

# Report to the Committee of Adjustment Consent Application

**Date:** April 17, 2025

Address: 136 Harding Blvd.

Owner: Kamran Tajadod

**Applicant:** Jim Kotsopoulos, JKO Planning

File Number: CN-25-02

Related Application(s): MV-25-11, MV-25-12

Hearing Date: April 24, 2025

Prepared By: Darren Pigliacelli, Planner II

## **Application**

The applicant is requesting approval of an application for provisional consent to:

The applicant is requesting approval of an application for provisional consent to:

- a) sever and convey a parcel of land with an approximate lot frontage of 12.8 m (42.00 ft.) and an approximate lot area of 559.08 sq.m (6,017.89 sq.ft) (Part 2 on draft RPlan); and,
- b) retain a parcel of land with an approximate lot frontage of 12.8 m (42.00 ft) and an approximate area of 558.59 sq.m (6,012.61 sq.ft) (Part 1 on draft RPlan)

## Background

## **Subject Property and Area Context**

The subject lands, municipally known as 136 Harding Boulevard, are generally located east of Yonge Street and South of Major Mackenzie Drive East. The property has a lot area of approximately 1,117.67 sq.m (12,030.49 sq.ft) and a frontage of approximately 25.6m (83.98 ft). The subject lands contain an existing one-storey single detached dwelling and a detached garage. Surrounding land uses include an established neighbourhood of similar one and two storey single-detached dwellings.

#### Official Plan

The subject lands are designated as "Neighbourhood" in accordance with the City's

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Official Plan (the "Plan"). The Neighbourhood designation permits low-density residential uses, inclusive of single detached dwellings. A maximum building height of three storeys is permitted and development is required to respect the character and distinguishing features of neighbourhoods, be context-sensitive, and be compatible with the character of the adjacent and surrounding areas.

## **Zoning**

The subject lands are zoned "R2 – Residential Second Density" pursuant to Zoning By-law 66-71, as amended. The R2 zone permits a "Single Family Detached Dwelling" subject to specific lot and building standards.

## Related Applications on the Subject Lands

An associated Minor Variance (City File: MV-25-11) was submitted concurrently for Part 1 of the lot to reduce the minimum lot frontage, reduce the minimum side yard setbacks (east and west), increase the maximum gross floor area, increase the maximum building height, increase the maximum encroachment of the front porch and stairs beyond the established building line, increase the maximum driveway width and increase the maximum garage width of the proposed dwelling.

Another associated Minor Variance (City File: MV-25-12) was submitted concurrently for Part 2 of the lot to reduce the minimum lot frontage, reduce the minimum side yard setbacks (east and west), increase the maximum gross floor area, increase the maximum building height, increase the maximum encroachment of the front porch and stairs beyond the established building line, increase the maximum driveway width and increase the maximum garage width of the proposed dwelling.

## **Planning Comments**

Pursuant to Section 53(12) of the *Planning Act*, when considering an application for provisional consent, regard shall be had to prescribed criteria in Section 51(24) of the *Planning Act*. This includes, amongst other things:

- matters of provincial interest:
- conformity with the Official Plan and adjacent plans of subdivision;
- suitability of the land for the purposes in which it is to be subdivided;
- the dimension and shape of the proposed lots; and,
- adequacy of municipal services, highways and access.

Based on a comprehensive review of the *Planning Act* criteria staff have concerns with the proposed consent application. The following supporting rationale is provided for some of the key criteria:

## **Matters of Provincial Interest**

The Provincial Planning Statement, 2024 (PPS) provides policy direction on matters of provincial interest related to land use planning and development. Matters of provincial interest include the orderly development of safe and healthy communities, the adequate

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provision of a full range of housing, the appropriate location of growth and development, and the promotion of built form that is well-designed.

Staff are of the opinion that the subject consent application for severance will facilitate the orderly development of lots with frontage on a public street, will support additional housing within the neighbourhood, and will support a built form which is compatible with the character of the area.

Based on the preceding, staff are satisfied that the subject consent application is consistent with the PPS and support matters of provincial interest.

## Conformity with the Official Plan and adjacent plans of subdivision

The subject lands are within a designation that are intended for single detached dwellings and encourages small scale infill development. The subject proposal is consistent with the pattern of development and redevelopment of the surrounding area and is not anticipated to adversely impact the existing streetscape. The proposed lots have access to municipal services and demonstrate that the single-detached dwellings can be accommodated on the lands, as shown in the submitted Conceptual Site Plan. In this regard, staff are of the opinion that the proposed severed and retained lots are compatible with the existing lot fabric and lot sizes along Harding Boulevard and are consistent with the existing character of the residential area.

Based on the preceding, staff are satisfied that the subject consent application conform to the Official Plan and adjacent plans of subdivision.

## Suitability of the land for the purposes in which it is to be subdivided

The subject application will facilitate the use and orderly development of the lands for residential purposes within an existing residential neighbourhood. Staff have confirmed that municipal services are available to accommodate the future development of one single detached dwelling on both the severed and retained lot.

## The dimension and shape of the proposed lots

The surrounding residential lots in the area are generally rectangular and vary in size. There are lots along Harding Boulevard and in the area that are similar in size and configuration with the proposed lots on the subject lands. Upon review and consideration, staff is of the opinion that the consent proposal dimension and shape of the proposed lots are compatible with the established pattern of the dimension of lots in the neighbourhood.

## Adequacy of municipal services, highways and access

The subject lands have frontage along Harding Boulevard, and both retained and severed lots can be accessed from the public right-of-way. With respect to municipal infrastructure, Engineering staff advise that municipal water and sewer services are accessible to service the lands subject the conditions set out in the condition in Appendix 'B'. As such, staff are satisfied that the accessible services and access are in place to facilitate the development proposal.

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Staff have reviewed the proposed consent application relative to the prescribed criteria in the Planning Act and recommend approval of the application.

The consent application was circulated to Municipal Departments and external agencies for review and comment, as outlined below:

Department or Agency	Comments
Zoning	The proposed consent application will not create areas
	of non-compliance with respect to the applicable
	Zoning By-laws.
	The proposed consent application will not create areas of
	noncompliance with respect to the
	Zoning By-law. Subject to approvals of minor variance
	applications MV-25-11 and MV-25-12.
	Provisional conditions of consent are included in
	Appendix B.
Development	Applicants are encouraged to make submissions to
Engineering/Transportation	satisfy the following conditions expeditiously following
	the receipt of a Notice of No Appeal. This is to ensure
	ample processing time in consideration of other
	applications in the processing queue and related Staff
	work loads. Applicants are advised that some of these
	conditions involve lengthy processing times. Please do
	not wait until near the end of the two year period to
	make submission and face possible lapsing of these
	conditions.
	Provisional conditions of consent are included in
	Appendix B.
Parks & Natural Heritage	Comments to the Committee:
	PNHP has reviewed the provided materials and has no
	further comments.
	Comments to the applicant, for future reference:
	The property is subject to Tree Preservation By-law No.
	41-07. Permits are required to remove or injure trees
	greater than or equal to 20 cm DBH (diameter
	measured 1.4 metres from the ground). Tree
	replacement will be a condition of any tree removal
	permit. Ensure the City's tree protection standards are
	adhered to prior to any construction commencing on
	the subject property.
Urban Design & Heritage	No objections.
Corporate & Financial Services	Finance has no objection to the consent application
	subject to the following conditions as outlined in
	Appendix B.
Alectra Utilities	No objections.
Bell Canada	No comments received.
York Region: Transportation &	The Region of York has no objection to the consent
	application subject to the following conditions as

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	outlined in Appendix B.
TRCA	No objections.

## Conclusion

Planning staff have reviewed the consent application relative to the prescribed criteria in Section 51(24) the *Planning Act* R.S.O, 1990, c.P.13, as amended, and recommend approval of the application. Staff recommend that approval of the application be subject to the conditions outlined in Appendix 'B'.

## **Attachments**

Appendix 'A' — Location Map

Appendix 'B' — Conditions of Approval

Appendix 'C' — Draft RPlan

Appendix 'D' - Alectra Comments

Appendix 'E' – Region of York Comments

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## Appendix 'A' - Location Map



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Appendix 'B' – Conditions of Approval for Provisional Consent
The following conditions of approval are recommended should the Committee of
Adjustment approve application CN-25-02 to grant provisional consent:

Condition	Donortmont /	Condition:
#	Department / Agency Contact:	
1.	Committee of Adjustment: 905-771-2412	That the applicant provides the Secretary-Treasurer with the legal description of the severed land in the form of a letter or draft transfer prepared by the applicant's solicitor.
2.	Committee of Adjustment: 905-771-2412	That the applicant provides one white print of a deposited plan of reference of the entire land which conforms substantially with the application as submitted.
3.	Committee of Adjustment: 905-771-2412	That the Solicitor for the Owner give an undertaking in writing to provide to the Secretary-Treasurer of the City of Richmond Hill within 30 days of the date of registration in the Land Registry/Land Titles Office a copy of the receipted and registered electronic transfer document including the Form 4 for Consent CN-25-02.
4.	Planning and Building Services Afshin Bazar 905 771-9996 Ext. 6499	1.That the Owner apply to and receive from the Council of the City of Richmond Hill demolition approval pursuant to Demolition Control By-law No. 15-90 as required, and that the Owner demolish <b>all buildings and/or structures</b> and remove all debris to the satisfaction of the Chief Building Official.
5.	Finance: Christina Giannakakis 905-771-5550	1.The Owner shall pay to the City all current and outstanding taxes to the date of consent.  2. No parkland or Cash-in-Lieu is required as a condition of consent. However, the Applicant (Owner) should be made aware that the City will require land to be conveyed for park or other recreation purposes or, at the option of the City, a payment of Cash-in-Lieu of such land prior to the issuance of a building permit pursuant to section 42 of the <i>Planning Act</i> . The Owner shall enter into an agreement acknowledging the foregoing, which agreement shall be registered on title to the <b>SEVERED</b> parcel for the purpose of notice. Further, the owner shall pay the City the cost set out in the City's Tariff of Fees By-law with respect to the preparation, processing and registration of the agreement. If the Owner does not wish to enter into the above agreement, the Owner may voluntarily pay any Cash-in-Lieu owing under section 42 of the <i>Planning Act</i> prior to the granting of the consent. The Applicant (Owner) may determine the amount of Cash-in-Lieu required by contacting the Finance Department.

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Condition #	Department / Agency Contact:	Condition:	
6.	Development Engineering:	GRADING CONDITION That the applicant:	
	Patricia Huke 905 747-6432	<ol> <li>Submit to the City's Development Engineering Division a grading plan prepared by a professional engineer or Ontario land surveyor detailing the drainage pattern while showing the existing and proposed elevations for both the severed and retained lands along with the adjoining lands;</li> <li>Obtain the City's approval of the grading plan referred to in (1);</li> <li>Enter into an agreement with the City (unless not required by the City) for either (i) grading and drainage; or (ii) grading and servicing, which addresses the provision of swales, easements and/or catch basins and which will be registered on title to the lands in priority to all other claims, encumbrances or other item or matter that the City Solicitor deems to be an encumbrance or claim; and</li> <li>Ensure that any easements required to be provided pursuant to the agreement referred to in (3) are registered in priority to all other claims, encumbrances or any other item or matter the City Solicitor deems to be an encumbrance or claim.</li> </ol>	
7.	Development Engineering: Patricia Huke	FURTHER GRADING RELATED INFORMATION  Three prints of the above requested grading plan must be submitted for review and any related inquiries, should be directed to Mr.  Michael Ayers, Development Engineering Technologist, Infrastructure Planning and Development Engineering, 905-747-	
	905 747-6432	The <u>current</u> Tariff of Fees schedule will be used to determine the amount of payment for such services. The current City's fees are as follows and may change at any time without notice:	

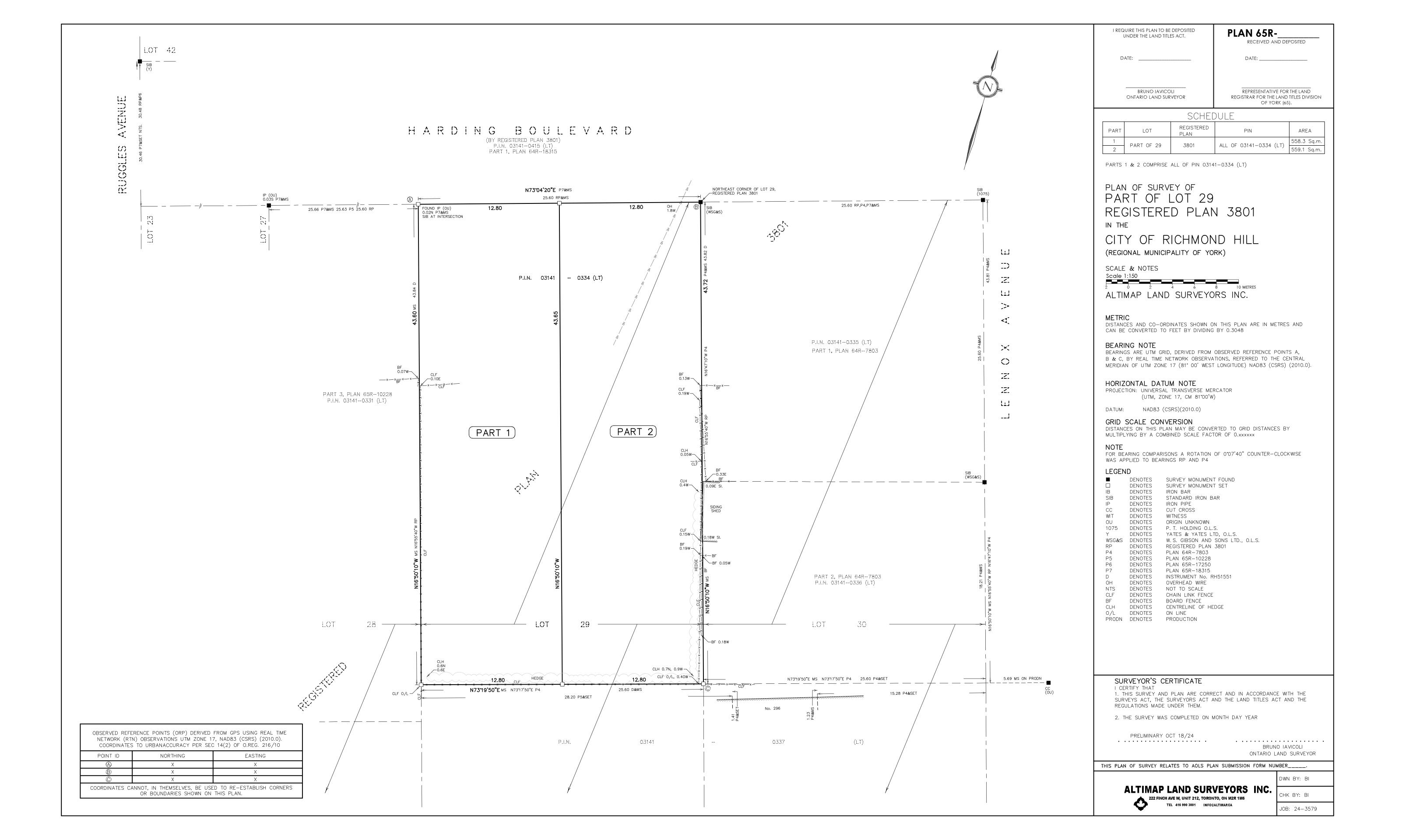
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Condition #	Department / Agency Contact:	Condition:		
		Fee Description:	Fee:	
		Plan Review	\$ 1071.00	+ HST
			(plus 2.6%	customer service portal fee)
		Agreement	•	354.00 + HST
		Preparation		customer service portal fee)
		Registration/Admin.	\$ 44.38	
		Install Catchbasin with Frame and Cover	\$ 7725.00	
		Survey Layout	\$ 832.00	
		Pre C.C.T.V. Scan	\$ 773.00	+ HST x 2 = \$1746.98
		Install Cleanout	\$ 2326.00	
		Install vertical riser beyond 4.5 m in depth		) per metre + HST
		Decommission Catchbasin	\$ 1,993.0	0 + HST
8.	Development Engineering: Michael Annarilli 905-771-9996 Ext.5518	SERVICE CONNECTION CONDITION  That the Applicant arrange and pay to the City for the installation of service connections to render the severed and retained parcels fully serviced. The current Tariff of Fees schedule will be used to determine the amount of payment for the service connections. At time of printing, the City's fees for standard configuration of services are as follows and may change at any time without notice:		
		Fee Description:		Fee:
		25 mm water service		\$1308.00 per metre + HST
		Combined 25 mm wate with storm or sanitary	r service	\$531.00 per metre + HST
		Disconnect Water servi	ce	\$1,993.00 + HST
		Water disconnect in a c	ombined	\$1,898.00 + HST
		trench		
		125 mm sanitary or 150 single connection	mm storm	\$1,263.00 per metre + HST
		Combined storm and sa	anitary	\$1,266.00 per metre + HST
		Disconnect Storm or Sa	nitary	\$6,328.00 +HST each
		Combined trench Storm or \$1,266.00 +HST each Sanitary disconnect		\$1,266.00 +HST each
		Post C.C.T.V. scan		\$773.00 + HST
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Condition #	Department / Agency Contact:	Condition:
		Arrangements and payment for service connections can be made through Ms. Lindsay Finbow, Water Technician, Maintenance & Operations Division, Community Services Department, (905) 747-6319.  Before servicing can take place, see below and confirm with Lindsay Finbow that the City is able to proceed:  • All fencing/hoarding sits behind the property line to ensure that our contractor has full access to the property to complete the install.
		<ul> <li>There should be no construction materials or excessive garbage within our right of way at the time of installation.</li> <li>We will be decommissioning your existing services on the day of installation and you will be responsible to connect and install the new services from property line to the home.</li> <li>Please confirm there are no tenants living in the home.</li> <li>Once new services have been installed it will be your responsibility to protect them. If any damages do occur, the City will complete the repair and you will be charged an additional repair fee.</li> </ul>
9.	Development Engineering: Michael Annarilli 905-771-9996 Ext.5518	REGISTERED PLANS That the applicant provide to the Infrastructure Planning and Development Engineering, to the attention of Mr. Michael Ayers, three white prints of the deposited plan of reference which outlines the necessary requirements of all Infrastructure Planning and Development Engineering conditions.
10.	Regional Municipality of York Gabrielle Hurst 905-830-4444	Prior to the approval of the approval of the Consent application the City of Richmond Hill shall confirm that adequate water and sewage capacity have been allocated for the proposed new lot.

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**Date:** March 18<sup>th</sup> 2025

Attention: Courtney Cullum

**RE:** Request for Comments

File No.:

Related Files: MV-25-11

**Applicant:** Kamran Tajadod

**Location** 136 Harding Blvd. Part 1



#### **COMMENTS:**

	We have reviewed the proposed Variance Application and have no comments or objections to its approval.
X	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:

Stephen Cranley, C.E.T

Supervisor, Distribution Design, ICI & Layouts (North)

**Phone**: 1-877-963-6900 ext. 31297

**E-mail**: stephen.cranley@alectrautilities.com

Mitchell Penner

Supervisor, Distribution Design-Subdivisions

**Phone**: 416-302-6215

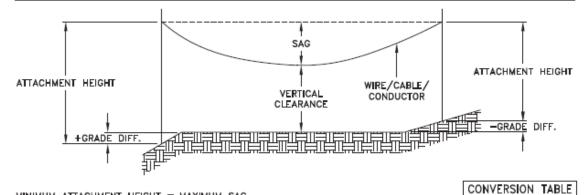
Email: Mitchell.Penner@alectrautilities.com



## Construction Standard

03 - 1

	SYSTEM VOLTAGE			
LOCATION OF WIRES, CABLES OR CONDUCTORS	SPAN GUYS AND COMMUNICATIONS WIRES		4.16/2.4kV TO 27.6/16kV (SEE NOTE 1)	44 <b>k</b> V
	MINIMUM	VERTICAL CLE	ARANCES (SEE	NOTE 2)
OVER OR ALONGSIDE ROADS, DRIVEWAYS OR LANDS ACCESSIBLE TO <u>VEHICLES</u>	442cm	442cm	480cm	520cm
OVER GROUND ACCESSIBLE TO PEDESTRIANS AND BICYCLES ONLY	250cm	310cm	340cm	370cm
ABOVE TOP OF RAIL AT RAILWAY CROSSINGS	730cm	730cm	760cm	810cm



MINIMUM ATTACHMENT HEIGHT = MAXIMUM SAG

- + MINIMUM VERTICAL CLEARANCE (FROM ABOVE TABLE)
- ± GRADE DIFFERENCE
- + 0.3m (VEHICLE OR RAILWAY LOCATION)
- + SNOW DEPTH (PEDESTRIAN LOCATION, SEE NOTE 3)

## NOTES:

- 1. THE MULTIGROUNDED SYSTEM NEUTRAL HAS THE SAME CLEARANCE AS THE 600V
- THE VERTICAL CLEARANCES IN THE ABOVE TABLE ARE UNDER MAXIMUM SAG CONDITIONS.
- 3. REFER TO CSA STANDARD C22.3 No.1, ANNEX D FOR LOCAL SNOW DEPTH VALUES.
- 4. ALL CLEARANCES ARE IN ACCORDANCE TO CSA STANDARD C22.3.

REFERENCES			
SAGS AND TENSIONS SECTION 02			

METRIC

810cm

760cm

730cm

520cm

480cm

442cm

370cm

340cm

310cm

250cm

IMPERIAL

(APPROX)

27'-0"

25'-4"

24'-4"

17'-4"

16'-0"

15'-5"

12'-4"

11'-4"

10'-4"

8'-4"

## MINIMUM VERTICAL CLEARANCES OF WIRES, CABLES AND CONDUCTORS ABOVE GROUND OR RAILS

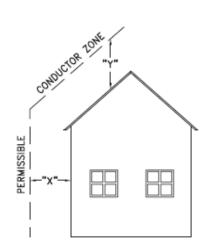
ORIGINAL ISSUE DATE: 2010-DEC-24 REVISION NO: R1 REVISION DATE: 2012-JAN-09

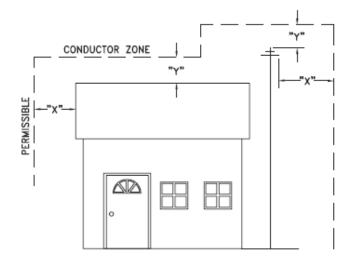
#### Certificate of Approval This construction Standard meets the safety

requirements of Section 4 of Regulation 22/04 Joe Crozier, P.Eng. 2012-JAN-09 Date P.Eng. Approval By: Joe Crozier



## Construction Standard





VOLTAGE	MINIMUM HORIZONTAL CLEARNACE UNDER MAXIMUM SWING CONDITIONS DIMENSION "X" (SEE NOTES 1, 3 & 4)	MINIMUM VERTICAL CLEARANCE UNDER MAXIMUM DESIGN SAG CONDITIONS DIMENSION "Y" (SEE NOTES 1, 2, 4 & 5)
0-600V AND NEUTRAL	100cm	250cm
4.16/2.4 TO 44kV	300cm	480cm

### **NOTES**

- UNDER NO CIRCUMSTANCES SHALL A CONDUCTOR BE PERMITTED TO PENETRATE THE ENVELOPE SHOWN BY THE DOTTED LINE.
- THE VERTICAL CLEARANCES ARE UNDER CONDITIONS OF MAXIMUM DESIGN SAG.
- THE HORIZONTAL CLEARANCES ARE UNDER CONDITIONS OF MAXIMUM SWING. WHERE THE CONDUCTOR SWING IS NOT KNOWN A HORIZONTAL CLEARANCE OF 480CM SHALL BE USED.
- BUILDINGS THAT EXCEED 3 STOREYS OR 15M IN HEIGHT, THE MINIMUM HORIZONTAL CLEARANCE OF THE SECONDARY CONDUCTORS SHOULD BE INCREASED TO 300cm WHERE IT IS NECESSARY TO ALLOW FOR THE RAISING OF LADDERS BY LOCAL FIRE DEPARTMENTS.
- IN SITUATIONS SUCH AS MULTI-LEVEL GARAGES, WHERE ROOFS ARE NORMALLY USED BY PERSONS AND VEHICLES, THE VERTICAL CLEARANCES OF POWERSTREAM STANDARD 03-1
- DISTRIBUTION LINES CONSTRUCTED NEAR BUILDINGS SHALL BE BUILT TO AVOID OVERHANG WHEREVER POSSIBLE. WHERE LINES MUST BE CONSTRUCTED OVER OR ADJACENT TO BUILDINGS THE APPLICABLE HORIZONTAL AND VERTICAL CLEARANCES SHALL BE AT CONDITIONS OF MAXIMUM CONDUCTOR SWING AND MAXIMUM SAG. THE ABOVE CLEARANCES ARE DESIGNED TO PREVENT PERSONS ON OR IN BUILDINGS AS WELL AS EXTERNAL MACHINERY USED IN CONJUCTION WITH A BUILDING TO COME IN CONTACT WITH CONDUCTORS. EFFORTS SHOULD BE MADE TO INCREASE THESE CLEARANCES WHERE
- 7. ALL CLEARANCES ARE IN ACCORDANCE TO CSA C22.3 NO.1-06 (TABLE-9).

## MINIMUM VERTICAL & HORIZONTAL CLEARANCES OF CONDUCTORS FROM BUILDINGS OR OTHER PERMANENT STRUCTURES (CONDUCTORS NOT ATTACHED TO BUILDINGS)

CONVERS	ON TABLE
METRIC	(APPROX)
480cm	16'-0"
300cm	10'-0"
250cm	8'-4"
100cm	3'-4"

Certificate of Approval This construction Standard meets the safety requirements of Section 4 of Regulation 22/04 Debbie Dadwani, P.Eng. 2010-MAY-05 Name P.Eng. Approval By: D. Dadwani

ORIGINAL ISSUE DATE: 2010—MAY—05 REVISION NO: PSSystem Flaming and Standards/Standard Design/PowerStream Standards/PowerStream Standards/PowerStream Standards/PowerStream Standards/PowerStream Standards/PowerStream Standards REVISION DATE: working foliar/section 3/3-4/0/WG 03-4 RD May 5, 2010,dwg, 5/3/2010 8(22502 AM,



File No.: CoNS.25.R.0022

March 18, 2025

Linda Asikis Committee of Adjustment City of Richmond Hill 225 East Beaver Creek Road Richmond Hill, ON L4B 3P4

> RE: Consent Application Local file #CN-25-02 Kamran Tajadod 136 Harding Boulevard Richmond Hill

The Regional Municipality of York ("Region") has completed its review of the above noted consent application to create one new residential lot. The property is municipally known as 136 Harding Boulevard and is located south of Major Mackenzie Drive, east of Yonge Street.

## **York Region Remains a Commenting Agency**

Upon York Region becoming an upper-tier municipality without planning responsibilities, please note that the technical comments and conditions will continue to remain relevant. All technical matters must be addressed to the satisfaction of York Region.

Moving forward please continue to circulate all applications that we currently receive by addressing the circulation to <a href="mailto:developmentservices@york.ca">developmentservices@york.ca</a>. The Region will continue to provide technical review and comments and conditions on matters of Regional interest, such as transportation, wellhead protection and water/wastewater.

The Region has no objection to the consent application subject to the following condition being satisfied:

1. Prior to the approval of the Consent application, the City of Richmond Hill shall confirm that adequate water supply and sewage capacity have been allocated for the proposed new lot.

With respect to the conditions above, we request a copy of the Notice of Decision when it becomes available.

Should you have any questions regarding the above, please contact Gabrielle Hurst at gabrielle.hurst@york.ca

Regards,

Gabrielle

## Gabrielle Hurst (she/her) - MCIP, RPP

Associate Planner, Development Planning, Economic and Development Services Branch Corporate Services Department