



Staff Report Summary

Item #8

Ward #3

File: B039/19

Applicant: DFT Moose GP LLC

Address: 1 Century Place, Concord

Agent: MHBC Planning

Please note that comments received after the preparation of this Staff Report (up until 4:00 p.m. on the last business day prior to the day of the scheduled hearing date) will be provided as an addendum.

Commenting Department	<input checked="" type="checkbox"/> Positive Comment	Condition(s) <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
	<input checked="" type="checkbox"/> Negative Comment	
Committee of Adjustment	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Building Standards	<input checked="" type="checkbox"/>	
Development Planning	<input checked="" type="checkbox"/>	
Cultural Heritage (Urban Design)	<input checked="" type="checkbox"/>	
Development Engineering	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Parks, Forestry and Horticulture Operations		
By-law & Compliance		
Financial Planning & Development	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Real Estate Department	<input checked="" type="checkbox"/>	
Fire Department		
TRCA		
Ministry of Transportation	<input checked="" type="checkbox"/>	
Region of York	<input checked="" type="checkbox"/>	
Alectra (Formerly PowerStream)	<input checked="" type="checkbox"/>	
Public Correspondence (see Schedule B)	<input checked="" type="checkbox"/>	

Adjournment History: None

Background History: None

Staff Report Prepared By: Adriana MacPherson
Hearing Date: Thursday, February 27, 2020



Consent Application
B039/19

Agenda Item: 8

Ward: 3

Prepared By: Adriana MacPherson Assistant Secretary Treasurer

Date of Hearing: Thursday, February 27, 2020

Applicant: DFT Moose GP LLC

Agent: MHBC Planning

Property: 1 Century Place, Concord

Zoning: The subject lands are zoned PBM7 9(691) and subject to the provisions of Exception 9(691) under By-law 1-88 as amended.

OP Designation: Vaughan Official Plan 2010 ("VOP 2010"): General Employment, Prestige Employment, Parkway Belt West Lands, and Infrastructure and Utilities

Related Files: None

Purpose: Consent is being requested to permit an easement over Parts 1, 2, 3 and 4 (on the draft Reference Plan submitted with the application) for access purposes (vehicular) in favour of the adjacent lands to the east, which contain an electrical substation owned by Alectra Utilities Corporation (dominant land).

The proposed easement will grant vehicular access to the Alectra Utilities electrical substation located on the dominant land.

Background (Previous Applications approved by the Committee on the subject land: None

For information on the previous approvals listed above please visit www.vaughan.ca. To search for a file number, enter it using quotes around it. For example, "B001/17".

To search property address, enter street number and street name using quotes. For example, "2141 Major Mackenzie". Do not include street type (i.e. drive).

Adjournment History: None

Staff & Agency Comments

Please note that staff/agency comments received after the preparation of this Report will be provided as an addendum item to the Committee. Addendum items will shall only be received by the Secretary Treasurer until **4:00 p.m.** on the last business day **prior** to the day of the scheduled Meeting.

Committee of Adjustment:
Public notice was mailed on February 12, 2020

Applicant confirmed posting of signage on February 10, 2020

Existing Building or Structures on the subject land: The subject land is vacant.

Recommended conditions of approval:

1. That the applicant’s solicitor provides the secretary-treasurer with a copy of the prepared draft transfer document to confirm the legal description of the subject lands. Subject land applies **only** to the severed parcel, leased land, easement etc. as conditionally approved by the Committee of Adjustment.
2. That the applicant provides two (2) full size copies of the deposited plan of reference of the entire land which conforms substantially with the application as submitted.
3. Payment of the Certificate Fee as provided on the City of Vaughan’s Committee of Adjustment Fee Schedule.

Adjournment Request: None

Building Standards (Zoning Review):

Stop Work Order(s) and Order(s) to Comply: There are no outstanding Orders on file

Building Permit No. 16-004196 for Single Use (Industrial) - Non-Res Demolition, Issue Date: Jan 18, 2017
Building Permit No. 16-004600 for Single Use (Industrial) - Interior Unit Alteration, Issue Date: Aug 16, 2019
Building Permit No. 16-003704 for Single Use (Industrial) - Non-Res Demolition, Issue Date: Nov 11, 2016
Building Permit No. 16-004600 for Single Use (Industrial) - Interior Unit Alteration, Issue Date: Feb 28, 2018
Building Permit No. 16-004600 for Single Use (Industrial) - Interior Unit Alteration, Issue Date: Mar 06, 2019
Building Permit No. 16-004600 for Single Use (Industrial) - Addition, Issue Date: Sep 25, 2017
Building Permit No. 16-004600 for Single Use (Industrial) - Interior Unit Alteration, Issue Date: Apr 23, 2018
Building Permit No. 19-001674 for Single Use (Industrial) - Interior Unit Alteration, Issue Date: Oct 25, 2019
Building Permit No. 16-004600 for Single Use (Industrial) - Interior Unit Alteration, Issue Date: Sep 25, 2017
Building Permit No. 16-004600 for Single Use (Industrial) - Interior Unit Alteration, Issue Date: Feb 15, 2017
Building Permit No. 16-004600 for Single Use (Industrial) - Interior Unit Alteration, Issue Date: Apr 18, 2017
Building Permit No. 16-004600 for Single Use (Industrial) - Foundation - Only, Issue Date: May 17, 2017
Building Permit No. 16-004600 for Single Use (Industrial) - Interior Unit Alteration, Issue Date: Apr 23, 2018

Building Department Staff have no additional comments in respect to this application.

Development Planning:

Vaughan Official Plan 2010 ('VOP 2010'): General Employment, Prestige Employment, Parkway Belt West Lands, and Infrastructure and Utilities.

The Owner is requesting permission to facilitate an access easement in favour of the lands located at Part 1 of 65R-14251, which is an existing electrical substation owned by Alectra Utilities over parts 1,2,3 and 4 on the draft R-plan provided. Historically, access to the electrical substation was provided directly from Weston Road, which has been eliminated when the adjacent lands to the west were developed.

The Development Planning Department has no objection to the proposed access easement, and is of the opinion that the requested access easement maintains the intent of VOP 2010, and the consent criteria stipulated in Section 51(24) of the *Planning Act, R.S.O. 1990, c. P.13*.

The Development Planning Department recommends approval of the application.

Cultural Heritage (Urban Design):

No Response.

Development Engineering:

The Development Engineering (DE) Department does not object to consent application B039/19 subject to the following condition(s):

The owner/applicant shall arrange to prepare and register a reference plan at their expense for the consent of an easement of the subject lands and showing all existing and proposed easements to the satisfaction of DE. The owner/applicant shall submit a draft reference plan to the Development Engineering Department for review prior to deposit.

Parks Development:

No Response.

By-Law and Compliance, Licensing and Permit Services:

No Response.

Financial Planning and Development Finance:

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 Special Area Development Charges are payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and Special Area Development Charge By-laws in effect at time of payment.

Recommended condition of approval:

The owner shall pay all property taxes as levied. Payment is to be made by certified cheque, to the satisfaction of the City of Vaughan Financial Planning and Development Finance Department (contact Nelson Pereira to have this condition cleared).

Fire Department:
No Response.

Schedule A – Plans & Sketches

Schedule B – Public Correspondence
Application Cover Letter & Planning Justification Report

Schedule C - Agency Comments
Alectra (Formerly PowerStream) – No concerns or objections
Region of York – No concerns or objections
MTO – No concerns or objections

Schedule D - Previous Approvals (Notice of Decision)
None

Staff Recommendations:
Staff and outside agencies (i.e. TRCA) act as advisory bodies to the Committee of Adjustment. Comments received are provided in the form of recommendations to assist the Committee.

The Planning Act sets the standard to which provincial interests, provincial and local policies and goals are implemented. Accordingly, review of the application considers the following:

- ✓ Conform to Section 51(24) as required by Section 53(12) of the Planning Act.
- ✓ Conform to the City of Vaughan Official Plan.
- ✓ Conform to the Provincial Policy Statements as required by Section 3(1) of the Planning Act.

Should the Committee find it appropriate to approve this application, the following conditions have been recommended:

	Department/Agency	Condition
1	Committee of Adjustment Christine Vigneault 905-832-8585 x 8332 christine.vigneault@vaughan.ca	1. That the applicant’s solicitor provides the secretary-treasurer with a copy of the prepared draft transfer document to confirm the legal description and PIN of the subject lands. Subject land applies only to the severed parcel, leased land, easement etc. as conditionally approved by the Committee of Adjustment. 2. That the applicant provides two (2) full size copies of the deposited plan of reference of the entire land which conforms substantially with the application as submitted. 3. Payment of the Certificate Fee as provided on the City of Vaughan’s Committee of Adjustment Fee Schedule.
2	Development Engineering Jason Pham 905-832-8585 x 8716 Jason.pham@vaughan.ca	The owner/applicant shall arrange to prepare and register a reference plan at their expense for the consent of an easement of the subject lands and showing all existing and proposed easements to the satisfaction of DE. The owner/applicant shall submit a draft reference plan to the Development Engineering Department for review prior to deposit.
3	Development Finance Nelson Pereira 905-832-8585 x 8393 nelson.pereira@vaughan.ca	The owner shall pay all property taxes as levied. Payment is to be made by certified cheque, to the satisfaction of the City of Vaughan Financial Planning and Development Finance Department (contact Nelson Pereira to have this condition cleared).

Warning:

Conditions must be fulfilled within one year from the date of the giving of the Notice of Decision, failing which this application shall thereupon be deemed to be refused. No extension to the last day for fulfilling conditions is permissible.

Notice to the Applicant – 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;

Notice to Public

WRITTEN SUBMISSIONS: Any person who supports or opposes this application, but is unable to attend the hearing, may make a written submission, together with reasons for support or opposition. Public written submissions on an Application shall only be received by the Secretary Treasurer until **4:00 p.m.** on the last business day **prior** to the day of the scheduled Meeting.

Written submissions can be mailed and/or emailed to:

City of Vaughan
Committee of Adjustment
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1
CofA@vaughan.ca

ORAL SUBMISSIONS: If you wish to attend the meeting you will be given an opportunity to make an oral submission. Presentations to the Committee are generally limited to 5 minutes in length. Please note that Committee of Adjustment meetings are audio recorded. Your name, address comments and any other personal information will form part of the public record pertaining to this application.

PUBLIC RECORD: Personal information 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.

NOTICE OF DECISION: If you wish to be notified of the decision in respect to this application or a related Local Planning Appeal Tribunal (LPAT) 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.

For more information please contact the City of Vaughan, Committee of Adjustment

Adriana MacPherson

T 905 832 8585 Extension 8360

E CofA@vaughan.ca

Schedule A: Plans & Sketches

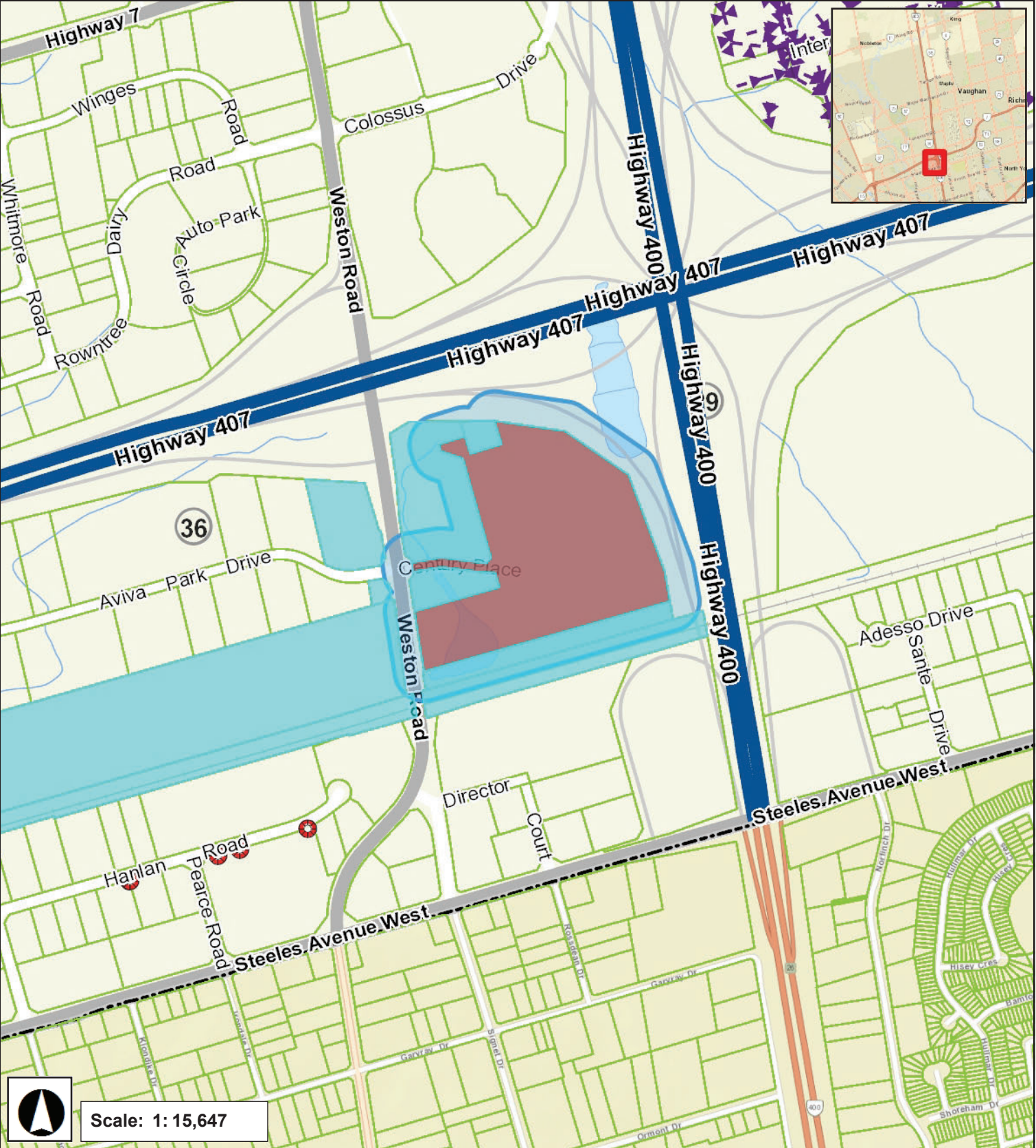
Please note that the correspondence listed in Schedule A is not comprehensive. Plans & sketches received after the preparation of this staff report will be provided as an addendum. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

Location Maps
Sketches



B039/19 - Notification Map

1 Century Place, Concord





Site Plan

1 Century Place

Part of Lots 2 and 3, Concession 5
Geographic Township of Vaughan
City of Vaughan
Regional Municipality of York

Legend

- Subject Property (Dominant Lands)
- Servient Lands (1 Century Place)
- Proposed Vehicular Easement
- Existing Lot Fabric
- Existing Access

Date January 3, 2020

Sources Google Earth aerial photography captured June 9, 2018
Parcel Fabric from Land Information Ontario
Vehicular Easement from Draft Plan of Survey by Lloyd & Purcell dated March 1, 2019

Scale 0 50 100 Meters (1:3000)

N:\Vaughan\Alectra - Century Place - 16162B\Drawings\CAD\16162B - Site Plan.dwg

Schedule B: Public Correspondence Received

Please note that the correspondence listed in Schedule B is not comprehensive. Written submissions received after the preparation of this staff report will be provided as an addendum. Written submissions from the public will only be accepted / processed until 12:00 p.m. on the date of the scheduled hearing.

Application Cover Letter & Planning Justification Report

December 13, 2019

Christine Vigneault

Manager, Development Services & Secretary Treasurer to the Committee of Adjustment
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1T1

Dear Ms. Vigneault,

**RE: Consent (Right-of-way) Application Submission – 1 Century Place, City of Vaughan
OUR FILE 16162B**

On behalf of the property owner, DFT Moose GP LLC and the agent, Alectra Utilities Corporation, we are pleased to submit the enclosed consent application for the subject property located at 1 Century Place in the City of Vaughan.

The proposed consent application is for the purpose of gaining access to the existing Alectra Utilities electrical substation. The application proposes to establish a vehicular access easement in favour of utility substation located at Pt Lt 3 Con 5 Vaughan Pt 1, 65r14251 ; T/w Ease As In R589101; Vaughan. (the "dominant lands") over the property located at 1 Century Place (the "servient lands").

In support of the application, enclosed you will find the following:

- One (1) copy of the Consent Application Form;
- One (1) copy of the Owner's Authorization for Consent dated November 2, 2018;
- One (1) copy of the Planning Justification Report prepared by MHBC Planning dated December 2019;
- One (1) copy of the Proposed Draft Easement Reference Plan prepared by Lloyd & Purcell Ltd. dated March 1, 2019; and,
- One (1) cheque in the amount of \$3,546.00 made payable to the City of Vaughan.

We look forward to working with the City of Vaughan on the processing of this application. Please advise if there is any additional information that you require.

Yours truly,

MHBC



Jonathan Pauk, HBASc., MSc.
Planner



Jamie Robinson, BES, MCIP, RPP
Partner

PLANNING JUSTIFICATION **REPORT**

CONSENT FOR EASEMENT
TO PROVIDE RIGHT-OF-WAY FOR VEHICULAR EASEMENT

One Century Place
City of Vaughan

Date:

December 13, 2019

Prepared for:

Alectra Utilities Corporation

Prepared by:

MacNaughton Hermesen Britton Clarkson Planning Limited (MHBC)

113 Collier Street
Barrie ON L4M 1H2
T: 705 728 0045
F: 705 728 2010

Our File 16162B

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Figure 1: Site Location

Figure 2: York Region Official Plan

Figure 3: City of Vaughan Official Plan

Figure 4: City of Vaughan Zoning By-law

Appendix 1: Draft Reference Plan Showing the Location of the Proposed Access Easement

1.0 INTRODUCTION

MacNaughton Hermesen Britton Clarkson Planning Limited (“MHBC”) has been retained by Alectra Utilities Corporation (hereinafter “the Applicant”) to seek approval for a consent for an easement that will provide a right-of-way for vehicular easement.

The proposed easement is located on the westerly portion of the property municipally known as 1 Century Place in the City of Vaughan. The lot subject to the proposed easement is legally described as PIN: 03228-0275 (LT); Part Lots 2 and 3, Concession 5, Vaughan, Parts 3, 8, 13, 14, 15, 16, 17, 18 and 19, 65R29508; S/T VA84760 assigned by R312155; S/T easement as in R589101; S/T easement over Part 8, 65R29508 in favour of Part Lots 2 and 3, Concession 5, Parts 1, 2, 4, 5, 6, 7, 20, 21, 22 and 23, 65R29508, as in YR1177526; T/W easement over Part Lot 3, Concession 5, Part 4, 65R29508, as in YR1177526; T/W over Part Lot 3, Concession 5, Part 5, 65R29508, as in YR1177526; T/W easement over Part Lots 2 and 3, Concession 5, Part 7, 65R29508, as in YR1177526; T/W easement over Part Lots 2 and 3, Concession 5, Parts 7, 20 and 23, 65R29508, as in YR1177526; T/W ease over Part Lots 2 and 3, Concession 5, Parts 7, 22 and 23, 65R29508, as in YR1177526; T/W easement over Part Lots 2 and 3, Concession 5, Part 7, 65R29508, as in YR1177526; T/W easement over Part Lot 2, Concession 5, Parts 10, 12 and 24, 65R29508 as in YR1261918; T/W easement over Part Lot 2, Concession 5, Parts 10 and 12, 65R29508, as in YR1261918; S/T easement over Part 8, 65R29508 in favour of Part Lot 2, Concession 5, Parts 9, 10, 11, 12, 24 and 25, 65R29508, as in YR1261918; together with an easement over Part Lot 2, Concession 5 (Vaughan), Part 1 65R32446 as in YR1561063; subject to an easement over Parts 1 and 2, 65R35083 in favour of Part Lots 2 and 3, Concession 5, Parts 1, 2, 4, 5, 6, 7, 20, 21, 22 and 23 65R29508 as in YR2174371; Together with an easement over Parts 1, 2 and 3, 65R37348 as in YR2753841, City of Vaughan.

The Applicant is seeking approval of a consent application for a vehicular access easement to gain access to the electrical substation on the adjacent lands owned by the Applicant. The owner of the subject property is DFT Moose GP LLC, and has authorized the Applicant to make the application for consent on its behalf.

The historic access to the electrical substation from Weston Road has been eliminated due to closing of the entrance to Weston Road and the construction of a parking lot between Weston Road and the location of the Applicant’s electrical substation.

The location of the proposed access easement is designated as “Urban” in York Region’s Official Plan and is designated as “General Employment” in the City of Vaughan’s Official Plan. The area of the easement is also located within the “Parkway Belt Industrial (PBM7)” Zone in the City of Vaughan’s Zoning By-law. The proposed location of the access easement will cross the portion of the DFT Moose GP LLC property, which is located within the “Parkway Belt Industrial (PBM7)” Zone.

2.0 PROPOSAL AND SITE DESCRIPTION

The subject property is located on the south west corner of Highway 400 and Highway 407 as illustrated in Figure 1. The subject property is located on the east side of Weston Road; and are located south of Highway 407 and to the west of Highway 400. The subject property is located on the site of the former Toronto Star Newspaper property and are currently used as a data centre. The subject property has a lot area of approximately 11.5 hectares.

The proposed access easement has an area of approximately 1 hectare and has 20 metres of frontage on Weston Road. The frontage of the easement is reflective of the existing entrance on Weston Road that supports two-way traffic. The width of the proposed easement in the interior of the site is approximately 18 metres wide and 226 metres in length. A draft reference plan showing the location of the proposed access easement is included as Appendix 1 to this Report. The proposed easement is identified as Parts 1, 2, 3, 4 and 5.

The surrounding land uses of the proposed easement are described as follows:

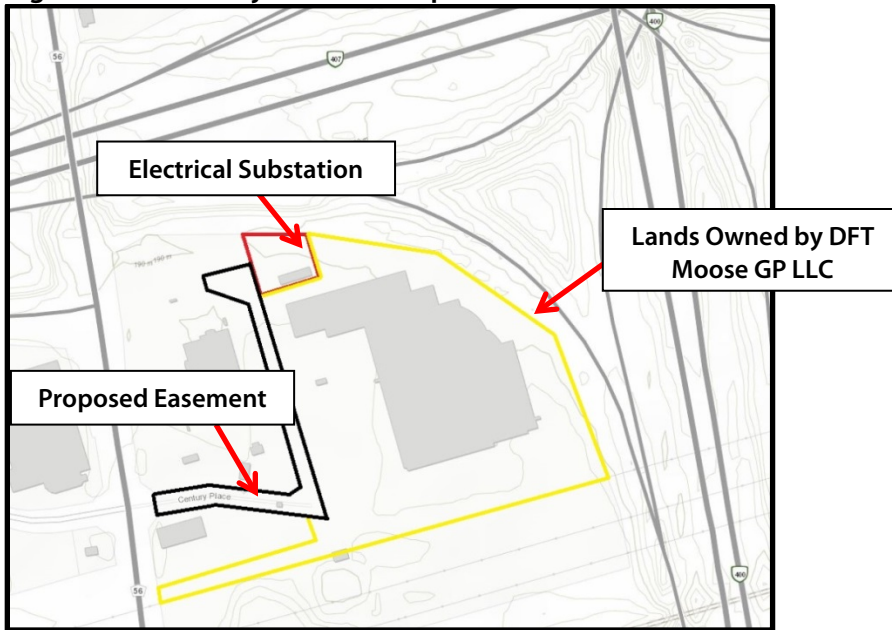
NORTH: Highway 407 and Retail Commercial (Staples – Woodbridge);

EAST: Highway 400 southbound lane;

SOUTH: Industrial (Torstar Printing - old Toronto Star building);

WEST: Industrial (Automotive Automation business - Alfield Industries, Metal production and assembly plant -Martinrea International Inc., and Lifetime Athletic Gym.

Figure 1: Lands Subject to the Proposed Easement



3.0 PLANNING ANALYSIS

The following is a review of the applicable land use planning policy framework.

3.1 Provincial Policy Statement (2014)

The Provincial Policy Statement 2014 (hereinafter referred to as the “PPS”) was approved by the Ministry of Municipal Affairs and Housing on April 30, 2014, and is applicable to the proposed consent application. The following is a summary of the relevant policies contained in the PPS in regards to the proposal.

Section 1.1.1 g) states that healthy, liveable and safe communities are sustained by *“ensuring that necessary infrastructure, electricity generation facilities and transmission and distribution systems, and public service facilities are or will be available to meet current and projected needs.”*

The PPS defines infrastructure as follows:

“Physical structures (facilities and corridors) that form the foundation for development. Infrastructure includes: sewage and water systems, septage treatment systems, stormwater management systems, waste management systems, electricity generation facilities, electricity transmission and distribution systems, communications/telecommunications, transit and transportation corridors and facilities, oil and gas pipelines and associated facilities.”

Section 1.7.1 b) states that long-term economic prosperity should be supported by *“optimizing the long-term availability and use of land, resources, infrastructure, electricity generation facilities and transmission and distribution systems, and public service facilities.”*

The proposed access easement to the electrical substation is consistent with both Section 1.1.1 g) and Section 1.7.1 b), as the easement provides access to an existing electrical station owned by the Applicant that is part of a system that has been designed to provide for the current and projected needs of the area.

The proposed easement is consistent with the PPS.

3.2 A Place to Grow - Growth Plan for the Greater Golden Horseshoe (2019)

A Place To Grow - The Growth Plan for the Greater Golden Horseshoe (hereinafter referred to as the “Growth Plan”) is applicable to the Site.

Section 3.2 of the Growth Plan contains policies for Infrastructure to Support Growth. As stated in Section 3.2.1.2, planning for new or expanded infrastructure will occur in an integrated manner. The proposed easement facilitates access to existing infrastructure that is integrated with existing infrastructure in the area.

The proposed easement conforms to the policies contained in the Growth Plan.

3.3 York Region Official Plan (2016)

Map 1 – Regional Structures of the York Region Official Plan designates the property as “Urban Area” as illustrated in Figure 3. The “Urban Area” designation aims to provide stable residential and employment uses that assist in meeting the growth forecast of the Region while also providing for a unique sense of identity. The property is also located within the “Parkway Belt West Plan” overlay.

Figure 2: York Region Official Plan



Section 6.1.6 of the Official Plan permits transportation and utility infrastructure in all land use designations. The proposed access easement that is to provide access to the electrical substation is considered to be an infrastructure and utility use and is recognized as a permitted use within the Official Plan. The proposal conforms to the policies of the York Region Official Plan.

3.4 City of Vaughan Official Plan (2010)

In accordance with Schedule 13 – Land Use of the City of Vaughan’s Official Plan, the property is designated “General Employment”, “Prestige Employment”, “Parkway Belt Lands” and

“Infrastructure and Utilities” as illustrated in Figure 3. The “Infrastructure and Utilities” designation is representative of the electricity lines corridor on the southern portion of the property.

Furthermore, Schedule 1 (Urban Structure) of the Official Plan identifies the subject property as being located in an Employment Area; and Schedule 10 (Major Transit Network) of the Official Plan identifies Weston Road as being a “Regional Transit Priority Network.”

Figure 3: City of Vaughan Official Plan



Section 9 of the Official Plan provides policies for the permitted building types and land use designations. Section 9.2.1 provides general land use policies. Section 9.2.1.11 states that “*public utilities are permitted in all land use designations with the exception of the Core Features of the Natural Heritage Network identified on Schedule 2 and any hazards areas where public utilities may not necessarily be appropriate.*”

The proposed easement will provide for legal access to an existing electrical transmission substation which is a permitted use.

Section 10.1.2.34 of the Official Plan contains detailed policies related to consent applications. Specifically, Section 10.1.2.36 states that “*a consent may be permitted for the following purposes:*

- a. The creation of new lots;*
- b. Boundary adjustments to existing lots;*

- c. The creation of easements over existing lots; and/or,
- d. To convey additional lands to an adjacent lot, provided a lot smaller than that otherwise permitted by the Zoning By-law is not created."

In accordance with Section 10.1.2.36 c), an application has been submitted to create an easement over a portion of the existing lot to provide access to the hydro substation where a previous access has been removed. The proposed consent application is permitted in accordance with Section 10.1.2.36 (c) of the City's Official Plan.

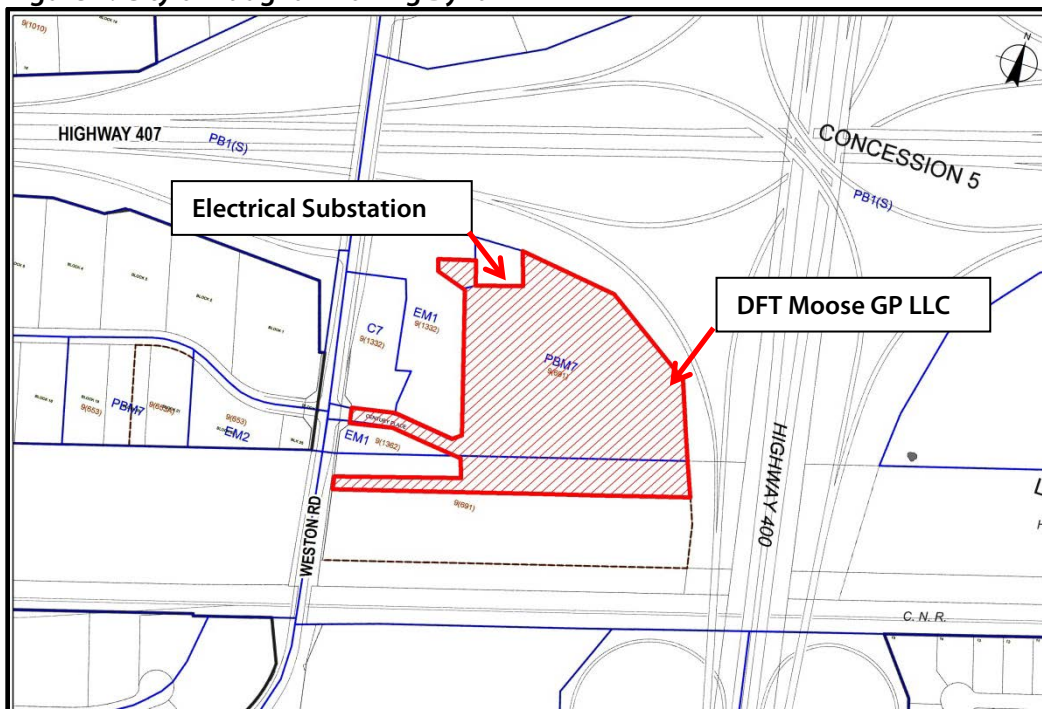
The consent policies within the Official Plan primarily pertain to consents to sever new lots; however, in response to these policies the proposed easement will respect the character of the existing area, will not require any infrastructure improvements or capital expenditures and will provide safe access to the subject property.

The proposed easement to the electrical substation will assist in achieving service delivery requirements set out by the Applicant. Based on our review, the proposal is in conformity with the City of Vaughan's Official Plan.

3.5 City of Vaughan Zoning By-law (1-88)

The City of Vaughan's Zoning By-law identifies the subject property as being zoned Parkway Belt Industrial Zone (PBM7) as illustrated in Figure 3.

Figure 4: City of Vaughan Zoning By-law



The general provisions are set out in Section 3.0 of the Zoning By-law. Section 3.10 permits the public use of lands in any zone provided that:

- i) *No goods, material or equipment shall be stored in the open, except where open storage is a permitted use;*
- ii) *The lot coverage and yard requirements described for the Zone shall be complied with;*

The proposed easement will provide for legal access to the electrical substation which is a public use and permitted as per Section 3.10 of the Zoning By-law.

The proposed consent would facilitate an easement that would comply with the City's Zoning By-law.

4.0 CONCLUSION

The proposed easement will not alter the existing built form and character of the area. The easement will provide for legal access to the Applicant's electrical substation, which is an existing permitted use in the Zoning By-law.

The proposed easement will be granted over an existing interior access roadway. The use of the easement is for access to a substation and is not anticipated to generate a noticeable increase in vehicle trips and will not impact the existing intersection.

Based on a detailed review of all applicable Provincial, Regional and City planning policies, as well as considering the site location, conditions, context and surrounding uses, the proposed consent application for an access easement to the existing electrical substation is consistent with the policies of the Provincial Policy Statement, conforms to the Growth Plan for the Greater Golden Horseshoe, the York Region Official Plan, the City of Vaughan Official Plan and complies with the provisions contained within the City of Vaughan's Zoning By-law.

Respectfully submitted,

MHBC



Jonathan Pauk HBASc. , MSc.
Planner



Jamie Robinson, BES, MCIP, RPP
Partner

Schedule C: Agency Comments

Please note that the correspondence listed in Schedule C is not comprehensive. Comments received after the preparation of this staff report will be provided as an addendum. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

- Alectra Comments – No conditions, no concerns
- York Region Comments – No conditions, no concerns
- MTO – No Conditions, no concerns

MacPherson, Adriana

Subject: FW: B039/19 - Request for Comments

From: Della Mora, Dan (MTO) <Dan.DellaMora@ontario.ca>

Sent: February-12-20 11:23 AM

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

Cc: Vigneault, Christine <Christine.Vigneault@vaughan.ca>; Scholz, Kevin (MTO) <Kevin.Scholz@ontario.ca>

Subject: RE: B039/19 - Request for Comments

Thanks.

The site is located within MTO Permit Control Area. Any physical works proposed would require an MTO Permit from this office.

MTO has no further comments on the proposed easement.

Regards,

Dan

Dan Della Mora

Senior Project Manager

416-235-4081

Dan.DellaMora@ontario.ca



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COMMENTS:

☐

We have reviewed the proposed Consent Application and have no comments or objections to its approval.

☒

We have reviewed the proposed Consent Application and have no objections to its approval, subject to the following comments (attached below).

☐

We have reviewed the proposed Consent Application and have the following concerns (attached below).

Alectra Utilities (formerly PowerStream) has received and reviewed the proposed Consent 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
Phone: 1-877-963-6900 ext. 31297
Fax: 905-532-4401
E-mail: stephen.cranley@alectrautilities.com

Mr. Tony D'Onofrio
Supervisor, Subdivisions & New Services
Phone: 1-877-963-6900 ext. 24419
Fax: 905-532-4401
Email: tony.donofrio@alectrautilities.com

MacPherson, Adriana

Subject: FW: B039/19 - Request for Comments

From: Hurst, Gabrielle <Gabrielle.Hurst@york.ca>
Sent: February-04-20 2:03 PM
To: MacPherson, Adriana <Adriana.MacPherson@vaughan.ca>
Subject: RE: B039/19 - Request for Comments

Good afternoon Adriana,
The Regional Municipality of York has completed its review of the above minor variance application and has no comment.
Regards,

Gabrielle

Gabrielle Hurst | MCIP, RPP, Planning and Economic Development, Corporate Services

1-877-464-9675 ext. 71538

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