

<b>AGENDA ITEM #: 6.11</b>	<b>COMMITTEE OF ADJUSTMENT REPORT MINOR VARIANCE APPLICATION A109/22 8700 DUFFERIN STREET, BLDG D</b>
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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 *Schedule B	X	X		General Comments
Building Inspection (Septic)	X			No Comments Recieved to Date
Development Planning *Schedule B	X	X		Recommend Adjournment
Development Engineering	X			Application Under Review
Parks, Forestry and Horticulture Operations	X	X		General Comments
By-law & Compliance, Licensing & Permits	X			No Comments Recieved to Date
Development Finance	X	X		General Comments
Real Estate				
Fire Department	X			No Comments Recieved to Date
AGENCIES	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			No Comments Recieved to Date
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				

PUBLIC & APPLICANT CORRESPONDENCE				
*Please see <b>Schedule C</b> of this report for a copy of the public & applicant correspondence listed below.				
The deadline to submit public comments is <b>noon on the last business day prior to the scheduled hearing date.</b>				
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.				
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.				
Correspondence Type	Name	Address	Date Received (mm/dd/yyyy)	Summary
None				

PREVIOUS COA DECISIONS ON THE SUBJECT LAND		
*Please see <b>Schedule D</b> for a copy of the Decisions listed below		
File Number	Date of Decision MM/DD/YYYY	Decision Outcome
None		

ADJOURNMENT HISTORY	
* Previous hearing dates where this application was adjourned by the Committee and public notice issued.	
None	



**COMMITTEE OF ADJUSTMENT REPORT  
MINOR VARIANCE APPLICATION  
A109/22**

**FILE MANAGER:** Adriana MacPherson, Administrative Coordinator - Committee of Adjustment

<b>ITEM NUMBER:</b> 6.11	<b>CITY WARD #:</b> 4
<b>APPLICANT:</b>	Fairmill Holdings Inc.
<b>AGENT:</b>	Steven De Santis
<b>PROPERTY:</b>	8700 Dufferin St, Bldg D, Vaughan
<b>ZONING DESIGNATION:</b>	See Below
<b>VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:</b>	Vaughan Official Plan 2010 ('VOP 2010'): "Prestige Employment"
<b>RELATED DEVELOPMENT APPLICATIONS:</b>	DA.22.003
<b>PURPOSE OF APPLICATION:</b>	Relief from the Zoning By-law is being requested to permit the construction of a three-storey office building and to facilitate Site Plan Application DA.22.003.

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

**The subject lands are zoned EM1 – Prestige Employment Zone and subject to the provisions of Exception 14.436 under Zoning By-law 001-2021, as amended.**

#	Zoning By-law 01-2021	Variance requested
1	All buildings or structures shall be located within the areas "Building Envelope No. 1" on Figure E-791 [Section 14.436.2.1].	To permit Building E with link to Building D to be located outside of the required Building Envelope for "Building 1" on Figure E-791.
2	The maximum gross floor area of the office building in the area labelled "Building Envelope No. 1" on Figure E-791 shall be 6,750 m2 [Section 14.436.2.3].	To permit a maximum gross floor area of the office building in the area labelled "Building Envelope No. 1" on Figure E-791 to be 7,000 m2.
3	A minimum of 337 parking spaces are required [Table 6-2, Section 6.9.2]	To permit a minimum of 299 parking spaces.
4	A minimum of 1 additional Type B Loading space is required for the proposed addition [Table 6-18, Section 6.1.1.2]	To permit no additional loading space for the proposed addition.

**The subject lands are zoned C7 – Service Commercial Zone and subject to the provisions of Exception 9(712) under Zoning By-law 1-88, as amended.**

	Zoning By-law 1-88	Variance requested
5	The only permitted use within building(s) located in the area shown as "Building Envelope No. 1" on Schedule E-791 is an Office Building provided that the maximum gross floor area of the said office building shall be 6750 m2 [Section 9(712) ai)].	To permit Building E with link to Building D to be located outside of the required Building Envelope for "Building 1" on Figure E-791 and a maximum gross floor area of 7,000 m2.
6	A minimum of 414 parking spaces are required [Section 3.8 a)]	To permit a minimum of 299 parking spaces.
7	A strip of land not less than 6.0 metres in width shall be provided along a lot line which abuts a street line and shall be used for no other purpose than landscaping [Section 5.1.1 b)].	To permit a minimum landscape strip of 3.06 metres along a lot line that abuts a street line.

**HEARING INFORMATION**

**DATE OF MEETING:** Thursday, 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](https://vaughan.ca/LiveCouncil)

HEARING INFORMATION

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](mailto: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](mailto: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

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.

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:

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.

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.

COMMITTEE OF ADJUSTMENT COMMENTS	
Date Public Notice Mailed:	June 3, 2022
Date Applicant Confirmed Posting of Sign:	June 3, 2022
Applicant Justification for Variances: <small>*As provided by Applicant in Application Form</small>	<p>To facilitate the development of a three-storey office addition:</p> <ol style="list-style-type: none"><li>1. A reduction in the required amount of change and shower facilities from 1 to 0 is required as the proposal is a minor addition to an existing office building and intends to provide more office space for new employees and therefore cannot accommodate an appropriately sized change and shower facility (Relief from by-law 1-2021)</li><li>2. An increase in permitted Office GFA would be needed to accommodate the new total office GFA of 6,789.68m and would be located outside Building Envelope 1. This variance would be necessary to accommodate the tenants need for office space (Relief form By-Law 1-2021, and 1-88)</li><li>3. The proposed office addition would need to be located outside the designated Building Envelopes to accommodate the office addition. (Relief From By-law 1-88 and 1-2021)</li><li>4. A reduction in the minimum required landscape width abutting a street is required to recognize existing conditions. (Relief from by-law 1-88)</li><li>5. A Reduction of the required Type B loading spaces from 3 to 1 is required to recognize existing site conditions. The subject site is within an existing development which adequately operates with three loading spaces, one type B and two loading spaces 9m in length. (Relief from By-law 1-2021)</li><li>6. A reduced number of parking space is required as the site is within an existing development with existing parking spaces, which was already deficient in spaces. The increase in GFA would require more parking spaces. The office addition and the introduction of new accessible parking spaces further reduces the amount of parking spaces provided. The proposed office addition maximizes the site conditions by providing by cantilevered parking.</li></ol>

COMMITTEE OF ADJUSTMENT COMMENTS	
<p><b>Adjournment Requests (from staff):</b> *Adjournment requests provided to applicant <b>prior</b> to issuance of public notice</p>	<p>On June 1, 2022, the applicant was advised the following:</p> <p>After review from our Transportation Engineer, there are a few comments needed to be addressed in a revised study, in order to further assess the parking deficiency.</p> <p>The comments in question can be found in the list below:</p> <ol style="list-style-type: none"><li>1. The review of Comprehensive Zoning By-law 001-2021 should include parking reduction by providing carpool spaces. The three carpool parking spaces result in 5 regular parking reduction.</li><li>2. Zoning By-law reviews should examine the shared parking opportunities for the office/commercial mixed-use development.</li><li>3. Please note that as of October 5th, 2021, the City of Vaughan has adopted a new TDM Guideline and Toolkit. The applicant is encouraged to go over the TDM Toolkit and see if the TDM measures suggested within the Toolkit (e.g. additional transit incentives, smartcommute program, etc.) applicable to their site could grant them the parking reduction rate they would need. The TDM guideline and Toolkit can be found at <a href="https://vaughan.ca/TDMGuide">https://vaughan.ca/TDMGuide</a>.</li><li>4. According to staff's comment dated March 25, 2022, parking study should include follow <a href="#">Vaughan's Parking Study Guidelines - April 2020.pdf</a>. Minimum two proxy sites are required for parking reduction justification. Location and time for the survey to be confirmed with the City prior to execution of the work. The existing site can be one of the locations. The proxy parking surveys in the report are not acceptable for the following reasons:<ol style="list-style-type: none"><li>a. The office proxy sites are located along/near Highway 7 and Steeles, which have different transit services than the proposed site.</li><li>b. The size of the proxy sites is not comparable. Office proxy sites over 2 times to the proposed office use. The commercial proxy site is almost 2 times for the proposed commercial use.</li><li>c. The proxy surveys are 5-6 years old.</li></ol></li><li>5. The assigned employee spaces cannot be accounted for parking rate of office use, as it does not consider office visitor parking. Surveys will be required to justify the rate for office use that is different from the rates in Zoning By-laws.</li></ol> <p>Applicant was provided an opportunity to adjourn the application. Should the application be adjourned additional rescheduling fees will apply.</p>
<p><b>Was a Zoning Review Waiver (ZRW) Form submitted by Applicant:</b></p> <p>*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.</p> <p>*A revised submission may be required to address staff / agency comments received as part of the application review process.</p> <p>*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.</p>	<p>No</p>
<b>Adjournment Fees:</b>	

COMMITTEE OF ADJUSTMENT COMMENTS	
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 <b>after</b> the issuance of public notice.	
<b>Committee of Adjustment Comments:</b>	None
<b>Committee of Adjustment Recommended Conditions of Approval:</b>	None

BUILDING STANDARDS (ZONING) COMMENTS	
<b>**See Schedule B for Building Standards (Zoning) Comments</b>	
<b>Building Standards Recommended Conditions of Approval:</b>	None

DEVELOPMENT PLANNING COMMENTS	
<b>**See Schedule B for Development Planning Comments (Recommending Adjournment).</b>	
<b>Development Planning Recommended Conditions of Approval:</b>	That all comments on Site Development Application DA.22.003 be addressed to the satisfaction of the Development Planning Department.

DEVELOPMENT ENGINEERING COMMENTS	
<a href="#">Link to Grading Permit</a> <a href="#">Link to Pool Permit</a> <a href="#">Link to Curb Curt Permit</a> <a href="#">Link Culvert Installation</a>	
Application under review	
<b>Development Engineering Recommended Conditions of Approval:</b>	Under review

PARKS, FORESTRY & HORTICULTURE (PFH) COMMENTS	
Parks: No response Forestry: Forestry is currently working with development planning for the proposed works on this site. Forestry has no additional comments at this time  Horticulture: No response	
<b>PFH Recommended Conditions of Approval:</b>	Parks: None Forestry: None Horticulture: None

DEVELOPMENT FINANCE COMMENTS	
That the payment of the City Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and City-wide Development Charge By-law in effect at time of payment.	
That the payment of Region of York Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and Regional Development Charges By-laws in effect at time of payment.	
That the payment of Education Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Education Act and York Region District School Board and York Catholic District School Board Development Charges By-laws in effect at time of payment.	
That the payment of applicable Area Specific Development Charges are payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and Area Specific Development Charge By-laws in effect at time of payment.	
<b>Development Finance Recommended Conditions of Approval:</b>	None

BY-LAW AND COMPLIANCE, LICENSING AND PERMIT SERVICES COMMENTS	
No response received to date.	
<b>BCLPS Recommended Conditions of Approval:</b>	None



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

FIRE DEPARTMENT COMMENTS	
No response received to date.	
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	Staff & 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 <a href="mailto:Michelle.perrone@vaughan.ca">Michelle.perrone@vaughan.ca</a>	That all comments on Site Development Application DA.22.003 be addressed to the satisfaction of the Development Planning Department.
2	Development Engineering <a href="mailto:farzana.khan@vaughan.ca">farzana.khan@vaughan.ca</a>	Under review

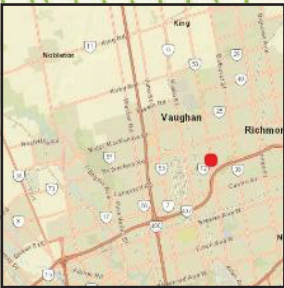
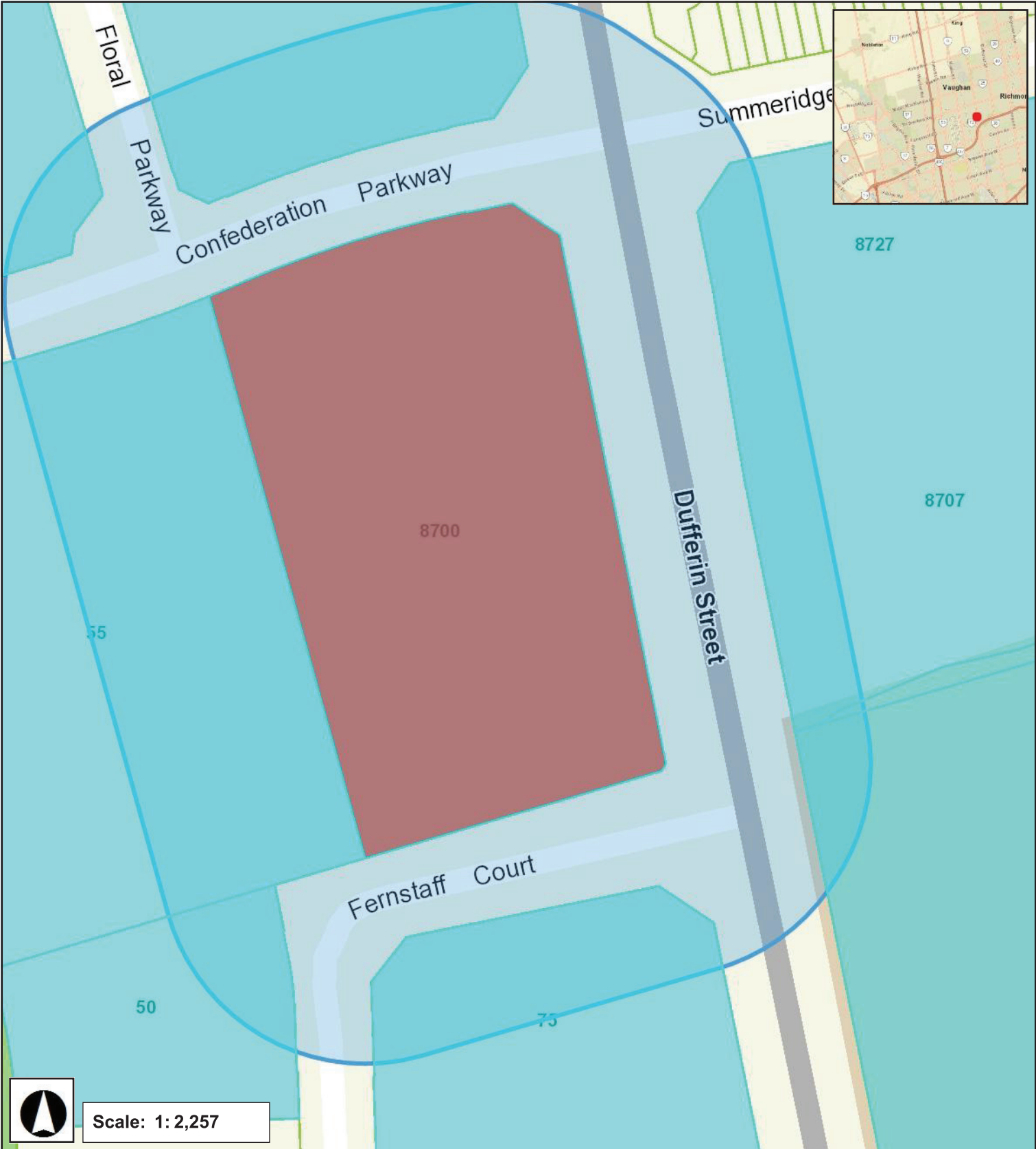
IMPORTANT INFORMATION – PLEASE READ
<b>CONDITIONS:</b> It is the responsibility of the owner/applicant and/or authorized agent to obtain and provide a clearance letter from respective department and/or agency ( <b>see condition chart above for contact</b> ). This letter must be provided to the Secretary-Treasurer to be finalized. All conditions must be cleared prior to the issuance of a Building Permit.
<b>APPROVALS:</b> 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.
<b>DEVELOPMENT CHARGES:</b> 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

IMPORTANT INFORMATION – PLEASE READ
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.
<b>NOTICE OF DECISION:</b> 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 <b>not</b> receive notice.

**SCHEDULE A: DRAWINGS & PLANS**



A109/22 - Notification Map  
8700 Dufferin Street





SCHEDULE B: STAFF & 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			No Comments Recieved to Date
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		Recommend Adjournment
Building Standards (Zoning)	X			Application under review

**To:** Committee of Adjustment  
**From:** Lindsay Haviland, Building Standards Department  
**Date:** May 09, 2022  
**Applicant:** Fairmill Holdings Inc.  
**Location:** PLAN 65M2623 Block 22 municipally known as 8700 Dufferin Street Bldg D  
**File No.(s):** A109/22

**Zoning Classification:**

The subject lands are zoned EM1 – Prestige Employment Zone and subject to the provisions of Exception 14.436 under Zoning By-law 001-2021, as amended.

#	Zoning By-law 01-2021	Variance requested
1	All buildings or structures shall be located within the areas "Building Envelope No. 1" on Figure E-791 [Section 14.436.2.1].	To permit Building E with link to Building D to be located outside of the required Building Envelope for "Building 1" on Figure E-791.
2	The maximum gross floor area of the office building in the area labelled "Building Envelope No. 1" on Figure E-791 shall be 6,750 m2 [Section 14.436.2.3].	To permit a maximum gross floor area of the office building in the area labelled "Building Envelope No. 1" on Figure E-791 to be 7,000 m2.
3	A minimum of 337 parking spaces are required [Table 6-2, Section 6.9.2]	To permit a minimum of 299 parking spaces.
4	A minimum of 1 additional Type B Loading space is required for the proposed addition [Table 6-18, Section 6.1.1.2]	To permit no additional loading space for the proposed addition.

The subject lands are zoned C7 – Service Commercial Zone and subject to the provisions of Exception 9(712) under Zoning By-law 1-88, as amended.

	Zoning By-law 1-88	Variance requested
5	The only permitted use within building(s) located in the area shown as "Building Envelope No. 1" on Schedule E-791 is an Office Building provided that the maximum gross floor area of the said office building shall be 6750 m2 [Section 9(712) ai)].	To permit Building E with link to Building D to be located outside of the required Building Envelope for "Building 1" on Figure E-791 and a maximum gross floor area of 7,000 m2.
6	A minimum of 414 parking spaces are required [Section 3.8 a)]	To permit a minimum of 299 parking spaces.
7	A strip of land not less than 6.0 metres in width shall be provided along a lot line which abuts a street line, and shall be used for no other purpose than landscaping [Section 5.1.1 b)].	To permit a minimum landscape strip of 3.06 metres along a lot line that abuts a street line.

**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:**

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	The provided site plan shows a minimum of 300 parking spaces. The applicant has advised that the proposed parking will be confirmed through the review of DA.22.003 but will not be less than 299 spaces.

**Conditions of Approval:**

If the committee finds merit in the application, the following conditions of approval are recommended.

\* 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:** Fairmill Holdings Inc.

**Location:** 8700 Dufferin Street, Bldg D

**File No.(s):** A109/22

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**Proposed Variance(s) (By-law 001-2021):**

1. To permit Building E with link to Building D to be located outside of the required Building Envelope for "Building 1" on Figure E-791.
2. To permit a maximum gross floor area of the office building in the area labelled "Building Envelope No. 1" on Figure E-791 to be 7,000 m<sup>2</sup>.
3. To permit a minimum of 299 parking spaces.
4. To permit no additional loading space for the proposed addition.

**By-Law Requirement(s) (By-law 001-2021):**

1. All buildings or structures shall be located within the areas "Building Envelope No. 1" on Figure E-791.
2. The maximum gross floor area of the office building in the area labelled "Building Envelope No. 1" on Figure E-791 shall be 6,750 m<sup>2</sup>.
3. A minimum of 337 parking spaces are required.
4. A minimum of 1 additional Type B Loading space is required for the proposed addition.

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

5. To permit Building E with link to Building D to be located outside of the required Building Envelope for "Building 1" on Figure E-791 and a maximum gross floor area of 7,000 m<sup>2</sup>.
6. To permit a minimum of 299 parking spaces.
7. To permit a minimum landscape strip of 3.06 metres along a lot line that abuts a street line.

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

5. The only permitted use within building(s) located in the area shown as "Building Envelope No. 1" on Schedule E-791 is an Office Building provided that the maximum gross floor area of the said office building shall be 6750 m<sup>2</sup>.
6. A minimum of 414 parking spaces are required.
7. A strip of land not less than 6.0 metres in width shall be provided along a lot line which abuts a street line and shall be used for no other purpose than landscaping.

**Official Plan:**

City of Vaughan Official Plan 2010 ('VOP 2010'): "Prestige Employment".

**Comments:**

The Owner is requesting the above noted variances to facilitate the development of a 3-storey office addition, identified in the application as Building E. The applicant has submitted a concurrent Site Development Application, File DA.22.003.

The Development Planning Department has no objection to Variance 1 as the proposed building addition maintains all setbacks, is within the permitted building height, and non-accessory office uses are permitted within the "Prestige Employment" designation.

The total gross floor area ('GFA') of the proposed office building (Building E) is 1,098.97 m<sup>2</sup>, resulting in a maximum GFA of 7,000 m<sup>2</sup> for office uses. Building Envelope 1 originally covered Building A and was previously expanded by Minor Variance Application A003/15 to include Building D. The Development Planning Department has no objection to Variances 2 and 5 as the intent of the site-specific exception is to limit and concentrate the GFA of office uses. The office use is confined to the northeast of the



site within two linked buildings (A and D). A third linked building (Building E) is proposed. The intent of the by-law is maintained. In addition, the 250 m<sup>2</sup> increase in GFA to Building E is considered minor in nature and is below the 10,000 m<sup>2</sup> maximum permitted for non-accessory office uses within the "Prestige Employment" designation.

The Development Planning Department has no objection to Variance 7 for the 3.06 m landscape strips, which are most narrow along the lot line that abuts Confederation Parkway. The reduced landscape strips will provide an adequate buffer between the proposed parking areas and abutting streets. The Urban Design Division of the Development Planning Department have also reviewed the minor variance application and have no objection. In addition, the variance complies with By-law 001-2021.

The Development Planning Department is of the opinion that Variances 1, 2, 5, and 7 are minor in nature, maintain the general intent and purpose of the Official Plan and Zoning By-laws, and are desirable for the appropriate development of the land.

The Development Planning Department is not in the position to support Variances 3, 4 and 6, as the Development Planning Department and Development Transportation Engineering Department has, as of the writing of these comments, yet to receive updated information from the applicant to justify the request. Once the information is received, sufficient time is needed by staff to complete their technical review to determine whether they will be in support of the proposed parking and loading reductions.

Accordingly, the Development Planning Department cannot support Variances 3, 4, and 6 and is at this time of the opinion that the proposal is not minor in nature, does not maintain the general intent and purpose of the Official Plan and Zoning By-laws, and is not desirable for the appropriate development of the land.

**Recommendation:**

The Development Planning Department recommends adjournment of the application to allow the outstanding materials to be received and reviewed.

**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.22.003 be addressed to the satisfaction of the Development Planning Department.

**Comments Prepared by:**

Michelle Perrone, Planner 1  
David Harding, Senior Planner



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) <b>Phone:</b> 1-877-963-6900 ext. 31297  <b>E-mail:</b> <a href="mailto:stephen.cranley@alectrautilities.com">stephen.cranley@alectrautilities.com</a>	Mitchell Penner Supervisor, Distribution Design-Subdivisions <b>Phone:</b> 416-302-6215  <b>Email:</b> <a href="mailto:Mitchell.Penner@alectrautilities.com">Mitchell.Penner@alectrautilities.com</a>
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## Adriana MacPherson

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**Subject:** FW: [External] RE: A109/22 - REQUEST FOR COMMENTS, CITY OF VAUGHAN (8700 Dufferin Street)

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

**Sent:** May-24-22 11:50 AM

**To:** Adriana MacPherson <Adriana.MacPherson@vaughan.ca>

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

**Subject:** [External] RE: A109/22 - REQUEST FOR COMMENTS, CITY OF VAUGHAN (8700 Dufferin Street)

Good morning Adriana,

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

*Gabrielle*

**Gabrielle Hurst MCIP, RPP** | Programs and Process Improvement | Planning and Economic Development | The Regional Municipality of York | 1-877 464 9675 ext 71538 | [gabrielle.hurst@york.ca](mailto:gabrielle.hurst@york.ca) | [www.york.ca](http://www.york.ca)

## Adriana MacPherson

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**Subject:** FW: [External] RE: A109/22 - REQUEST FOR COMMENTS, CITY OF VAUGHAN (8700 Dufferin Street)

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**From:** Stephen Bohan <Stephen.Bohan@trca.ca>

**Sent:** May-17-22 8:45 AM

**To:** Committee of Adjustment <CofA@vaughan.ca>

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

**Subject:** [External] RE: A109/22 - REQUEST FOR COMMENTS, CITY OF VAUGHAN (8700 Dufferin Street)

### Ontario Regulation 166/06

The subject property is not located within TRCA's Regulated Area. As such, any site alteration or development on the property would not require a permit from TRCA.

### Source Protection Plan

The property is located within an area subject to the Source Protection Plan (SPP). The SPP under the *Clean Water Act*, 2006, developed for the Credit Valley, Toronto and Region and Central Lake Ontario (CTC) Source Protection Region, took effect on December 31, 2015. The proposed works are in a vulnerable area referred to as a Wellhead Protection Area – Q2 (WHPA-Q2).

The site is located within an area of the WHPA-Q2 that has been identified as being down-gradient of municipal wells. As such, the project is exempt from the REC-1 part 2 policy. Development of the site is still subject to the REC-1 part 1 policy of the CTC SPP. In accordance with the REC-1 part 1 policy, new development is required to implement best management practices, such as Low Impact Development (LID), with the goal of maintaining predevelopment recharge.

### Application Specific Comments

Given that the proposed works will not result in any changes to impervious surface cover on the property, there will be no change to the average annual recharge on the site. As such, it is the opinion of TRCA staff that the REC-1 policies are not triggered, and no water balance is necessary.

Based on the above, TRCA have no objection to the approval of A109/22.

Regards,

**Stephen Bohan**

Senior Planner

Development Planning and Permits | Development and Engineering Services

Toronto and Region Conservation Authority (TRCA)

T: [\(416\) 661-6600](tel:4166616600) ext 5743

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SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE

Correspondence Type	Name	Address	Date Received (mm/dd/yyyy)	Summary
None				