

**ITEM #: 6.1**

**COMMITTEE OF ADJUSTMENT REPORT  
CONSENT APPLICATION  
B017/22  
5875 HWY 7, VAUGHAN**

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

**PUBLIC & APPLICANT CORRESPONDENCE**

\*Please see **Schedule C** of this report for a copy of the public & applicant correspondence listed below.

The deadline to submit public comments is **noon on the last business day prior to the scheduled hearing date.**

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
Agent	Weston Consulting		10/06/2022	Application Cover Letter

**PREVIOUS COA DECISIONS ON THE SUBJECT LAND**

\*Please see **Schedule D** 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	
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**COMMITTEE OF ADJUSTMENT REPORT  
CONSENT APPLICATION  
B017/22  
5875 HWY 7, VAUGHAN**

<b>ITEM NUMBER: 6.1</b>	<b>CITY WARD #: 2</b>
<b>APPLICANT:</b>	Bostar Inc.
<b>AGENT:</b>	Weston Consulting Inc.
<b>PROPERTY:</b>	5875 Hwy 7, Vaughan
<b>ZONING DESIGNATION:</b>	See Below
<b>VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:</b>	City of Vaughan Official Plan 2010 ('VOP 2010'): "Employment Commercial Mixed-Use"
<b>RELATED DEVELOPMENT APPLICATIONS:</b>	B018/22
<b>PURPOSE OF APPLICATION:</b>	<p>Consent is being requested for an easement over Parts 1 to 11, inclusive, on the draft reference plan submitted with the application (servient land) for servicing (sanitary and watermain) purposes in favour of the abutting lands to the south municipally known as 131 Regalcrest Court (dominant land).</p> <p>The proposed easement will facilitate development associated with related files Z.19.034 and DA.19.085.</p>

**HEARING INFORMATION**

**DATE OF MEETING:** Thursday, March 2, 2023  
**TIME:** 6:00 p.m.  
**MEETING LOCATION:** Vaughan City Hall, Council Chamber, 2141 Major Mackenzie Drive, Vaughan  
**LIVE STREAM LINK:** [Vaughan.ca/LiveCouncil](http://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](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.

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

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

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:** February 8, 2023

### COMMITTEE OF ADJUSTMENT COMMENTS

<b>Date Applicant Confirmed Posting of Sign:</b>	February 6, 2023	
<b>Adjournment Requests (from staff):</b> <small>*Adjournment requests provided to applicant prior to issuance of public notice</small>	None	
<b>Was a Zoning Review Waiver (ZRW) Form submitted by Applicant:</b> <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	
<b>Adjournment Fees:</b> 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>	<ol style="list-style-type: none"> <li>1. That the applicant's solicitor confirms the legal description of the lands subject to the easement (servient lands).</li> <li>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.</li> <li>3. That the applicant provides an electronic copy of the deposited reference plan to cofa@vaughan.ca</li> <li>5. Payment of the Certificate Fee as provided on the City of Vaughan's Committee of Adjustment Fee Schedule.</li> </ol>	

### 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.</b>	
<b>Development Planning Recommended Conditions of Approval:</b>	None

### 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>	
The Development Engineering Department does not object to the consent application B017/22, Subject to the following Condition(s):	
<b>Development Engineering Recommended Conditions of Approval:</b>	<p>The Owner/applicant shall arrange to prepare and register a reference plan at their expense showing all existing and proposed easements to the satisfaction of Development Engineering Department (DE) for the Subject Lands applicable to the Consent Application. The Owner/applicant shall submit the deposited reference plan to DE in order to clear this condition.</p> <p>The Owner/applicant shall provide proof of an agreement or easement documents between the property owners of the severed and retained lands including sufficient language to clearly describe the nature of the shared servicing &amp; access easements, all to the satisfaction of Development Engineering. The easement agreement should indicate that the owners are responsible to ensure proper maintenance and repairs of servicing connection(s) in the easement.</p>

## PARKS, FORESTRY & HORTICULTURE (PFH) COMMENTS

Forestry: Forestry is working with development planning on this project.

<b>PFH Recommended Conditions of Approval:</b>	None
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## 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>	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).
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## BY-LAW AND COMPLIANCE, LICENSING AND PERMIT SERVICES COMMENTS

No comments received to date.

<b>BCLPS Recommended Conditions of Approval:</b>	None
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## BUILDING INSPECTION (SEPTIC) COMMENTS

No comments received to date.

<b>Building Inspection Recommended Conditions of Approval:</b>	None
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## FIRE DEPARTMENT COMMENTS

Owner shall agree to provide the following for the purpose of fire safety and firefighting operations.

1. 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.
2. Hydrants shall be unobstructed and ready for use at all times.
3. Assess roadways shall be maintained and suitable for large heavy vehicles.
4. Temporary Municipal address to be posted and visible for responding emergency vehicles satisfactory to the city.
5. Fire Route to be posted prior to construction.

<b>Fire Department Recommended Conditions of Approval:</b>	None
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## SCHEDULES TO STAFF REPORT

\*See Schedule for list of correspondence

<b>Schedule A</b>	Drawings & Plans Submitted with the Application
<b>Schedule B</b>	Staff & Agency Comments
<b>Schedule C</b> (if required)	Correspondence (Received from Public & Applicant)
<b>Schedule D</b> (if required)	Previous COA Decisions on the Subject Land

Should the Committee find it appropriate to approve this application, 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	Committee of Adjustment <a href="mailto:christine.vigneault@vaughan.ca">christine.vigneault@vaughan.ca</a>	<ol style="list-style-type: none"> <li>1. That the applicant’s solicitor confirm the legal description of the lands subject to the easement (servient lands).</li> <li>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.</li> <li>3. That the applicant provide an electronic copy of the deposited reference plan to <a href="mailto:cofa@vaughan.ca">cofa@vaughan.ca</a></li> <li>5. Payment of the Certificate Fee as provided on the City of Vaughan’s Committee of Adjustment Fee Schedule.</li> </ol>
2	Development Engineering <a href="mailto:lan.reynolds@vaughan.ca">lan.reynolds@vaughan.ca</a>	<ol style="list-style-type: none"> <li>1. The Owner/applicant shall arrange to prepare and register a reference plan at their expense showing all existing and proposed easements to the satisfaction of Development Engineering Department (DE) for the Subject Lands applicable to the Consent Application. The Owner/applicant shall submit the deposited reference plan to DE in order to clear this condition.</li> <li>2. The Owner/applicant shall provide proof of an agreement or easement documents between the property owners of the severed and retained lands including sufficient language to clearly describe the nature of the shared servicing &amp; access easements, all to the satisfaction of Development Engineering. The easement agreement should indicate that the owners are responsible to ensure proper maintenance and repairs of servicing connection(s) in the easement.</li> </ol>
3	Development Finance <a href="mailto:nelson.pereira@vaughan.ca">nelson.pereira@vaughan.ca</a>	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).

## IMPORTANT INFORMATION – PLEASE READ

**CONDITIONS:** Conditions must be fulfilled within **two years** 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.

**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 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

**IMPORTANT INFORMATION – PLEASE READ**

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**











METRIC DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

REGION ROAD No. 7  
(ROAD ALLOWANCE BETWEEN LOTS 5 AND 6, CONCESSION 8)

DEPOSITED PLAN 2790 (AUTO PLAN P-1718-4)

DEPOSITED PLAN 5581 (AUTO PLAN P-2103-35)

PIN 03311-1042

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.		<b>PLAN 65R-</b>	
DATE	2023	RECEIVED AND DEPOSITED	DATE
CHARM N. DZALDOV ONTARIO LAND SURVEYOR		REPRESENTATIVE FOR LAND REGISTRATION FOR THE AND TITLES DIVISION OF THE REGISTRY OF LANDS	
<b>SCHEDULE</b>			
PART	LOT	CONCESSION	AREA (m <sup>2</sup> )
1	5	8	6.9
2	5	8	1.2
3	5	8	2.7
4	5	8	1.0
5	5	8	1.0
6	5	8	1.0
7	5	8	1.0
8	5	8	1.0
9	5	8	1.0
10	5	8	1.0
11	5	8	1.0

PLAN OF SURVEY OF  
PART OF LOT 5, CONCESSION 8  
GEOGRAPHIC TOWNSHIP OF VAUGHAN  
CITY OF VAUGHAN  
REGIONAL MUNICIPALITY OF YORK  
SCALE 1:150  
SCHAEFFER DZALDOV PURCELL LTD.

**NOTES**

- 1. DROPPED: PLANNED UNBUILT
- 2. FOUND: FOUND MONUMENT
- 3. SHOWN: SHOWN ON PREVIOUS PLAN
- 4. SHOWN: SHOWN ON PREVIOUS PLAN
- 5. SHOWN: SHOWN ON PREVIOUS PLAN
- 6. SHOWN: SHOWN ON PREVIOUS PLAN
- 7. SHOWN: SHOWN ON PREVIOUS PLAN
- 8. SHOWN: SHOWN ON PREVIOUS PLAN
- 9. SHOWN: SHOWN ON PREVIOUS PLAN
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- 18. SHOWN: SHOWN ON PREVIOUS PLAN
- 19. SHOWN: SHOWN ON PREVIOUS PLAN
- 20. SHOWN: SHOWN ON PREVIOUS PLAN

ALL FOUND MONUMENTS ARE NUMBERED 022 UNLESS OTHERWISE NOTED.

BERNARDS ARE RELATED TO REGISTERED PLAN 65R-3033 AND PLAN 65R-37150.

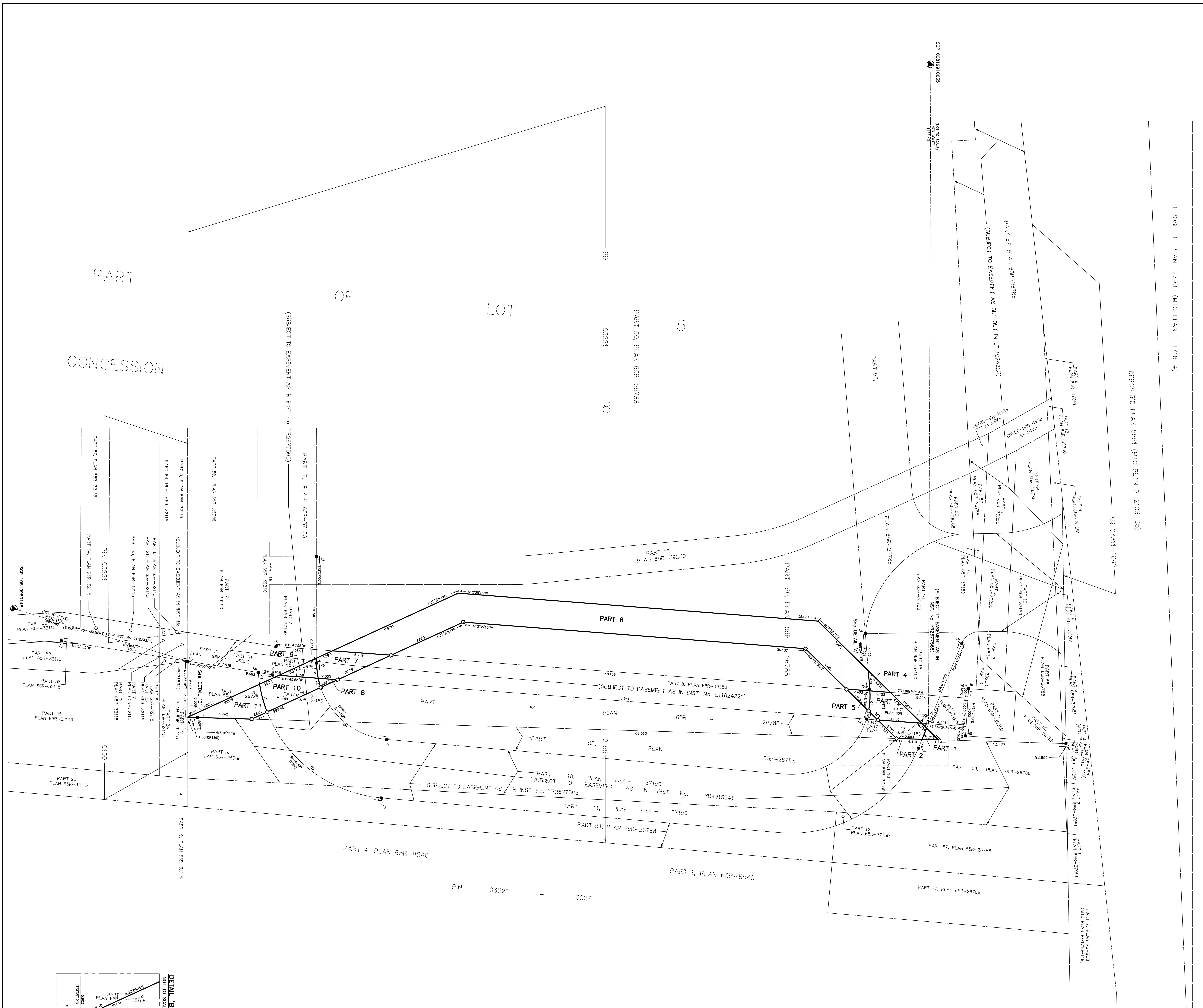
UTM GRID BERNARDS ARE DERIVED FROM SPECIFIC CONTROL POINTS 02R190355 AND 02R190356 IN UTM ZONE 17N, NAD83, CONVERSION TO CONFORM TO THE BERNARDS SHOWN ON THIS PLAN. DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY A CORRECTION SCALE FACTOR OF 0.99974.

SPECIFIC CONTROL POINTS (SCPS) IN UTM ZONE 17N, NAD83, COORDINATES TO UTM ACCURACY PER SEC. 14(3) OF OREG. 216/10 POINT ID. NORthing

SCPS 02R190355	4847212.522	601891.028
SCPS 02R190356	4847212.522	601891.028
SCPS 02R190357	4847212.522	601891.028
SCPS 02R190358	4847212.522	601891.028
SCPS 02R190359	4847212.522	601891.028
SCPS 02R190360	4847212.522	601891.028
SCPS 02R190361	4847212.522	601891.028
SCPS 02R190362	4847212.522	601891.028
SCPS 02R190363	4847212.522	601891.028
SCPS 02R190364	4847212.522	601891.028
SCPS 02R190365	4847212.522	601891.028
SCPS 02R190366	4847212.522	601891.028
SCPS 02R190367	4847212.522	601891.028
SCPS 02R190368	4847212.522	601891.028
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SCPS 02R190396	4847212.522	601891.028
SCPS 02R190397	4847212.522	601891.028
SCPS 02R190398	4847212.522	601891.028
SCPS 02R190399	4847212.522	601891.028
SCPS 02R190400	4847212.522	601891.028

**CURVE TABLE**

NO.	START	END	CHORD	CHORD BEARING	CHORD DISTANCE	CHORD BEARING	CHORD DISTANCE
01	485.1	485.1	8.301	N78°28'55"W	7.122	N78°28'55"W	7.122
02	2.122	8.301	10.676	N78°28'55"W	7.122	N78°28'55"W	7.122
03	6.992	8.301	10.676	N78°28'55"W	7.122	N78°28'55"W	7.122
04	1.688	8.301	10.676	N78°28'55"W	7.122	N78°28'55"W	7.122
05	1.688	8.301	10.676	N78°28'55"W	7.122	N78°28'55"W	7.122
06	1.688	8.301	10.676	N78°28'55"W	7.122	N78°28'55"W	7.122
07	1.688	8.301	10.676	N78°28'55"W	7.122	N78°28'55"W	7.122
08	1.688	8.301	10.676	N78°28'55"W	7.122	N78°28'55"W	7.122
09	1.688	8.301	10.676	N78°28'55"W	7.122	N78°28'55"W	7.122
10	1.688	8.301	10.676	N78°28'55"W	7.122	N78°28'55"W	7.122
11	1.688	8.301	10.676	N78°28'55"W	7.122	N78°28'55"W	7.122
12	1.688	8.301	10.676	N78°28'55"W	7.122	N78°28'55"W	7.122
13	1.688	8.301	10.676	N78°28'55"W	7.122	N78°28'55"W	7.122
14	1.688	8.301	10.676	N78°28'55"W	7.122	N78°28'55"W	7.122
15	1.688	8.301	10.676	N78°28'55"W	7.122	N78°28'55"W	7.122
16	1.688	8.301	10.676	N78°28'55"W	7.122	N78°28'55"W	7.122
17	1.688	8.301	10.676	N78°28'55"W	7.122	N78°28'55"W	7.122
18	1.688	8.301	10.676	N78°28'55"W	7.122	N78°28'55"W	7.122
19	1.688	8.301	10.676	N78°28'55"W	7.122	N78°28'55"W	7.122
20	1.688	8.301	10.676	N78°28'55"W	7.122	N78°28'55"W	7.122



**SURVEYOR'S CERTIFICATE**

I CERTIFY THAT:

1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE REGULATIONS MADE UNDER THE LAND TITLES ACT AND THE SURVEY ACT.
2. THE SURVEY WAS COMPLETED ON THE DAY OF JANUARY, 2023.

DATE: JANUARY 2023

CHARM N. DZALDOV  
ONTARIO LAND SURVEYOR

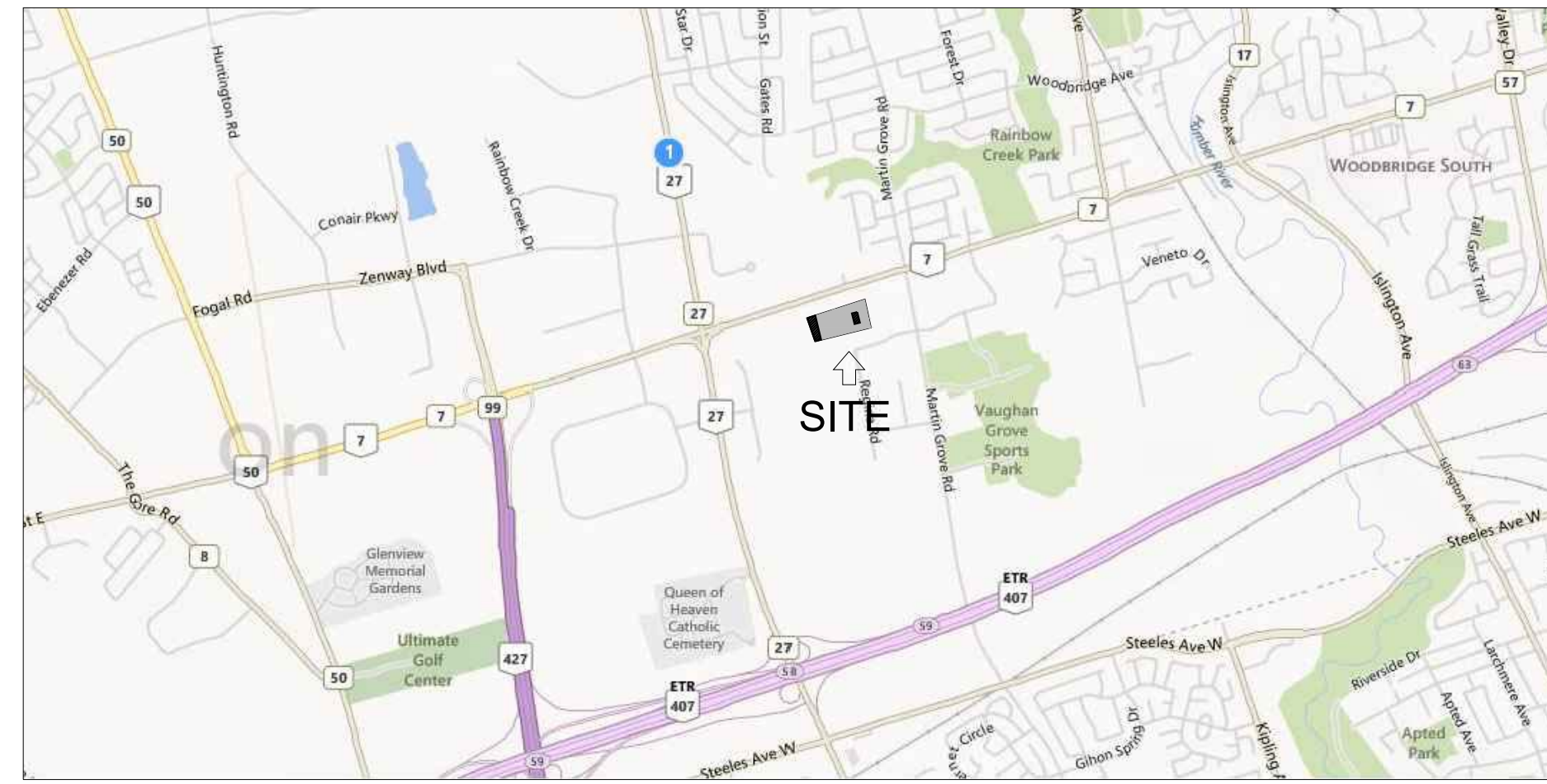
THIS PLAN OF SURVEY RELATES TO A/S PLAN SUBMISSION FORM NUMBER \_\_\_\_\_

**SCHAEFFER DZALDOV PURCELL LTD.**  
64 JARDIN DRIVE  
CONCORD, ONTARIO L4K 3P3  
TEL: (416) 987-7001  
FAX: (416) 987-7002  
WWW.SDP.LTD.

SCALE 1:150 | JOB NO. 14-004-13  
PLOT SIZE: 384x2 JANUARY 10, 2023

PLAN 65R-1





KEY PLAN  
SCALE N.T.S.

**PROPOSED SITE STATISTICS:**

**PARCEL AREA:** 18,785 m<sup>2</sup> (202,207 sq.ft.)  
**SITE COVERAGE:**  
 TOTAL FOOTPRINT: 5,748.34 m<sup>2</sup> (61,852.13 sq.ft.) 30.60%  
 TOTAL GFA: 8729.34 m<sup>2</sup> (93,927.70 sq.ft.)

**BUILDING AREAS: FOOTPRINT**

PROPOSED BLDG. 'A'	TOTAL FLOOR AREA		
	m <sup>2</sup>	ft <sup>2</sup>	
GROUND FLOOR	417	4,488	OFFICE
SECOND FLOOR	860	9,257	OFFICE
THIRD FLOOR	860	9,257	OFFICE
TOTAL GFA	2,137	23,002	

EXISTING BLDG. 'B'	TOTAL FLOOR AREA		
	m <sup>2</sup>	ft <sup>2</sup>	
GROUND FLOOR	4,906	52,809	INDUSTRIAL
SECOND FLOOR	1,261	13,574	OFFICE
TOTAL GFA	6,167	66,383	

PROPOSED BLDG.- C	TOTAL FLOOR AREA		
	m <sup>2</sup>	ft <sup>2</sup>	
DRIVE-THRU RESTAURANT	190.48	2050	DRIVE-THRU RESTAURANT
RESTAURANT-2	185.88	2000	RESTAURANT
GARBAGE RM (COMMON)	26.26	283	
STORAGE	22.72	244	
TOTAL GFA	425.34	4577	

**PARKING:**

REQUIRED: AS PER GENERAL BY-LAW 1-88 REQTS. RATIO # OF PARKING SPACES

PROPOSED BUILDING 'A'	— OFFICE	.035	75
EXISTING BLDG. 'B' (GROUND FLR.)	— INDUSTRIAL	.015	74
EXISTING BLDG. 'B' (SECOND FLR.)	— OFFICE	.035	44
BLDG. 'C': PROPOSED RESTAURANT-EATING ESTABLISHMENT: CONVENIENCE WITH DRIVE THROUGH		.16	34
BLDG. 'C': PROPOSED RESTAURANT-EATING ESTABLISHMENT: CONVENIENCE		.20	42
TOTAL			269 CARS

REQUIRED (AS PER EXCEPTION 9(291) UNDER BY-LAW 1-88 AS AMENDED)  
 \* 600 - 335 = 265 SPACES/CARS.

PROVIDED # OF PARKING SPACES

PROPOSED BUILDING 'A'	— OFFICE	75
EXISTING BLDG. 'B' (GROUND FLR.)	— INDUSTRIAL	74
EXISTING BLDG. 'B' (SECOND FLR.)	— OFFICE	44
PROPOSED BLDG. 'C' RESTAURANT- EATING ESTABLISHMENT: CONVENIENCE WITH DRIVE THROUGH		34
PROPOSED BLDG. 'C' RESTAURANT 2- EATING ESTABLISHMENT: CONVENIENCE		30
TOTAL		257 CARS + 2 LOADING

\* EXISTING # PARKING SPACES PROVIDED: 306  
 \* TOTAL # OF PARKING SPACES TAKEN AWAY: 49

**BIKE RACK:**

9 RINGS -INVERTED U BIKE RACK  
 (FOR 18 BIKES)

**LANDSCAPE AREA:**

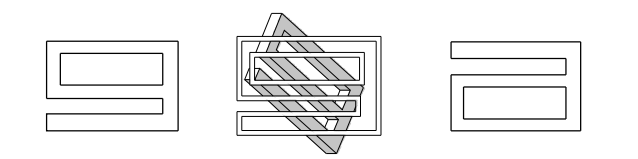
EXISTING: 2977.00 M<sup>2</sup>  
 PROPOSED: 2733.68 M<sup>2</sup>  
 (or 14.55% OF SITE AREA)

**SNOW STORAGE AREA:**

REQUIRED: 379.40 M<sup>2</sup>  
 PROPOSED: 399.7 M<sup>2</sup>  
 (or 2.12% OF SITE AREA)  
 \*REFER TO LANDSCAPE PLAN

All material herein remains property of the architect noted below.

Giancarlo Garofalo Architect Inc.  
 www.ggarchitect.ca

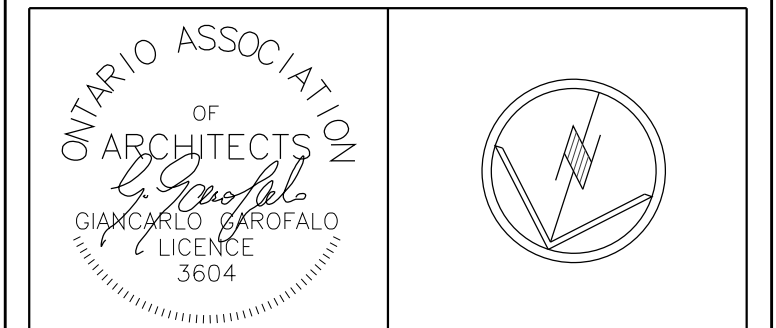


672 Dupont Street Suite 309  
 Toronto, Ontario M6G 1Z6  
 t: 416.531.1265  
 f: 416.531.4733  
 e: ggarchitect@bellnet.ca

THE GENERAL CONTRACTOR SHALL REPORT AND VERIFY ALL DIMENSIONS AND REPORT ERRORS AND OMISSIONS TO THE ARCHITECT. DRAWINGS MUST NOT BE SCALED.

THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNLESS COUNTERSIGNED BY:

Consultant  
 Address  
 Phone  
 Fax  
 e-mail



No.	Description	Date
1.	Issued for review	May 13, 2013
2.	Issued for review	May 24, 2013
3.	Issued for review	Oct 11, 2013
4.	Issued for Client review	May 26, 2014
5.	Issued for PAC	Jun 19, 2014
6.	Issued for SPA	Dec 12, 2014
7.	Issued for Coordination	Jul 07, 2015
8.	Issued for Review	Jul 09, 2015
9.	Re-issued Coordination	Dec 10, 2015
10.	Re-issued as per City comment	Dec 17, 2015
11.	Issued for Review	Feb 11, 2016
12.	Issued for Coordination	Feb 16, 2016
13.	Issued for Coordination	Feb 23, 2016
14.	Issued for C of A	Mar 01, 2016
15.	Issued as per C of A comment	Dec 23, 2016
16.	Issued per City SPA and York Region comment	Mar 15, 2016
17.	Issued for Review	Aug 23, 2018
18.	Issued for Review	Jan 10, 2019
19.	Issued for Review	Jan 16, 2019
20.	Issued for Review	Feb 01, 2019
21.	Hydro easement realignment shown	May 10, 2019
22.	Parking count corrected	Feb 04, 2020
23.	Re-issued as per City comment	Mar 09, 2020
24.	Re-issued as per City comment	Jul 29, 2020
25.	Re-issued as per City comment	Mar 23, 2022
26.	Re-issued as per City comment	Apr 13, 2022
27.	Re-issued as per City comment	May 09, 2022
28.	SANITARY EASEMENT ADDED	Jan 12, 2023

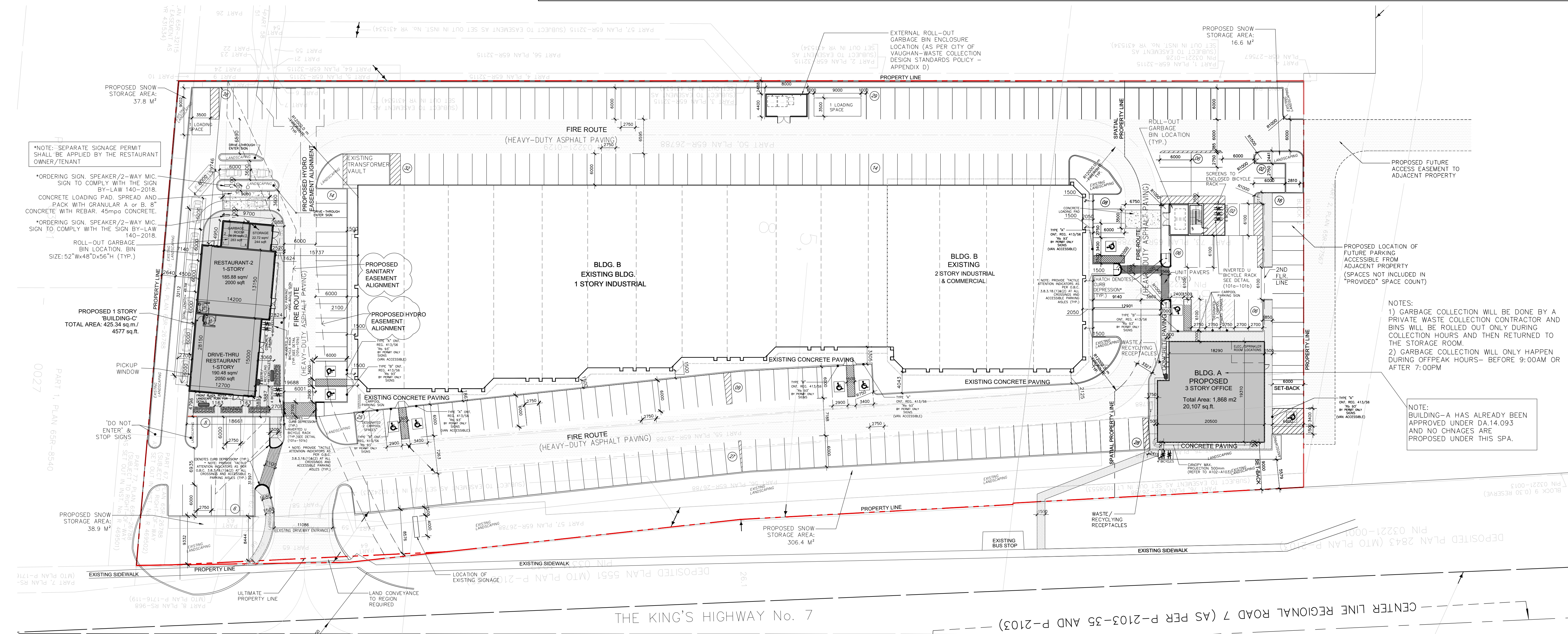
**5875 HIGHWAY 7**  
 Proposed Commercial Development  
 City of Vaughan, Ontario

**SITE PLAN & STATISTICS**

Project number  
 Date: MAY 2014  
 Drawn by: J.C.  
 Checked by: G.G.

**A100**

Scale as noted



**1 SITE PLAN**  
 SCALE = 1:400

SUBJECT TO EASEMENT AND RIGHT-OF-WAY IN FAVOUR OF 1639328 ONTARIO LIMITED, 1741640 ONTARIO LIMITED, 1741641 ONTARIO LIMITED, 1741642 ONTARIO LIMITED, 1639722 ONTARIO LIMITED FOR THE PURPOSE OF VEHICULAR AND PEDESTRIAN ACCESS OWNING INGRESS AND EGRESS TO AND FROM REGIONAL ROAD 7 (FORMERLY THE KING'S HIGHWAY No. 7) AND BLOCK 1, REGISTERED PLAN 65M-3033.

NOTE:  
 ANY ABOVE-GROUND DISCHARGE FROM A DOWNSPOUT SHALL BE DIRECTED TO DISCHARGE AND SHALL BE CONTAINED ON THE PROPERTY IN A MANNER THAT IT SHALL NOT CAUSE DAMAGE TO ANY ADJOINING PROPERTY OR CREATE A HAZARDOUS CONDITION ON THE STAIRWAY, WALKWAY, STREET OR BOULEVARD.

REGIONAL ROAD No. 7 (Road Allowance between Lots 5 and 6, Concession 8) PIN 03311-1042

THE KING'S HIGHWAY No. 7

CENTER LINE REGIONAL ROAD 7 (AS PER P-2103-35 AND P-2103) PIN 03311-1042



<b>SCHEDULE B: STAFF &amp; AGENCY COMMENTS</b>				
<b>DEPT/AGENCY</b>	<b>Circulated</b>	<b>Comments Received</b>	<b>Conditions</b>	<b>Nature of Comments</b>
TRCA *Schedule B	X			No Comments Received to Date
Ministry of Transportation (MTO) *Schedule B	X	X		General Comments
Region of York *Schedule B	X			No Comments Received to Date
Alectra *Schedule B	X			No Comments Received to Date
Bell Canada *Schedule B	X			No Comments Received to Date
YRDSB *Schedule B				
YCDSB *Schedule B				
CN Rail *Schedule B				
CP Rail *Schedule B				
TransCanada Pipeline *Schedule B	X			No Comments Received to Date
Metrolinx *Schedule B				
Propane Operator *Schedule B				
Development Planning	X	X		Recommend approval no conditions.
Building Standards (Zoning)	X	X		General Comments

Hydro X X General Comments

**To:** Committee of Adjustment  
**From:** Catherine Saluri, Building Standards Department  
**Date:** November 1, 2022  
**Applicant:** Bostar Inc.  
**Location:** 5875 Hwy 7  
**File No.(s):** B017/22

**Zoning Classification:**

The subject lands are zoned EMU, Employment Commercial Mixed-Use Zone and subject to the provisions of Exception 14.151 under Zoning By-law 001-2021.

The subject lands are zoned EM1, Prestige Employment Area and subject to the provisions of Exception (1537) under Zoning By-law 1-88, as amended.

**Other Comments:**

<b>General Comments</b>	
1	The subject consent application is to permit an easement over Parts 12, 13, 14, 15, 16 & 17 on Plan 65R-39250 (servient land) for servicing (sanitary and watermain) purposes in favour of the abutting lands to the south municipally known as 131 and 155 Regalcrest Court (dominant land), and therefore the Zoning By-law requirements for Lot Area, Lot Frontage and Lot Depth are not applicable.
2	The proposed easement will facilitate development associated with related files Z.19.034 and DA.19.085.

**Conditions of Approval:**

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

None.

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

**Lenore Providence**

**From:** SHLLAKU Paul <Paul.Shllaku@hydroone.com>  
**Sent:** February-14-23 2:54 PM  
**To:** Committee of Adjustment  
**Subject:** [External] City of Vaughan - 5875 Hwy 7- B017-22

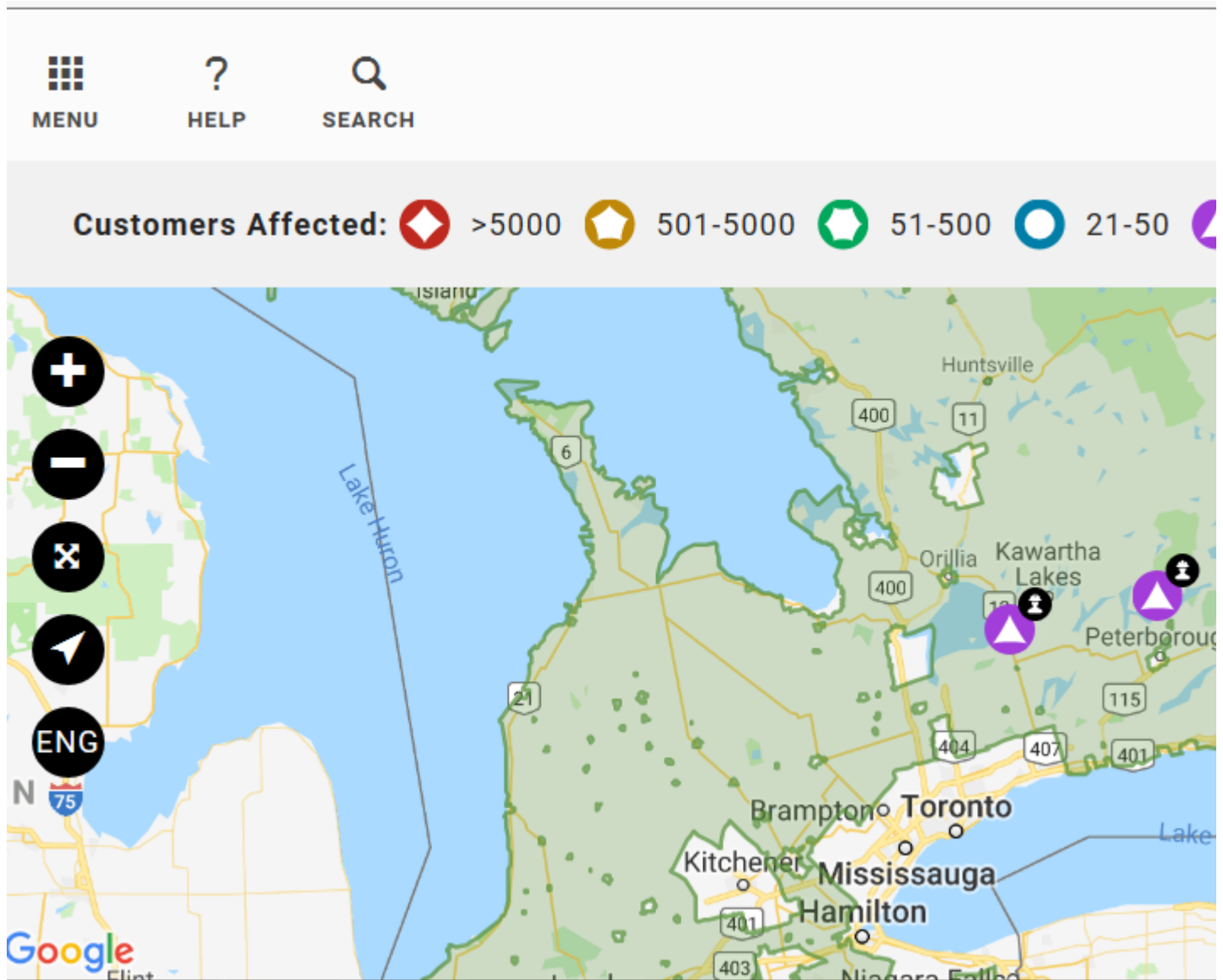
Hello,

We are in receipt of your Application for Consent, B017-22 dated . We have reviewed the documents concerning the noted Application and have no comments or concerns at this time. **Our preliminary review considers issues affecting Hydro One’s 'High Voltage Facilities and Corridor Lands' only.**

For proposals affecting 'Low Voltage Distribution Facilities' please consult your local area Distribution Supplier.

To confirm if Hydro One is your local distributor please follow the following link:  
<http://www.hydroone.com/StormCenter3/>

Please select “ Search” and locate address in question by entering the address or by zooming in and out of the map



If Hydro One is your local area Distribution Supplier, please contact Customer Service at 1-888-664-9376 or e-mail [CustomerCommunications@HydroOne.com](mailto:CustomerCommunications@HydroOne.com) to be connected to your Local Operations Centre

Please let me know if you have any questions or concerns.

Thank you,

**Dennis De Rango**

Specialized Services Team Lead, Real Estate Department  
Hydro One Networks Inc.

**From:** [Blaney, Cameron \(MTO\)](#)  
**To:** [Christine Vigneault](#)  
**Subject:** [External] RE: B017/22 & B018/22 (5875 Hwy 7) - REQUEST FOR COMMENTS, CITY OF VAUGHAN  
**Date:** Thursday, November 3, 2022 3:54:27 PM

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This site is outside of MTO permit control area and does not require MTO permits or review.

**Cameron Blaney | Corridor Management Planner | Simcoe & York**

Highway Corridor Management Section – Central Operations

159 Sir William Hearst Avenue | Ministry of Transportation

7<sup>th</sup> Floor, Building D | Downsview, Ontario | M3M 0B7

416-358-7871

[Cameron.Blaney@ontario.ca](mailto:Cameron.Blaney@ontario.ca)



**To:** Christine Vigneault, Committee of Adjustment Secretary Treasurer  
**From:** Nancy Tuckett, Director of Development Planning  
**Date:** February 16, 2023  
**Name of Owner:** Bostar Inc. (c/o Riccardo Bozzo)  
**Location:** 5875 Highway 7  
**File No.(s):** B017/22

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**Proposal:**

The Owner has submitted Consent Application File B017/22 to realign a servicing easement in favour of the neighbouring lands to the south, municipally known 131 Regalcrest Court ("NAPCO Lands").

**Official Plan:**

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

**Comments:**

On June 28, 2022, Council approved Zoning By-law Amendment File Z.19.034, while Site Development File DA.19.085 received draft approval to facilitate the development of a one-storey restaurant pad and three-storey office building, in addition to the existing multi-unit building. A wide servicing easement is located on the east side of the property. The easement provides water and sewer service to addresses 131 and 155 Regalcrest to the south. This application is specific to 131 Regalcrest. The one-storey restaurant pad is proposed upon the sanitary line. A Condition of Site Plan Approval requires the Owner to relocate the existing sanitary sewer line outside of the proposed building envelope, to the satisfaction of the Development Engineering Department. The relocation requires municipal consent in the form of this application. The existing easement is proposed to remain, as the water service within it falls outside of the proposed building envelope.

The Development Engineering Department has reviewed the proposed relocated easement and has no objection.

Accordingly, the Development Planning Department has no objection to the requested severance and is of the opinion that the proposal conforms to VOP 2010, and the consent criteria stipulated in Section 51(24) of the Planning Act, R.S.O. 1990, c P.13.

**Recommendation:**

The Development Planning Department recommends approval of the application.

**Conditions of Approval:**

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

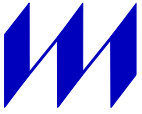
None.

**Comments Prepared by:**

Joshua Cipolletta, Planner I  
David Harding, Senior Planner

**SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE**

<b>Correspondence Type</b>	<b>Name</b>	<b>Address</b>	<b>Date Received (mm/dd/yyyy)</b>	<b>Summary</b>
Agent	Weston Consulting		10/06/2022	Application Cover Letter



# WESTON CONSULTING

planning + urban design

Committee of Adjustment  
Office of the City Clerk  
City of Vaughan  
2141 Major Mackenzie Drive  
Vaughan, ON L6A 1T1

October 6, 2022  
Revised January 12, 2023  
File 9280

**RE: Application for Consent (Servicing Easement Realignment)  
For 5875 Highway 7 in Favour of 131 Regalcrest Court  
City of Vaughan**

Weston Consulting is the planning consultant for Bostar Inc., the registered owner of the property municipally known as 5875 Highway 7 (herein referred to as the “subject property”) in the City of Vaughan.

The purpose of this consent application is to facilitate the realignment of an existing servicing easement on the subject property in favour of the owner of the neighbouring lands to the south municipally addressed as 131 Regalcrest Court being NAPCO – Royal Pipe and Fittings, a Westlake Company (“NAPCO”). This realignment is required in order to facilitate the proposed redevelopment of the subject property in accordance with the active applications described below.

An associated Consent application (B018/22) to facilitate the same realignment of the servicing easement in favour of the adjacent neighbouring property located at 155 Regalcrest Court (also being NAPCO) has also been submitted for consideration by the Committee.

## **Application History of the Subject Property**

Applications for Zoning By-law Amendment (Z.19.034) and Site Development Revision (DA.19.085) were submitted to the City of Vaughan to facilitate the redevelopment of the subject property with the addition of a one-storey restaurant pad and three-storey office building in addition to the existing multi-unit building. On June 28, 2022, City Council approved Zoning By-law Amendment File Z.19.034 and enacted site-specific Zoning By-law 133-2022, as well as draft approved Site Development File DA.19.085 subject to conditions to facilitate the proposed development. This Consent application is filed in support of the clearance of Condition 1f) of the enclosed Conditions of Site Plan Approval prior to the execution of the Site Plan Letter of Undertaking.

## **Description of the Subject Property**

The subject property is located on the south side of Highway 7, east of Highway 27 in the Woodbridge planning area of the City of Vaughan. The subject property is generally rectangular

in shape and has a total area of approximately 1.88 hectares (4.64 acres) and an approximate frontage of 224.88 metres along Highway 7. The subject property is currently occupied by an existing multi-unit commercial and employment building with associated at-grade parking areas proposed to remain unchanged. Surrounding land uses consist primarily of employment uses, such as industrial and commercial uses to the north, east, south, and vacant lands to the west.

Please refer to the enclosed Parcel Abstract for the full legal description of the subject property.



*Figure 1: Aerial Photograph*

### **Proposed Servicing Easement**

The proposed servicing easement will facilitate the realignment of a below-grade sanitary service system along the portion identified in Figure 2 below. These underground services are currently shared by Bostar Inc. and NAPCO, the owner of the lands immediately south of the subject property. The realignment is required in order to allow for the construction of a new one-storey standalone restaurant pad in the location of the existing easement as approved by City Council on June 28, 2022.

C.F. Crozier & Associates Inc., the consulting engineer for NAPCO, has reviewed the civil site servicing modifications proposed by the approved applications and has provided consent in principle for the proposed realignment of the services and associated easement per the enclosed letter dated May 19, 2022.

The realignment of the servicing easement would result in the following (see Figure 2):

1. Facilitation of the redesign and modifications to the shared sanitary sewer, identified as Parts 1-11 on the enclosed draft R-Plan which will take place wholly within the subject property and will connect at the existing connection point at the shared property line between the subject property and the NAPCO lands to the south at 131 and 155 Regalcrest Court.
2. A new alignment for the sanitary easement in accordance with the Draft Plan to reflect the redesign and realignment of the above noted sanitary sewer system. The realigned easement will connect into the existing servicing easement on the eastern portion of the site entirely within the boundaries of the subject property. This application does not contemplate any changes to the location of the existing servicing easement on the subject property or the NAPCO lands to the south.

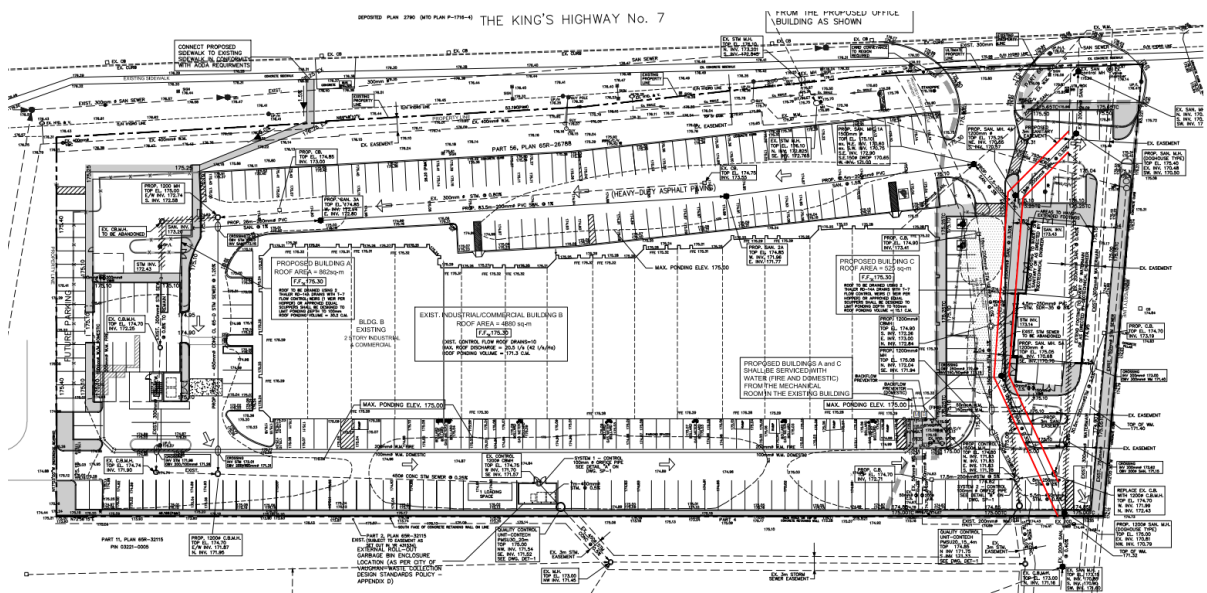


Figure 2: Proposed Servicing Easement Location

### Justification for the Application

We have reviewed the requirements of the *Planning Act* and it is our opinion that the proposed Consent application complies with the *Planning Act*. The application represents a technical realignment of an existing servicing easement, which has been agreed to and supported by NAPCO, the property owner currently benefiting from the existing easement.

As previously noted, the realignment contemplated by this application is necessary to implement the approved redevelopment of the subject property. In order to maintain functionality and appropriate flow throughout the site, as well as to achieve good urban design principles, the approved restaurant pad is to be located on top of the existing servicing easement. The proposal contemplates the shifting of the existing sanitary infrastructure to the west between the new restaurant pad and the existing building. The proposed location was determined to be the best location for the servicing infrastructure through the associated Site Plan Approval process, through

which both Vaughan Development Engineering and NAPCO provided their general acceptance for the realignment. The realignment will allow for ease of access to the services if future works are required as they will be unencumbered and accessible for maintenance or upgrades.

We request that the enclosed application be processed and circulated concurrently with the Consent application for 155 Regalcrest (B018/22). In support of this application, please find the enclosed materials:

- Parcel Abstract;
- Site Plan, prepared by GGA;
- Site Servicing and Grading Plan, prepared by Urban Ecosystems;
- Tree Preservation Plan, prepared by MSLA;
- Draft Reference Plan, prepared by Schaeffer Dzaldov Purcell;
- Memorandum of Understanding from NAPCO; and
- Conditions of Site Plan Approval.

Additionally, the application fee in the amount of \$3,875.00 has been processed and paid in full.

Should you have any questions or require additional information, please do not hesitate to contact the undersigned at extension 243 or Jessica Damaren at extension 280.

Yours truly,

**Weston Consulting**

**Per:**



Sabrina Sgotto, HBA, MCIP, RPP  
Vice President



Jessica Damaren, BES  
Lead Planner, Special Projects

c. Bostar Inc.