

ITEM #: 6.21

**COMMITTEE OF ADJUSTMENT REPORT
CONSENT APPLICATION
B015/23
8850 HWY 27, 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	Recommend Adjournment w/Conditions
Building Standards -Zoning Review *Schedule B	X	X		General Comments
Building Inspection (Septic)	X			No Comments Recieved to Date
Development Planning *Schedule B	X			Application Under Review
Development Engineering	X	X		Recommend Approval w/Conditions
Parks, Forestry and Horticulture Operations	X	X		General Comments
By-law & Compliance, Licensing & Permits	X			No Comments Recieved to Date
Development Finance	X	X		General Comments
Real Estate	X	X		No Comments or Concerns
Fire Department	X			No Comments Recieved to Date
AGENCIES	Circulated	Comments Received	Conditions	Nature of Comments
TRCA *Schedule B	X	X		Recommend Adjournment
Ministry of Transportation (MTO) *Schedule B	X	X		No Comments or Concerns
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 **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
Applicant			08/04/23	Planning Justification Letter
Applicant			08/04/23	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
B015/23
8850 HWY 27, VAUGHAN**

ITEM NUMBER: 6.21	CITY WARD #: 2
APPLICANT:	Two Seven Joint Venture Limited
AGENT:	McCarthy Tetrault LLP, WSP, Costco Wholesale Corporation Canada Ltd.
PROPERTY:	8850 Hwy 27, Vaughan
ZONING DESIGNATION:	See below.
VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:	Vaughan Official Plan 2010 ('VOP 2010'): "Prestige Employment", "General Employment", and "Natural Area" by Volume 2, Section 11.9 – West Vaughan Employment Area Secondary Plan.
RELATED DEVELOPMENT APPLICATIONS:	B015/23, A118/23 and A120/23
PURPOSE OF APPLICATION:	Consent is being requested to sever a parcel of land for employment purposes to facilitate the future extension of John Lawrie Street. The severed parcel of land will have frontage on Di Poce Way and is approximately 68,268 m2. The retained parcel of land will have frontage onto John Lawrie Street and is approximately 93,571m2.

HEARING INFORMATION

DATE OF MEETING: Thursday, October 19, 2023
TIME: 6:00 p.m.
MEETING LOCATION: Vaughan City Hall, Woodbridge Room (2nd Floor), 2141 Major Mackenzie Drive
LIVE STREAM LINK: Vaughan.ca/LiveCouncil

PUBLIC PARTICIPATION

If you would like to speak to the Committee of Adjustment at the meeting, either remotely or in person, please complete the [Request to Speak Form](#) and submit to cofa@vaughan.ca

If you would like to submit written comments, please quote file number above and submit by mail or email to:

Email: cofa@vaughan.ca

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

To speak electronically, pre-registration is required by completing the [Request to Speak Form](#) on-line and submitting it to cofa@vaughan.ca no later than NOON on the last business day before the meeting.

THE DEADLINE TO REGISTER TO SPEAK ELECTRONICALLY 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:	October 5, 2023
Date Applicant Confirmed Posting of Sign:	September 28, 2023
Adjournment Requests (from staff): *Adjournment requests provided to applicant prior to issuance of public notice	In addition to the comments provided, TRCA advised on October 11, 2023 that they require a consent sketch that shows the lot lines adjusted so that they are setback 10 metres from the top of bank and Regional Storm flood plain. On October 11, 2023, COA staff advised: The TRCA is requesting updates to your application which will require adjournment from the October 19 hearing date to obtain a revised submission and re-confirm required variances required to facilitate the severance applications, which we must be accurately identified in the statutory public notice.
Was a Zoning Review Waiver (ZRW) Form submitted by Applicant: *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. *A revised submission may be required to address staff / agency comments received as part of the application review process. *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.	No
Adjournment Fees: In accordance with Procedural By-law 069-2019, an Adjournment Fee is applicable to reschedule an application after the issuance of public notice where a request for adjournment has been provided to the applicant prior to the issuance of public notice. An Adjournment Fee can only be waived in instances where adjournment of an application is requested by the Committee or staff after the issuance of public notice.	
Committee of Adjustment Comments:	Should the application require adjournment from the October 19 hearing, an Adjournment Fee is required to reschedule the application.
Committee of Adjustment Recommended Conditions of Approval:	<ol style="list-style-type: none"> 1. That the applicant's solicitor confirm the legal description of both the severed and retained land. 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. That the applicant provide an electronic copy of the deposited reference plan to cofa@vaughan.ca 4. That Minor Variance Applications A118/23 and A120/23 are approved at the same time as the Consent application and becomes final and binding. 5. Payment of the Certificate Fee as provided on the City of Vaughan's Committee of Adjustment Fee Schedule.

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

DEVELOPMENT PLANNING COMMENTS	
**See Schedule B for Development Planning Comments.	
Development Planning Recommended Conditions of Approval:	TBD

DEVELOPMENT ENGINEERING COMMENTS

[Link to Grading Permit](#) [Link to Pool Permit](#) [Link to Curb Curt Permit](#) [Link Culvert Installation](#)

The Development Engineering (DE) Department does not object to Consent Application B015/23 subject to the following condition(s):

Development Engineering Recommended Conditions of Approval:	The Owner / Applicant shall prepare and register a reference plan at their expense showing all existing and proposed easements to the satisfaction of the Development Engineering Department (DE) for the Subject Lands applicable to the Consent Application. The Owner/Applicant shall submit a draft reference plan to DE for review prior to deposit with the Land Registry. The Owner/Applicant shall submit the deposited reference plan to DE in order to clear this condition.
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PARKS, FORESTRY & HORTICULTURE (PFH) COMMENTS

Forestry has no comment at the time

PFH Recommended Conditions of Approval:	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.

Development Finance Recommended Conditions 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).
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REAL ESTATE

CIL to collect at the development application stage.

PFH Recommended Conditions of Approval:	None
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BY-LAW AND COMPLIANCE, LICENSING AND PERMIT SERVICES COMMENTS

No comments received to date.

BCLPS Recommended Conditions of Approval:	None
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BUILDING INSPECTION (SEPTIC) COMMENTS

No comments received to date.

Building Inspection Recommended Conditions of Approval:	None
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FIRE DEPARTMENT COMMENTS

No comments received to date.

Fire Department Recommended Conditions of Approval:	None
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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, 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 christine.vigneault@vaughan.ca	<ol style="list-style-type: none"> 1. That the applicant's solicitor confirm the legal description of both the severed and retained land. 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. That the applicant provide an electronic copy of the deposited reference plan to cofa@vaughan.ca 4. That Minor Variance Applications A118/23 and A120/23 are approved at the same time as the Consent application and becomes final and binding. 5. Payment of the Certificate Fee as provided on the City of Vaughan's Committee of Adjustment Fee Schedule.
2	Development Planning nicholas.delprete@vaughan.ca	TBD
3	Development Engineering Rex.bondad@vaughan.ca	The Owner / Applicant shall prepare and register a reference plan at their expense showing all existing and proposed easements to the satisfaction of the Development Engineering Department (DE) for the Subject Lands applicable to the Consent Application. The Owner/Applicant shall submit a draft reference plan to DE for review prior to deposit with the Land Registry. The Owner/Applicant shall submit the deposited reference plan to DE in order to clear this condition.
4	Development Finance 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).

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.

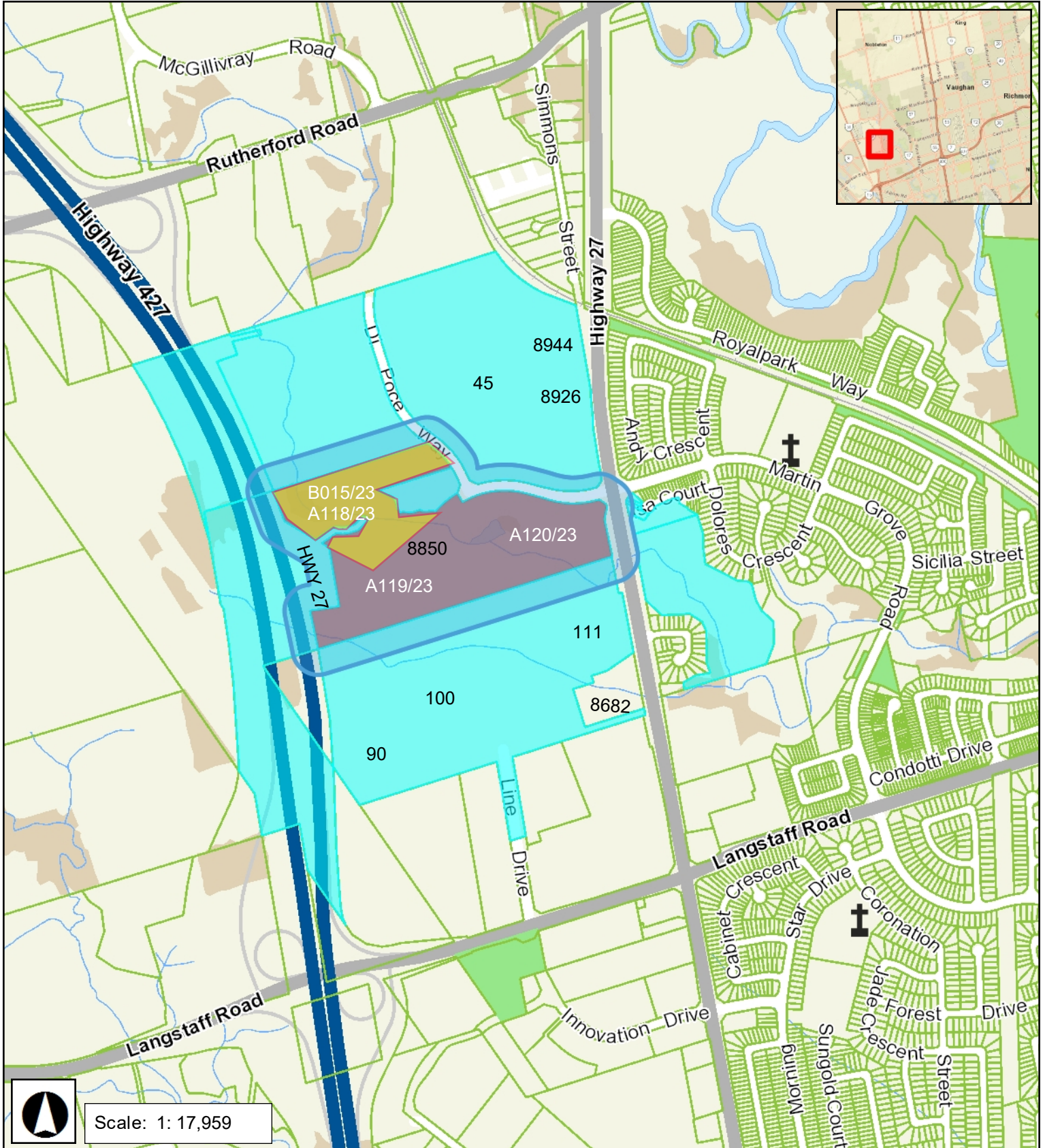
NOTICE OF DECISION: If you wish to be notified of the decision in respect to this application or a related Ontario Land Tribunal (OLT) hearing you must complete a Request for Decision form and submit

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

8850 Hwy 27, Vaughan



FIRST CONSENT

SKETCH OF SEVERANCE APPLICATION
EAST OF HIGHWAY 427,
WEST OF YORK REGIONAL
ROAD 27,
WEST OF DI POCE WAY
AND SOUTH OF JOHN LAWRIE
STREET
CITY OF VAUGHAN

SCALE 1:1000
0 10 20 30 40 50 60 70 80 90 100 metres

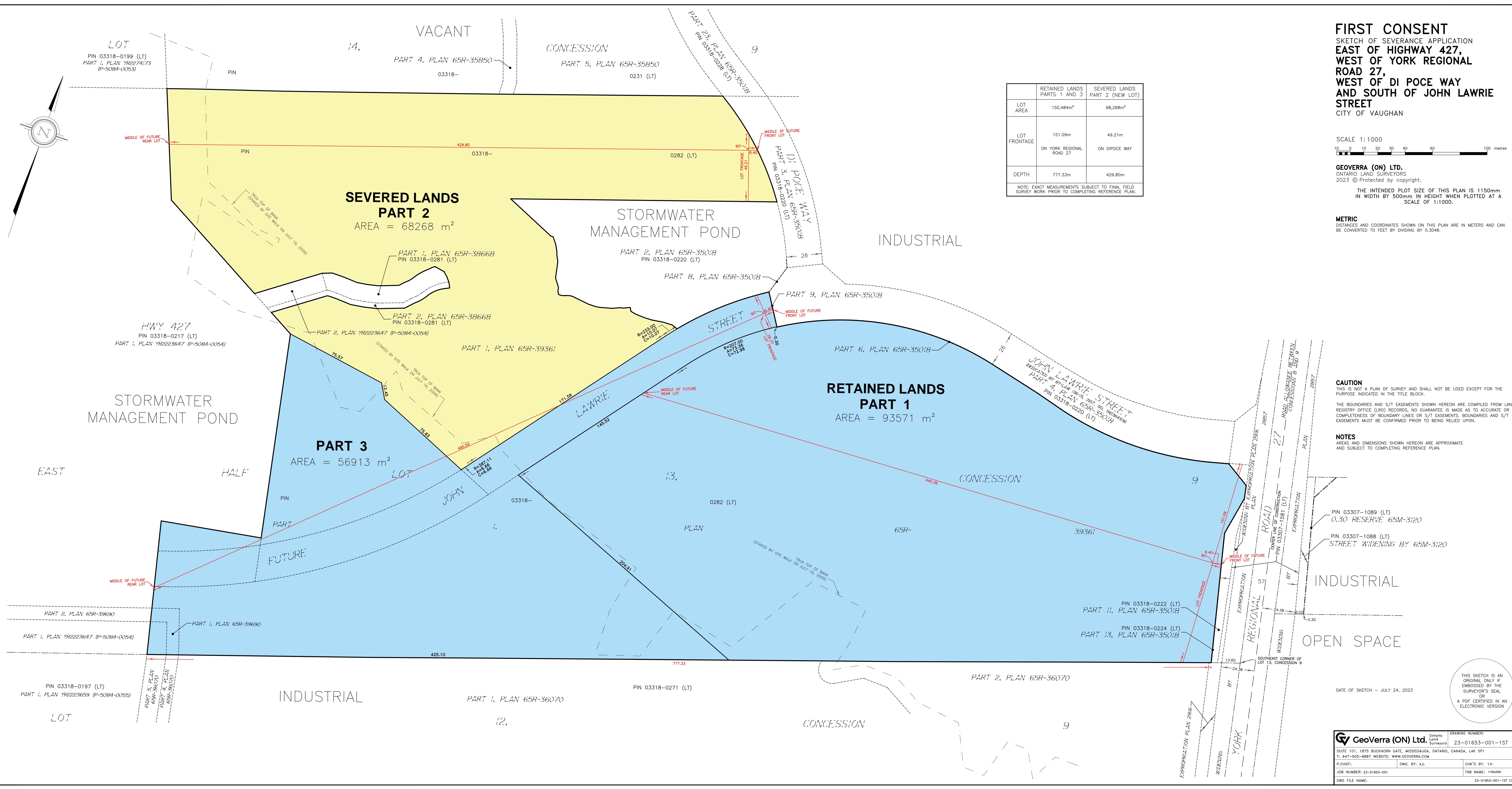
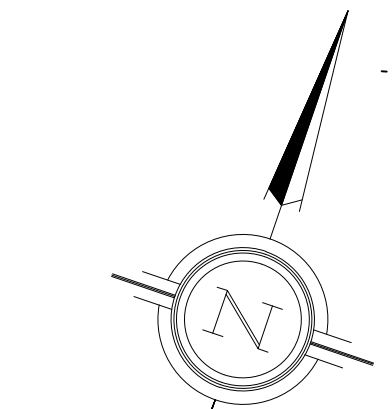
GEOVERRA (ON) LTD.
ONTARIO LAND SURVEYORS
2023 © Protected by copyright.

THE INTENDED PLOT SIZE OF THIS PLAN IS 1150mm
IN WIDTH BY 500mm IN HEIGHT WHEN PLOTTED AT A
SCALE OF 1:1000.

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

	RETAINED LANDS PARTS 1 AND 3	SEVERED LANDS PART 2 (NEW LOT)
LOT AREA	150,484m ²	68,268m ²
LOT FRONTAGE	151.09m ON YORK REGIONAL ROAD 27	49.21m ON DIPOCE WAY
DEPTH	777.33m	429.80m

NOTE: EXACT MEASUREMENTS SUBJECT TO FINAL FIELD SURVEY WORK PRIOR TO COMPLETING REFERENCE PLAN.



CAUTION
THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE
PURPOSE INDICATED IN THE TITLE BLOCK.

THE BOUNDARIES AND S/T EASEMENTS SHOWN HEREON ARE COMPILED FROM LAND
REGISTRY OFFICE (LRO) RECORDS. NO GUARANTEE IS MADE AS TO ACCURATE OR
COMPLETENESS OF BOUNDARY LINES OR S/T EASEMENTS. BOUNDARIES AND S/T
EASEMENTS MUST BE CONFIRMED PRIOR TO BEING RELIED UPON.

NOTES
AREAS AND DIMENSIONS SHOWN HEREON ARE APPROXIMATE
AND SUBJECT TO COMPLETING REFERENCE PLAN.

PIN 03307-1089 (LT)
0.30 RESERVE BY 65M-3/20

PIN 03307-1088 (LT)
STREET WIDENING BY 65M-3/20

DATE OF SKETCH - JULY 24, 2023

THIS SKETCH IS AN ORIGINAL ONLY IF EMBOSSED BY THE SURVEYOR'S SEAL OR A PDF CERTIFIED IN AN ELECTRONIC VERSION

GeoVerra (ON) Ltd. Ontario Land Surveyors
 SUITE 101, 1875 BUCKHORN GATE, MISSISSAUGA, ONTARIO, CANADA, L4K 5P1
 T: 647-905-8887 WEBSITE: WWW.GEOVERRA.COM
 P.CHIEF: [] DWG. BY: A.C. CHK'D BY: T.P.
 JOB NUMBER: 23-01653-001 TAB NAME: 1150x500
 DWG FILE NAME: 23-01653-001-1ST CS.DWG

SCHEDULE B: STAFF & AGENCY COMMENTS				
DEPT/AGENCY	Circulated	Comments Received	Conditions	Nature of Comments
TRCA *Schedule B	X	X		Recommend Adjournment
Ministry of Transportation (MTO) *Schedule B	X	X		No Comments or Concerns
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			Application Under Review
Building Standards (Zoning)	X	X		General Comments

Date: August 31st 2023
Attention: **Christine Vigneault**
RE: Request for Comments

File No.: **B015-23 & B016-23**
Related Files:
Applicant: Costco Wholesale Canada Ltd.
Location 8850 Hwy 27



Discover the possibilities

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:

Stephen Cranley, C.E.T

Mitchell Penner

Supervisor, Distribution Design, ICI & Layouts (North)

Supervisor, Distribution Design-Subdivisions

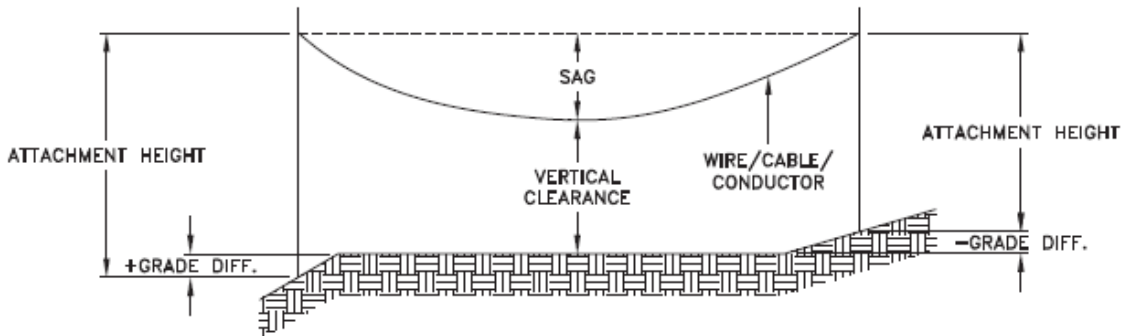
Phone: 1-877-963-6900 ext. 31297

Phone: 416-302-6215

E-mail: stephen.cranley@alectrautilities.com

Email: Mitchell.Penner@alectrautilities.com

LOCATION OF WIRES, CABLES OR CONDUCTORS	SYSTEM VOLTAGE			
	SPAN GUYS AND COMMUNICATIONS WIRES	UP TO 600V AND NEUTRAL	4.16/2.4kV TO 27.6/16kV (SEE NOTE 1)	44kV
	MINIMUM VERTICAL CLEARANCES (SEE NOTE 2)			
OVER OR ALONGSIDE ROADS, DRIVEWAYS OR LANDS ACCESSIBLE TO VEHICLES	442cm	442cm	480cm	520cm
OVER GROUND ACCESSIBLE TO PEDESTRIANS AND BICYCLES ONLY	250cm	310cm	340cm	370cm
ABOVE TOP OF RAIL AT RAILWAY CROSSINGS	730cm	730cm	760cm	810cm



MINIMUM ATTACHMENT HEIGHT = MAXIMUM SAG
 + MINIMUM VERTICAL CLEARANCE (FROM ABOVE TABLE)
 ± GRADE DIFFERENCE
 + 0.3m (VEHICLE OR RAILWAY LOCATION)
 + SNOW DEPTH (PEDESTRIAN LOCATION, SEE NOTE 3)

NOTES:

1. THE MULTIGROUNDED SYSTEM NEUTRAL HAS THE SAME CLEARANCE AS THE 600V SYSTEM.
2. THE VERTICAL CLEARANCES IN THE ABOVE TABLE ARE UNDER MAXIMUM SAG CONDITIONS.
3. REFER TO CSA STANDARD C22.3 No.1, ANNEX D FOR LOCAL SNOW DEPTH VALUES.
4. ALL CLEARANCES ARE IN ACCORDANCE TO CSA STANDARD C22.3.

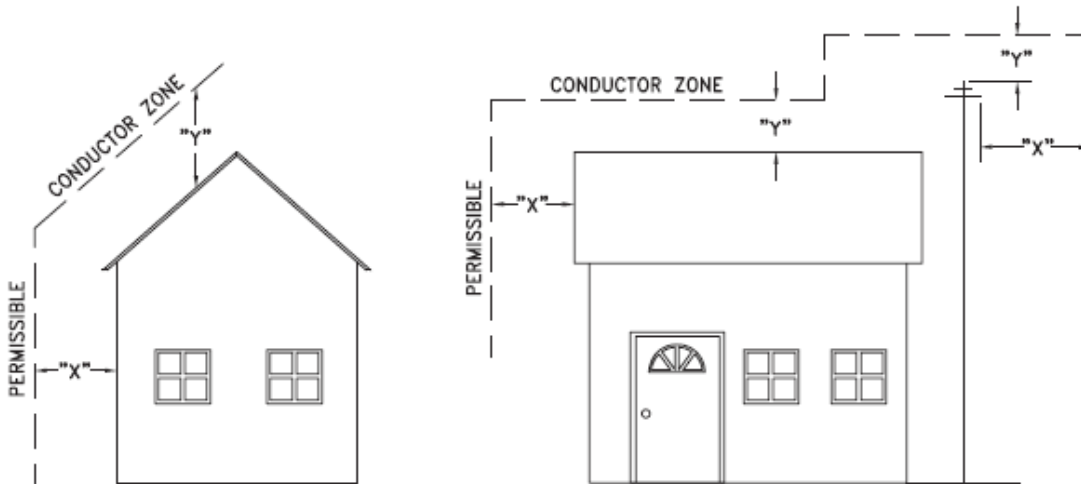
METRIC	IMPERIAL (APPROX)
810cm	27'-0"
760cm	25'-4"
730cm	24'-4"
520cm	17'-4"
480cm	16'-0"
442cm	15'-5"
370cm	12'-4"
340cm	11'-4"
310cm	10'-4"
250cm	8'-4"

SAGS AND TENSIONS	SECTION 02
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MINIMUM VERTICAL CLEARANCES OF WIRES, CABLES AND CONDUCTORS ABOVE GROUND OR RAILS

ORIGINAL ISSUE DATE: 2010-DEC-24 REVISION NO: R1 REVISION DATE: 2012-JAN-09

This construction Standard meets the safety requirements of Section 4 of Regulation 22/04	
Joe Crozier, P.Eng.	2012-JAN-09
Name	Date
P.Eng. Approval By:	Joe Crozier



VOLTAGE	MINIMUM HORIZONTAL CLEARNACE UNDER MAXIMUM SWING CONDITIONS DIMENSION "X" (SEE NOTES 1, 3 & 4)	MINIMUM VERTICAL CLEARANCE UNDER MAXIMUM DESIGN SAG CONDITIONS DIMENSION "Y" (SEE NOTES 1, 2, 4 & 5)
0-600V AND NEUTRAL	100cm	250cm
4.16/2.4 TO 44kV	300cm	480cm

NOTES

1. UNDER NO CIRCUMSTANCES SHALL A CONDUCTOR BE PERMITTED TO PENETRATE THE ENVELOPE SHOWN BY THE DOTTED LINE.
2. THE VERTICAL CLEARANCES ARE UNDER CONDITIONS OF MAXIMUM DESIGN SAG.
3. THE HORIZONTAL CLEARANCES ARE UNDER CONDITIONS OF MAXIMUM SWING. WHERE THE CONDUCTOR SWING IS NOT KNOWN A HORIZONTAL CLEARANCE OF 480CM SHALL BE USED.
4. BUILDINGS THAT EXCEED 3 STOREYS OR 15M IN HEIGHT, THE MINIMUM HORIZONTAL CLEARANCE OF THE SECONDARY CONDUCTORS SHOULD BE INCREASED TO 300cm WHERE IT IS NECESSARY TO ALLOW FOR THE RAISING OF LADDERS BY LOCAL FIRE DEPARTMENTS.
5. IN SITUATIONS SUCH AS MULTI-LEVEL GARAGES, WHERE ROOFS ARE NORMALLY USED BY PERSONS AND VEHICLES, THE VERTICAL CLEARANCES OF POWERSTREAM STANDARD 03-1 SHALL APPLY.
6. DISTRIBUTION LINES CONSTRUCTED NEAR BUILDINGS SHALL BE BUILT TO AVOID OVERHANG WHEREVER POSSIBLE. WHERE LINES MUST BE CONSTRUCTED OVER OR ADJACENT TO BUILDINGS THE APPLICABLE HORIZONTAL AND VERTICAL CLEARANCES SHALL BE AT CONDITIONS OF MAXIMUM CONDUCTOR SWING AND MAXIMUM SAG. THE ABOVE CLEARANCES ARE DESIGNED TO PREVENT PERSONS ON OR IN BUILDINGS AS WELL AS EXTERNAL MACHINERY USED IN CONJUNCTION WITH A BUILDING TO COME IN CONTACT WITH CONDUCTORS. EFFORTS SHOULD BE MADE TO INCREASE THESE CLEARANCES WHERE POSSIBLE.
7. ALL CLEARANCES ARE IN ACCORDANCE TO CSA C22.3 NO.1-06 (TABLE-9).

CONVERSION TABLE	
METRIC	IMPERIAL (APPROX)
480cm	16'-0"
300cm	10'-0"
250cm	8'-4"
100cm	3'-4"

MINIMUM VERTICAL & HORIZONTAL CLEARANCES OF CONDUCTORS FROM BUILDINGS OR OTHER PERMANENT STRUCTURES (CONDUCTORS NOT ATTACHED TO BUILDINGS)

Certificate of Approval	
This construction Standard meets the safety requirements of Section 4 of Regulation 22/04	
Debbie Dadwani, P.Eng.	2010-MAY-05
Name	Date
P.Eng. Approval By: <i>D. Dadwani</i>	

ORIGINAL ISSUE DATE: 2010-MAY-05 REVISION NO: REVISION DATE:
F:\System Planning and Standards\Standard Design\PowerStream Standards\PowerStream Standards working files\Section 03-4 DWG 03-4 RD May 5, 2010.dwg, 5/5/2010 9:27:52 AM, Adobe PDF

To: Committee of Adjustment
From: Bernd Paessler, Building Standards Department
Date: August 23, 2023
Location: 8550 Hwy 27
 PLAN 65R11315 Part 1
 CONC 9 Part of Lot 13

File No.(s): B015/23

Zoning Classification:

The subject lands are zoned FD Future Development Zone and EP Environmental Protection Zone under Zoning By-law 001-2021, as amended.

#	Zoning By-law 001-2021 Requirements	Proposal
1	Lot Frontage: A minimum lot frontage of 151.09 metres is required. [Table 13-3]. A minimum lot frontage of 151.09 metres is required. [Table 13-3].	The proposed lot frontage for the conveyed lands (Part 2) does not comply with the minimum lot frontage requirement. The proposed lot frontage for the retained lands (Part 1) will comply with the minimum lot frontage requirement.
2	Lot Area: A minimum lot area of 218,752m ² . is required. [Table 13-3] A minimum lot area of 218,752m ² . is required. [Table 13-3]	The proposed lot area of 68,268m ² for the conveyed lands (Part 2) does not comply with the minimum lot area requirement. The proposed lot area of 93,571m ² for the retained lands (Part 1) does not comply with the minimum lot area requirement.
3	Lot Depth: N/A	N/A

Staff Comments:

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

There are no outstanding Orders on file.

Other Comments:

General Comments	
1	The subject lands may be subject to Ontario Regulation 166/06 (TRCA - Toronto and Region Conservation Authority)
2	A Surveyor's Certificate of Lot Areas and Lot Frontages, accompanied by a reference plan, as per the definitions in Section 3.0 of Zoning Bylaw 001-2021, as amended, is required in order to confirm compliance with the By-law requirements prior to issuance of any building permit for construction on the severed parcels.
3	Minor Variance Application No.'s A118/23 and A120/23 shall be considered with this application.

Conditions of Approval:

None

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

From: [Blaney, Cameron \(MTO\)](#)
To: [Christine Vigneault](#); [Committee of Adjustment](#)
Subject: [External] RE: B015/23, B016/23, A118/23, A119/23 & A120/23 (8850 Hwy 27) - REQUEST FOR COMMENTS, CITY OF VAUGHAN
Date: Tuesday, August 29, 2023 10:45:42 AM
Attachments: [image001.png](#)
[image002.png](#)

Hello,

If severed lands are within MTO permit control then MTO will require review and applicable permits prior to construction.

Cameron Blaney (He/Him) | Corridor Management Planner York & Simcoe

Highway Corridor Management Section | Central Operations | Ministry of Transportation

159 Sir William Hearst Avenue, 7th Floor, Toronto, ON. M3M 0B7

Telephone: 416-358-7871 Email: cameron.blaney@ontario.ca



September 8, 2023

CFN 68401.05
Ex Ref CFN 68401.02

SENT BY E-MAIL: Christine.Vigneault@vaughan.ca

Christine Vigneault, Secretary Treasurer
Committee of Adjustment
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario L6A 1T1

Dear Christine Vigneault:

**Re: Consent Application B015/23, B016/23
Minor Variance Application A118/23, A119/23, A120/23
Part Lot 25; Concession 7
8850 Highway 27
City of Vaughan, Region of York
Two-Seven Joint Venture Limited (Agent: Costco Wholesales Canada Ltd.)**

This letter acknowledges receipt of the above-noted application circulated by the City of Vaughan. The materials were received by the Toronto and Region Conservation Authority (TRCA) on August 28, 2023. TRCA staff have reviewed the application and offer the following comments for the consideration of the Committee of Adjustment.

Purpose of the Applications

B015/23

It is our understanding that the purpose of the above noted application is to request the consent of the committee of adjustment to sever a parcel of land, with a frontage of 49.21 m on DiPoce Way and having an area of approximately 68,268 m², described as Part 2 on the Consent Sketch, for the purpose of facilitating the future extension of John Lawrie Street. The lands to be retained will have a frontage of 151.09 m on York Regional Road 27 and an area of approximately 150,484 m², described as Parts 1 and 3 on the Consent Sketch.

B016/23

It is our understanding that the purpose of the above noted application is to request the consent of the committee of adjustment to sever a parcel of land, with an area of approximately 56,913 m², shown as Part 3 on the Consent Sketch, as a lot addition to be merged on title with the Costco Lands for the purpose of accommodating future employment uses, including an expansion of the Costco Distribution Centre and the construction of the future extension of John Lawrie Street. The Retained Lands will have a frontage of 151.09 m on York Regional Road 27 and an area of 93,571 m², described as Part 1 on the Consent Sketch.

A118/23 – Severed Lands

It is our understanding that the purpose of the above noted application is to request the following variance:

1. To permit a minimum lot area of 68,260 sq. m, whereas the minimum lot area requirement is the existing lot area of 218,752 sq. m

A119/23 – Lot Addition Lands

It is our understanding that the purpose of the above noted application is to request the following variances:

1. To permit a minimum lot frontage of 25 metres on John Lawrie Street, whereas the minimum lot frontage requirement is the existing lot frontage of 49.21 m on Di Poce Way.
2. To permit a minimum lot area of 56,900 sq. m, whereas the minimum lot area requirement is the existing lot area of 218,752 sq. m

A120/23 – Retained Lands

It is our understanding that the purpose of the above noted application is to request the following variances:

1. To permit a minimum lot frontage of 150 metres on Highway 27, whereas the minimum lot frontage requirement is the existing lot frontage of 49.21 m on Di Poce Way.
2. To permit a minimum lot area of 56,900 sq. m, whereas the minimum lot area requirement is the existing lot area of 218,752 sq. m

Ontario Regulation 166/06

A significant portion of the subject property is located within TRCA's Regulated Area of the Humber River watershed due to a valley corridor, a Regional Storm Flood plain and headwater drainage features. Pursuant to Ontario Regulation 166/06, development, interference or alteration may be permitted in the Regulated Area where it can be demonstrated to TRCA's satisfaction that the control of flooding, erosion, dynamic beaches, pollution, or the conservation of land will not be affected. In this regard, TRCA must be contacted prior to any works taking place in the Regulated Area.

Background

The limits of the natural features, natural hazards and associated buffers on the subject property were originally established as a part of the Block 59 Land Use Plan process (Municipal File No. BL.59.2014).

As a part of a pre-consultation process for a proposed parking lot on the subject lands, TRCA staff visited the site with WSP on June 2, 2021, to assess the conditions of the valley corridor and Headwater Drainage Features (HDF).

During the site visit, the limits of the top of bank associated with the valley corridor at the northern end of the proposed parking lot area and a HDF at the southern end on the site were discussed. It was identified that TRCA staff would be open to considering updates/adjustments to the development

limits previously established through the Block Plan process, provided appropriate technical reports were provided to the satisfaction of TRCA.

TRCA reviewed and provided comments on Consent Application B003/23 in April 2023 related to the need for additional studies and revisions to support a proposed severance of the subject lands.

TRCA subsequently reviewed a headwater drainage feature assessment in June 2023. TRCA staff provided a response letter confirming that staff were satisfied with the methodology and conclusion of the submitted HDF assessment, which confirmed a management recommendation of mitigation for the subject HDF.

Application-Specific Comments

TRCA policies require that for properties containing regulated natural features and/or natural hazards, newly proposed lot lines must coincide with the boundary of the features and hazards, including an applicable 10 metre buffer.

It is the expectation of TRCA that the newly proposed property boundaries along the natural system will be set back from the furthest of the following components:

- 10 metres from the top of bank established as a part of the Block 59 MESP.
- 10 metres from the Regional Storm flood plain limit in the area around HDF #1.

The proponent will need to provide updated plans/figures identifying the above noted limits and setbacks.

Recommendation

Based on the comments noted in this letter, it is the position of TRCA staff that a formal recommendation for the noted applications is premature at this time.

Prior to being able to provide a formal recommendation for the noted applications, the above noted comments will need to be addressed to the satisfaction of TRCA.

Fee

By copy of this letter, the applicant is advised that TRCA has implemented a fee schedule for our planning application review services. This application is subject to a fee of \$3,845 (Consent/Severance/Land Division – Major). The noted fee should be forwarded to our office as soon as possible.

We trust these comments are of assistance. Should you have any questions, please contact the undersigned at stephen.bohan@trca.ca

Sincerely,



Stephen Bohan
Senior Planner

Development Planning and Permits | Development and Engineering Services

Lenore Providence

From: Wong, Justin <Justin.Wong@york.ca>
Sent: September-13-23 3:52 PM
To: Committee of Adjustment; Christine Vigneault
Cc: Rajevan, Niranjan
Subject: [External] CONS.23.V.0093 (B015/23), CONS.23.V.0094 (B016/23), MVAR.23.V.0419 (A118/23), MVAR.23.V.0421 (A119/23) & MVAR.23.V.0422 (A120/23)

Follow Up Flag: Follow up
Flag Status: Flagged

Hello,

York Region has reviewed the above noted applications and do not have any comments.

Thank you,

Our working hours may be different. Please do not feel obligated to reply outside of your scheduled working hours. Let's work together to help foster healthy work-life boundaries.

Justin Wong, MCIP, RPP | Planner, Planning and Economic Development Branch, Corporate Services Department

The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1
1-877-464-9675 ext. 71577 | Justin.Wong@york.ca | york.ca

Our Mission: **Working together to serve our thriving communities – today and tomorrow**

SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE

Name	Address	Date Received (mm/dd/yyyy)	Summary
Applicant		08/04/23	Planning Justification Letter
Applicant		08/04/23	Cover Letter



McCarthy Tétrault LLP
PO Box 48, Suite 5300
Toronto-Dominion Bank Tower
Toronto ON M5K 1E6
Canada
Tel: 416-362-1812
Fax: 416-868-0673

Matthew Schuman
Counsel
Direct Line: (416) 601-4319
Email: mschuman@mccarthy.ca

Assistant: Yannakis, Suzanne
Direct Line: (416) 601-8067
Email: syannaki@mccarthy.ca

August 4, 2023

Via Online Submission

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

Attention: Secretary-Treasurer

Dear Sirs/Mesdames:

Re: **Applications for Consent to Sever, Consent to Create a Lot Addition, and
associated Minor Variances
8850 Highway 27**

We are the solicitors for Costco Wholesale Canada Ltd. ("**Costco**"), the agent for Two-Seven Joint Venture Limited (the "**Owner**"), the registered owner of the property municipally known as 8850 Highway 27, and legally described in the attached Schedule "A" (the "**Subject Lands**"). The Subject Lands, located on the west side of Highway 27, southwest of John Lawrie Street and Di Poce Way, east of Highway 427, are vacant and are irregularly shaped, with an area of approximately 21.8 hectares (54 acres). Costco is the registered owner of the lands municipally known as 55, 90, 100 and 111 Line Drive and legally described in the attached Schedule "B" (the "**Costco Lands**"), abutting the south side of the Subject Lands and which are occupied by the Costco Distribution Centre.

As further described below, Costco has entered into an agreement with the Owner to purchase a portion of the Subject Lands to accommodate the future expansion of Costco's operations at the Costco Distribution Centre and the delivery of an approved extension of John Lawrie Street (the "**John Lawrie Street extension**"), subject to obtaining required municipal approvals in support of the transfer. Accordingly, we are pleased to enclose the following companion applications, which are described in further detail below, as well as in the Planning Justification Brief dated June 30, 2023, prepared by WSP, and other supporting materials:

1. An application (File No. B015/23) requesting consent to the creation of a new lot shown as Part 2 (the "**Severed Lands**") on the enclosed First Consent Sketch prepared by Geoverra Inc, dated July 24, 2023 (the "**First Consent Sketch**");
2. An application (File No. B016/23) requesting consent to the conveyance of Part 3 on the enclosed Second Consent Sketch prepared by Geoverra Inc, dated July 24, 2023

(the “**Second Consent Sketch**”) (the “**Lot Addition Lands**”)¹ as a lot addition to the Costco Lands; and

3. Three applications for minor variances, to ensure the lands to be retained, shown as Part 1 on the Second Consent Sketch (the “**Retained Lands**”) (File No. 120/23), the Lot Addition Lands (File No. A119/23) and the Severed Lands (File No. A118/23) comply with the minimum lot frontage and minimum lot area regulations of City of Vaughan Comprehensive Zoning By-law No. 001-2021 (“**By-law 001-2021**”) (collectively the “**Minor Variance Applications**”). For clarity we have included a separate Minor Variance sketch with each of the Minor Variance Applications, showing the lands which are the subject of each Application and the corresponding application file number.

(collectively the “**Applications**”):

Any future development of the Lot Addition Lands, Severed Lands and/ or Retained Lands will be subject to future development applications. Accordingly, no development is proposed in connection with the proposed Applications.

Location and Description of the Subject Lands

The Subject Lands have frontage on DiPoce Way, John Lawrie Street and York Regional Road 27 and extend westward to Highway 427. A segment of the Robinson Creek bisects the Subject Lands with table lands to the east of the creek fronting onto both DiPoce Way and John Lawrie Street and also to the west of the creek abutting the Costco Lands. In particular the Lot Addition Lands are comprised primarily of table lands, with the exception of the south east corner which includes a previously identified headwater drainage feature (“**HDF**”) which directs run off into the adjacent Robinson Creek. As noted in the Headwater Drainage Feature Assessment, prepared by WSP, dated June 8, 2023, (the “**HDF Study**”) the function of the HDF has been impacted by the extension of Highway 427. Accordingly, the HDF Study recommends that at the time of future development of the Lot Addition Lands, the function of the HDF be maintained outside of the Lot Addition Lands with implementation of a drainage pipe system and robust planting to enhance the currently limited terrestrial and riparian functions of the feature. The Toronto and Region Conservation Authority (“**TRCA**”) has reviewed the HDF Study, and in a letter dated June 29, 2023, has stated that TRCA staff are satisfied with the methodology and conclusion of the HDF Study.

The Subject Lands and the Costco Lands are part of a larger area subject to a Block Plan that was approved by City of Vaughan Council in June, 2020 (the “**Block 59 Plan**”). The Block 59 Plan contemplates the John Lawrie Street extension location through the Subject Lands to connect with an underpass below Highway 427, and the installation of associated municipal services. Together with the City of Vaughan, the owners of land within the area subject to the Block 59 Plan are required to contribute lands and funds (or in-kind contributions) to construct infrastructure within the Block 59 Plan area under an existing implementing agreement (the “**Block 59 Agreement**”).

¹ We note that on the Second Consent Sketch submitted with File No. B016/230, the “Lot Addition Lands” are labeled as “Severed Lands (Lot Addition)”. We use the term “Lot Addition Lands” to distinguish between the lands proposed to be severed by each of the two consent applications.

The Costco Distribution Center, relocated to the City of Vaughan in 2016, is the logistics hub serving all of Costco's Ontario locations including e-commerce and also includes a commissary that manufactures par baked good for distribution across Canada and the eastern United States.

Operations at the Costco Distribution Centre have grown as reflected in recently filed applications for a Zoning By-law Amendment and Site Plan Approval, under review by the City of Vaughan, which propose a phased expansion to the south of the existing warehouse and additional truck and employee parking areas on the southwest and southeast portions of the Costco Lands.

To continue to support the growth of Costco's operations in Canada and within the City of Vaughan, Costco is also seeking to acquire the Lot Addition Lands to secure additional lands for a future expansion. Costco's Zoning By-law Amendment and Site Plan Approval applications do not include the Lot Addition Lands, which would be subject to future applications for development.

Costco's Purchase and the John Lawrie Street Extension

Costco and the Owner entered into a Property Purchase Agreement (the "PPA"), which has subsequently been amended. A copy of the second amending agreement to the PPA, with business terms redacted, is enclosed. The PPA, as amended, authorizes Costco to submit the Applications on the Owner's behalf as the proposed consents and minor variances are necessary for a portion of the Subject lands to be transferred to Costco. Accordingly, Costco is required by the amended PPA to obtain approvals before the lands can be transferred.

Included in the amended PPA is a covenant from Costco, that upon the lands being transferred to Costco, Costco will be solely responsible for the design, construction and delivery of the John Lawrie Street extension, and the services therein (or funding for same), to the City. Accordingly, the Lot Addition lands include lands to accommodate the John Lawrie extension that the Owner has promised to transfer to Costco for \$1.00, with the understanding that Costco will convey such lands to the City for the John Lawrie Street extension.

As amended, the PPA also includes covenants from Costco to the Owner that Costco will enter into agreements, as required by the City, to convey the lands for the John Lawrie Street extension to the City for nominal consideration, as well as to construct or pay to construct the John Lawrie Street extension, bridge, and associated servicing infrastructure.

Because Costco is prepared to take on obligations related to the John Lawrie Street extension, the Owner is prepared to assign Costco the Owner's rights to credits or adjustments related to the John Lawrie Street extension that the Owner currently has the right to receive under the Block 59 Agreement.

Requested Consents

The consent of the Committee is respectfully requested to allow for the transfer of the Lot Addition Lands to Costco as a lot addition to the Costco Lands. As shown on each Consent Sketch, the majority of the Lot Addition Lands are located on the western table land portion of the Subject Lands, abutting the Costco Lands, with an approximately 26 metre-wide finger of land extending eastward across the Robinson Creek to connect with the existing terminus of John Lawrie Street. This finger of land reflects the preferred alignment for the John Lawrie Street extension in accordance with the Environmental Assessment completed by the City of Vaughan in 2015. The purpose of including the whole of the John Lawrie Street extension in the Lot Addition Lands is to protect for the creation of the future road infrastructure with a single property owner responsible

for the delivery of the road and related municipal services as contemplated by the Block 59 Plan. As a result of accommodating the John Lawrie Street extension, the requested lot addition will effectively sever the balance of the lands to be retained by the Owner into two separate parcels.

Committee staff have advised that it is preferable from an administrative perspective to file an additional application for consent to the creation of a new lot, to recognize one of the new parcels created by the splitting of the balance of the Subject Lands. Accordingly, the Applications include a request for consent to the creation of the Severed Lands as a new lot. Costco is proposing that all of the Applications be heard concurrently, but proposes to register the transfer of the Severed Lands on title before registering the transfer of the Lot Addition Lands. This would result in Part 2 becoming separately conveyable. Parts 1 and 3 would be subject to the registration of the consent for the Lot Addition Lands. Registration of a transfer of the Lot Addition Lands to Costco would result in Part 1 being retained.

The requested consents implement the anticipated division of the Subject Lands that will occur with the conveyance of the John Lawrie Street extension to the City of Vaughan. The parcels of land to be created will be the subject of future applications for development, at which time appropriate buffers and setbacks to the adjacent Robinson Creek valley lands will be established in accordance with the policies Official Plan, the West Vaughan Employment Area Secondary Plan (the "**Secondary Plan**") and the TRCA.

The particulars of the two requested consent applications are as follows:

First Consent: Severed Lands (File No. B015/23)

Consent is being requested to sever a parcel of land, with a frontage of 49.21 metres on DiPoce Way and having an area of approximately 68,268 square metres, described as Part 2 on the First Consent Sketch, for the purpose of facilitating the future extension of John Lawrie Street. The lands to be retained will have a frontage of 151.09 metres on York Regional Road 27 and an area of approximately 150,484 square metres, described as Parts 1 and 3 on the First Consent Sketch.

Second Consent: Lot Addition Lands (File No. B016/23)

Consent is requested to sever a parcel of land, with an area of approximately 56,913 square metres, shown as Part 3 on the Second Consent Sketch, as a lot addition to be merged on title with the Costco Lands for the purpose of accommodating future employment uses, including an expansion of the Costco Distribution Centre and the construction of the future extension of John Lawrie Street. The Retained Lands will have a frontage of 151.09 metres on York Regional Road 27 and an area of 93,571 square metres, described as Part 1 on the Second Consent Sketch.

As noted above, it is proposed to register the transfer of the Consent Lands first with the transfer of the Lot Addition Lands to follow.

The details of the Subject Lands, Retained Lands, Severed Lands and Lot Addition Lands are as follows:

	Subject Lands	Retained Lands	Severed Lands	Lot Addition Lands
		Part 1	Part 2 (New Lot)	Part 3
Lot Area	218,752 m ²	93,571 m ²	68,268 m ²	56,913 m ²
Lot Frontage	49.21 m on DiPoce Way	151.09 m on York Regional Road 27	49.21 m on DiPoce Way	26.37 m on John Lawrie, lands to be added to abutting lands to the south owned by Costco
Depth	Varies: +/- 429.8 m	Varies: +/- 440.36	Varies: +/- 429.8 m	Varies: +/- 495.59 m

Note: Exact measurements subject to final field survey work prior to depositing the reference plan.

Zoning and Requested Variances

Pursuant to By-law 001-2021, the majority of the Subject Lands are zoned Future Development Zone (“FD Zone”) with the exception of that portion occupied by the Robinson Creek which is zoned Environmental Protection Zone (“EP Zone”). As set out in Section 2.1 of the By-law, the purpose of the EP Zone is to provide for the conservation of environmentally sensitive features. Further, the purpose of the FD Zone is to permit only existing uses and limit building envelopes and to require a planning application to amend the By-law in order to evaluate a proposal for urban development.

As noted previously no development is currently proposed in connection with the requested Applications and any future development proposal will be subject to the submission of required planning applications.

For that portion of the Subject Lands zoned EP, no relief from the By-law is required as the EP Zone does not prescribe minimum lot frontage or lot area requirements.

For the portion of the Subject Lands zoned FD, as set out in section 13.3 of the By-law, the minimum lot frontage and minimum lot area is the lot frontage and lot area existing as of the effective date of By-law 001-2021, being October 20, 2021. Accordingly, variances are requested to permit the lot frontages and lot areas of the proposed Lot Addition Lands, the Severed Lands and the Retained Lands as set out below and as noted on the sketches submitted with each minor variance application.

The requested variances for each of the three applications below, reflect minor flexibility in the numbers to account for small adjustments that may occur with the completion of the final reference plan filed in support of related consent applications, as the dimensions on the sketches submitted with the Applications will be confirmed on the reference plan by an Ontario Land Surveyor.

Variance - Severed Lands (File No. A118/23):

By-law Requirement	Proposal
1. The minimum lot area requirement is the existing lot area of 218,752 m ²	2. To permit a minimum lot area of 68,260 m ² .

No variance is required for minimum lot frontage as the lot frontage will not change.

Variance - Retained Lands (File No. A120/23):

By-law Requirement	Proposal
1. The minimum lot frontage requirement is the existing lot frontage of 49.21 metres on Di Poce Way.	1. To permit a minimum lot frontage of 150.0 metres on York Regional Road 27.
2. The minimum lot area requirement is the existing lot area of 218,752 m ² .	2. To permit a minimum lot area of 93,565 m ² .

Variance - Lot Addition Lands (File No. A119/23):

By-law Requirement	Proposal
3. The minimum lot frontage requirement is the existing lot frontage of 49.21 metres on Di Poce Way.	1. To permit a minimum lot frontage of 25.0 metres on John Lawrie Street.
4. The minimum lot area requirement is the existing lot area of 218,752 m ² .	2. To permit a minimum lot area of 56,900 m ² .

Notwithstanding the fact that the Lot Addition Lands will merge with the Costco Lands to create a larger parcel, the Lot Addition Lands are Zoned FD and EP and the abutting developed portion of the Costco Lands are zoned EM1. Section 2.4.2. of By-law 001-2021 provides “[w]here a lot falls into two or more zones, each portion of that lot shall be subject to the applicable permitted uses and standards for the applicable zone applying to that portion of the lot.” Accordingly, the Minor Variance application A119/23, associated with respect to the Lot Addition Lands, has been submitted to address this requirement.

Planning Framework

As set out in the Revised Planning Justification Brief dated August 3, 2023, prepared by WSP, the Applications have regard for matters of provincial interest set out in s. 2 of the Planning Act, and are consistent with the Provincial Policy Statement and conform with the Growth Plan for the Greater Golden Horseshoe as required by s. 3 of the Planning Act. The consent applications further have regard for the criteria in s. 51(24) of the Planning Act, including

conformity with in-force official plans, and the applications for Minor Variances meet the test set out in s. 45(1) of the Planning Act.

Secretary – Treasurer’s Comments and Additional Supporting Materials

Upon filing of the Applications, the Secretary-Treasurer asked for additional materials to clarify the consents and minor variances being requested. Accordingly, in addition to the materials previously submitted, we also submit:

1. First Consent Sketch showing the Severed Lands (for File No. B015/23), prepared by GeoVerra (ON) Ltd., dated July 24, 2023;
2. Second Consent Sketch showing the Lot Addition Lands (for File No. B016/23), prepared by GeoVerra (ON) Ltd., dated July 24, 2023;
3. Minor Variance Sketch showing the Severed Lands (for File No. A118/23), prepared by GeoVerra (ON) Ltd., dated July 28, 2023;
4. Minor Variance Sketch showing the Retained Lands (for File No. A120/23), prepared by GeoVerra (ON) Ltd., dated July 28, 2023;
5. Minor Variance Sketch showing the Lot Addition Lands (for File No. A119/23), prepared by GeoVerra (ON) Ltd., dated July 28, 2023;
6. Zone Overlay of Costco Lands and Proposed Lot Addition Lands (for File No. A119/23), prepared by WSP Canada Group Inc., dated December 21, 2022;
7. Revised Planning Justification Brief dated August 4, 2023, prepared by WSP Canada Group Inc.; and
8. This revised cover letter.

Should you have any questions, or require clarification or further information with respect to the above, please contact the writer, or in his absence, Julie Tyndorf at (416) 601-7828.

Sincerely,



Matthew Schuman
Counsel

MS
Enclosures (as above)

Schedule "A" - Legal Description of the Subject Lands

PIN 03318-0282 (LT):

PART EAST HALF LOT 13 CONCESSION 9 VAUGHAN; DESIGNATED AS PART 1, PLAN 65R-39361; CITY OF VAUGHAN.

Schedule "B" – Legal Description of the Costco Lands

Firstly

PIN 03318-0164 (LT)

PT E 1/2 LT 11 CON 9 VAUGHAN AS IN R394449 SAVE & EXCEPT PT 9, 65R27884;
VAUGHAN

Secondly

PIN 03318-0192 (LT)

PT E 1/2 LOT 11, CON 9 (VGN), PT 1, PL 64R8325 & AS IN VA75459 EXCEPT PTS 1-4, PL
64R8471 & PT 10, PL 65R27884 AND EXCEPT PT 7, PL 65R34878; CITY OF VAUGHAN

Thirdly

PIN 03318-0265 (LT)

PART EAST 1/2 LOT 11 CONCESSION 9 VAUGHAN PART 6 65R35805; SUBJECT TO AN
EASEMENT IN GROSS OVER PART 1 ON 65R36146 AS IN YR2682058; CITY OF VAUGHAN

Fourthly

PIN 03318-0266 (LT)

PART EAST 1/2 LOT 11, CONCESSION 9 VAUGHAN, PARTS 2 & 3, 65R37046; CITY OF
VAUGHAN

Fifthly

PIN 03318-0268 (LT)

PART E 1/2 LOT 11 CONCESSION 9 VAUGHAN, PART 1, 65R37046; CITY OF VAUGHAN

Sixthly

PIN 03318-0271 (LT)

PART LOT 12 CONCESSION 9 VAUGHAN PARTS 1, 2, 4 & 5, 65R36070; SUBJECT TO AN
EASEMENT IN GROSS OVER PARTS 4 & 5, 65R36070 AS IN YR2682058; SUBJECT TO AN
EASEMENT OVER PART 1, 65R36147 IN FAVOUR OF PART 3, 65R36070 AS IN
YR2742400; SUBJECT TO AN EASEMENT OVER PARTS 1, 4 & 5, 65R36070 IN FAVOUR OF
PART 3, 65R36070 AS IN YR2742400; TOGETHER WITH AN EASEMENT OVER PART 3,
65R36070 AS IN YR2742400; CITY OF VAUGHAN



August 04, 2023

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

SUBJECT: Consent and Minor Variance Applications – Two-Seven Joint Venture Limited/Costco Wholesale Canada Ltd. – 8850 Highway 27, City of Vaughan

Dear Secretary Treasurer:

WSP Group Canada Inc. (WSP) is pleased to provide this Planning Justification Brief on behalf of Costco Wholesale Canada, LTD (“Costco”), the applicant on behalf of Two-Seven Joint Venture Limited (the “Owner”), the owner of the lands municipally known as 8850 Highway 27 (the “Subject Lands”).

Costco has entered an agreement with the Owner to purchase a portion of the Subject Lands to accommodate future expansion of their Vaughan Depot distribution facility, which immediately abuts the Subject Lands (the “Costco Lands”). The Costco Lands are municipally known as 55, 90, 100 and 111 Line Drive, and legally described on Schedule “B” attached to the cover letter submitted by Costco’s solicitors.

To facilitate Costco’s expansion, applications are being filed seeking the conveyance of a portion of the Subject Lands as a lot addition to the Costco Lands, shown as Part 3 on the Consent Sketch (the “Lot Addition Lands”)¹ (File No. B016/23). The result of the lot addition application will be that the Lot Addition lands merge with the Costco Lands to the south to create a single, large lot. The Lot Addition Lands include an approximately 26 metre wide finger of land extending eastward across the Robinson Creek to connect with the existing terminus of John Lawrie Street, reflecting the alignment of the future John Lawrie Street extension, the location of which will split the retained lands into two parcels.

A consent to the creation of a new lot is also being filed to reflect the desire of City staff to recognize one of the new parcels created by the conveyance of the Lot Addition Lands as a new lot, shown as Part 2 on the Consent Sketch (the “Severed Lands”) (File No. B015/23). The retained lands are shown as Part 1 on the Consent Sketch (the “Retained Lands”). Minor variances with respect to lot frontage and lot area are sought for each of the Severed Lands (File No. A118/23), the Retained Lands (File No. A120/23) and the Lot Addition Lands (File no. A119/23) in connection with the requested consents as set out below (collectively the “Applications”).

In support of the consent and minor variance applications to create parcels of land for future development, the following will review the current proposal, outline the nature of the consent applications, review the 4 tests of the Planning Act applicable to minor

¹ We note that on the consent sketch submitted, the “Lot Addition Lands” are labeled as “Severed Lands (Lot Addition). We use the term “Lot Addition Lands” to distinguish between the lands proposed to be severed by each of the two consent applications.



variances, and conclude that the consent and variance requests represents good planning and is in the public interest.

LOCATION AND DESCRIPTION OF THE SUBJECT LANDS

The Subject Lands are vacant and are irregularly shaped, with an area of approximately 21.8 ha (54 ac). The Subject Lands have frontage on DiPoce Way, John Lawrie Street and York Regional Road 27 and extend westward to Highway 427. A segment of the Robinson Creek bisects the Subject Lands with table lands to the east of the creek fronting onto both DiPoce Way and John Lawrie Street and also to the west of the creek abutting the Costco Lands. The Lot Addition Lands are comprised primarily of table lands, with the exception of the south east corner which includes a previously identified headwater drainage feature (“HDF”) which directs run off into the adjacent Robinson Creek. As noted in the Headwater Drainage Feature Assessment, prepared by WSP, dated June 8, 2023, (the “HDF Study”) the function of the HDF has been impacted by the extension of Highway 427. Accordingly, the HDF Study recommends that at the time of future development of the Lot Addition Lands, the function of the HDF be maintained outside of the Lot Addition Lands with implementation of a drainage pipe system and robust planting to enhance the currently limited terrestrial and riparian functions of the feature.

The Subject Lands and the Costco Lands are part of a larger area subject to a Block Plan that was approved by City of Vaughan Council in June, 2020 (the “Block 59 Plan”). The Block 59 Plan contemplates the John Lawrie Street extension location through the Subject Lands to connect with an underpass below Highway 427, and the installation of associated municipal services. Together with the City of Vaughan, the owners of land within the area subject to the Block 59 Plan are required to contribute lands and funds (or in-kind contributions) to construct infrastructure within the Block 59 Plan area under an existing implementing agreement (the “Block 59 Agreement”).

Costco relocated its main distribution centre operations from Brampton to Vaughan in 2016. The Costco Lands include additional lands acquired since 2021, and now comprise approximately 42.79 ha (105.74.3 ac) of land. The Costco Distribution Centre is a large facility comprised of an 80,918 m² industrial building used for warehouse and distribution operations, as well as associated employee and visitor surface parking. The Costco Distribution Centre is the logistics hub serving all of Costco’s Ontario locations including e-commerce, and also includes a commissary that manufactures par baked good for distribution across Canada and the eastern United States.

Operations at the Costco Distribution Centre have grown as reflected in recently filed applications for a Zoning By-law Amendment and Site Plan Approval which propose a phased expansion to the south of the existing warehouse, including the addition of approximately 45,600 m² of building area along with additional truck and employee parking areas on the southwest and southeast portions of the Costco Lands (the “Costco ZBA and SPA Applications”). To continue to support the growth of Costco’s operations in Canada and within the City of Vaughan, Costco is also seeking to acquire the Lot Addition Lands to secure additional lands for a future expansion.

The Costco Lands are zoned EM1 and the existing uses, buildings and structures on the Costco Lands are permitted by in-force zoning. The Costco ZBA (Z.23.011) and SPA (DA.23.031) Applications, which do not include the Lot Addition Lands, are under review by the City of Vaughan.



REQUESTED CONSENTS

The consent of the Committee is respectfully requested to allow for the conveyance of the Lot Addition Lands as a lot addition to the Costco Lands to facilitate a future expansion of Costco's Vaughan Depot and the delivery of the future extension of John Lawrie Street. The majority of the Lot Addition Lands are table lands which abut the Costco Lands, with a finger of land extending eastward across the Robinson Creek to connect with the existing terminus of John Lawrie Street. This finger of land reflects the preferred alignment for the John Lawrie Street extension in accordance with the Environmental Assessment completed by the City of Vaughan in 2015. The inclusion of the whole of the John Lawrie Street extension in the Lot Addition Lands simplifies the delivery of the road and related municipal infrastructure, as contemplated by the Block 59 Plan, by a single owner.

Committee staff have advised that it is preferable from an administrative perspective to file an additional application for consent to the creation of a new lot, to recognize one of the new parcels created by the splitting of the balance of the Subject Lands. Accordingly, the Applications include a request for consent to the creation of the Severed Lands as a new lot.

The requested consents implement the anticipated division of the Subject Lands that will occur with the conveyance of the John Lawrie Street extension to the City of Vaughan. The parcels of land to be created will be the subject of future applications for development, at which time appropriate buffers and setbacks to the adjacent Robinson Creek valley lands will be established in accordance with the policies Official Plan, the West Vaughan Employment Area Secondary Plan (the "Secondary Plan") and the Toronto and Region Conservation Authority (TRCA).

The particulars of the two requested consent applications are as follows:

First Consent: Severed Lands (File No. B015/23)

Consent is being requested to sever a parcel of land, with a frontage of 49.21 m on DiPoce Way and having an area of approximately 68,268 m², described as Part 2 on the Consent Sketch, for the purpose of facilitating the future extension of John Lawrie Street. The lands to be retained (shown as Parts 1 and 3 on the Consent Sketch) will have a frontage of 151.09 m on York Regional Road 27 and an area of approximately 150,484 m², described as Parts 1 and 3 on the Consent Sketch.

Second Consent: Lot Addition Lands (File No. B016/23)

Consent is requested to sever a parcel of land, with an area of approximately 56,913 m², shown as Part 3 on the Consent Sketch, as a lot addition to be merged on title with the Costco Lands for the purpose of accommodating future employment uses, including an expansion of the Costco Distribution Centre and the construction of the future extension of John Lawrie Street. The Retained Lands will have a frontage of 151.09 m on York Regional Road 27 and an area of 93,571 m², described as Part 1 on the Consent Sketch.

As noted above, it is proposed to register the transfer of the Severed Lands first with the transfer of the Lot Addition Lands to follow.



Zoning and Requested Variances

Pursuant to By-law 001-2021, the majority of the Subject Lands are zoned Future Development Zone (“FD Zone”) with the exception of that portion occupied by Robinson Creek which is zoned Environmental Protection Zone (“EP Zone”). As set out in Section 2.1 of the By-law, the purpose of the EP Zone is to provide for the conservation of environmentally sensitive features. Further, the purpose of the FD Zone is to permit only existing uses and limit building envelopes and to require a planning application to amend the By-law in order to evaluate a proposal for urban development.

Under the former By-law 1-88 for the City of Vaughan, the Subject Lands were zoned for agricultural purposes. With the passing of the current in force By-law, the majority of the Subject Lands were placed in the FD Zone to reflect the corresponding Employment Use designation in the Secondary Plan and as an acknowledgement that any development in accordance with the Secondary Plan will be the subject of future planning applications. In particular, the whole of the Lot Addition Lands are zoned FD with the exception of a small portion zoned EP where the future John Lawrie Street Extension crosses the Robinson Creek.

As noted previously no development is currently proposed in connection with the requested Applications and any future development proposal will be subject to the submission of required planning applications.

For that portion of the Subject Lands zoned EP, no relief from the By-law is required as the EP Zone does not prescribe minimum lot frontage or lot area requirements.

For the portion of the Subject Lands zoned FD, as set out in section 13.3 of the By-law, the minimum lot frontage and minimum lot area is the lot frontage and lot area existing as of the effective date of By-law 001-2021, being October 20, 2021. Accordingly, variances are requested to permit the lot frontages and lot areas of the proposed Lot Addition Lands, the Severed Lands and the Retained Lands as set out below and as noted on the sketches submitted with each minor variance application.

The requested variances for each of the three applications below, reflect minor flexibility in the numbers to account for small adjustments that may occur with the completion of the final reference plan filed in support of related consent applications, as the dimensions on the sketches submitted with the Applications will be confirmed on the reference plan by an Ontario Land Surveyor.

Variance - Severed Lands (File No. A118/23):

By-law Requirement	Proposal
1. The minimum lot area requirement is the existing lot area of 218,752 m ²	1. To permit a minimum lot area of 68,260 m ²

No variance is required for minimum lot frontage as the lot frontage will not change.



Variance - Retained Lands (File No. A120/23):

By-law Requirement	Proposal
1. The minimum lot frontage requirement is the existing lot frontage of 49.21 m on Di Poce Way	1. To permit a minimum lot frontage of 150.0 m on York Regional Road 27
2. The minimum lot area requirement is the existing lot area of 218,752 m ²	2. To permit a minimum lot area of 93,565 m ²

Variance - Lot Addition Lands (File No. A119/23):

By-law Requirement	Proposal
1. The minimum lot frontage requirement is the existing lot frontage of 49.21 m on Di Poce Way	1. To permit a minimum lot frontage of 25.0 m on John Lawrie Street
2. The minimum lot area requirement is the existing lot area of 218,752 m ²	2. To permit a minimum lot area of 56,900 m ²

Notwithstanding the fact that the Lot Addition Lands will merge with the Costco Lands to create a larger parcel, the larger parcel will have multiple zones applied to it. This is because the Lot Addition Lands are Zoned FD and EP and the developed portion of the Costco Lands are zoned EM1. Section 2.4.2. of By-law 001-2021 provides “[w]here a lot falls into two or more zones, each portion of that lot shall be subject to the applicable permitted uses and standards for the applicable zone applying to that portion of the lot.” Accordingly, the Minor Variance application associated with respect to the Lot Addition Lands has been submitted to address this requirement.

It is our opinion that no variances are required for the remainder of the larger parcel, as the existing buildings, structures and uses on the Costco Lands are permitted by the in-force EM1 zoning immediately to the south of the Lot Addition lands.

Planning Framework

The Applications have regard for matters of provincial interest set out in S. 2 of the *Planning Act*, are consistent with the Provincial Policy Statement, and conform with the Growth Plan for the Greater Golden Horseshoe as required by S. 3 of the *Planning Act*. The consent applications further have regard for the criteria in S. 51(24) of the *Planning Act*, including conformity with in-force official plans, and the applications for Minor Variances meet the test set out in S. 45(1) of the *Planning Act*.

Planning Act

In accordance with S. 53(12) of the *Planning Act*, R.S.O. 1990, c. P.13 (the “**Planning Act**”) in considering applications for consent, regard shall be given to the matters set out in S. 51(24) of the *Planning Act* as follows: Specifically:

- (a) *the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;*

S. 2 of the *Planning Act* identifies matters of provincial interest, and directs that the council of a municipality shall have regard to such matters, including, but not limited to the protection of ecological systems, including natural areas, features and functions (2(a)), the adequate provision of employment opportunities (2(k)), the protection of the financial and economic well-being of the Province and its municipalities (2(l)), and the appropriate location of growth and development (2(p)).

The Applications are requested to facilitate the future development of the Lot Addition Lands with employment uses in opportunities and the industrial economic base within the City of Vaughan. The Subject Lands are an appropriate location for growth and development associated with the expansion of the Costco Distribution Centre, which will continue to expand as the lands are located within the Urban Boundary. In particular, the Lot Addition Lands are identified in the Official Plan and West Vaughan Employment Area Secondary Plan for employment uses. Any future development of the Subject Lands will be subject to the policies of the Vaughan Official Plan, the Secondary Plan and the TRCA with respect to the protection of natural areas.

- (b) *whether the proposed subdivision is premature or in the public interest;*

The Applications serve to create the development parcels anticipated by the Block 59 Plan and the future conveyance of the John Lawrie Street extension in accordance with the approved Environmental Assessment, and will facilitate the future development of the Lot Addition Lands with employment uses in keeping with the Official Plan, Secondary Plan and Block 59 Plan policy context. The continued holding of the John Lawrie Street extensions lands in one ownership will simplify the construction and delivery of the road on a timely basis. On this basis the Applications are not premature and are in the public interest.

- (c) *whether the plan conforms to the official plan and adjacent plans of subdivision, if any;*

The Subject Lands are designated Employment Areas in the Vaughan Official Plan and General and Prestige Employment in the Secondary Plan. The consent applications will facilitate the future development of the Lot Addition Lands with employment uses in conformity with the policies of the Official Plan and Secondary Plan. There are no adjacent plans of subdivision.

(d) the suitability of the land for the purposes for which it is to be subdivided;

The Lot Addition Lands comprise the table land portion of the Subject Lands on the west side of the Robinson Creek valley feature and protect for the future John Lawrie Street extension. As supported by the HDF Study the inclusion of the drainage feature as part of the Lot Addition Lands is appropriate. The Lot Addition Lands are proposed to be added to the abutting Costco Lands and will be subject to future planning applications in support of development for employment uses. On this basis the land is suitable for the development of future employment uses.

(d.1) if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing;

Not applicable.

(e) the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;

The Lot Addition Lands include the lands for the John Lawrie Street extension, which will be constructed in accordance with the approved Environmental Assessment. The John Lawrie Street extension will connect with the existing terminus of John Lawrie Street to the west, providing connections to Di Poce Way and Regional Road 27.

(f) the dimensions and shapes of the proposed lots;

The shapes of the proposed lots reflects the land use designations in the Secondary Plan and the Block 59 Plan and are appropriate to accommodate the development of the Lot Addition Lands with future employment uses and the extension of John Lawrie Street. The Severed Lands and the Retained Lands reflect the dimensions and shape of lands which result from the inclusion of the location of the John Lawrie Street extension in the Lot Addition Lands.

(g) the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;

The Subject Lands are subject to the FD Zone which restricts development to existing uses and the EP Zone which is intended to conserve environmentally sensitive features. Use permissions and restrictions in the FD Zone provide that no development can proceed without future planning application on lands Zoned FD. Restrictions in the EP Zone limit uses to agriculture, conservation use, passive recreational use, single detached dwelling and storm water management facility, subject to restrictions with respect to yard setbacks, lot coverage and building height. S. 4.15 of By-law 001-2021 permits the use of land for any public use, such as a road and related infrastructure, by a public authority.

(h) conservation of natural resources and flood control;

The Applications propose the creation of lots generally in accordance with the land use designations of the Official Plan, the Secondary Plan and Block 59 Plan. The adjacent valley lands of Robinson Creek are protected by the policies of the Official Plan and Secondary Plan and the regulations of the TRCA. Any future development will be subject to the applicable planning framework and land use controls which provide for the conservation of natural resources and flood control.



(i) *the adequacy of utilities and municipal services;*

Municipal services are available within DiPoce Way and the existing John Lawrie Street adjacent the Severed Lands and the Retained Lands. The Lot Addition Lands will have services available to them either from the existing Costco Lands or from the services to be available within the future John Lawrie Street extension. As no development is proposed in connection with the Applications, no services are required, and it is appropriate that the adequacy of future services will be determined in connection with the review of future applications for development on the Subject Lands.

(j) *the adequacy of school sites;*

Not applicable. The Subject Lands and Costco Lands are designated as employment uses. No residential development is proposed.

(k) *the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;*

As no development is proposed in connection with the Applications, no lands have been identified, exclusive of the John Lawrie Street extension, for conveyance or dedication for public purposes. The need to convey additional lands for public purposes will be considered and reviewed in the context of any future applications for development of the Subject Lands.

(l) *the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and,*

No development is currently proposed in connection with the Applications. The optimization of the available supply, efficient use and conservation of energy will be addressed in connection with future applications for development of the Subject Lands.

(m) *the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act or subsection 114 (2) of the City of Toronto Act, 2006. 1994, c. 23, s. 30; 2001, c. 32, s. 31 (2); 2006, c. 23, s. 22 (3, 4); 2016, c. 25, Sched. 4, s. 8 (2).*

No development is proposed as a result of the Applications. Site Plan applications will be required to facilitate the development of any employment uses or extension of existing employment uses and or buildings on the Subject Lands.

Provincial Policy Statement, 2020 (the “2020 PPS”)

The 2020 PPS provides policy direction on matters of provincial interest related to land use planning and development. S. 1.3 of the 2020 PPS addresses employment, and includes policies directing planning authorities to promote economic development and competitiveness by, in part, “*providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses*” (1.3.1.b)), and “*facilitating the conditions for economic investment by identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seeking to address potential barriers to investment*” (1.3.1 d)). “*Planning authorities shall plan for and protect corridors and rights-of-way for infrastructure, including transportation, transit and electricity generation facilities and transmission systems to meet current and projected needs*” (1.6.8.1).



The Subject Lands are within a large and well-established area of employment. Consistent with the policies of the 2020 PPS, the requested Applications will facilitate Costco's ability to accommodate a future expansion of its industrial operations and foster further economic investment opportunities. In addition, the proposed dimensions of the Lot Addition Lands protect for the delivery of the John Lawrie Street extension and maintain the area of the future infrastructure within a single ownership.

Growth Plan for the Greater Golden Horseshoe (the "Growth Plan")

The Growth Plan (Office Consolidation 2020) is intended to inform decision-making regarding growth management and environmental protection in the Greater Golden Horseshoe. The Subject Lands are within the defined Built-up Area of York Region (Schedule 1B Urban System Overlays, York Region Official Plan 2022), and as such are designated for development. As they relate to employment, the policies in the growth plan direct that economic development and competitiveness in the Greater Golden Horseshoe will be promoted by, in part, "*ensuring the availability of sufficient land, in appropriate locations, for a variety of employment to accommodate forecasted growth to the horizon of this Plan*" (2.2.5.1 b), and that "*municipalities should designate and preserve lands within settlement areas located adjacent to or near major goods movement facilities and corridors, including major highway interchanges, as areas for manufacturing, warehousing and logistics, and appropriate associated uses and ancillary facilities*" (2.2.5.5).

In conformity with the Growth Plan, the Subject Lands are in an appropriate location that has been identified by the municipality to support employment uses. In particular, the Lot Addition Lands are located near major goods movement facilities and corridors, including the Highway 27 major arterial road and the Highway 427 interchange.

York Region Official Plan (the "Regional Official Plan")

The Subject Lands are designated *Employment Area* pursuant to Map 1A - Land Use Designations in the Regional Official Plan, and are located in the West Vaughan Employment Area. Employment areas are intended to primarily accommodate "*industrial, warehouse, logistics, goods and service producing business uses*", with the range of employment uses expected to "*continue to diversify, including more knowledge-based industries*". Further, employment areas "*shall be designated in local official plans for employment uses for clusters of business and economic activities including, manufacturing, warehousing, industrial, offices, and associated retail and ancillary facilities*" (4.3.3).

City of Vaughan Official Plan (the "Vaughan Official Plan")

Within the City of Vaughan's (the "City") Official Plan, the majority of the Subject Lands are designated *Employment Area* with the Robinson Creek designated Natural Areas and *Countryside* as identified on Schedule 1 - Urban Structure.

The planned function of Employment Areas is to support economic activity related to industrial, manufacturing, warehousing and related office uses. The plan encourages a range of parcel sizes within Employment Areas to maintain the flexibility to attract a variety of businesses, and allow for redevelopment and intensification (Sec. 2.2.4).

Future development applications for the Subject Lands will be subject to Natural Area policies, including those applicable to Core Features, of the Official Plan which provide that the ecological functions of natural areas will be preserved.

Section 10. of the Official Plan contains additional policies applicable to applications for consent as follows:

Policy 10.1.2.36 provides that a consent may be permitted for the creation of new lots and for the conveyance of additional lands to an adjacent lot as is reflected in the Applications.

Policy 10.2.3.38 provides that a lot may be created only if there is enough development area on the severed and remainder lots to accommodate proposed uses and buildings without encroachment in the Natural Heritage Network. While development is contemplated in connection with the Applications, the Lot Addition Lands, with an area of over 56,900 m², are sufficient to accommodate future employment uses and will be the subject of future applications for development. Further the resultant development areas of the Lot Additional Lands, the Severed Lands and the Retained Lands are consistent with the anticipated division of the Subject Lands to accommodate the approved alignment of the John Lawrie Street extension.

“10.1.2.41. That a consent(s) shall not be granted for uses that are inconsistent with this Plan.”

The Applications are requested to support the future development of employment uses in accordance with the policies of the Plan.

“10.1.2.43. That a consent(s) to sever land designated on Schedule 13 as Natural Area and Agricultural, may be permitted in the following instances: a. acquisition of land by a public body for infrastructure projects;”

The request to sever lands designated Natural Areas is in support of the approved alignment of the future John Lawrie Street extension.

“10.1.2.47. That in addition to matters under the Planning Act, the Committee of Adjustment, in determining whether a consent is to be granted, shall have regard for the following matters in consultation with the appropriate departments and agencies:

a. compatibility of the proposed size, shape and use of the lot with :

- i. the local pattern of lots, streets and blocks;*
- ii. the size and configuration of existing lots;...”*

The Applications reflect the approved alignment of the John Lawrie Street extension and the resultant pattern of lots which is compatible with the size and configuration of the surrounding lots.

“b. Access i. consent to sever a lot shall be permitted only when both the lot severed and the remaining parcel front on an existing assumed public highway or street, or upon a dedicated public road allowance upon which the applicant is constructing a road pursuant to an Agreement with the City.”

The Severed Lands and the Retained Lands have frontage on an assumed public street. The Lot Addition Lands will have frontage on existing John Lawrie Street, as well the Lot Addition Lands will have future frontage on the extension of John Lawrie Street. Further, the effect of transferring the Lot Addition Lands to Costco will be to expand the Costco Lands, and the Lot Addition Lands will share access to public streets with the Costco Lands.



“c. Servicing i. all proposed lots shall be serviced by either a public water supply or other adequate supply of potable water, and either a connection to a public sanitary sewer system or provision for other sanitary waste treatment facility on the site appropriate to the proposed use, approved by the City. Where a proposed lot is located in an area serviced by a municipal water system and/or sanitary sewer, the Committee of Adjustment shall obtain confirmation from the appropriate City and/or Regional authority that servicing capacity can be allocated to the proposed lot without straining the capacity of the present system or jeopardizing anticipated development by Plan of Subdivision;”

Connections to public water supply and public sanitary sewer systems are available in the abutting road network. Such services will also be provided within the future extension of John Lawrie Street. Details with respect to connections to municipal services will be reflected in future applications for development of the Subject Lands.

“d. Conservation: i. the Toronto and Region Conservation Authority shall be consulted in respect of applications for consent which are subject to flooding, wind or water erosion, or characterized by steep slopes, groundwater recharge, valuable wildlife or fish habitat, mature tree stands and areas of high aggregate potential.”

The TRCA was consulted in the preparation of the Block 59 Plan and were involved in several pre-application consultation meetings with Costco and its consultants. Further, the HDF Study is under review by the TRCA.

“e. Financial Implications i. creation of lots shall not be permitted where capital expenditures by a public authority would be required for the extension of any major service or facility.

No extension of services is required as no development is proposed in connection with the Applications.

West Vaughan Employment Area Secondary Plan

The Subject Lands are designated *General Employment, Prestige Employment and Natural Area* in the West Vaughan Employment Area Secondary Plan (the “Secondary Plan”). The Secondary Plan is intended to accommodate a significant portion of Vaughan’s employment growth in industrial, manufacturing and warehousing to 2031 by taking advantage of, in part, a large supply of vacant employment lands, existing and planned railway and highway infrastructure and significant open space and natural heritage resources (2.1.1 a., c., & d.). The Secondary Plan also provides opportunities to accommodate and attract industrial, manufacturing and warehousing by, in part, providing for large development parcels (2.1.4 a.).

The General Employment Designation is intended to accommodate employment uses such as industrial, manufacturing and warehousing with outdoor storage, while the Prestige Employment designation is intended to accommodate light industrial, manufacturing and warehouse uses that do not require outdoor storage, and acts as a buffer between the General Employment designation and more sensitive uses.

The Natural Area policies provide for the protection of Core Features in accordance with the Official Plan and provide that the precise limits of mapped natural heritage features shall be determined through appropriate study to the satisfaction of the City and the Toronto and Region Conservation Authority, prior to any development approvals.

Block 59

S. 10.1 of the Vaughan Official Plan and Policy 2.6.1 of the Secondary Plan require the preparation of Block Plan for all areas of the Secondary Plan, to implement the Secondary Plan, including the provision of the road network. Vaughan Council on June 29, 2020 approved the Block 59 Block Plan (“Block 59 Plan”) for the area including the Subject Lands. The Block 59 Plan contemplates the provision of infrastructure and new roads, including the John Lawrie Street Extension.

The proposed consents facilitate the construction of the John Lawrie Street Extension as contemplated in the Block 59 Plan, by maintaining ownership of the John Lawrie Street extension lands in one ownership.

Accordingly, the requested consent applications are consistent with the in-force planning permissions.

Minor Variances – Section 45 of the Planning Act

Section 45(1) of the Planning Act sets out the test for minor variances, which must be minor in nature, desirable for the use of the land, and maintain the general intent and purpose of the official plan and zoning by-law. As noted above, the proposed variances for lot areas and lot frontages reflect the creation of parcels that facilitate the delivery of the John Lawrie Street extension, providing future access for developable table lands to have access to a public street, and protecting for the future expansion of employment uses. To that end, they are desirable for the use of the land and maintain the general intent and purpose of the Secondary Plan’s designation of the Subject Lands for employment uses and the Secondary Plan’s requirements for the provision of appropriate infrastructure, through the implementing Block 59 Plan. Because the variances will protect for future development, they also maintain the general intent and purpose of the FD Zone. We also respectfully submit that as the proposed variances (individually and collectively) do not create any impacts not previously contemplated by the in-force planning framework for the Subject Lands, that they are minor in nature.

CONCLUSION

The proposed consent and minor variance applications to facilitate the creation of the Lot Addition Lands for future development conform with the applicable planning framework, and will achieve good planning, through:

1. The creation of the proposed lots, that will provide for a developable parcel of land, that will facilitate the future northward expansion of the employment uses of the Costco Depot facility, consistent with the employment designations of the Vaughan Official Plan and West Vaughan Employment Area Secondary Plan.
2. Supporting the continued growth of Costco’s operations in Canada and within the City of Vaughan, facilitating additional employment opportunities in a contiguous campus, within close proximity to arterial roads, and provincial highways.



3. The proposed consents that will facilitate the future construction of the John Lawrie Street extension in accordance with the approved Environmental Assessment, by keeping the necessary lands under one ownership which will simplify construction and delivery.
4. The preparation of a Headwater Drainage Feature Assessment, which assessed the function of the existing HDF, and proposed means of mitigation at the time of development, which will enhance the currently limited terrestrial and riparian function of the Feature.

For these reasons, the proposed consents and minor variances represent good planning and are in the public interest.

Yours sincerely,

WSP Canada Group Inc.

A handwritten signature in black ink that reads "Darryl Bird". The signature is written in a cursive, flowing style.

Darryl Bird, MCIP, RPP
Senior Director of Operations
Planning, Transportation & Infrastructure

WSP Ref. 20m-01230-00