLICY

The Provincial Policy Statement ("PPS") and Growth Plan for the Greater Golden Horseshoe ("Growth Plan") directs development to establish built-up areas where there is existing municipal infrastructure. Intensification and redevelopment is encouraged as is a range and mix of residential and employment uses in a compact urban form. Of specific note, the Growth Plan for the Greater Golden Horseshoe directs significant intensification within Major Transit Station Areas ("MTSA"). The Subject Lands are located within 500 m radius of the proposed Concord BRT and GO Rail Station at Highway 7 and the CN Railway. The Viva bus route along Highway 7 further provides a connection to the Vaughan Metropolitan Centre (VMC) Subway Station.

The policy direction set out in the PPS and Growth Plan requires municipalities to undertake planning for these areas and to zone them to permit transit supportive densities to capture as many transit users as possible within walking distance to the station(s). Lands within these areas should be optimized to make efficient use of such infrastructure. The proposed reduction of parking spaces will support the investment of infrastructure that has been put in place within this area including regional public services facilities, commercial, residential, recreational, cultural and entertainment, through the use of transit and active transportation options.

In our opinion the proposed development is consistent with the PPS and conforms to the Growth Plan by:

1. The proposed variance will allow a compact built-form that efficiently utilizes the existing infrastructure without requiring additional servicing by maximize efficient use of land.
2. The proposed development does not cause undue environmental or public health and safety concerns, and further contributes to a healthy walkable community.
3. The proposed variance will ensure that the Subject Lands are developed in a manner which is compatible with and supportive of the existing and proposed transit infrastructure.

4. The proposed development will comply with all applicable Provincial legislation, including the Ontario Building Code and Accessibility for Ontarians with Disabilities Act (AODA).
5. The proposed development will incorporate low impact development and other sustainable measures, to assist with the Province and Municipality to become resilient to climate change.

MINOR VARIANCE TESTS

We believe that the request for relief from the Site-Specific By-law 080-2020 meets the four tests as set out under Section 45(1) of the Planning Act, as follows:

1. *The variances maintain the general intent and purpose of the Official Plan.*

According to the City of Vaughan Official Plan, the Subject Lands are designated as *Local Centres* per **Schedule 1: Urban Structure** and are subject to the "Concord GO Centre Secondary Plan" per **Schedule 13: Land Use**. Development within *Local Centres* will be mixed-use for their respective communities, in a manner that is compatible with the local context. According to the Vaughan Official Plan, *Local Centres* will be pedestrian-oriented places with good urban design for supporting efficient transit service.

The Concord GO Centre Secondary Plan (the Plan) was initiated by the City of Vaughan in July 2012 and was approved by the Region of York on May 29, 2015. The Plan elaborates on the Vaughan Official Plan policies and recognizes the emerging influences of short- and long- term transit initiatives proposed by the Provincial and Regional governments by providing a framework that respects land use planning with transit-supportive uses and densities.

The proposal of reduced parking rate requirements align with **Part B Section 2** of the Plan which outlines the Vision and Principles, including but not limited to:

- *Principle 1: Create a cohesive Concord West Community;*
- *Principle 2: Support multi-modal transportation through integrated pedestrian, cycling, vehicular and transit networks;*
- *Principle 3: Improve the safety and accessibility of Highway 7; and*
- *Principle 4: Support the creation of a higher order mobility hub through intensification.*

The reduction in parking requirements will encourage and maximize the use of the existing transit services in proximity to the Subject Lands. Reducing the parking rates will decrease single-occupancy trips generated on site which can ensure that the social, environmental and economic sustainability of the Concord West community will be maintained.

Furthermore, **Policy 3.1.14** states that

"...development along Highway 7, a Regional Intensification Corridor and a future rapid transit line identified on Schedule E of this Plan, and development adjacent to the future potential mobility hub, shall have regard to the York Region Transit-Oriented Development Guidelines and the Provincial Transit-Supportive Land Use Guidelines, as may be amended, through the development approvals process."

Section 3.6 highlights the Concord GO Local Centre as a potential mobility hub and MTSA. **Policy 3.6.2** states that *it is the intention of the City to support and plan for the creation of a Potential Mobility Hub through the provision of Transit Oriented Development that:*

- a) Establishes Transit Supportive Densities consistent with a Local Centre;*
- b) Will secure an attractive mixed-use, pedestrian oriented environment through good urban design and architecture consistent with the policies of VOP 2010;*
- c) Integrates transit infrastructure into the community in an attractive and complementary way, consistent with the needs of an evolving centre; and,*
- d) Addresses the Metrolinx Mobility Hub Guidelines.*

Policy 4.5.3 states that *transit-supportive parking standards for residential and non-residential uses shall be adopted by the City to facilitate and encourage non-automobile travel.*

If the variance is approved, all future development applications on these lands will be required to implement less parking spaces which will minimize the use of personal vehicles. This shift in the modes of transportation will maximize the use of active transportation infrastructure. Currently, the Subject Lands are serviced by the VivaNext Rapidway Orange Line and YRT Route 77. These transit options provide a vital east and west connection to the VMC subway station and bus terminal. Furthermore residents can access higher-order transit and travel north and south along the GO Barrie Rail line.

A Parking Justification Study was also prepared by LEA Consulting Ltd. in support of the proposed mixed-use development known as Highway 7 Block 2 located within the Subject Lands. The study reviewed variables such as the planned intensification in the area, the existing transit service for the surrounding area, the neighbourhood travel behaviour, recently approved or pursued parking rates in close proximity to the Subject Lands, and travel demand management (TDM) measures to reduce single-occupancy vehicle trips generated on site. The report concluded that a reduced vehicle parking supply compared to the prevailing Site-Specific Zoning By-law is appropriate for the Subject Lands.

Based on the above analysis, the requested variances maintain the general intent and purpose of the Official Plan and the Concord GO Centre Secondary Plan.

- 2. The variance maintains the general intent and purpose of the Zoning By-law.*

The Subject Lands are subject to the City of Vaughan Zoning By-law 1-88 as amended by Site-Specific By-law 080-2020. The City of Vaughan Zoning By-law 1-88 zones the Subject Lands as Residential (RA3)(9)(1497).

Parking

The intent and purpose of parking regulations is to require sufficient parking to service a proposed development. It is noted that the transit context in which a development is proposed is a key consideration in the appropriate rates which should be required.

As stated in a Parking Justification Study conducted by LEA in support of the proposed parking variance, the parking reduction can avoid oversupply of parking and maintain the low auto-dependency of the area. The study found that applying a lower parking standard than the current Site-Specific By-law can be a key travel demand management tool which supports transit investments and discourage automobile use. The study also examined recently approved or pursued parking rates which were in proximity to higher-order transit, similar to the Subject Lands. It was found that the significant reduction in parking provision in

relation to the Zoning By-law still provided adequate parking for the residents and that it was appropriate given the transportation context.

The site is located along Highway 7, which is a Regional Road that will also facilitate the VIVA BRT and YRT bus route, increasing the potential for transit usage to and from the site. Lastly, the site is adjacent to a future GO Station planned to the immediate west of the subject lands.

The proposed variance to parking therefore meets the intent and purpose of the Zoning By-law.

3. The variance is desirable for the appropriate development of the use of the land.

The proposal offers an opportunity to improve an existing condition by reducing the private automobile usage and maximizing the use of transit oriented infrastructure in the City of Vaughan. The proposed use is in conformity with the Vaughan Official Plan, City of Vaughan Zoning By-law 1-88 and Site Specific By-law 080-2020.

Approval of the requested variance will allow for the Subject Lands to be optimized for the proposed use, while still maintaining the necessary functions of each zoning provision, and respecting the context of the surrounding area. No undue impacts are anticipated on adjacent properties should the variances be approved.

Based on the analysis that we have conducted, it is our opinion that the proposed reduction in parking rates provide for any future desirable and appropriate development for the use of the Subject Lands.

4. Variance is minor in nature.

In our opinion, individually and collectively, the variance is minor in nature from a numeric basis when considering the various physical characteristics of the design and the lot. Further they are minor in nature in terms of an impact perspective. The variance represents a minor reduction in parking rates and aligns with the goals of Provincial Policy and the direction provided by the Province through the approval of MZO O. Reg 170/21 and the Official Plan to optimize land and infrastructure. It is important to understand that the test for a development is not a test of “no impact”, but impact that rises to the level of being acceptable in the context of the development and avoiding adverse impact of a planning nature. The variance does not create any adverse impacts on the streetscape or adjacent properties, including with respect to shadowing, traffic, servicing or other concerns.

For the reasons noted above, it is our opinion that the requested variances are minor in nature.

SUMMARY

In conclusion, we believe the requested application for relief from the Site-Specific By-law 080-2020 to permit the proposed development is in the public interest and represents good planning.

Thank you.

Yours truly,

MHBC

A handwritten signature in black ink, appearing to read 'David McKay', written over a large, loopy, handwritten letter 'S'.

David A. McKay, MSc, MLAI, MCIP, RPP
Vice President and Partner

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
- TRCA – comments with conditions

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

E-mail: stephen.cranley@alectrautilities.com

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

Email: tony.donofrio@alectrautilities.com

Adriana MacPherson

Subject: FW: A153/21 - Request for Comments

From: Hurst, Gabrielle <Gabrielle.Hurst@york.ca>
Sent: August-19-21 8:50 AM
To: Adriana MacPherson <Adriana.MacPherson@vaughan.ca>
Cc: Committee of Adjustment <CofA@vaughan.ca>
Subject: [External] RE: A153/21 - Request for Comments

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

Gabrielle

Gabrielle Hurst mcip rpp | Programs and Process Improvement | Planning and Economic Development Branch
| Corporate Services Department | The Regional Municipality of York | 1-877 464 9675 ext 71538 |
gabrielle.hurst@york.ca | www.york.ca

August 30, 2021

CFN 64195.26
X-Ref CFN 62574.04

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

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

Dear Christine:

**Re: Minor Variance Application A153.21
1890 Highway 7
Part Lot 6, Concession 3
City of Vaughan
1834375 Ontario Inc. (Agent: MHBC Planning Limited)**

This letter acknowledges receipt of the above noted application, received by Toronto and Region Conservation Authority (TRCA) on August 16, 2021. TRCA staff have 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 above-noted application is to request the following variances:

1. To permit a minimum of 0.70 parking spaces per unit for residential parking.
2. To permit a minimum of 2.0 parking spaces per 100 m2 gross floor area for retail or other commercial uses not specifically noted in Exception 9(1497).
3. To permit an accessible parking space length of 5.7 metres.

Ontario Regulation 166/06:

The subject lands are partially within TRCA's Regulated Area due to the presence of a Regional Storm flood plain associated with a tributary of the Don River along the southern and eastern portions of the site. In accordance with Ontario Regulation 166/06 (Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses), development, interference or alteration may be permitted in the Regulated Area where it can be demonstrated to TRCA's satisfaction that the control of flooding, erosion, dynamic beaches, pollution, or the conservation of land will not be affected. In this regard, TRCA must be contacted prior to any works taking place in the Regulated Area.

Application-Specific Comments

TRCA has been involved with the review of *Planning Act* applications for the subject development including Draft Plan of Subdivision 19T-16V009, Zoning By-law Amendment Z.16.049 and Site Development Application DA.19.016 since 2017. Through the review of these applications, TRCA's key focus has been ensuring safe access to the subject property through proposed flood remediation works in the southeast corner of the subject site.

The applicant is in the process of addressing conditions pertaining to the above noted application for Draft Plan of Subdivision and is working with staff to address comments related to flood plain spill area assessment, compensation/restoration planting information and erosion and sediment controls (ESC) details.

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 \$1,155.00 (*Minor Variance-Subdivision-Minor*) review fee. The applicant is responsible for the fee payment and should forward the application review fee to this office as soon as possible.

Recommendations

Based on the comments noted above, TRCA has **no objection** to the approval of Minor Variance Application A153.21 subject to the following conditions:

1. That the applicant provides the required fee amount of \$1,155.00 payable to the Toronto and Region Conservation Authority.

TRCA's conditional approval does not include any clearance and/or approvals for the technical issues related to the noted applications for Draft Plan of Subdivision, Site Development or the permit application.

We trust these comments are of assistance. Should you have any questions, please contact me at extension 5256 or at Hamedeh.Razavi@trca.ca

Sincerely,



Hamedeh Razavi
Planner I
Development Planning and Permits

HR/mh

Schedule D: Previous Approvals (Notice of Decision)

A004/20 – Notice of Decision

NOTICE OF DECISION ****REVISED**

Minor Variance Application A004/20

Section 45 of the Planning Act, R.S.O. 1990, c.P.13

Re-Issuance of Notice Pursuant to Section 4 of O.Reg 149/20

Date of Hearing: Thursday, February 27, 2020

Applicant: 1834375 Ontario Inc.

Agent David McKay - MHBC Planning Limited

Property: **1782 - 1890 Hwy 7, Concord.**

Zoning: The subject lands are zoned A, Agricultural under By-law 1-88 as amended, however, LPAT Decision/Order PL171177 deems the subject lands to be zoned RA3 (H1), Apartment Residential, with a holding symbol, and OS5, Open Space Environmental Protection Zone.

OP Designation: Vaughan Official Plan 2010: Concord GO Centre Secondary Plan: Inter-Urban Transit (Policy 3.4)

Related Files: DA.19.016

Purpose: Relief from the By-law is being requested to permit the construction of three (3) proposed twenty seven (27) storey residential buildings.

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

By-law Requirement	Proposal
1. A maximum building height of 22 storeys - 72 metres is permitted.	1. To permit a maximum building height of 27 storeys - 87 metres.
2. Elevator overruns, mechanical equipment, and stair enclosures may project to a maximum of 6 metres above the applicable height limit.	2. To permit elevator overruns, mechanical equipment, and stair enclosures may project to a maximum of 6.5 metres above the applicable height limit.
3. A minimum landscape strip width of 4.5 metres from the most northerly limit of the OS5 zone is required.	3. To permit a minimum landscape strip width of 0 metres from the most northerly limit of the OS5 zone.
4. The minimum setback for any building along the Open Space Zone along Hwy 7 shall be a minimum of 4.5 metres from the most northerly limit of the OS5 zone.	4. To permit the minimum setback of 0 metres for any building along the Open Space Zone along Highway 7 from the most northerly limit of the OS5 zone.
5. The cantilevered portion of Building B (to extend to a maximum of 0.5 metres), bicycle racks, exterior stairways, terraces and balconies are not permitted in the OS5 zone.	5. To permit a cantilevered portion of Building B (to extend to a maximum of 0.5 metres), bicycle racks, exterior stairways, terraces and balconies in the OS5 zone.

Sketch: A sketch illustrating the request has been attached to the decision.

Having regard to the requirements of Section 45 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, including the written and oral submissions related to the application, it is the decision of the Committee:

THAT Application No. A004/20 on behalf of 1834375 Ontario Inc., be **APPROVED**, in accordance with the sketch submitted with the application (as required by Ontario Regulation 200/96) and subject to the following conditions:

	Department/Agency	Condition
1	Development Engineering Jason Pham 905-832-8585 x 8716 <u>Jason.pham@vaughan.ca</u>	The owner/applicant shall obtain approval for the related Site Development Application (DA.19.019) from development Engineering (DE) Department.
*2	Development Planning Michael DiFebo 905-832-8585 x 8990 <i>*Planning conditions considered and approved by the Committee on February 27, 2020 were inadvertently excluded in the decision issued on March 6, 2020.</i>	<ol style="list-style-type: none"> 1. The conditions associated with Site Development File DA.19.016 be met to the satisfaction of the Development Planning Department. 2. Should this application be approved, the Owner and the City shall execute a Density Bonusing Agreement to permit an increase in the maximum permitted density, in accordance with the City's Guidelines and the Land Value Matrix. The Owner shall pay to the City the Density Bonusing Agreement surcharge fee, in accordance with the "Tariff of Fees By-law 018-2018 for Planning Applications." A condition of approval to this effect is included below. 3. The Owner shall enter into and execute a Density Bonusing Agreement with the City of Vaughan, pursuant to Section 45(9) of the Planning Act, which provides for a payment and/or actual provision of on-site and/or off-site community benefits calculated in accordance with the "City of Vaughan's Guidelines for the Implementation of Section 37 of the Planning Act" and the January 1, 2018, "Land Value Matrix" to permit the increase in the number of storeys to 27, to the satisfaction of the Development Planning Department, which comprises of: <ol style="list-style-type: none"> a) A monetary contribution of \$321,300.00 to be used for community benefits, pursuant to Section 37 of the Planning Act, the policies of VOP 2010 and the City of Vaughan's Guidelines for the Implementation of Section 37 of the Planning Act towards community benefits, to the satisfaction of the City, including but not limited to: <ol style="list-style-type: none"> i. Public art; ii. The provision and enhancement of outdoor recreational facilities in the temporary public amenity space to be provided in Phase 1 of Draft Plan of Subdivision File 19T- 16V009, these facilities can be relocated to public parkland acquired in Phase II of Draft Plan of Subdivision File 19T- 16V009; iii. Enhancements of the existing trails system for the Bartley Smith Greenway; and, iv. Contributions to park redevelopment of park sites serving intensification areas within the vicinity of the Subject Lands, consistent with the 2018 Parks Redevelopment Strategy;

For the following reasons:

1. The general intent and purpose of the by-law will be maintained.
2. The general intent and purpose of the official plan will be maintained.
3. The requested variance(s) is/are acceptable for the appropriate development of the subject lands.
4. The requested variance(s) is/are minor in nature.

Please Note:

It is the responsibility of the owner/applicant and/or authorized agent to address any condition(s) of approval noted in this decision to the satisfaction of the commenting department or agency. Once conditions have been satisfied, the Secretary Treasurer will be in a position to issue a clearance letter which is required prior to the issuance of a Building Permit.

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.

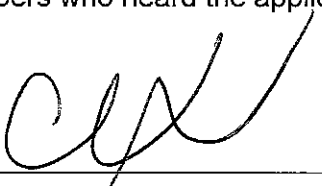
Written & oral submissions considered in the making of this decision were received from the following:

Public Written Submissions	Public Oral Submissions
* Public Correspondence received and considered by the Committee in making this decision	*Please refer to the approved Minutes of the Thursday, February 27, 2020 meeting for submission details.
N/A	N/A

Late Written Public Submissions:

In accordance with the Committee of Adjustment Procedural By-law (069-2019) public written submissions on an Application shall only be received by the Secretary Treasurer until 4:00 p.m. on the last business day prior to the day of the scheduled Meeting.

**ORIGINAL NOTICE OF DECISION DATED MARCH 6, 2020 SIGNED BY ALL MEMBERS
PRESENT WHO CONCURRED IN THIS DECISION**

DATE OF HEARING:	Thursday, February 27, 2020
DATE OF ORIGINAL NOTICE:	March 6, 2020
DATE OF RE-ISSUED NOTICE PURSUANT TO O.REG 149/20: <i>Pursuant to Section 4 of O.Reg 149/20, notices of decision issued pursuant to subsection 45 of the Planning Act on or after February 26, 2020 and before April 15, 2020 are deemed to have not been completed, and notices shall be given again (no later than 10 days after the lifting of the provincial statutory COVID-19 emergency Order)</i>	April 22, 2020
LAST DAY FOR *APPEAL: *Please note that appeals must be received by this office no later than 4:30 p.m. on the last day of appeal. <i>The last day of appeal is 20 days after the giving of notice in accordance with subsection 4(4) of Ontario Regulation 149/20.</i>	May 12, 2020 4:30 p.m.
CERTIFICATION: I hereby certify that this is a true copy of the decision of the City of Vaughan's 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 to the Committee of Adjustment	

Appealing to The Local Planning Appeal Tribunal

The Planning Act, R.S.O. 1990, as amended, Section 45

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 in accordance with subsection 4(4) of Ontario Regulation 149/20* 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 of the date of the making of the decision, the decision becomes final and binding and notice to that effect will be issued by the Secretary-Treasurer.

PLEASE NOTE: As a result of COVID-19, Vaughan City Hall and all other City facilities are closed to the public at this time. Please mail or courier appeals and prescribed fees to:

Office of the City Clerk - Committee of Adjustment
2141 Major Mackenzie Drive
Vaughan Ontario, L6A 1T1

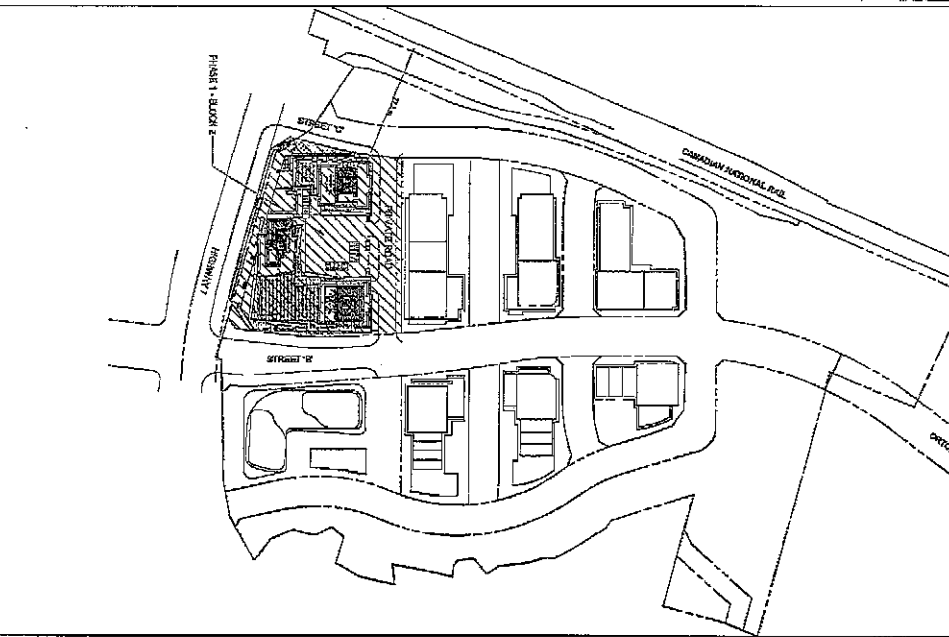
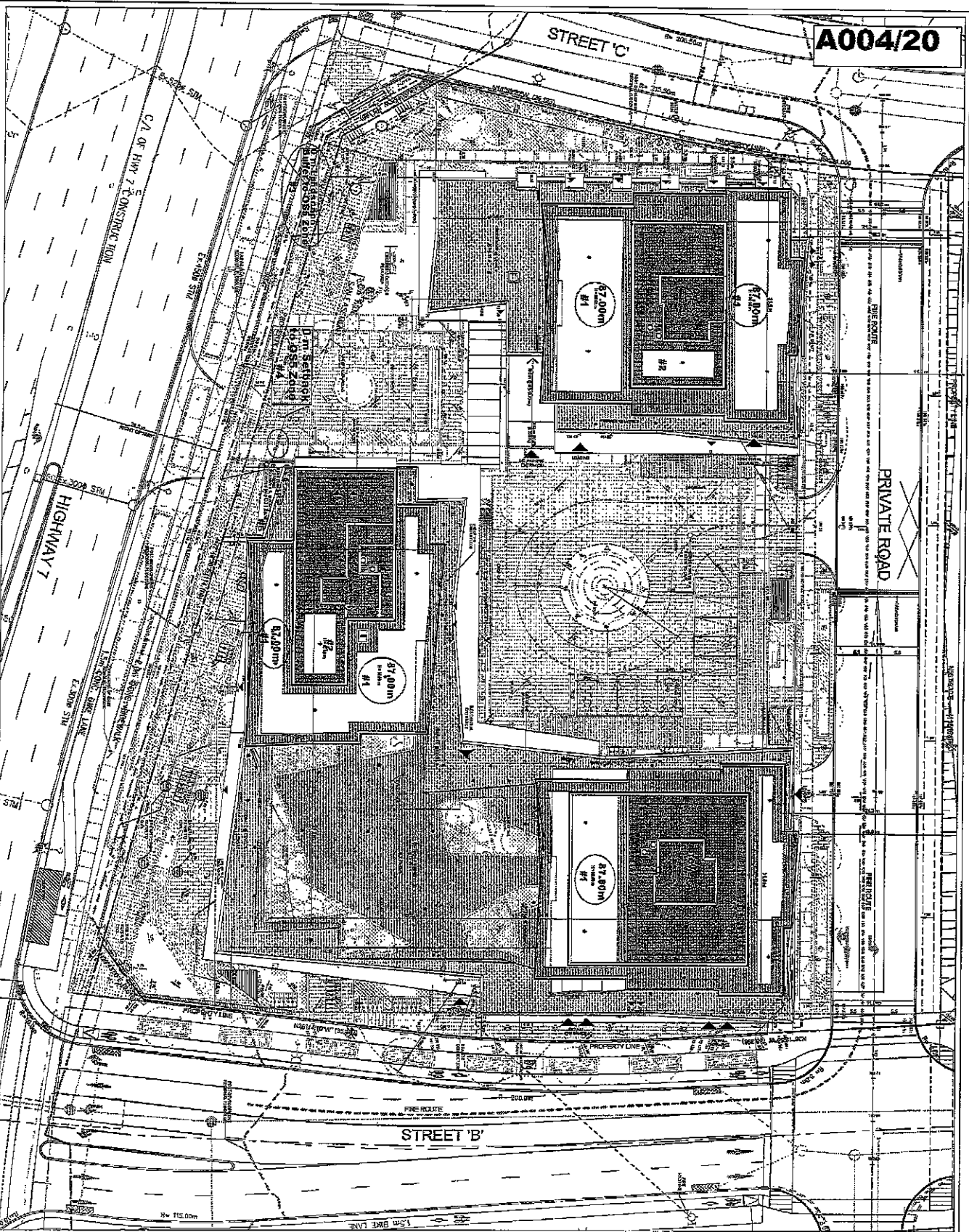
If you have questions regarding the appeal process, please email cofa@vaughan.ca

Appeal Fees & Forms

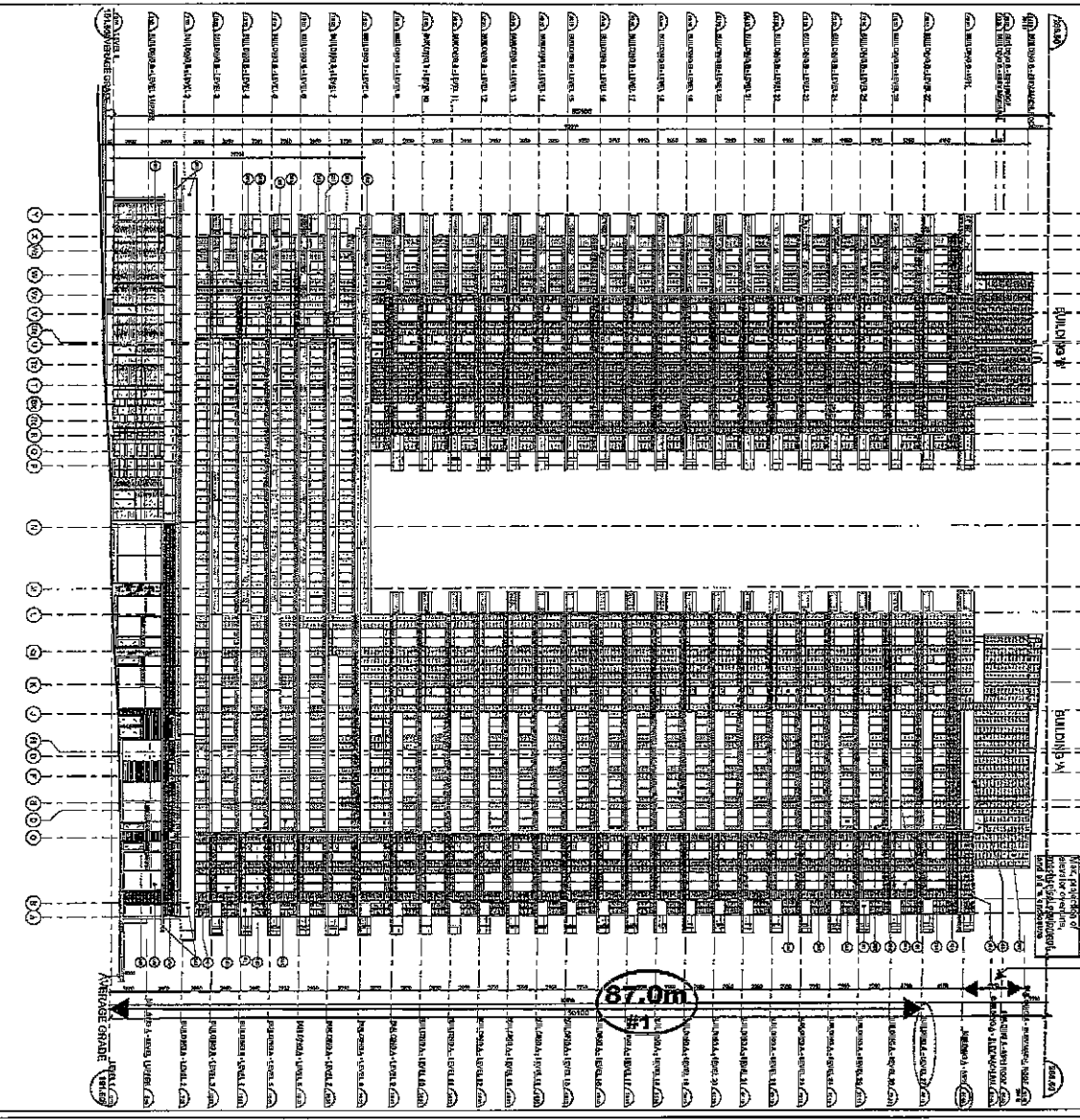
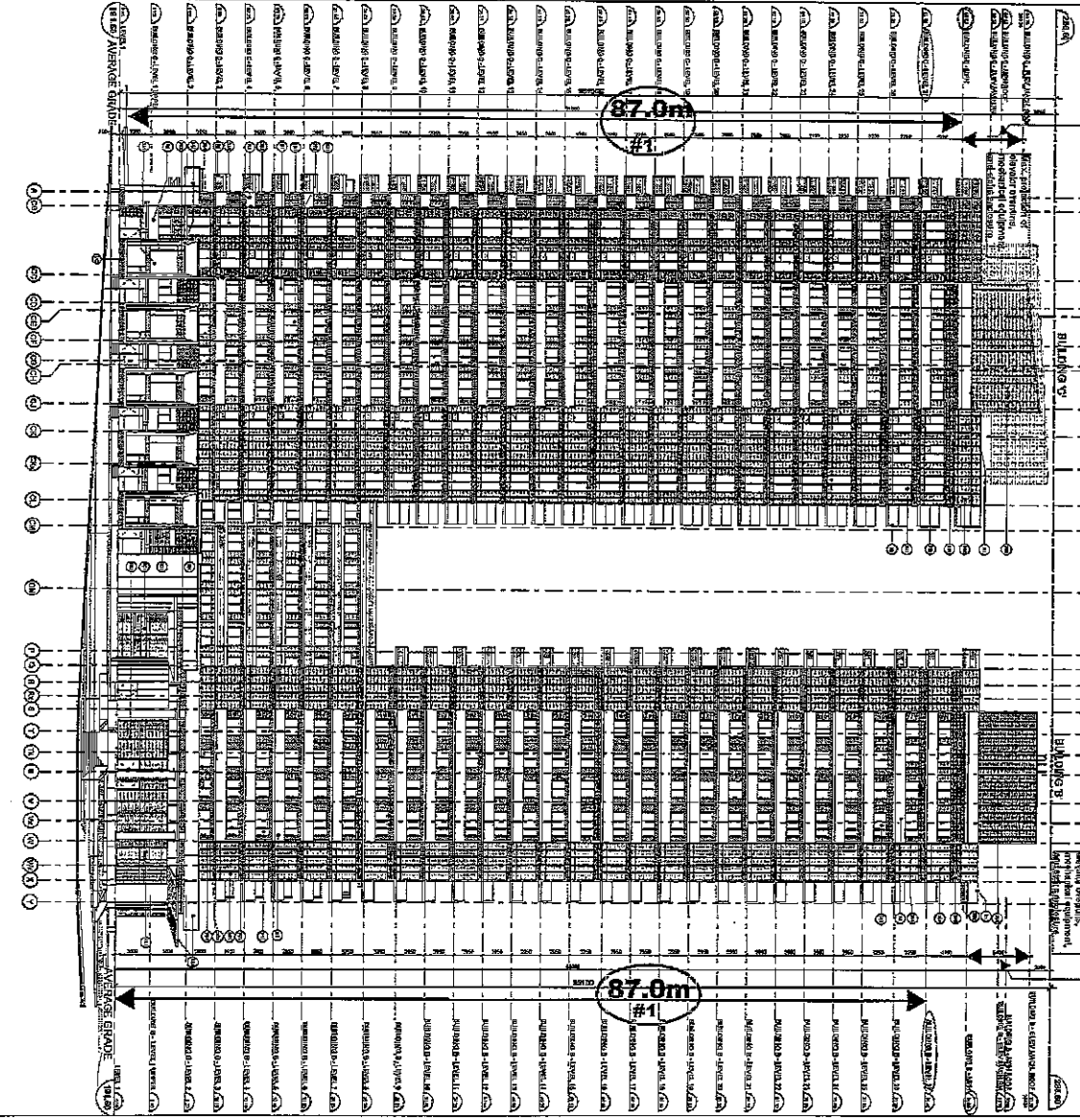
Local Planning Appeal Tribunal: The LPAT appeal fee is \$300 plus \$25 for each additional consent/variance appeal filed by the same appellant against connected applications. The LPAT Appeal Fee must be paid by certified cheque or money order payable to the "Minister of Finance". Notice of appeal forms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

City of Vaughan LPAT Processing Fee: \$841.00 per application

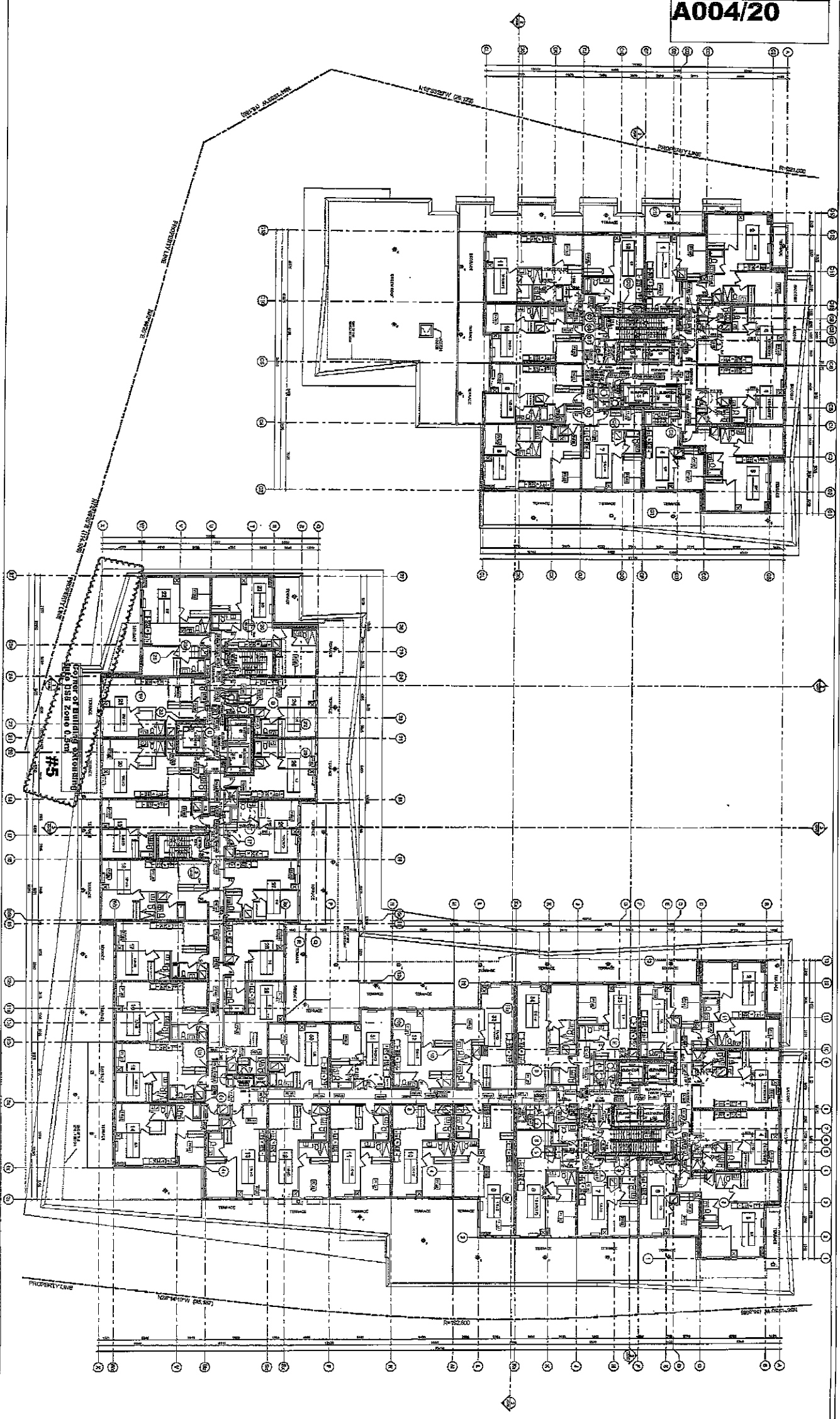
*Please note that all fees are subject to change.



1. To permit a max. building height of 27 storeys - 87m.
2. To permit elevator overruns, mechanical equipment, and stair enclosures may project to a max. of 6.5m above the applicable height limit.
3. To permit a minimum landscape strip width of 0m from the most northerly limit of the OS5 zone
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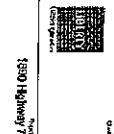
A004/20



Level 2 Floor Plan
Scale: 1/8" = 1'-0"



1500 Highway 7
Suite 100
A2-13



Level 2 Floor Plan
Scale: 1/8" = 1'-0"

THE ARCHITECT
ARCHITECTURE
DESIGN
1500 Highway 7
Suite 100
A2-13

THE ARCHITECT
ARCHITECTURE
DESIGN
1500 Highway 7
Suite 100
A2-13

