



ADDENDUM
AGENDA ITEM
6.14
COMMITTEE OF ADJUSTMENT

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March 29, 2022

City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1T1

Attention: Christine Vigneault

**Re: Vaughan West II Limited c/o Zzen Group
Minor Variance Applications
350 Zenway Boulevard
Blocks 53 and 54 65M-3992
City of Vaughan, Regional Municipality of York**

Dear Ms. Vigneault,

KLM Planning Partners Inc. is the land use planner on behalf of Vaughan West II Limited c/o Zzen Group (the "Owners") with respect to their above noted lands (the "Subject Lands"). On behalf of our client, we are pleased to submit the enclosed Minor Variance application.

The subject lands are municipally known as 350 Zenway Boulevard and legally described as Blocks 53 and 54 on plan 65M-3992 being located on the north side of south side of Zenway Boulevard and east of east of New Enterprise Way. The subject lands are designated Prestige Employment by the City of Vaughan Official Plan and currently zoned EM1 - Prestige Employment Area Zone of the City of Vaughan Zoning By-laws 1-88 and 01-2021.

The relief from Zoning By-law 1-88, is requested to clarify that some provisions of Zoning By-law 01-2021 will be applied to the Subject Lands while seeking relief from some provisions of Zoning By-law 01-2021. A rationale for the requested relief is as follows:

Minor Variances to By-law 1-88 Required:

1. **PARKING SPACE** - Means a rectangular area measuring at least 2.7 metres by 5.7 metres, exclusive of any aisles or ingress and egress lanes, used for the temporary parking of motor vehicles;

WHEREAS

PARKING SPACE - Means a rectangular area measuring at least 2.7 metres by 6.0 metres, exclusive of any aisles or ingress and egress lanes, used for the temporary parking of motor vehicles.

2.0 DEFINITIONS

The general intent and purpose of the Official Plan and zoning by-law are to provide vehicle parking spaces that are of sufficient size and configuration to store vehicles. Allowing parking spaces to be slightly shallower in depth will ensure the efficient layout of parking areas and reduce the amount of space required for parking areas. The City of Vaughan Review of Parking Standards Contained within The City of Vaughan's Comprehensive Zoning By-law: Final Report dated March 2010, prepared by IBI Group, (the "City Parking Study") suggests that a parking space depth of 5.7 metres is appropriate for the City of Vaughan. Further, the proposed parking space depth is the same as has been approved by the City through the recently approved by the City of Vaughan Comprehensive Zoning By-law 01-2021 (The "New City By-law") and will provide for contemporary parking space requirements. The requested parking space depth of 5.7 is a minor reduction from the required 6.0 metres, will have minimal impact and is desirable given that it will allow for a more efficient development of the lands.

2. For a warehousing use, a minimum parking requirement of 0.5 parking spaces per 100 square metres of GFA shall be required;

WHEREAS

For a warehousing use, a minimum parking requirement of 1 parking spaces per 100 square metres of GFA shall be required.

3.8 a) PARKING REQUIREMENTS

The general intent and purpose of the Official Plan and zoning by-law are to provide for the appropriate number of parking spaces to support employment uses. The City Parking Study assessed the parking utilization rates in employment areas in the City and indicates that due to low employee densities and infrequent visits from clientele, the industrial parking supply and peak occupancy ratios are considerably lower than for other land uses. Further, the study concludes that many industrial land uses, including warehouse uses, appear to provide a substantial excess in parking supply. The City parking Study further suggest that the warehouse use parking requirements in other jurisdictions are below the 1 parking space per 100 square metres of GFA required by By-law 1-88. Given the low utilization rate for parking in industrial areas, providing a lower parking supply will reduce the amount of land set aside for parking which will allow for a more efficient use of the land which is desirable. Further, the City has decided that a rate of 0.5 parking spaces per 100 square metres of gross floor area for a warehouse use is appropriate through Council's approval of Zoning By-law 01-2021. Allowing the parking rate of the New City By-law to apply to the Subject Lands is desirable given the development of the lands.

3. Loading and unloading shall be permitted between a building and a street;

WHEREAS

Loading and unloading shall not be permitted between a building and a street.

3.9 d) LOADING SPACE REQUIREMENTS

The general intent and purpose of the Official Plan and zoning by-law are to ensure that loading spaces are provided for some uses and that the location of loading and unloading does not impact abutting lands. The location of loading spaces on the Subject Lands are proposed to be east facing

and would be between the proposed building and the controlled access Highway 427, which is considered a street. In this regard, the area opposite the proposed loading spaces is not a sensitive area. Further, a landscape strip will be required abutting Highway 427 and will allow for an opportunity to provide plant material that can help to provide a buffer between the loading area and the Highway. The treatment of the landscape strip is subject to City staff review through the Site Plan Control review process and will ensure an appropriate interface. Given the Subject Lands are a corner lot with two street frontages, the east facing location of the loading areas is the most screened location on the site and will minimize impact on the abutting employment area and is desirable. It is relevant to note that the New City By-law does not prohibit loading or unloading between a building and a street. The impact of the loading bays on abutting lands will be minor and will result in a desirable development of the lands.

4. Where an Employment Area Zone abuts the boundary of lands zoned Open Space, there shall be no requirement for a landscape strip inside the Employment Area zone to be used for no other purpose than landscaping;

WHEREAS

Where an Employment Area Zone abuts the boundary of lands zoned Open Space or Residential, a strip of land not less than 7.5 metres in width and inside the Employment Area Zone and abutting its boundary, shall be used for no purpose other than landscaping.

6.1.6 d) LANDSCAPING REQUIREMENTS

The general intent and purpose of the Official Plan and zoning by-law are to provide appropriate areas for landscaping and provide separation distance between employment uses and other more sensitive land uses. The open space land use abutting the Subject Lands is a stormwater management pond use and the proposed employment land use is a prestige employment use where no noxious uses are permitted. The stormwater management use, while zoned in the OS1 Open Space Conservation zone, is not intended for recreation uses and is generally not an intensive land use whereby large numbers of active users are present. Further, the stormwater management pond has no internal pedestrian walkway and serves no open space function making the impact of the proposal minor. Further, this variance is desirable as it promotes the efficient use of an employment land block within the City's urban area which will in part reduce the need for further expansion of urban areas for employment uses. This variance is minor in nature and does not impact the operation or use of the abutting stormwater management use and does not remove the requirement for building setbacks which will provide an appropriate building separation from the abutting lands.

5. A strip of land not less than 3.0 metres in width shall be provided along a lot line which abuts the street line of a Provincial arterial road, and shall be used for no other purpose than landscaping. This shall not prevent the provision of access driveways across the said strip.

WHEREAS

A strip of land not less than 9.0 metres in width shall be provided along a lot line which abuts the street line of a Provincial arterial road, and shall be used for no other purpose than landscaping. This shall not prevent the provision of access driveways across the said strip.

6.8.3 c) LANDSCAPING REQUIREMENTS

The general intent and purpose of the Official Plan and zoning by-law are to provide for adequate space for landscaping abutting Provincially owned streets or public highways. As stated above, the landscape strip treatment will be reviewed by City staff through the Site Plan Control review process and will ensure an appropriate interface along the Highway 427. This landscape strip reduction will allow for additional surplus parking to be provided within the Ministry of Transportation 14 metre building setback. Reducing the size of the required landscape strip will provide a balance of allowing for a more efficient development of the lands for employment uses while providing an appropriate landscape treatment. Given that vehicles travel along Highway 427 at relatively high speeds, the impact of the reduced landscape strip will be negligible and minor in nature, resulting in the desirable development of the lands.

6. A minimum 3 metre wide strip of land shall be provided along the lot line adjacent to a street and shall be used for no purpose other than landscaping. This shall not prevent the provision of access driveways across the said strips;

WHEREAS

A minimum 6 metre wide strip of land shall be provided along the lot line adjacent to Street "A" and Street "B" and shall be used for no purpose other than landscaping. This shall not prevent the provision of access driveways across the said strips.

Exception 1255, clause c)

The general intent and purpose of the Official Plan and zoning by-law are to provide for adequate space for landscaping abutting public streets. The above provision was implemented through a site specific amendment to By-law 1-88 through the approval of site specific By-law 126-2006 increasing the required landscape strip from 3 metres to 6 metres at a time when Zenway Boulevard was the terminus exit from the Highway 427. In this regard Zenway Boulevard served a higher order function within the City's street network effectively collecting all northbound traffic from the Highway 427. Since that time the Highway 427 has been extended northward and the exit at Zenway Boulevard has been removed and Zenway Boulevard now serves a lower order function and requiring a wider landscape strip is longer appropriate. As stated above, the landscape strip treatment along the street will be reviewed by City staff through the Site Plan Control review process and will ensure an appropriate interface along Zenway Boulevard. In addition to the landscape strip, street trees along Zenway Boulevard will also soften and enhance the interface between the private site and public right of way. Further, reducing the size of the required landscape strip will provide a balance of allowing for a more efficient development of the lands for employment uses while providing an appropriate landscape treatment along Zenway Boulevard. The proposed landscape strip width will be consistent with the standard permission in By-law 1-88 as well as the requirement found in the New City By-law. The impact of the reduced landscape strip abutting a street will be minor and will result in a desirable development of the lands.

Minor Variances to By-law 01-2021 Required:

7. A minimum setback from any building, structure or outside storage to a lot line abutting an Open Space Zone shall not be required;

WHEREAS

A minimum setback from any building or structure to a lot line abutting a Residential Zone or Open Space Zone of 20 metres shall be required.

Table 11-3: Lot and Building Requirements for the Employment Zones, Lot and Building Requirements

The general intent and purpose of the Official Plan and zoning by-law are to provide appropriate distance separation between employment uses and abutting sensitive uses through setbacks. The Subject Lands abut an OS1 Open Space Conservation zone, however the abutting use is a stormwater management pond and not a sensitive use. There are no residential uses within 20 metres of the proposed employment use. The impact of the variance is minor in nature and will be negligible in the context of the stormwater management pond lands having no internal pedestrian walkway and serving no open space function. This variance will promote the efficient use of an employment land block within the City's urban area which will in part reduce the need for further expansion of urban areas for employment uses and is desirable. This variance is minor in nature and does not impact the operation or use of the abutting stormwater management lands and does not remove the requirement for building setbacks which will provide an appropriate building setback to the abutting lands.

8. A minimum landscape strip on any interior side lot line or rear lot line abutting an Open Space Zone shall not be required;

WHEREAS

A minimum landscape strip on any interior side lot line or rear lot line abutting an Open Space Zone shall be 4.5 metres;

Table 11-3: Lot and Building Requirements for the Employment Zones, Landscaping Requirements

The general intent and purpose of the Official Plan and zoning by-law are to provide appropriate areas for landscaping and provide separation distance between employment uses and other more sensitive land uses. The open space land use abutting the Subject Lands is a stormwater management pond use and the proposed employment land use is a prestige employment use where no noxious uses are permitted. The stormwater management use, while zoned in the OS1 Open Space Conservation zone, is not intended for recreation uses and is generally not an intensive land use whereby large numbers of active users are present. The impact of the variance is minor in nature and will be negligible in the context of the stormwater management pond lands having no internal pedestrian walkway and serving no open space function. Further, this variance is desirable as it promotes the efficient use of an employment land block within the City's urban area which will in part reduce the need for further expansion of urban areas for employment uses. This variance is minor in nature and does not impact the operation or use of the abutting stormwater management lands and does not remove the requirement for building setbacks which will provide an appropriate building separation from the abutting lands.

Given the above it is our opinion that the proposed minor variances meet the intent and purpose of the Official Plan and zoning by-law, are minor in nature, are desirable and represent good planning.

In support of the proposed application for Minor Variance, please find enclosed the following materials in accordance with the City of Vaughan Minor Variance Application submission requirements:

1. One (1) copy of the completed Minor Variance Application Form;
2. One (1) cheque in the amount of \$3,671.00 payable to the City of Vaughan representing the Minor Variance Application Fee;
3. One (1) copy of Reference Plan 65R-35689 prepared by JD Barnes Ltd., dated June 4, 2015;
4. One (1) copy of the Site Plan prepared by Ware Malcomb, dated February 24, 2022;
5. One (1) copy of the Minor Variance Sketch prepared by KLM Planning Partners Inc.

I trust that the above materials are in order. Should you have any questions with respect to the enclosed or require anything further, please do not hesitate to contact the undersigned.

Yours truly,

KLM PLANNING PARTNERS INC.



Robert Lavecchia B.U.R.Pl.

Senior Planner II

CC: Mr. Sam Speranza, Zzen Group of Companies