

<p>ITEM #: 6.15</p>	<p align="center">COMMITTEE OF ADJUSTMENT REPORT MINOR VARIANCE APPLICATION A123/22 120 Milani Blvd. Woodbridge</p>
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COA REPORT SUMMARY

**THIS REPORT CONTAINS COMMENTS FROM THE FOLLOWING
DEPARTMENTS & AGENCIES:**

Please see **Schedule B of this report for a copy of Staff and Agency correspondence.*

Additional comments from departments and agencies may be received after the publication of the Staff Report. These comments will be processed as an addendum and posted on the City's Website.

DEPARTMENTS	Circulated	Comments Received	Conditions	Nature of Comments
Committee of Adjustment	X	X		General Comments
Building Standards -Zoning Review <i>*Schedule B</i>	X	X		General Comments
Building Inspection (Septic)	X			No Comments Recieved to Date
Development Planning <i>*Schedule B</i>	X	X	X	Recommend Approval/No Conditions
Development Engineering	X	X		Recommend Approval/No Conditions
Parks, Forestry and Horticulture Operations	X	X		General Comments
By-law & Compliance, Licensing & Permits	X			No Comments Recieved to Date
Development Finance	X	X		No Comments or Concerns
Real Estate				
Fire Department	X	X		Recommend Approval w/Conditions
AGENCIES	Circulated	Comments Received	Conditions	Nature of Comments
TRCA <i>*Schedule B</i>	X	X		General Comments
Ministry of Transportation (MTO) <i>*Schedule B</i>	X			No Comments Recieved to Date
Region of York <i>*Schedule B</i>	X	X		General Comments
Alectra <i>*Schedule B</i>	X	X		General Comments
Bell Canada <i>*Schedule B</i>	X	X		General Comments
YRDSB <i>*Schedule B</i>				
YCDSB <i>*Schedule B</i>				
CN Rail <i>*Schedule B</i>				
CP Rail <i>*Schedule B</i>				
TransCanada Pipeline <i>*Schedule B</i>	X			No Comments Recieved to Date
Metrolinx <i>*Schedule B</i>				
Propane Operator <i>*Schedule B</i>				

PUBLIC & APPLICANT CORRESPONDENCE				
<i>*Please see Schedule C of this report for a copy of the public & applicant correspondence listed below.</i>				
<p>The deadline to submit public comments is noon on the last business day prior to the scheduled hearing date.</p> <p>Comments and written public submissions received after the publication of this Staff Report will be processed as an addendum and posted on the City's Website.</p> <p>All personal information collected because of this public meeting (including both written and oral submissions) 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.</p>				
Correspondence Type	Name	Address	Date Received <small>(mm/dd/yyyy)</small>	Summary
Applicant / Authorized Agent	Robert Lavecchia		03/24/2022	Justification Letter

PREVIOUS COA DECISIONS ON THE SUBJECT LAND		
<i>*Please see Schedule D for a copy of the Decisions listed below</i>		
File Number	Date of Decision MM/DD/YYYY	Decision Outcome

PREVIOUS COA DECISIONS ON THE SUBJECT LAND	
*Please see Schedule D for a copy of the Decisions listed below	
None	

ADJOURNMENT HISTORY	
* Previous hearing dates where this application was adjourned by the Committee and public notice issued.	
Hearing Date (05/26/2022)	To permit time to address staff comments.

	COMMITTEE OF ADJUSTMENT REPORT MINOR VARIANCE APPLICATION A123/22
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FILE MANAGER: Lenore Providence, Administrative Coordinator - Committee of Adjustment

ITEM NUMBER: 6.15	CITY WARD #: 2
APPLICANT:	Rainbow Creek East Limited
AGENT:	Robert Lavecchia - KLM Planning Partners Inc.
PROPERTY:	120 Milani Boulevard, Woodbridge ON
ZONING DESIGNATION:	See below.
VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:	Vaughan Official Plan 2010 ('VOP 2010'): "Employment Commercial Mixed-Use"
RELATED DEVELOPMENT APPLICATIONS:	None
PURPOSE OF APPLICATION:	Relief from Zoning By-laws is being requested to permit the construction of a warehouse/distribution facility.

The following variances have been requested from the City’s Zoning By-law:

The subject lands are zoned GC General Commercial, and subject to the provisions of Exception 14.988 under Zoning By-law 001-2021, as amended.

#	Zoning By-law 01-2021	Variance requested
4	A Warehouse and Distribution Facility is not permitted. Section 9.2	To permit a Warehouse and Distribution Facility. *Variance not required as confirmed by Zoning
2	A minimum of 3.9 parking spaces are required per 100m2 of gross floor area. Exc. No. 9(1356)	To permit a minimum of 0.5 parking spaces per 100m2 of gross floor area. *Variance not required as confirmed by Zoning
3	A minimum setback from any building or structure to a lot line abutting the Open Space Zone shall be 12.0 metres. Table 9-3	To permit a minimum setback from any building or structure to a lot line abutting the Open Space Zone shall be 8.0 metres. *Variance not required as confirmed by Zoning
4	A maximum building height of 11.0 metres is permitted. Schedule Table 9-3	To permit a maximum building height of 15.0 metres. *Variance not required as confirmed by Zoning

The subject lands are zoned EM3 Retail Warehouse Employment Area, and subject to the provisions of Exception 9(1356) under Zoning By-law 1-88, as amended.

	Zoning By-law 1-88	Variance requested
1	A minimum parking space length of 6.0 metres is required. Section 2	To permit a minimum parking space length of 5.7 metres.
2	A minimum of 3.9 parking spaces are required per 100m2 of gross floor area. Exc. No. 9(1356) Section 6.5	To permit a minimum of 0.5 parking spaces per 100m2 of gross floor area.
3	A minimum accessible parking space length shall be 6.0 metres. Section 3.8	To permit a minimum accessible parking space length of 5.7 metres.

HEARING INFORMATION	
DATE OF MEETING: June 16, 2022 TIME: 6:00 p.m. MEETING LOCATION: Vaughan City Hall, Council Chamber, 2141 Major Mackenzie Drive, Vaughan LIVE STREAM LINK: Vaughan.ca/LiveCouncil	
PUBLIC PARTICIPATION If you would like to speak to the Committee of Adjustment at the meeting, either remotely or in person, please complete the Request to Speak Form and submit to cofa@vaughan.ca If you would like to submit written comments, please quote file number above and submit by mail or email to: Email: cofa@vaughan.ca Mail: City of Vaughan, Office of the City Clerk, Committee of Adjustment, 2141 Major Mackenzie Drive, Vaughan, ON, L6A 1T1 THE DEADLINE TO REGISTER TO SPEAK OR SUBMIT WRITTEN COMMENTS ON THE ABOVE NOTED FILE(S) IS NOON ON THE LAST BUSINESS DAY BEFORE THE MEETING.	

INTRODUCTION	
<p>Staff and Agencies act as advisory bodies to the Committee of Adjustment. The comments contained in this report are presented as recommendations to the Committee.</p> <p>Section 45(1) of the Planning Act sets the criteria for authorizing minor variances to the City of Vaughan’s Zoning By-law. Accordingly, review of the application may consider the following:</p> <p>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.</p> <p>Public written and oral submissions relating to this application are taken into consideration by the Committee of Adjustment as part of its deliberations and final decision on this matter.</p>	

COMMITTEE OF ADJUSTMENT COMMENTS	
Date Public Notice Mailed:	June 2, 2022
Date Applicant Confirmed Posting of Sign:	June 1, 2022
Applicant Justification for Variances: <small>*As provided by Applicant in Application Form</small>	The proposed site plan does not comply with the zoning by-law.
Adjournment Requests (from staff): <small>*Adjournment requests provided to applicant prior to issuance of public notice</small>	None
Was a Zoning Review Waiver (ZRW) Form submitted by Applicant: <small>*ZRW Form may be used by applicant in instances where a revised submission is made, and zoning staff do not have an opportunity to review and confirm variances prior to the issuance of public notice.</small> <small>*A revised submission may be required to address staff / agency comments received as part of the application review process.</small> <small>*Where a zoning review has not been completed on a revised submission, an opportunity is provided to the applicant to adjourn the proposal prior to the issuance of public notice.</small>	No
Adjournment Fees: In accordance with Procedural By-law 069-2019, an Adjournment Fee is applicable to reschedule an application after the issuance of public notice where a request for adjournment has been provided to the applicant prior to the issuance of public notice. An Adjournment Fee can only be waived in instances where adjournment of an application is requested by the Committee or staff after the issuance of public notice.	
Committee of Adjustment Comments:	None
Committee of Adjustment Recommended Conditions of Approval:	None

BUILDING STANDARDS (ZONING) COMMENTS	
**See Schedule B for Building Standards (Zoning) Comments	

BUILDING STANDARDS (ZONING) COMMENTS	
Building Standards Recommended Conditions of Approval:	None

DEVELOPMENT PLANNING COMMENTS	
**See Schedule C for Development Planning Comments.	
Development Planning Recommended Conditions of Approval:	None

DEVELOPMENT ENGINEERING COMMENTS	
Link to Grading Permit Link to Pool Permit Link to Curb Curt Permit Link Culvert Installation	
The Development Engineering (DE) Department does not object to variance application A123/22.	
The proposed parking ratio and parking space sizes are found consistent with the bylaw 01-2021, Transportation Engineering therefore has no comments regarding subject variance application.	
Development Engineering Recommended Conditions of Approval:	None

PARKS, FORESTRY & HORTICULTURE (PFH) COMMENTS	
Parks: Forestry: Forestry has no comment at this time. Horticulture:	
PFH Recommended Conditions of Approval:	None

DEVELOPMENT FINANCE COMMENTS	
No comment no concerns	
Development Finance Recommended Conditions of Approval:	None

BY-LAW AND COMPLIANCE, LICENSING AND PERMIT SERVICES COMMENTS	
No comments received to date.	
BCLPS Recommended Conditions of Approval:	None

BUILDING INSPECTION (SEPTIC) COMMENTS	
No comments received to date.	
Building Inspection Recommended Conditions of Approval:	None

FIRE DEPARTMENT COMMENTS	
Owner to ensure permits process prior to construction. Reviewed submitted application package for minor variance. Standard requirements for owners to go through the permit process before construction and obtain all necessary inspections and associated documents. All construction to be in compliance with the OBC as amended and applicable standards. Owner shall agree to provide the following for the purpose of fire safety and firefighting operations.	
<ol style="list-style-type: none"> Water supply for firefighting, including hydrants, municipal or private shall be identified in the plans and code requirements to be installed and operational prior to construction of building. Hydrants shall be unobstructed and ready for use at all times. Assess roadways shall be maintained and suitable for large heavy vehicles. Temporary Municipal address to be posted and visible for responding emergency vehicles satisfactory to the City. 	
<ul style="list-style-type: none"> Ensure compliance with OBC 3.2.5.5. Location of Access Routes and 3.2.5.6. Access Route Design. 	

FIRE DEPARTMENT COMMENTS	
<ul style="list-style-type: none">Ensure application/Permits submitted for review comply with applicable Ontario Building code requirements and all other referenced standards.	
Fire Department Recommended Conditions of Approval:	None

SCHEDULES TO STAFF REPORT	
*See Schedule for list of correspondence	
Schedule A	Drawings & Plans Submitted with the Application
Schedule B	Development Planning & Agency Comments
Schedule C (if required)	Correspondence (Received from Public & Applicant)
Schedule D (if required)	Previous COA Decisions on the Subject Land

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:

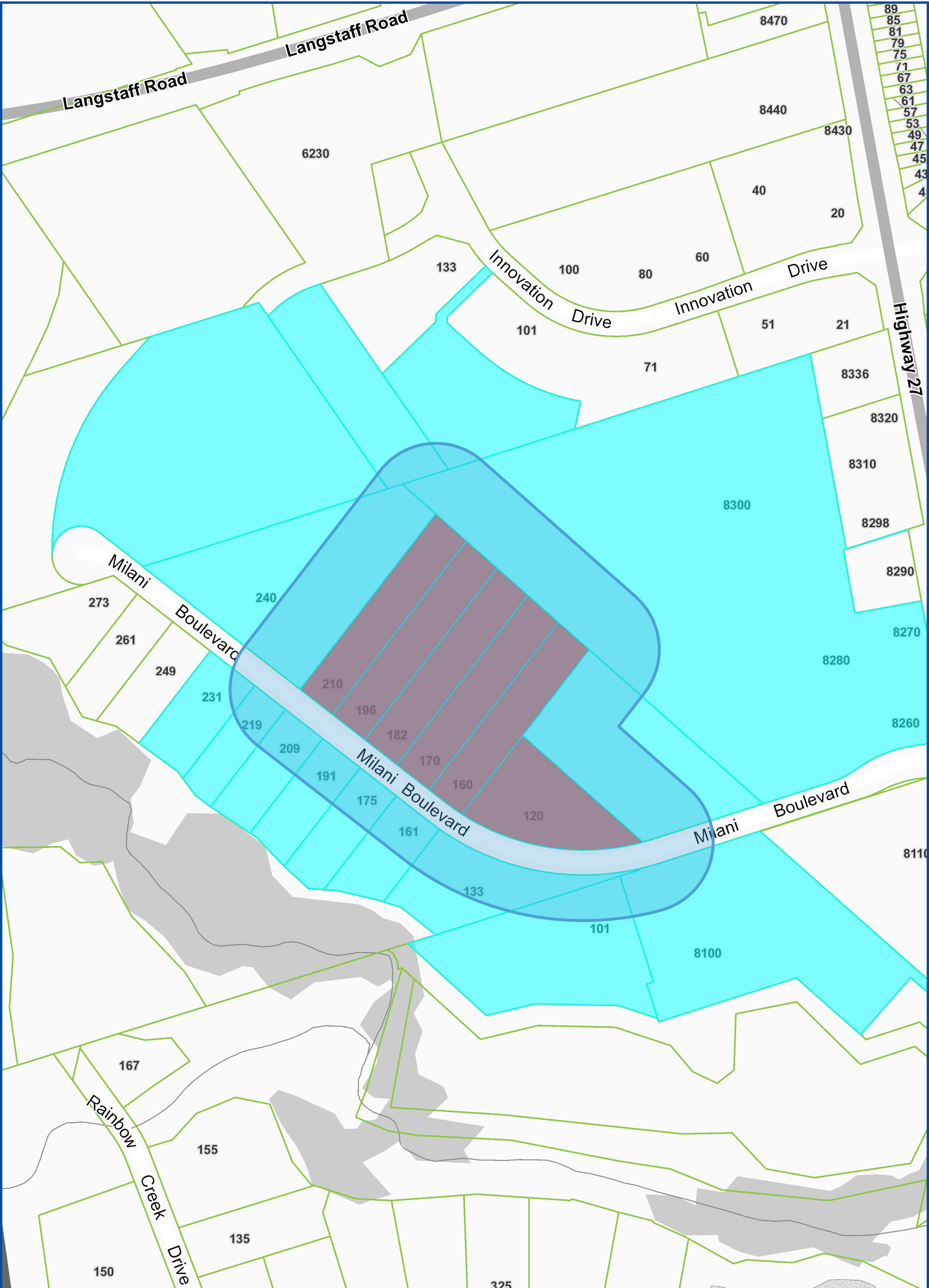
SUMMARY OF RECOMMENDED CONDITIONS OF APPROVAL		
All conditions of approval, unless otherwise stated, are considered to be incorporated into the approval “if required”. If a condition is no longer required after an approval is final and binding, the condition may be waived by the respective department or agency requesting conditional approval. A condition cannot be waived without written consent from the respective department or agency.		
#	DEPARTMENT / AGENCY	CONDITION(S) DESCRIPTION
1	Development Planning Joshua.cipolletta@vaughan.ca	That all comments on Site Development Application DA.22.026 be addressed to the satisfaction of the Development Planning Department.

IMPORTANT INFORMATION – PLEASE READ
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 (see condition chart above for contact). 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.
APPROVALS: Making any changes to your proposal after a decision has been made may impact the validity of the Committee’s decision. An approval obtained from the Committee of Adjustment, where applicable, is tied to the building envelope shown on the plans and drawings submitted with the application and subject to the variance approval. A building envelope is defined by the setbacks of the buildings and/or structures shown on the plans and drawings submitted with the application, as required by Ontario Regulation 200/96. Future development outside of an approved building envelope, where a minor variance was obtained, must comply with the provisions of the City’s Zoning By-law. Elevation drawings are provided to reflect the style of roof (i.e. flat, mansard, gable etc.) to which a building height variance has been applied. Where a height variance is approved, building height is applied to the style of roof (as defined in the City’s Zoning By-law) shown on the elevation plans submitted with the application. Architectural design features that are not regulated by the City’s Zoning By-law are not to be considered part of an approval unless specified in the Committee’s decision.
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.

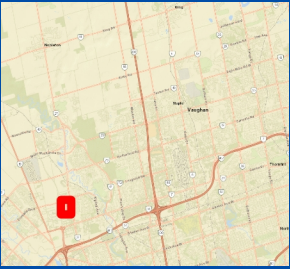
IMPORTANT INFORMATION – PLEASE READ

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.

SCHEDULE A: DRAWINGS & PLANS



Map Information:



Title:

120-210 MILANI BOULEVARD,
WOODBIDGE

NOTIFICATION MAP - A123/22

Disclaimer:

Every reasonable effort has been made to ensure that the information appearing on this map is accurate and current. We believe the information to be reliable, however the City of Vaughan assumes no responsibility or liability due to errors or omissions. Please report any discrepancies to Infrastructure Programming.



Scale: 1:4,514

0 0.07 km








Created By:

Infrastructure Delivery
Department
May 25, 2022 12:36 AM

Projection:
NAD 83
UTM Zone
17N

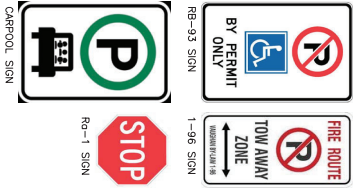
June 7, 2022

LEGEND	
PROPERTY LINE	---
PIPE ROUTE	---
TRUCK ROUTE	---
PHASE 1	
PHASE 2	
LANDSCAPED AREA	
SNOW STORAGE	
HIGH EXISTING ELEVATION	
HYDRO ACCESS ROUTE	- - -

NOTE: PHASE 1 AND PHASE 2 ARE TO BE LANDSCAPED & ELECTRICAL DRAINAGE FOR SCOUR & WORK

SITE STATISTICS			
120 MILANI BLVD			
LAND AREA	ACRES	SQM	SQFT
TOTAL LOT AREA	11.44	46,381	496,167
GROSS FLOOR AREA			
TEENANT 1 (PHASE 1)		SQM	SQFT
WAREHOUSE	5,945	63,989	
OFFICE	279	3,000	
MEZZANINE	279	3,000	
TOTAL GFA	6,503	69,989	
TEENANT 2 (PHASE 2)		SQM	SQFT
WAREHOUSE	5,465	58,864	
OFFICE	3,000	3,000	
MEZZANINE	279	3,000	
W & E ROOM	77	832	
TOTAL GFA	6,806	65,636	
TEENANT 3 (PHASE 2)		SQM	SQFT
WAREHOUSE	4,724	50,847	
OFFICE	1,105	2,105	
MEZZANINE	185	2,105	
TOTAL GFA	5,114	55,057	
GFA - PHASE 1		12,999	135,605
GFA - PHASE 2		5,114	55,057
TOTAL GFA - PHASE 1 & PHASE 2	17,113	190,662	

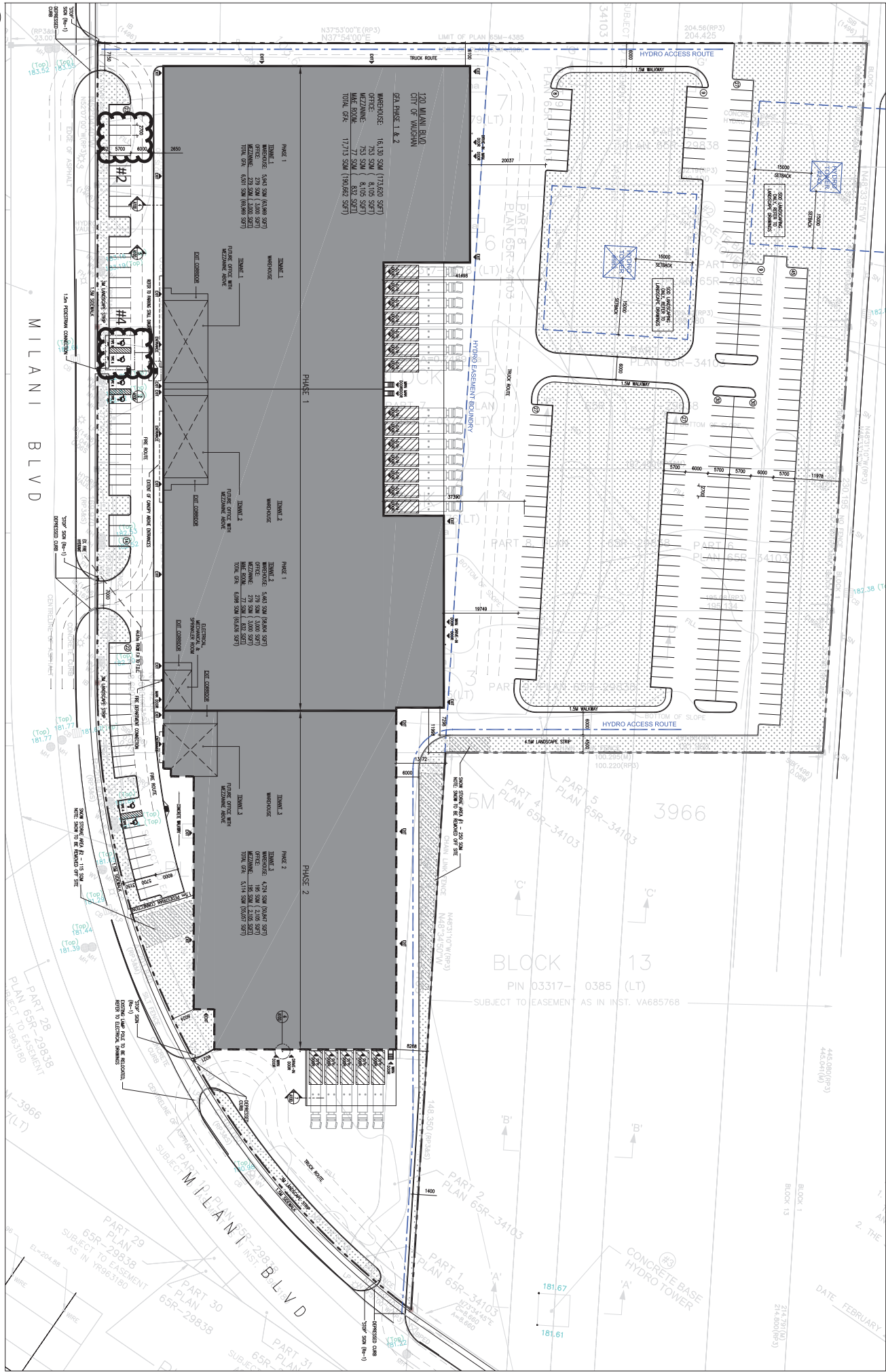
PROVIDE FIRE ROUTE SIGNS (1-96) AND ASSOCIATED POLES AND BASSES AS REQUESTED BY THE CITY OF WAUSAU, G.C. TO COORDINATE WITH THE CITY OF WAUSAU FIRE DEPARTMENT FOR LOCATIONS AND QUANTITY OF ALL FIRE ROUTE SIGNS.



PLANS PREPARED AND VARIANCES IDENTIFIED BY APPLICANT

PARKING CALCULATIONS	
WATERLOO	0.5 / 100 SQM
TOTAL VEHICLE PARKING REQUIRED	80.65 STALLS
TOTAL VEHICLE PARKING PROVIDED	271 STALLS
BARRIER FREE PARKING PROVIDED (12% OF TOTAL PARKING)	6 STALLS
TOTAL AREA	11,197 SQM
REQUIRED UNIMPROVED AREA	5% MIN.
PROPOSED UNIMPROVED AREA	24,187
SNOW STORAGE	
HARD PAVING AREA	18,129 SQM
TOTAL SNOW STORAGE AREA REQUIRED	
2% OF HARD PAVING AREA	361 SQM
TOTAL SNOW STORAGE AREA PROVIDED	361 SQM



Figure 1 is a cross-sectional diagram of a reinforced concrete slab. The slab is 1000 mm wide and 150 mm thick. It is supported by two 250 mm wide, 1500 mm high columns. The slab has a total width of 1000 mm and a total height of 150 mm. The reinforcement consists of 10 bars of 10 mm diameter (10#10) in the top and 10 bars of 10 mm diameter (10#10) in the bottom. The slab is shown with a cross-section of 1000 mm width and 1500 mm height. The reinforcement is shown as 10 bars of 10 mm diameter (10#10) in the top and 10 bars of 10 mm diameter (10#10) in the bottom. The slab is supported by two 250 mm wide, 1500 mm high columns. The slab has a total width of 1000 mm and a total height of 150 mm. The reinforcement consists of 10 bars of 10 mm diameter (10#10) in the top and 10 bars of 10 mm diameter (10#10) in the bottom.

[illegible][illegible][illegible][illegible]

#	Zoning By-law 1-88 Variance requested
1	To permit a minimum parking space length of 5.7 metres.
2	To permit a minimum of 0.5 parking spaces per 100m ² of gross floor area.
3	To permit a minimum accessible parking space length of 5.7 metres.

PRELIMINARY
CONCEPT
DRAWING SET
FOR REVIEW AND
COORDINATION
ONLY

[illegible]

	PROJECT	145 COLUMBIA STREET, SUITE 100, TORONTO, ONTARIO M4M 1Y7 P (416) 793-3100 F (416) 793-3100
	CUSTOMER ARCHITECT	
PROPOSED PROPOSED NEW SHELL BUILDING ZEN GROUP COMPANIES LIMITED 800 MILTON ST. WILLOWDALE, ONTARIO		
DATE:	FEBRUARY 2022	DRAWING TITLE:
DWG. NO.	MIR	SCH. NO.
MR.		DLC

DRAWING No.: A100

SCHEDULE B: DEVELOPMENT PLANNING & AGENCY COMMENTS

DEPT/AGENCY	Circulated	Comments Received	Conditions	Nature of Comments
TRCA *Schedule B	X	X		General Comments
Ministry of Transportation (MTO) *Schedule B	X			No Comments Recieved to Date
Region of York *Schedule B	X	X		General Comments
Alectra *Schedule B	X	X		General Comments
Bell Canada *Schedule B	X	X		General Comments
YRDSB *Schedule B				
YCDSB *Schedule B				
CN Rail *Schedule B				
CP Rail *Schedule B				
TransCanada Pipeline *Schedule B	X			No Comments Recieved to Date
Metrolinx *Schedule B				
Propane Operator *Schedule B				
Development Planning	X	X	x	Recommend Approval/with conditions
Building Standards (Zoning)	X	X		General Comments

To: Committee of Adjustment

From: Lindsay Haviland, Building Standards Department

Date: June 7, 2022

Applicant: Rainbow Creek East Limited

Location: PLAN 65M3966 Block 2 municipally known as 120 Milani Boulevard

File No.(s): A123/22

Zoning Classification:

The subject lands are zoned GC General Commercial, and subject to the provisions of Exception 14.988 under Zoning By-law 001-2021, as amended.

#	Zoning By-law 01-2021	Variance requested
	None.	

The subject lands are zoned EM3 Retail Warehouse Employment Area, and subject to the provisions of Exception 9(1356) under Zoning By-law 1-88, as amended.

	Zoning By-law 1-88	Variance requested
1	A minimum parking space length of 6.0 metres is required. Section 2	To permit a minimum parking space length of 5.7 metres.
2	A minimum of 3.9 parking spaces are required per 100m2 of gross floor area. Exc. No. 9(1356) bi)	To permit a minimum of 0.5 parking spaces per 100m2 of gross floor area.
3	A minimum accessible parking space length shall be 6.0 metres. Section 3.8	To permit a minimum accessible parking space length of 5.7 metres.

Staff Comments:

Stop Work Order(s) and Order(s) to Comply:

There are no outstanding Orders on file.

Building Permit(s) Issued:

A Building Permit has not been issued. The Ontario Building Code requires a building permit for structures that exceed 10m2.

Other Comments:

	Zoning By-law 01-2021
1	This application has been determined to be transitioned in accordance with Subsection 1.6.2.6 and therefore is subject to Zoning By-law 1-88, as amended, only.

	General Comments
1	The applicant shall be advised that additional variances may be required upon review of detailed drawing for building permit/site plan approval.
2	As the development stretches across several properties, a Consolidation of Parcel may be required to be registered.

Conditions of Approval:

None

* Comments are based on the review of documentation supplied with this application.

To: Christine Vigneault, Committee of Adjustment Secretary Treasurer

From: Nancy Tuckett, Director of Development Planning

Date: June 8, 2022

Name of Owner: Rainbow Creek East Limited

Location: 120 Milani Boulevard

File No.(s): A123/22

Proposed Variance(s) (By-law 1-88):

1. To permit a minimum parking space length of 5.7 m.
2. To permit a minimum of 0.5 parking spaces per 100 m² of gross floor area.
3. To permit a minimum accessible parking space length of 5.7 m.

By-Law Requirement(s) (By-law 1-88):

1. A minimum parking space length of 6.0 m is required.
2. A minimum of 3.9 parking spaces are required per 100 m² of gross floor area.
3. A minimum accessible parking space length shall be 6.0 m.

Official Plan:

City of Vaughan Official Plan 2010 ('VOP 2010'): "Employment Commercial Mixed-Use"

Comments:

The Owner is requesting to permit the construction of a Warehouse and Distribution Facility with the above noted variances. The Owner has submitted Site Development Application DA.22.026 to facilitate the development, which is currently under review.

The Development Planning Department has no objection to Variances 1 and 3, given that the proposed parking space length complies with Zoning By-law 001-2021, which was enacted by Vaughan Council on October 20, 2021, but has been appealed to the Ontario Land Tribunal and is not in effect. The Transportation Engineering Division of the Development Engineering Department also reviewed the minor variance application and has no objection.

The Development Planning Department has no objection to Variance 2 given that the proposed parking ratio has been reviewed by Transportation Engineering staff and is considered sufficient to serve the proposed use.

Accordingly, the Development Planning Department can support the requested variances and is of the opinion that the proposal 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.

Recommendation:

The Development Planning Department recommends approval of the application, subject to the following conditions:

Conditions of Approval:

If the Committee finds merit in the application, the following conditions of approval are recommended:

1. That all comments on Site Development Application DA.22.026 be addressed to the satisfaction of the Development Planning Department.

Comments Prepared by:

Joshua Cipolletta, Planner I
David Harding, Senior Planner

Date: May 2nd , 2022

Attention: **Christine Vigneault**

RE: Request for Comments

File No.: **A107-22**

Related Files:

Applicant York Region District School Board Contact: Jennifer Lang, Signing Officer: Vidya Maharaj

Location 4020 Major Mackenzie Drive

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@alecrautilities.com

Mitchell Penner
Supervisor, Distribution Design-Subdivisions
Phone: 416-302-6215

Email: Mitchell.Penner@alecrautilities.com

Lenore Providence

Subject: FW: [External] RE: A107/22, REQUEST FOR COMMENTS - Vaughan - 4020 Major Mackenzie Drive, Woodbridge

From: Gordon, Carrie <carrie.gordon@bell.ca>

Sent: May-02-22 7:49 AM

To: Lenore Providence <Lenore.Providence@vaughan.ca>

Subject: [External] RE: A107/22, REQUEST FOR COMMENTS - Vaughan - 4020 Major Mackenzie Drive, Woodbridge

Hello Lenore,

Bell Canada has no comments for this minor variance.

Kind regards,

Carrie Gordon

Carrie Gordon



Associate, External Liaison
Right of Way Control Centre
140 Bayfield St, Fl 2
Barrie ON, L4M 3B1
T: 705-722-2244/844-857-7942
F :705-726-4600

Lenore Providence

Subject: FW: [External] RE: A107/22, REQUEST FOR COMMENTS - Vaughan - 4020 Major Mackenzie Drive, Woodbridge

From: York Plan <yorkplan@trca.ca>

Sent: May-02-22 9:23 AM

To: Lenore Providence <Lenore.Providence@vaughan.ca>

Cc: Hamedeh Razavi <Hamedeh.Razavi@trca.ca>

Subject: [External] RE: A107/22, REQUEST FOR COMMENTS - Vaughan - 4020 Major Mackenzie Drive, Woodbridge

TRCA wishes to confirm that it has **no interests or concerns with the above noted application.**

Based on a review of our available mapping, the subject property is not within TRCA's Regulated Area. As such, a permit from TRCA pursuant to Ontario Regulation 166/06 would not be required for any development or site alteration on the property.

Although the site is located within the Well Head Protection Area for Quantity control (WHPA-Q2) per the Source Protection Plan, no water balance would be required recognizing this requirement would have been addressed through the subdivision approvals process.

Should further clarification be required, please contact the undersigned at your convenience.

Mark Howard, BES, MLA, MCIP, RPP

Senior Manager – Toronto, Durham & York East Review Areas

Development Planning and Permits | Development and Engineering Services

Toronto and Region Conservation Authority (TRCA)

T: [\(416\) 661-6600](tel:4166616600) ext 5269

E: mark.howard@trca.ca

A: [101 Exchange Avenue, Vaughan, ON, L4K 5R6](https://www.trca.ca) | [trca.ca](https://www.trca.ca)



Lenore Providence

Subject: FW: [External] RE: A107/22, REQUEST FOR COMMENTS - Vaughan - 4020 Major Mackenzie Drive, Woodbridge

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

Sent: May-03-22 1:46 PM

To: Lenore Providence <Lenore.Providence@vaughan.ca>

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

Subject: [External] RE: A107/22, REQUEST FOR COMMENTS - Vaughan - 4020 Major Mackenzie Drive, Woodbridge

Good afternoon Lenore,
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 | Community Planning and Development Services | The Regional Municipality of York | 1-877 464 9675 ext 71538 | gabrielle.hurst@york.ca | www.york.ca

SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE

Correspondence Type	Name	Address	Date Received (mm/dd/yyyy)	Summary
Applicant / Authorized Agent	Robert Lavecchia		03/24/2022	Justification Letter



64 Jardin Drive, Unit 1B
Concord, Ontario
L4K 3P3
T. 905.669.4055
F. 905.669.0097
klmplanning.com

P-3331

March 24, 2022

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

Attention: Christine Vigneault

**Re: Rainbow Creek East Limited c/o Zzen Group
Minor Variance Applications
120 Milani Boulevard
Blocks 1 – 7, Plan 65M-3966
City of Vaughan, Regional Municipality of York**

Dear Ms. Vigneault,

KLM Planning Partners Inc. is the land use planner on behalf of Rainbow Creek East 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 legally known as Blocks 1 – 7, Plan 65M-3966 and municipally known as 120 Milani Boulevard being located on the north side of Milani Boulevard west of Regional Road 27. The subject lands are designated Prestige Employment by the City of Vaughan Official Plan and currently zoned EM3 – Retail Warehouse Employment Area Zone and EM1 - Prestige Employment Area Zone of the City of Vaughan Zoning By-laws 1-88 and 01-2021 respectively.

The relief from Zoning By-law 1-88 is requested to clarify which provisions of Zoning By-law 01-2021 will be applied to the Subject Lands while also seeking relief from one provision 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. There two locations for loading spaces proposed on the Subject Lands, one of which would face Milani Boulevard opposite of a parking area. In this regard, the area opposite Milani Boulevard from the proposed loading spaces is not a sensitive area and the proposal will help to maximise the use of the irregular lot. Further, a landscape strip will be required along Milani Boulevard and will allow for an opportunity to provide plant material that can help to screen the view of the loading area from the street. The treatment of the landscape strip is subject to City staff review through Site Plan Control review

process and will ensure an appropriate interface along Milani Boulevard. Further, the loading area that will be between the building and the street will be a small portion or roughly one quarter of the proposed loading spaces which will help minimize the overall impact of the proposal. 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.

Minor Variances to By-law 01-2021 Required:

- 4. A warehousing and distribution facility is a permitted use in the General Commercial Zone;
WHEREAS
A warehousing and distribution facility is not a permitted use in the General Commercial Zone.

Table 9-2: Permitted Uses the Commercial Zones

The general intent and purpose of the Official Plan and zoning by-law are to regulate the use of land by designation and zone category respectively. The Subject Lands are designated Prestige Employment in the Official Plan and zoned GC - General Commercial Zone by the New City By-law which does not permit a warehousing and distribution facility use as well as EM3 – Retail Warehouse Employment Area Zone by Zoning By-law 1-88 which does permit a warehousing and distribution facility use. Further, the Subject Lands have been subject to an approved zoning by-law amendment application whereby the planning process to implement the proposed use has been initiated. This variance will allow land development approvals on the Subjects Lands to be completed as contemplated which is desirable. Further, as noted above, the Subject Lands are located within an area designated for employment in the Official Plan and the implementation of employment uses on the Subject Lands will help the City to achieve forecasted employment growth which is desirable. It is also relevant to note that there are existing employment uses to the west and south of the lands with commercial uses to the east and vacant employment lands to the north. In this regard, there are no abutting sensitive land uses and implementing an employment use on the Subject Lands will not have a major impact.

- 5. 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 12 metres shall be required.

Table 9-3: Lot and Building Requirements for the Commercial Zones, Landscaping 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 though setbacks. The Subject Lands abut an OS1 Open Space Conservation zone, notwithstanding that the abutting use is a stormwater management pond and utility use which are not sensitive uses. There are no residential uses within 12 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 parkland function. This variance will promote the efficient use of an irregular 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 and utility lands and does not remove the requirement for building setbacks which will provide an appropriate building setback to the abutting lands.

6. 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 6 metres;

Table 9-3: Lot and Building Requirements for the Commercial 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. Further, the stormwater management pond has been constructed within a high voltage electricity transmission corridor which is a utility land use and is not a sensitive 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. Further, this variance is desirable as it promotes the efficient use of an irregular 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 and utility 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-39179 prepared by Schaeffer Dzaldov Bennett Ltd., dated November 18, 2020;
4. One (1) copy of the Site Plan prepared by Cusimano Architect, 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