



**COMMITTEE OF ADJUSTMENT
DECEMBER 17, 2024
PUBLIC HEARING MINUTES**

Members Present: Stephen Trotter, Chair
Graydon Ebert, Member
Jay Dolan, Member
Carol Phillips, Member
Andrea Butcher-Milne, Member

Staff Present: Andrew Gameiro, Supervisor of Planning and Zoning Enforcement
Logan Juffermans, Senior Planner
Meaghan Lee, Technical Coordinator
Janice Sadgrove, Secretary-Treasurer

1. **CALL TO ORDER**
2. **DECLARATIONS OF CONFLICT – POTENTIAL PECUNIARY INTEREST**
3. **REQUESTS FOR DEFERRAL/WITHDRAWALS/ADJOURNMENT**
4. **ADOPTION OF MINUTES**

The minutes of the Committee of Adjustment hearing held on November 19, 2024, were adopted as circulated.

5. **STATUTORY PUBLIC HEARINGS**

5. (a) **MINOR VARIANCE APPLICATION: A92/24 - 3, 5, 7 and 11 McDonald Street, 17 Sophia Street East, and 58 and 60 Clapperton Street**
APPLICANT: Weston Consulting c/o Michael Vani, on behalf of 2850124 Ontario Inc. c/o Jordan Nott

This application, if granted by the Committee of Adjustment, will serve to permit reduced side yard setbacks, exceeding the maximum allowable height, a reduction in parking spaces and sight triangle dimensions to facilitate the construction of a 26-storey mixed-use building. The property is subject to Site Plan Application D11-014-2024.

The applicant is seeking the following minor variance(s):

1. A north exterior side yard setback of 2.5 metres, whereas the Comprehensive Zoning By-law 2009-141, under Section 13.2.40(a), requires a minimum north exterior side yard setback of 3 metres.
2. A south interior side yard setback of 2.0 metres, whereas the Comprehensive Zoning By-law 2009-141, under Section 13.2.40(b), requires a minimum south interior side yard setback of 3.5 metres.
3. A building height of 18.5 metres within 5 metres of the lot flankage, whereas the Comprehensive Zoning By-Law 2009-141, under Section 13.2.40(d), permits a maximum building height of 18 metres within 5 metres of the lot flankage.
4. A building height of 82.5 metres beyond 5 metres of the lot frontage and the lot flankage, whereas the Comprehensive Zoning By-Law 2009-141, under Section 13.2.40(e), permits a maximum building height of 68 metres beyond 5 metres of the lot frontage and the lot flankage.

5. A minimum of 0.68 parking spaces per residential unit, whereas the Comprehensive Zoning By-law 2009-141, under Section 13.2.40(g), requires a minimum of 0.80 parking spaces per residential unit.
6. A 3 metre by 5 metre sight triangle whereas the Comprehensive Zoning By-law 2009-141, under Section 4.10.1.1(a), requires the dimensions of the sight triangle be a minimum of 5 metres by 5 metres.

REPRESENTATION:

Michael Vani, Applicant

INTERESTED PERSONS:

Michael Jonker
Ulysses Perkunder
Jeff Tung

WRITTEN COMMENTS RECEIVED:

Development Services - Planning: Comments dated December 17, 2024
Development Services – Transportation Planning: Comments dated December 10, 2024
Development Services – Parks Planning: Comments dated November 5, 2024
Development Services – Approvals Branch: November 5, 2024 & November 7, 2024
Building Services: No comments
Finance Department: Tax & DCA comments dated November 12, 2024
Alectra Utilities: No comments

DISCUSSION:

Michael Vani, the applicant, provided a presentation to the Committee members and discussed topics including location, official plan and zoning designation, site plan and rendering perspectives, and requested variances.

Mr. Vani noted that zoning amendments were approved by Council on the subject property in March 2023. The site plan consolidates seven different lots. He advised that the proposal is for a 26-storey rental building containing 260 units with at grade commercial and confirmed they are not proposing additional units or increased density than previously approved. The proposed parking spaces will include 176 parking spaces above grade, along with 422 bike parking spaces and noted that when the development was originally approved in 2023, parking was below grade. Mr. Vani advised that new circumstances and challenges arose following the rezoning approval. He discussed why the applicant is currently seeking additional relief through the requested variances and the variances being sought.

The Secretary-Treasurer read a summary of all comments received to date.

The Committee opened discussion to the public. There were no comments from the public.

Member Butcher-Milne asked if the bike parking spots will be in a covered area. Mr. Vani advised that all parking spaces will be contained within the building.

Member Dolan asked staff if the number of bike parking spaces to be allocated through Transportation Planning's condition of approval could be appropriately dealt with at the site plan stage given this number may change. Andrew Gameiro, Supervisor of Planning and Zoning Enforcement, noted that they are not proposing significant changes from what was already approved, and a minor variance would be the appropriate process. Member Dolan concluded that with a worst-case scenario, the applicant will have to come back to Committee if they want to change the number of bike spots.

The Committee made a motion to approve the applications with conditions as outlined by staff.

DECISION:

The decision of the Committee is that the applications be granted with conditions.

Motioned by: Jay Dolan, Member
CARRIED

**5. (b) MINOR VARIANCE APPLICATION: A93/24 – 32 King Street
APPLICANT: MHBC Planning c/o Kory Chisholm on behalf of Judco Investments Limited c/o James Williams**

This application, if granted by the Committee of Adjustment, will serve to permit a stand-alone outdoor storage use that is not in conjunction with a building on the property, together with reductions to parking and front, side and rear yard setbacks. The property is subject to Site Plan Exemption Application D11-EXE-016-2024.

The applicant is seeking the following minor variance(s):

1. To permit the outdoor storage of goods and materials (motorized vehicles) that is not in conjunction with a business located within a building on the same property, whereas the Zoning By-law under Section 3, requires that the outdoor storage of goods and materials occur in conjunction with a business located within a building located on the same lot.
2. A front yard setback of 1 metre to Outdoor Storage, whereas the Comprehensive Zoning By-law 2009-141, under Section 4.11.1.1 and 7.3.1 Table 7.3, requires a minimum of 7 metres.
3. A side yard setback of 1 metre to Outdoor Storage, whereas the Comprehensive Zoning By-law 2009-141, under Section 4.11.1.1 and 7.3.1 Table 7.3, requires a minimum of 3 metres.
4. A rear yard setback of 0 metres to Outdoor Storage, whereas the Comprehensive Zoning By-law 2009-141, under Section 4.11.1.1 and 7.3.1 Table 7.3, requires a minimum of 7 metres.
5. 0 parking spaces per 1000 square metres of lot area (0 parking spaces), whereas the Comprehensive Zoning By-law, under Table 4.6.1, requires a minimum of 1 parking space per 1000 square metres of lot area (7 parking spaces).
6. 0 barrier free parking spaces, whereas the Zoning By-Law under subsection 4.6.4 requires 1 space be provided for barrier free parking.
7. To permit Outdoor Storage that exceeds 50% of the total gross floor area of the main building to which the Outdoor Storage use is accessory to, whereas the Comprehensive Zoning By-law 2009-141, under Section 4.11.1.7, restricts Outdoor Storage uses to a maximum gross floor area equal to 50% of the gross floor area of the main building.

REPRESENTATION:

Opani Mudalige, Agent

INTERESTED PERSONS:

None

WRITTEN COMMENTS RECEIVED:

Development Services - Planning: Comments dated December 17, 2024

Development Services – Transportation Planning: No comments

Development Services – Parks Planning: Comments dated December 6, 2024

Development Services – Approvals Branch: December 9, 2024

Building Services: Comments dated December 5, 2024

Finance Department: No comments
Alectra Utilities: Comments dated December 4, 2024

DISCUSSION:

Opani Mudalige, the agent, provided a presentation to the Committee members and discussed topics including location, surrounding land uses, overview of proposal and requested variances, planning framework, and the four tests for a minor variance.

Ms. Mudalige advised that the proposal is to utilize the site at 32 King Street for the outdoor storage of vehicles accessory to the principal use of 191 Mapleview Drive West (car dealership). Ms. Mudalige noted that currently outdoor storage is only permitted in conjunction with the principle use on the same site. She provided the site plan to illustrate the proposed layout of the site and discussed the requested variances. She pointed out that approval of the requested variances will allow for the interim use of a vacant site and should a change of use occur, additional minor variances will be required. Approval will not prevent future development of the site.

The Secretary-Treasurer read a summary of all comments received to date.

The Committee opened discussion to the public. There were no comments from the public.

The Committee made a motion to approve the application with conditions as outlined by staff.

DECISION:

The decision of the Committee is that the application be granted with conditions.

**Motioned by: Graydon Ebert, Member
CARRIED**

- 5. (c) CONSENT APPLICATION: B57/24 – 389 & 393 Yonge Street
MINOR VARIANCE APPLICATION: A97/24 – 389 & 393 Yonge Street
CONSENT APPLICATION: B58/24 – 375 Yonge Street
APPLICANT: MHBC Planning c/o Kory Chisholm on behalf of 375 Yonge Street Inc.**

The application (B57/24), if granted by the Committee of Adjustment, will serve to permit a lot addition by conveying a portion of land to be added to the abutting property known municipally as 375 Yonge Street.

The severed lands propose to have a lot area of 2,596 square metres and merge with abutting lands known municipally as 375 Yonge Street.

The retained lands propose to have a lot area of 3,936 square metres and a proposed lot frontage of 27.8 metres on Little Avenue.

This application (A97/24), if granted by the Committee of Adjustment, will serve to permit a deficient rear yard setback to an existing building and associated accessory structure on the retained lands should consent application B57/24 be approved.

The applicant is seeking the following minor variances:

1. A rear yard setback of 5 metres to an existing building, whereas the Comprehensive Zoning By-law 2009-141, under Section 6.3.1 Table 6.3 requires a minimum rear yard setback of 7 metres.
2. A rear yard setback of 1 metre to an existing accessory structure, whereas the Comprehensive Zoning By-law 2009-141, under Section 6.3.1 Table 6.3 requires a minimum rear yard setback of 7 metres.

The application (B58/24), if granted by the Committee of Adjustment, will serve to permit the creation of an access easement over 375 Yonge Street in favour of 389-393 Yonge Street.

The proposed easement will have an area of 244 square metres and width of 15 metres.

REPRESENTATION:

Kory Chisholm, Applicant

INTERESTED PERSONS:

Victoria Schut

WRITTEN COMMENTS RECEIVED:

Development Services - Planning: Comments dated December 17, 2024, 2024

Development Services – Transportation Planning: No comments

Development Services – Parks Planning: Comments dated December 6, 2024

Development Services – Approvals Branch: December 9, 2024

Building Services: Comments dated December 6, 2024

Finance Department: No comments

Metrolinx: Comments dated December 9, 2024

Alectra Utilities: Comments dated December 4, 2024 & December 5, 2024

DISCUSSION:

Kory Chisholm, the applicant, provided a presentation to the Committee members and discussed topics including location, overview of proposal, consent for boundary adjustment, requested variances, consent for access easement, planning framework, and the four tests for a minor variance.

Mr. Chisholm advised that a Zoning By-law Amendment Application has been submitted for the development of the new lot line configuration of 375 Yonge Street and approval of the applications would facilitate the development of a six-storey mixed-use building. He pointed out that a law office currently exists on the property which will be demolished. All existing buildings located at 389-393 Yonge Street will remain. Both properties will exceed the Zoning By-law requirements. Approval of the access easement will allow for shared access between the two properties.

The Secretary-Treasurer read a summary of all comments received to date.

The Committee opened discussion to the public. There were no comments from the public.

The Committee made a motion to approve the applications with conditions as outlined by staff.

DECISION:

The decision of the Committee is that the applications be granted with conditions.

**Motioned by: Andrea Butcher-Milne, Member
CARRIED**

5. (d) **CONSENT APPLICATION: B55/24 – 71 Vancouver Street**
CONSENT APPLICATION: B56/24 – 71 Vancouver Street
MINOR VARIANCE APPLICATION: A94/24 – 71 Vancouver Street
MINOR VARIANCE APPLICATION: A95/24 – 71 Vancouver Street
MINOR VARIANCE APPLICATION: A96/24 – 71 Vancouver Street
APPLICANT: Innovative Planning Solutions c/o Cameron Sellers on behalf of Bill Kerr

The application (B55/24), if granted by the Committee of Adjustment, will serve to permit the creation of a new residential lot.

The severed lands propose to have a lot area of 600 square metres and a proposed lot frontage of 10 metres on Vancouver Street.

The retained lands propose to have a lot area of 1,200 square metres and a proposed lot frontage of 20 metres on Vancouver Street.

The application (B56/24), if granted by the Committee of Adjustment, will serve to permit the creation of a new residential lot.

The severed lands propose to have a lot area of 600 square metres and a proposed lot frontage of 10 metres on Vancouver Street.

The retained lands propose to have a lot area of 600 square metres and a proposed lot frontage of 10 metres on Vancouver Street.

This application (A94/24), if granted by the Committee of Adjustment, will serve to permit a new lot with a deficient lot frontage on the severed lands should consent application B55/24 be approved.

The applicant is seeking the following minor variance:

1. A lot frontage of 10 metres, whereas the Comprehensive Zoning By-law 2009-141, under Section 5.3.1 Table 5.3, requires a minimum lot frontage of 15 metres.

This application (A95/24), if granted by the Committee of Adjustment, will serve to permit a new lot with a deficient lot frontage on the severed lands should consent application B56/24 be approved.

The applicant is seeking the following minor variance:

1. A lot frontage of 10 metres, whereas the Comprehensive Zoning By-law 2009-141, under Section 5.3.1 Table 5.3, requires a minimum lot frontage of 15 metres.

This application (A96/24), if granted by the Committee of Adjustment, will serve to permit a deficient lot frontage on the retained lands should consent applications B55/24 and B56/24 be approved.

The applicant is seeking the following minor variance:

1. A lot frontage of 10 metres, whereas the Comprehensive Zoning By-law 2009-141, under Section 5.3.1 Table 5.3, requires a minimum lot frontage of 15 metres.

REPRESENTATION:

Cameron Sellers, Agent

INTERESTED PERSONS:

Cynthia Daffern
Robert Doran
Kelly Doran
Tracey Deschamps
Lynn Downey

WRITTEN COMMENTS RECEIVED:

Development Services - Planning: Comments dated December 17, 2024
Development Services – Transportation Planning: No comments
Development Services – Parks Planning: Comments dated December 6, 2024
Development Services – Approvals Branch: December 9, 2024
Building Services: No comments
Finance Department: Tax comments dated December 3, 2024
Alectra Utilities: Comments dated December 5, 2024
Public Comments - Owner of 211 Napier Street: Comments dated December 11, 2024

DISCUSSION:

Cameron Sellers, the agent, provided a presentation to the Committee members and discussed topics including site context, surrounding land uses, land use designation and zoning, concept plan, intensification, and the four tests for a minor variance.

Mr. Sellers noted that the subject property is a large lot with a single detached dwelling currently existing on the property. He provided the severance plan to illustrate the creation of a total of three lots and advised each would be developed with a single detached dwelling. He noted that except for the lot frontage provision, all zoning provisions will be met.

The Secretary-Treasurer read a summary of all comments received to date.

The Committee opened discussion to the public.

Kelly Doran, 67 Vancouver Street, expressed concern with lot frontage and lot size, is not in keeping with the character of the neighborhood, increased density, and parking.

Robert Doran, 67 Vancouver Street, advised he does not support the applications. He expressed concern with increased street parking and decrease in property values and privacy.

Mr. Sellers noted that tandem parking is permitted, and the lots are deep, which will provide longer driveways and plenty of room for parking. The Chair pointed out that the applicant is not requesting a variance to the parking requirements and the proposal is for a low-level intensification which is supported by the City's planning policies.

The Committee made a motion to approve the applications with conditions as outlined by staff.

DECISION:

The decision of the Committee is that the applications be granted with conditions.

Motioned by: Jay Dolan, Member
CARRIED

6. **OTHER BUSINESS**

7. **DATE OF NEXT MEETING**

January 28, 2025

8. **ADJOURNMENT**

The meeting was adjourned at 6:51 p.m.



Steve Trotter, Chair



Janice Sadgrove, Secretary