ITEM: 6.18

REPORT SUMMARY MINOR VARIANCE APPLICATION FILE NUMBER 103/24

Report Date: July 26, 2024

THIS REPORT CONTAINS COMMENTS FROM THE FOLLOWING DEPARTMENTS & AGENCIES (SEE SCHEDULE B):

Additional comments from departments and agencies received after the publication of the report will be made available on the City's <u>website</u>.

Internal Departments *Comments Received	Conditions	Required	Nature of Comments
Committee of Adjustment	Yes □	No ⊠	General Comments
Building Standards (Zoning)	Yes □	No □	Application Under Review
Development Planning	Yes □	No □	Application Under Review
Development Engineering	Yes □	No □	Application Under Review
Development Finance	Yes □	No ⊠	General Comments

External Agencies *Comments Received	Conditions Required		Nature of Comments *See Schedule B for full comments
Alectra	Yes □	No ⊠	General Comments
Region of York	Yes □	No ⊠	General Comments
TRCA	Yes □	No ⊠	General Comments
MTO	Yes □	No ⊠	General Comments

PUBLIC & APPLICANT CORRESPONDENCE (SEE SCHEDULE C)

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			06/17/2024	Application Cover Letter

BACKGROUND (SCHEDULE D, IF REQUIRED)	
* Background Information contains historical development approvals considered to be related to this file.	
This information should not be considered comprehensive.	
Application No. (City File) Application Description	
(i.e. Minor Variance Application; Approved by COA / OLT)	
A353/17	Approved COA; May 10, 2018

ADJOURNMENT HISTORY	
* Previous hearing dates where this application was adjourned by the Committee and public notice issued.	
Hearing Date Reason for Adjournment (to be obtained from NOD_ADJ)	
N/A	N/A

SCHEDULES	
Schedule A	Drawings & Plans Submitted with the Application
Schedule B	Comments from Agencies, Building Standards & Development Planning
Schedule C (if required)	Public & Applicant Correspondence
Schedule D (if required)	Background



MINOR VARIANCE APPLICATION FILE NUMBER A103/24

CITY WARD #:	2
APPLICANT:	CP REIT Ontario Properties Ltd.
AGENT:	Zelinka Priamo Ltd.
PROPERTY:	8585 Hwy 27, Vaughan
ZONING DESIGNATION:	See below.
VAUGHAN OFFICIAL PLAN	Vaughan Official Plan 2010 (VOP 2010'): "Low-Rise Mixed-Use"
(2010) DESIGNATION:	· · ·
RELATED DEVELOPMENT	DA.17.093.
APPLICATIONS:	
PROPOSAL:	Relief from the Zoning By-law is being requested to permit the
	redevelopment of the north-west portion of the subject land to include
	a new retail unit and reduced parking space requirements onsite.
	Relief is also required to facilitate related Site Plan Application
	DA.17.093.

The following variances are being requested from the City's Zoning By-law to accommodate the above proposal:

The subject lands are zoned NC, Neighbourhood Commercial Zone –and subject to the provisions of Exception 14.462 under Zoning By-law 001-2021, as amended.

#	Zoning By-law 01-2021	Variance requested
1	Loading facilities for the Subject Lands shall be permitted in the areas shown as "Loading Area" on Schedule E-833. [14.462.3 #2]	To permit the loading facility to be in the area as shown in submitted site plan. *Variance confirmed using Zoning Review Waiver
2	Parking for the Subject Lands shall be provided on the basis of 6.0 spaces per 100 sq.m. of gross floor area for the shopping centre. 684 parking spaces are required for the shopping centre. [14.462.3 #1]	To permit a minimum of 525 parking spaces for the shopping centre. (not including mezzanine areas). *Variance confirmed using Zoning Review Waiver
3	Maximum Gross Floor Area of the Neighbourhood Commercial Plaza shall be 10,754 sq. m. [14.462.2 #3]	To permit a maximum gross floor area of the Neighbourhood Commercial Plaza of 11,384.0 square metres (not including mezzanine areas). *Variance confirmed using Zoning Review Waiver

The subject lands are currently zoned *C4 Neighbourhood Commercial* subject to *Exception 9(750)* under By-law 1-88 as amended.

	Zoning By-law 1-88	Variance requested
4	Loading facilities for the Subject Lands shall be permitted in the areas shown as "Loading Area" on Schedule E-833. [9(750) ci]	To permit the loading facility to be in the area as shown in submitted site plan. *Variance confirmed using Zoning Review Waiver
5	Parking for the Subject Lands shall be provided on the basis of 6.0 spaces per 100 sq.m. of gross floor area for the shopping centre. 684 parking spaces are required for the shopping centre. [9(750) bi)]	To permit a minimum of 525 parking spaces for the shopping centre. (not including mezzanine areas). *Variance confirmed using Zoning Review Waiver
6	Maximum Gross Floor Area of the Neighbourhood Commercial Plaza shall be 10,754 sq. m. [9(750) aiii)]	To permit a maximum gross floor area of the Neighbourhood Commercial Plaza of 11,384.0 square metres (not including mezzanine areas). *Variance confirmed using Zoning Review Waiver

	Zoning By-law 1-88	Variance requested
7	The required minimum front yard setback shall not	To permit a minimum front yard setback of
	be less than 11.0 metres.	10.24 metres.
	[Zone Requirement Table Schedule A]	*Variance added using Zoning Review Waiver

HEARING INFORMATION

DATE OF MEETING: Thursday, August 1, 2024

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.

Section 45(1) of the Planning Act sets the criteria for authorizing minor variances to the City of Vaughan's Zoning By-law. Accordingly, review of the application may consider the following:

That the general intent and purpose of the by-law will be maintained.

That the general intent and purpose of the official plan will be maintained.

That the requested variance(s) is/are acceptable for the appropriate development of the subject lands.

That the requested variance(s) is/are minor in nature.

Public written and oral submissions relating to this application are taken into consideration by the Committee of Adjustment as part of its deliberations and final decision on this matter.

COMMITTEE OF ADJUSTMENT		
Date Public Notice Mailed:	July 19, 2024	
Date Applicant Confirmed Posting of Sign:	July 18, 2024	
Applicant Justification for Variances: *As provided in Application Form	See Cover Letter (Schedule C)	
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.	Yes ⊠ No □	

COMMENTS:

On July 16, 2024, Committee of Adjustment staff advised:

Zoning staff have advised that he has requested additional plans and statistics so the zoning review for 001 – 2021 will be comprehensive. In addition, there appears to be ongoing discussions with Development Planning staff on requirements.

To permit time to allow submission and zoning review of additional plans/statistics, and to avoid additional rescheduling fees, the application must be adjourned to the next hearing.

On July 17, 2024, the applicant submitted a revised plan to address outstanding Zoning Review comments.

COMMITTEE OF ADJUSTMENT

On July 19, 2024, Zoning staff requested revised drawings and/or additional information to complete their review of the July 17 submission.

On July 19, 2024, the applicant submitted a Zoning Review Waiver to identify required variances to facilitate statutory public notice.

On July 22, 2024, Development Engineering provided:

Please note that a new parking study is not required to proceed with the MV application. However, you will have to provide an updated parking study (Addendum Report) reflecting revised site plan's GFA. The updated study must verify that proposed parking ratio meets the zoning bylaw 01-2021 parking requirement.

The Addendum Report should be provided in order to be consistent with the Site Plan. Hope you are able to provide this report within the next few days.

Should the application be adjourned from the August 1, 2024, hearing, an Adjournment Fee is required to be paid to reschedule the application.

Committee of Adjustment Recommended None Conditions of Approval:

**See Schedule B for Building Standards (Zoning) Comments: N/A Applicant submitted Zoning Review Waiver. Revised submission under review. Building Standards Recommended Conditions of Approval: TBC

DEVELOPMENT PLANNING	
**See Schedule B for Development Planning Comments. Application under Review.	
Development Planning Recommended Conditions of Approval:	TBC

DEVELOPMENT ENGINEERING				
Link to Grading Permit Link to Pool Permit Link to Curb Curt Permit Link Culvert Installation Application under Review.				
Development Engineering Recommended Conditions of Approval:	TBC			

PARKS, FORESTRY & HORTICULTURE (PFH)		
No comments received to date.		
PFH Recommended Conditions of Approval:		

DEVELOPMENT FINANCE		
No comment no concerns.		
Development Finance Recommended Conditions of Approval:		

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

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

FIRE DEPARTMENT		
No comments received to date.		
Fire Department Recommended Conditions of Approval:	None	

RECOMMENDED CONDITIONS OF APPROVAL SUMMARY

Should the Committee find it appropriate to approve this application in accordance with request and the sketch submitted with the application, as required by Ontario Regulation 200/96, the following conditions have been recommended:

#	DEPARTMENT / AGENCY	CONDITION
1	Development Planning	TBC
	Nicholas.delprete@vaughan.ca	
2	Development Engineering	TBC
	Rex.bondad@vaughan.ca	

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.

IMPORTANT INFORMATION

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

APPROVALS: Making any changes to your proposal after a decision has been made may impact the validity of the Committee's decision.

An approval obtained from the Committee of Adjustment, where applicable, is tied to the building envelope shown on the plans and drawings submitted with the application and subject to the variance approval.

A building envelope is defined by the setbacks of the buildings and/or structures shown on the plans and drawings submitted with the application, as required by Ontario Regulation 200/96. Future development outside of an approved building envelope, where a minor variance was obtained, must comply with the provisions of the City's Zoning By-law.

Elevation drawings are provided to reflect the style of roof (i.e. flat, mansard, gable etc.) to which a building height variance has been applied. Where a height variance is approved, building height is applied to the style of roof (as defined in the City's Zoning By-law) shown on the elevation plans submitted with the application.

Architectural design features that are not regulated by the City's Zoning By-law are not to be considered part of an approval unless specified in the Committee's decision.

DEVELOPMENT CHARGES: That the payment of the Regional Development Charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the Regional Development Charges By-law in effect at the time of payment.

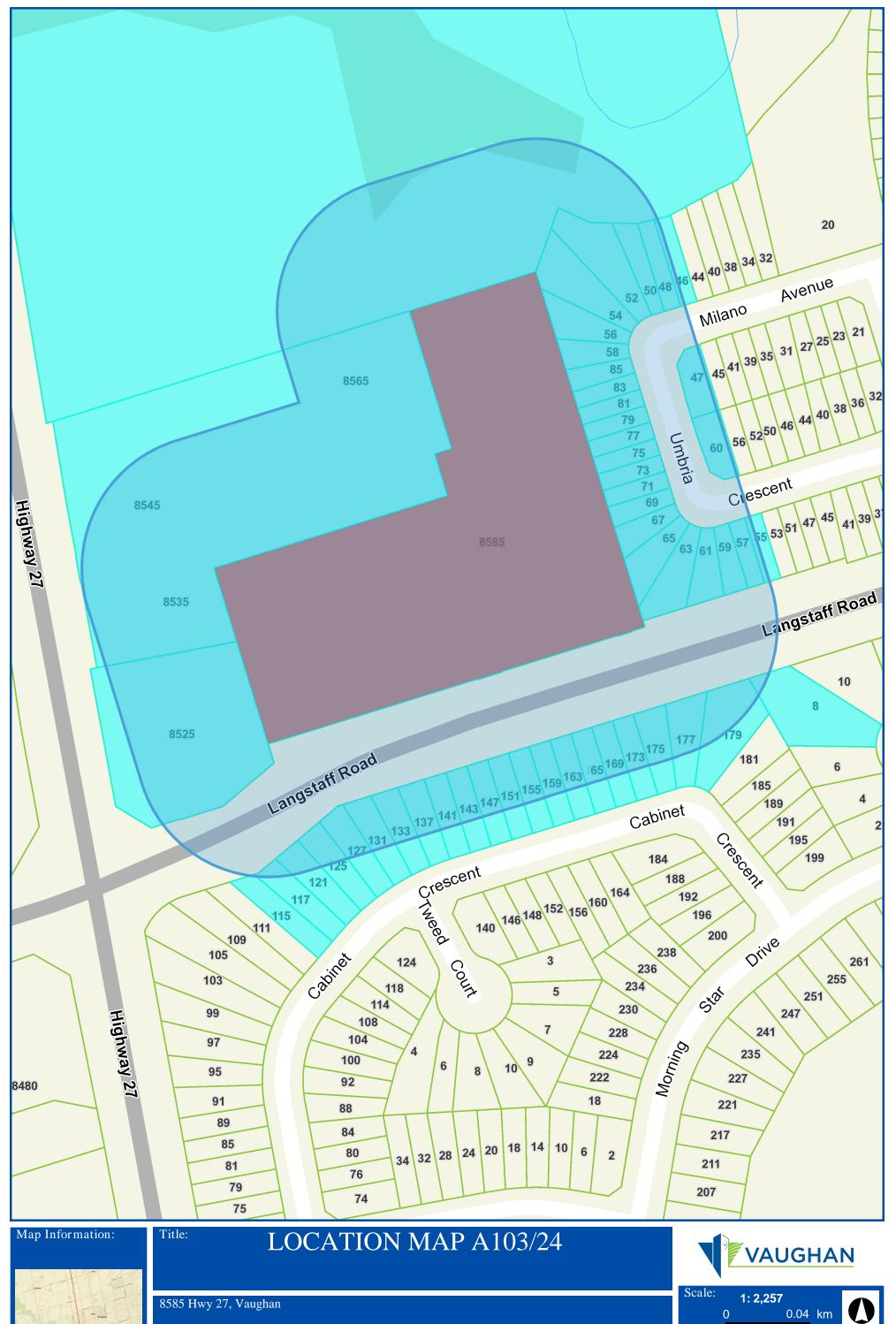
That the payment of the City Development Charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the City's Development Charges By-law in effect at the time of payment.

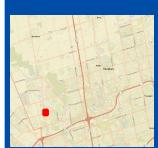
That the payment of the Education Development Charge if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the Boards of Education By-laws in effect at the time of payment

That the payment of Special Area Development charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and The City's Development Charge By-law in effect at the time of Building permit issuance to the satisfaction of the Reserves/Capital Department.

NOTICE OF DECISION: If you wish to be notified of the decision in respect to this application or a related Ontario Land Tribunal (OLT) hearing you must complete a Request for Decision form and submit to the Secretary Treasurer (ask staff for details). In the absence of a written request to be notified of the Committee's decision you will **not** receive notice.

SCHEDULE A: DRAWINGS & PLANS





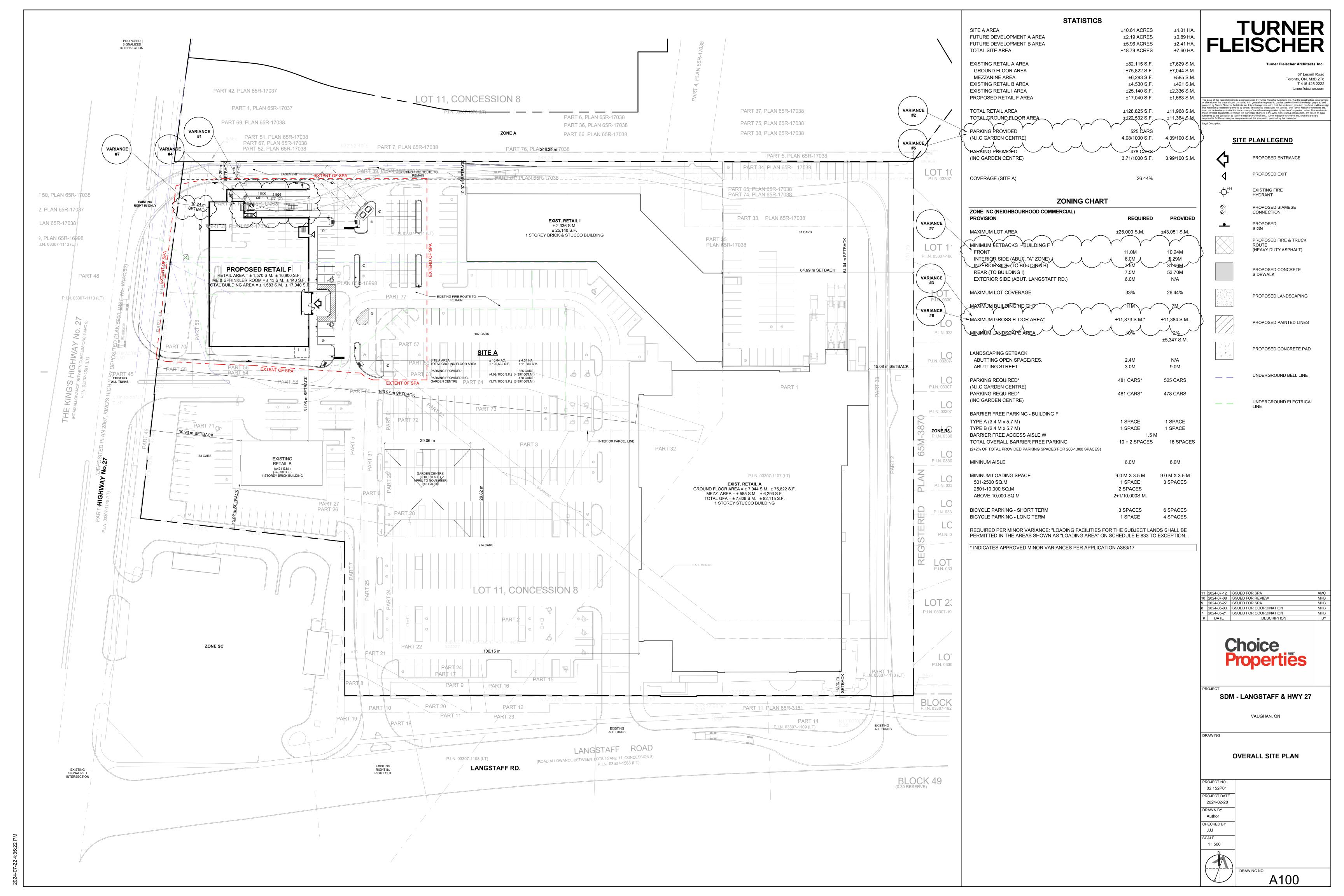
Disclaimer:

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



Created By: Infrastructure Delivery Department June 17, 2024 12:49 PM

NAD 83 UTM Zone



SCHEDULE B: COMMENTS FROM AGENCIES, BUILDING STANDARDS & DEVELOPMENT PLANNING

Department / Agency	Conditions Required		Nature of Comments
*Comments Received			
Building Standards (Zoning) *See	Yes □	No □	Application Under Review
Schedule B			
Development Planning	Yes □	No □	Application Under Review

External Agencies	Conditions Required		Nature of Comments
*Comments Received			*See Schedule B for full comments
Alectra	Yes □	No ⊠	General Comments
Region of York	Yes □	No ⊠	General Comments
TRCA	Yes □	No ⊠	General Comments
MTO	Yes □	No ⊠	General Comments



Date: June 24th 2024

Attention: Christine Vigneault

RE:

File No.: A103-24

Related Files:

Applicant Zelinka Priamo Ltd.

Location 8585 Hwy 27



COMMENTS:

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

Alectra Utilities (formerly PowerStream) has received and reviewed the proposed Variance Application. This review, however, does not imply any approval of the project or plan.

All proposed billboards, signs, and other structures associated with the project or plan must maintain minimum clearances to the existing overhead or underground electrical distribution system as specified by the applicable standards, codes and acts referenced.

In the event that construction commences, and the clearance between any component of the work/structure and the adjacent existing overhead and underground electrical distribution system violates the Occupational Health and Safety Act, the customer will be responsible for 100% of the costs associated with Alectra making the work area safe. All construction work will be required to stop until the safe limits of approach can be established.

In the event construction is completed, and the clearance between the constructed structure and the adjacent existing overhead and underground electrical distribution system violates the any of applicable standards, acts or codes referenced, the customer will be responsible for 100% of Alectra's cost for any relocation work.

References:

- Ontario Electrical Safety Code, latest edition (Clearance of Conductors from Buildings)
- Ontario Health and Safety Act, latest edition (Construction Protection)
- Ontario Building Code, latest edition (Clearance to Buildings)
- PowerStream (Construction Standard 03-1, 03-4), attached
- Canadian Standards Association, latest edition (Basic Clearances)

If more information is required, please contact either of the following:

Mr. Stephen Cranley, C.E.T

Supervisor, Distribution Design, ICI & Layouts (North)

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

E-mail: stephen.cranley@alectrautilities.com

Mitchell Penner

Supervisor, Distribution Design-Subdivisions

Phone: 416-302-6215

Email: Mitchell.Penner@alectrautilities.com



Power Stream 1

Construction Standard

03-1

	SYSTEM VOLTAGE			
LOCATION OF WIRES, CABLES OR CONDUCTORS	SPAN GUYS AND COMMUNICATIONS WIRES		4.16/2.4kV TO 27.6/16kV (SEE NOTE 1)	44kV
	MINIMUM	VERTICAL CLEA	ARANCES (SEE	NOTE 2)
OVER OR ALONGSIDE ROADS, DRIVEWAYS OR LANDS ACCESSIBLE TO <u>VEHICLES</u>	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:

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

<u>\G</u>	340cm	11'-4"			
	310cm	10'-4"			
VALUES.	250cm	8'-4"			
VALUES.					
REFERENCES					
SAGS AND	FNSIONS 1	SECTION 02			

METRIC

810cm

760cm 730cm

520cm 480cm

442cm 370cm

CONVERSION TABLE

IMPERIAL (APPROX)

27'-0" 25'-4"

24'-4" 17'-4"

15'-5" 12'-4"

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

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



Construction Standard

03 - 4





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

- 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.
- 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.
- 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 CONJUCTION 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		
IMPERIAL		
(APPROX)		
16'-0"		
10'-0"		
8'-4"		
3'-4"		

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

ORIGINAL ISSUE DATE: 2010—MAY—05 REVISION NO: REVISION DATE:
PEgystem Planning and Standards/Standard Design/PowerStream Standards/soundard working (lighter/Seedlan 3/3-4/c/wg d3-4 Ro May 5, 2010, s/wg, %/3/2010 8/2/202 AM, Adobe POF

From: Mulrenin, Colin (MTO)
To: Christine Vigneault

Cc: <u>Brown, Francesca (MTO)</u>; <u>Singh, Christian (MTO)</u>; <u>ZASUN, ADNIN (MTO)</u>

Subject: [External] RE: A103/24 (8585 Hwy 27) - REQUEST FOR COMMENTS, CITY OF VAUGHAN

Date: Thursday, June 27, 2024 9:49:30 AM

Attachments: <u>image001.png</u>

CAUTION! This is an external email. Verify the sender's email address and carefully examine any links or attachments before clicking. If you believe this may be a phishing email, please use the Phish Alert Button.

Good morning,

As the property is located outside of MTO permit control, we have no comments.

Colin Mulrenin (He/Him)

Corridor Management Planner (York/Simcoe) | Highway Corridor Management Section Ministry Of Transportation | Ontario Public Service 437-533-9427 | colin.mulrenin@ontario.ca

7th Floor 159 Sir William Hearst Avenue Toronto ON Postal Code M3M 0B7



Taking pride in strengthening Ontario, its places and its people

Prabhdeep Kaur

From: Cameron McDonald <Cameron.McDonald@trca.ca>

Sent: Wednesday, July 3, 2024 11:09 AM

To: Committee of Adjustment

Subject: [External] RE: A103/24 (8585 Hwy 27) - REQUEST FOR COMMENTS, CITY OF VAUGHAN

CAUTION! This is an external email. Verify the sender's email address and carefully examine any links or attachments before clicking. If you believe this may be a phishing email, please use the Phish Alert Button.

Good morning,

Based on a review of our screening mapping, I can confirm that the subject property is not located within TRCA's Regulated Area. As such, any site alteration or development on the property would not require a permit from TRCA.

Based on the above, we have no comments/requirements.

Regards,

Cameron McDonald

Planner I

Development Planning and Permits | Development and Engineering Services

T: (437) 880-1925

E: cameron.mcdonald@trca.ca

A: 101 Exchange Avenue, Vaughan, ON, L4K 5R6 | trca.ca



Lenore Providence

Subject:

FW: [External] RE: A103/24 (8585 Hwy 27) - REQUEST FOR COMMENTS, CITY OF

From: Development Services <developmentservices@york.ca>

Sent: Tuesday, July 9, 2024 3:43 PM

To: Christine Vigneault < Christine. Vigneault@vaughan.ca>

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

Subject: [External] RE: A103/24 (8585 Hwy 27) - REQUEST FOR COMMENTS, CITY OF VAUGHAN

CAUTION! This is an external email. Verify the sender's email address and carefully examine any links or attachments before clicking. If you believe this may be a phishing email, please use the Phish Alert Button.

Hi Christine,

The Regional Municipality of York has completed its review of the minor variance application A103/24 (8585 Highway 27) and has no comment.

The Region's comments and conditions for related Site Plan Applications (DA.17.093 and DA.24.028) continue to apply.

Please provide us with a digital copy of the notice of decision for our records.

Many thanks,

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.

Niranjan Rajevan, M.PI. | Associate Planner, Development Planning | Economic and Development Services Branch | Corporate Services Department

The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1 1-877-464-9675 ext. 71521 | niranjan.rajevan@york.ca | www.york.ca

Our Values: Integrity, Commitment, Accountability, Respect, Excellence



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

Please consider the environment before printing this email.

ZONING REVIEW WAIVER

l,

Name of authorized owner or agent

Agree to proceed with an application(s) to the Committee of Adjustment without the benefit of having my revised submission reviewed by a Zoning Examiner within the City of Vaughan Building Standards Department, for the purposes of confirming the variances required to facilitate my proposal.

I assume full responsibility for identifying, correctly and completely, all variances associated with my proposal/application.

I also recognize and acknowledge that any errors may result in:

- a) a potential delay in the processing of my application(s);
- b) an inability to obtain a building permit;
- c) the need for additional application(s) to the Committee of Adjustment; and
- d) additional fees (adjournment/recirculation).

Date:			
Signature:			

IMPORTANT

By completing this Zoning Review Waiver, you are conducting a zoning review of your revised submission and assuming responsibility for identifying <u>all</u> variances required to facilitate your proposed development. If you would like zoning staff to conduct this review your file will require adjournment to a future hearing date.

Helpful Tips:

Review your original zoning report provided by your file manager. This report may be used as a tool to complete your review on the next page.

You may want to consider copying and pasting the variances, confirmed in your zoning report, into the charts on the next page as a starting point and update as required.

If new variances are required, you will need to review the applicable By-law to determine requirements. If you are submitting a Zoning Review Waiver Form, staff cannot assist you with completing your review.

Ensure that **all** variances are included in the charts below, even variances that are not changing from the zoning report must be included. The omission of a variance may result in delays in processing, inability to obtain a building permit after approval, requirement of additional applications and fees.

See next page to complete your review.

REVISED SUBMISSION - ZONING REVIEW (WAIVER SUBMITTED)

In the chart below, identify all variances required under Zoning By-law 001-2021:

By-law Requirement

*Quote actual provision of By-law

ZONING BY-LAW 001-2021

Variance Requested

Completed By:

Date:

#

2

3

4

File No.(s):

Property:

5		
6		
7		
8		
9		
10		
In the	e chart below, identify <u>all</u> variances require	
#	By-law Requirement *Quote actual provision of By-law	Variance Requested
1	Quote actual provision of by-law	
2		
3		
4		
5		
6		
7		
8		
9		
10		

Zoning Review Waivers can only be submitted if your application has received an initial zoning review. Staff cannot be consulted to complete your Zoning Review Waiver. The owner/ agent can obtain a zoning review of their revised application, through the Committee of Adjustment submission process in accordance with the Committee of Adjustment internal deadlines. Should an applicant/agent/representative wish to proceed to a hearing without a revised submission being reviewed by a zoning examiner they must complete this waiver to assume full responsibility for identifying required variances.

SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE				
Correspondence Type	Name	Address	Date Received (mm/dd/yyyy)	Summary
Applicant			06/17/2024	Application Cover Letter

June 5, 2024

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

Attn: Secretary Treasurer

Re: Minor Variance Application

Choice Properties Limited Partnership

8585 Highway 27 Vaughan, ON

Our File: CHO/VGN/14-01

On behalf of Choice Properties Limited Partnership ("Choice"), Zelinka Priamo Ltd. is pleased to submit a Minor Variance Application for the lands known municipally 8585 Highway 27 (the "subject lands") in the City of Vaughan, related to the development of a proposed infill development.

BACKGROUND

The subject lands are located northeast of the intersection of Langstaff Road and Highway 27, in the City of Vaughan. The subject lands are currently developed as a neighbourhood commercial plaza, containing a Fortinos Food Store (including seasonal garden centre) and various retail units, a standalone CIBC Bank, and surface level parking.

Under the City of Vaughan Official Plan, the subject lands are shown as "Community Area" under Schedule 1 – Urban Structure and are designated "Low-Rise Mix-Use" under Schedule 13 – Land Use. Under the City of Vaughan Zoning By-law 1-88, as amended, the subject lands are zoned C4 Neighbourhood Commercial, subject to Exception 9(750).

An initial Site Plan Approval Application was submitted on October 30, 2017 to seek the necessary approvals for two (2) additional building pads on the subject lands. The Site Plan Approval Application received provisional approval on September 19, 2018 (File No. DA.17.093). We note a Minor Variance (File No. A353/17) was approved by the Committee of Adjustment on May 10, 2018. However, the subject lands have not been developed in accordance with the above-noted approvals.

Choice recently re-submitted a revised Site Plan Approval Application on March 1, 2024, and is currently drafting a revised Site Plan Approval Application (File No. DA.17.093).

PROPOSAL

Choice is proposing to redevelop the existing vacant north-west portion of the lands with a retail unit that is approximately 1,570 sq.m of Gross Floor Area (GFA). The proposed development includes two loading spaces and 3 short term bicycle parking spaces. The

proposed development will result in approximately 11,968 sq.m of GFA for the entire neighbourhood commercial plaza and will provide a total of 525 parking spaces. The existing two accesses on Highway 27 and three accesses on Langstaff road are to remain as existing.

As confirmed through the Site Plan Approval Application Zoning Comments dated March 27, 2024, non-compliance with Zoning By-law 1-88, as amended, was identified as follows:

- Section 9(750) aiii), the maximum Gross Floor Area of the Neighbourhood Commercial Plaza shall be 10,754 sq.m, whereas the proposed Gross Floor Area is approximately 11,969sq.m; and
- Section 9(750) ci), the Loading Facilities for the subject lands shall be permitted in the area shown as "Loading Area" on Schedule E-833, whereas the proposed loading space is not located specifically within the "Loading Area".

REQUESTED VARIANCES

Based on the enclosed MV decision dated May 24, 2018 (File No. A353/17), the maximum Gross Foor Area for the Neighbourhood Commercial Plaza is 11,873 sq.m. Therefore, based on the most recent zoning decision and the zoning comments above, the following minor variances are being sought for the proposed redevelopment of the subject lands.

- Section 9(750) aiii), the maximum Gross Floor Area of the Neighbourhood Commercial Plaza shall be 12,150 sq.m, whereas the maximum Gross Floor Area is 11,873 sq.m; and
- Section 9(750) ci), the Loading Facilities for the proposed Retail F shall be permitted in the area shown on the enclosed Site Plan, whereas Loading Facilities are currently only permitted shown as "Loading Area" on Schedule E-833.

FOUR TESTS OF THE PLANNING ACT

In our opinion, the requested variances are appropriate and meet the four tests of the *Planning Act* as outlined below.

Official Plan:

The general intent and purpose of the Official Plan is maintained for reasons including:

- Under the Low-Rise Mixed-Use land use designation (Section 9.2.2.2.), retail units are permitted; and
- The proposed development generally conforms with Supporting and Transforming the Retail: Section 5.2.3 and Community Areas: Section 2.2.3, as the proposed development contributes to the broad range of retail opportunities for the surrounding area and is compatible with the character and built form of the surrounding context.

Zoning By-law

The general intent and purpose of the Zoning By-law is maintained for reasons including:

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- Under Section 5.5, the permitted uses of the C4 Neighbourhood Commercial Zone include a Retail Store; therefore, the proposed retail unit is contemplated;
- The proposed loading area is generally consistent with the location shown in Schedule E-833, and the approved location as per Committee of Adjustment file A353/17: and
- All other zoning requirements (i.e. setbacks, lot coverage, landscape open space %, etc.) are satisfied for the proposed redevelopment.

The requested variances are minor in nature:

- The requested variance for Section 9(750) aiii) seeks a minor increase of the maximum GFA currently permitted of 11,873 sq.m to 12,150 sq.m. We note the enclosed Minor Variance decision dated May 24, 2018 (File No. A353/17), the maximum Gross Foor Area for the Neighbourhood Commercial Plaza is 11,873 sq.m. This minor increase is necessary to facilitate the proposed retail unit to be constructed, in order to provide a wider range of products and services within the existing shopping centre. We note that the proposed retail unit will result in an approximate GFA of 11,969 sq.m for the entire Neighbourhood Commercial Plaza; however, the additional 181 sq.m of GFA requested is to provide flexibility in the site design. Furthermore, the increased GFA will not create any negative impacts on the subject lands from a zoning perspective, as all other zoning regulations can be satisfied; and
- The requested variance for Section 9(750) ci) is minor in nature, as the proposed loading facilities are generally located in the same area that shown as "Loading Area" in Schedule E-833, as well as the loading area approved as per Committee of Adjustment file A353/17. It is our understanding that Planning Staff have no issues with the location of the proposed loading facilities (see email correspondence enclosed).

The requested variances are desirable for the appropriate development and use of the subject lands:

• The proposed development with the requested variances is desirable from a planning and public interest perspective, as it will provide additional commercial opportunities to nearby residents and employees in the surrounding area. Additionally, the proposed development will have synergies with the existing commercial plaza on the subject lands, and the proposed development is consistent with the surrounding uses and built form of the surrounding area.

SUBMISSION PACKAGE

As required for Minor Variance Application submissions, please find enclosed the following:

- Authorization Form and Authorizing Statements;
- Permission to Enter and Acknowledgement of Public Information Form;
- Sworn Declaration Form;
- Site Plan prepared by Turner Fleischer Architects Inc.;
- Variance Chart prepared by Zelinka Priamo Ltd.;

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- Structure Size Chart and Structure Setback Chart, prepared by Turner Fleischer Architects Inc.:
- Tree Declaration Form;
- Landscape Plan prepared by Ron Koudys Landscape Architect Inc.;
- Tree Preservation Plan prepared by Ron Koudys Landscape Architect Inc.
- Parcel Register;
- Notice of Decision (File No. A353/17);
- Email Correspondence with Committee of Adjustment Planning Staff, dated May
 6, 2024; and
- Zoning Comments dated March 27, 2024.

Please note that a cheque made payable to the Committee of Adjustment Office in the amount of \$6,252.50 will follow by courier.

We trust that the enclosed information is complete and satisfactory. Should you have any questions, or require further information, please do not hesitate to call.

Sincerely,

ZELINKA PRIAMO LTD.

Brooke Burlock, MPlan

Planner

cc. Choice Properties Limited Partnership (Via Email)

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SCHEDULE D: BACKGROUND		
	Application Description	
	(i.e. Minor Variance Application; Approved by COA / OLT)	
A353/17	Approved COA; May 10, 2018	



Committee of Adjustment

2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1 T 905 832 8585 E CofA@vaughan.ca

NOTICE OF DECISION

Minor Variance Application A353/17

Section 45 of the Planning Act, R.S.O, 1990, c.P.13

Date of Hearing: Thursday, May 10, 2018

Applicant: CP Reit Ontario Properties Ltd.

Agent Harry Froussios - Zelinka Priamo Ltd.

Property: 8535-8545 and 8585 Hwy 27, Woodbridge ON

Zoning: The subject lands are zoned C4 Neighbourhood Commercial, and subject to

the provisions of Exception 9 (750) under By-law 1-88 as amended.

OP Designation: VOP2010: "Low-Rise Mixed-Use" H4, D1.5.

Related Files: DA 17093 & Z.17.025 (status: in progress)

Purpose: Relief from the by-law is being requested to permit the proposed

redevelopment of the existing shopping centre on the subject land.

The proposed redevelopment includes the demolition and replacement of an existing building pad (shown as Retail F on the sketch submitted) located at the northwest corner of the property and the construction of a new building

pad (shown as Retail C on the sketch submitted).

The following variances are being requested from By-Law 1-88, as amended, to accommodate the above proposal:

By-law Requirement	Proposal
A minimum front yard setback of 11.0 metres	To permit a minimum front yard setback of
is required.	9.0 metres to Retail Building F.
A minimum exterior yard setback of 11.0	2. To permit a minimum exterior side yard
metres is required.	setback of 9.0 metres to Retail Building C.
3. A maximum gross floor area of 8,636.0 m2 is	3. To permit a maximum gross floor area of
permitted for the shopping centre.	11,873.0 m2for the shopping centre.
4. A minimum of 599 parking spaces are	4. To permit a minimum of 481 parking
required on site.	spaces on site.
5. Loading facilities for the subject lands shall	5. To permit the location of the loading space
be permitted in the areas shown as "Loading	of Retail Building F as shown on the
Area" on Schedule E-833 to Exception	attached sketch.
9(750).	

Sketch:

A sketch illustrating the request has been attached to the decision.

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Having regard to the requirements of Section 45 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, including the written and oral submissions related to the application, it is the decision of the Committee:

THAT Application No. A353/17 on behalf of CP Reit Ontario Properties Ltd.,be **APPROVED**, in accordance with the sketch submitted with the application (as required by Ontario Regulation 200/96) and subject to the following conditions:

	Department/Agency	Condition
1	Building Standards	That the lands shown as 8535-8565 & 8585 Hwy
	Pia Basilone	27 (on the location map provided in Schedule A) be consolidated/merged into one lot and that
	905-832-8585 x 8416 pia.basilone@vaughan.ca	evidence of this transaction be provided.

File No: A353/17

2	Development Engineering Brad Steeves 905-832-8585 x 8977 steve.lysecki@vaughan.ca	The Owner/applicant shall obtain approval for Site Development Application DA.17.093 from the Development Engineering (DE) Department.
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For the following reasons:

- 1. The general intent and purpose of the by-law will be maintained.
- 2. The general intent and purpose of the official plan will be maintained.
- 3. The requested variance(s) is/are acceptable for the appropriate development of the subject lands.
- 4. The requested variance(s) is/are minor in nature.

Written & oral submissions considered in the making of this decision were received from the following:

Public Written Submissions * Public Correspondence received and considered by the	Public Oral Submissions *Please refer to the approved Minutes of the Thursday, May
Committee in making this decision	10, 2018 meeting for submission details.
Name:	Name:
Address:	Address:
Nature of Correspondence: Letter of	
Objection	
Name:	Name:
Address:	Address:
Nature of Correspondence: Letter of Objection	
Name:	Name:
Address:	Address:
Nature of Correspondence: Letter of Objection	

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SIGNED BY ALL MEMBERS PRESENT WHO CONCUR IN THIS DECISION:

H. Zheng Member	J. Cesario Chair	Maudlu R. Buckler Vice Chair
ABSENT		80,,000-
M. Mauti Member	;	A. Perrella Member

DATE OF HEARING:	Thursday, May 10, 2018
DATE OF NOTICE:	May 18, 2018
LAST DAY FOR *APPEAL: *Please note that appeals must be received by this office no later than 4:30 p.m. on the last day of appeal.	May 30, 2018 4:30 p.m.
CERTIFICATION: I hereby certify that this is a true copy of the decision of the City of Vaughan's Committee of Adjustment and this decision was concurred in by a majority of the members who heard the application. Christine Vigneault, ACST Manager Development Services & Secretary Treasurer to the Committee of Adjustment	

Appealing to The Local Planning Appeal Tribunal

The Planning Act, R.S.O. 1990, as amended, Section 45

The applicant, the Minister or any other person or public body who has an interest in the matter may within 20 days of the making of the decision appeal to the Local Planning Appeal Tribunal (LPAT) against the decision of the Committee by filing with the Secretary-Treasurer of the Committee a notice of appeal (A1 Appeal Form) setting out the objection to the decision and the reasons in support of the objection accompanied by payment to the Secretary-Treasurer of the fee prescribed by the Tribunal under the Local Planning Appeal Tribunal Act.

Note: A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

When **no appeal is lodged** within twenty days of the date of the making of the decision, the decision becomes final and binding and notice to that effect will be issued by the Secretary-Treasurer.

Appeal Fees & Forms

Local Planning Appeal Tribunal: The LPAT appeal fee is \$300 plus \$25 for each additional consent/variance appeal filed by the same appellant against connected applications. The LPAT Appeal Fee must be paid by certified cheque or money order payable to the "Minister of Finance". Notice of appeal forms (A1 Appeal Form – Minor Variance) can be obtained at www.elto.gov.on.ca or by visiting our office.

City of Vaughan LPAT Processing Fee: \$793.00 per application

*Please note that all fees are subject to change.

Conditions

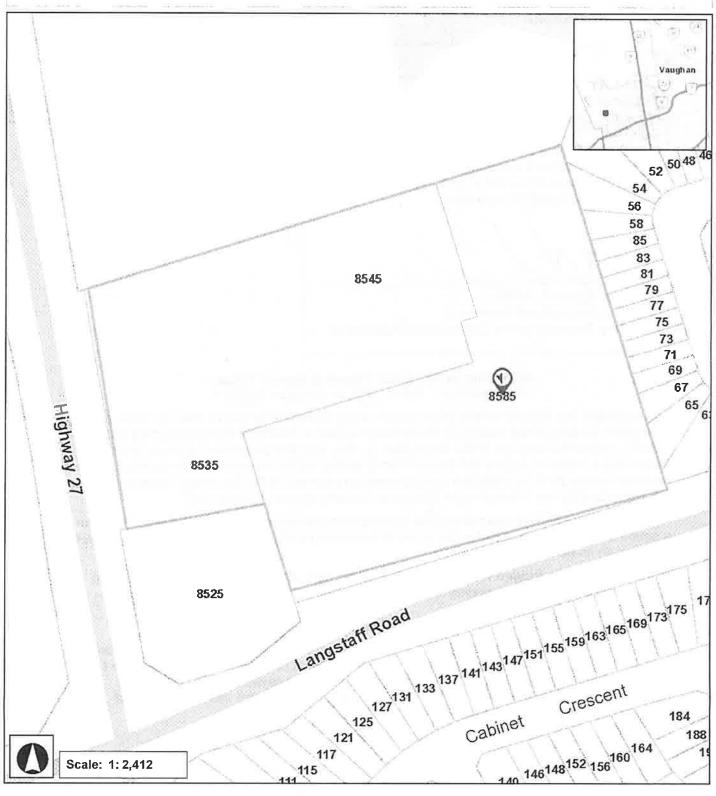
It is the responsibility of the owner/applicant and/or authorized agent to obtain and provide a clearance letter from each respective department and/or agency. This letter must be provided to the Secretary-Treasurer to be finalized. All applicable conditions must be cleared prior to the issuance of a Building Permit.

File No: A353/17



VAUGHAN LOCATION MAP - A353/17

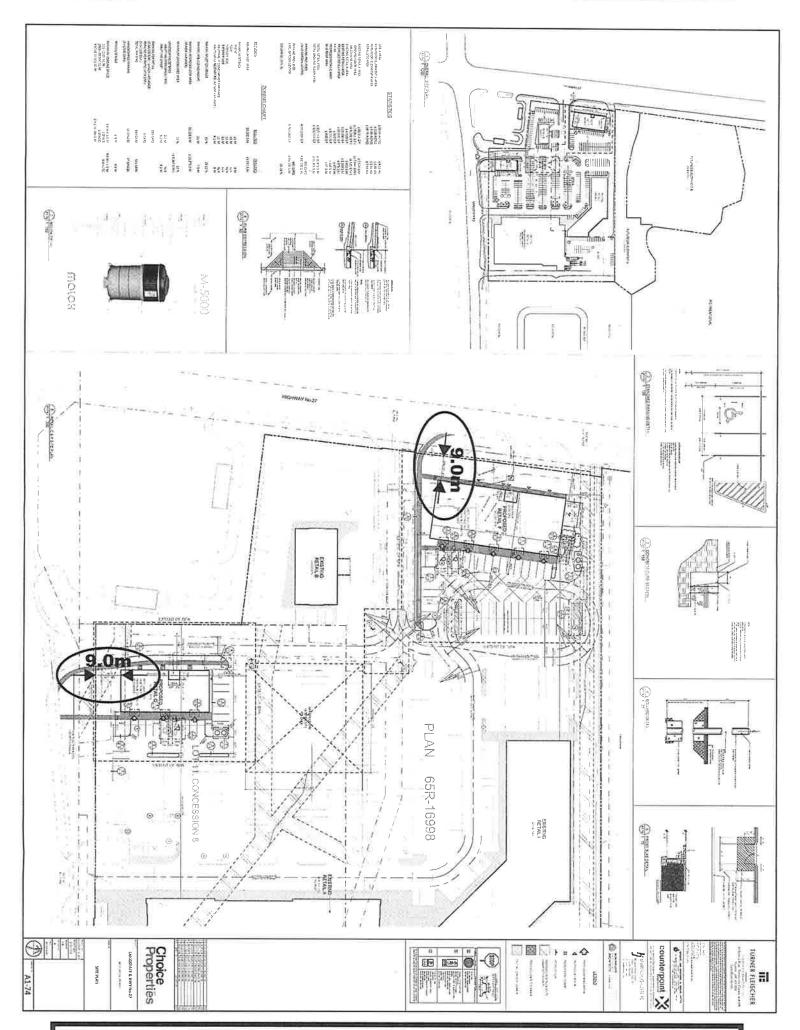
8535-8565 and 8585 HIGHWAY 27, WOODBRIDGE



April 25, 2018 10:55 AM

A353/17

NEW April 6/18



- 3. To permit a maximum gross floor area of 11,873.0 m2for the shopping centre.
- 4. To permit a minimum of 481 parking spaces on site.
- 5. To permit the location of the loading space of Retail Building F as shown on the attached sketch.