

ITEM: 6.11	REPORT SUMMARY MINOR VARIANCE APPLICATION FILE NUMBER A160/24
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Report Date: November 8, 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 [website](#).

Internal Departments <small>*Comments Received</small>	Conditions Required		Nature of Comments
Committee of Adjustment	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments
Building Standards (Zoning)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments
Development Planning	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Recommend Approval w/Conditions
Development Engineering	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments
Development Finance	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments
Forestry	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments

External Agencies <small>*Comments Received</small>	Conditions Required		Nature of Comments <small>*See Schedule B for full comments</small>
Alectra	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments
TRCA	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments
Region of York	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	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 <small>(mm/dd/yyyy)</small>	Summary
Applicant				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 <small>(i.e. Minor Variance Application; Approved by COA / OLT)</small>
N/A	N/A

ADJOURNMENT HISTORY

* Previous hearing dates where this application was adjourned by the Committee and public notice issued.

Hearing Date	Reason for Adjournment <small>(to be obtained from NOD_ADJ)</small>
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 A160/24

CITY WARD #:	3
APPLICANT:	Velmar Centre Property Limited
AGENT:	Rosemarie Humphries (Humphries Planning Group Inc)
PROPERTY:	4101 Rutherford Road, Vaughan
ZONING DESIGNATION:	See below.
VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:	Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Mixed-Use" by Volume 1, Schedule 13 - Land Use, subject to Volume 2, Site Specific Policy 13.69
RELATED DEVELOPMENT APPLICATIONS:	DA.19.042, OP.19.003, Z.19.008
PURPOSE OF APPLICATION:	Relief from the Zoning By-law is being requested to permit a reduced building setback to the sight triangle located at the corner of Rutherford Road and Velmar Drive and to facilitate related Site Plan Application DA.19.042 The proposed building is a six (6) storey mixed use building.

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

The subject lands are zoned RM3 Multiple Residential Zone 3 and subject to the provisions of Exception 14.509 under Zoning By-law 001-2021, as amended.

#	Zoning By-law 001-2021	Variance requested
1	A minimum setback to a sight triangle shall be 2.55 m at grade. [Exception 14.509, Section 1.i.i]	To permit a minimum setback of 0.8 m to a sight triangle at grade.

The subject lands are zoned RA2, Apartment Residential Zone and subject to the provisions of Exception 9(814) under Zoning By-law 1-88, as amended.

	Zoning By-law 1-88	Variance requested
1	The minimum setback to a sight triangle shall be 2.55 m at grade. [Exception 9(814), Section 1b ivii]	To permit a minimum setback of 0.8 m to a sight triangle at grade.

HEARING INFORMATION

DATE OF MEETING: Thursday, November 14, 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

HEARING INFORMATION

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:	October 31, 2024
Date Applicant Confirmed Posting of Sign:	October 30, 2024
Applicant Justification for Variances: <small>*As provided in Application Form</small>	Per OLT order (OLT-21-001045), section 1.h) and 1.h) ivii) permits a minimum setback of 2.55 m at grade from a sight-triangle.
Was a Zoning Review Waiver (ZRW) Form submitted by Applicant: <small>*ZRW Form may be used by applicant in instances where a revised submission is made, and zoning staff do not have an opportunity to review and confirm variances prior to the issuance of public notice.</small>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
COMMENTS:	
None	
Committee of Adjustment Recommended Conditions of Approval:	None

BUILDING STANDARDS (ZONING)

**See Schedule B for Building Standards (Zoning) Comments	
Building Standards Recommended Conditions of Approval:	None

DEVELOPMENT PLANNING

**See Schedule B for Development Planning Comments.	
Development Planning Recommended Conditions of Approval:	1. That all comments on Site Development Application DA.19.042 be addressed to the satisfaction of the Development Planning Department.

DEVELOPMENT ENGINEERING

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 Minor Variance Application A160/24.	
Development Engineering Recommended Conditions of Approval:	None

PARKS, FORESTRY & HORTICULTURE (PFH)

Vaughan Forestry is currently working with development planning for this construction project. Forestry has no comments relating to the minor variance at this time.	
PFH Recommended Conditions of Approval:	None

DEVELOPMENT FINANCE

No comment no concerns

Development Finance Recommended Conditions of Approval:	None
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BY-LAW AND COMPLIANCE, LICENSING AND PERMIT SERVICES

No comments received to date

BCLPS Recommended Conditions of Approval:	TBD
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BUILDING INSPECTION (SEPTIC)

No comments received to date.

Building Inspection Recommended Conditions of Approval:	None
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FIRE DEPARTMENT

No comments received to date.

Fire Department Recommended Conditions of Approval:	None
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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 Harry.Zhao@vaughan.ca	1. That all comments on Site Development Application DA.19.042 be addressed to the satisfaction of the Development Planning Department.

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.

IMPORTANT INFORMATION

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.

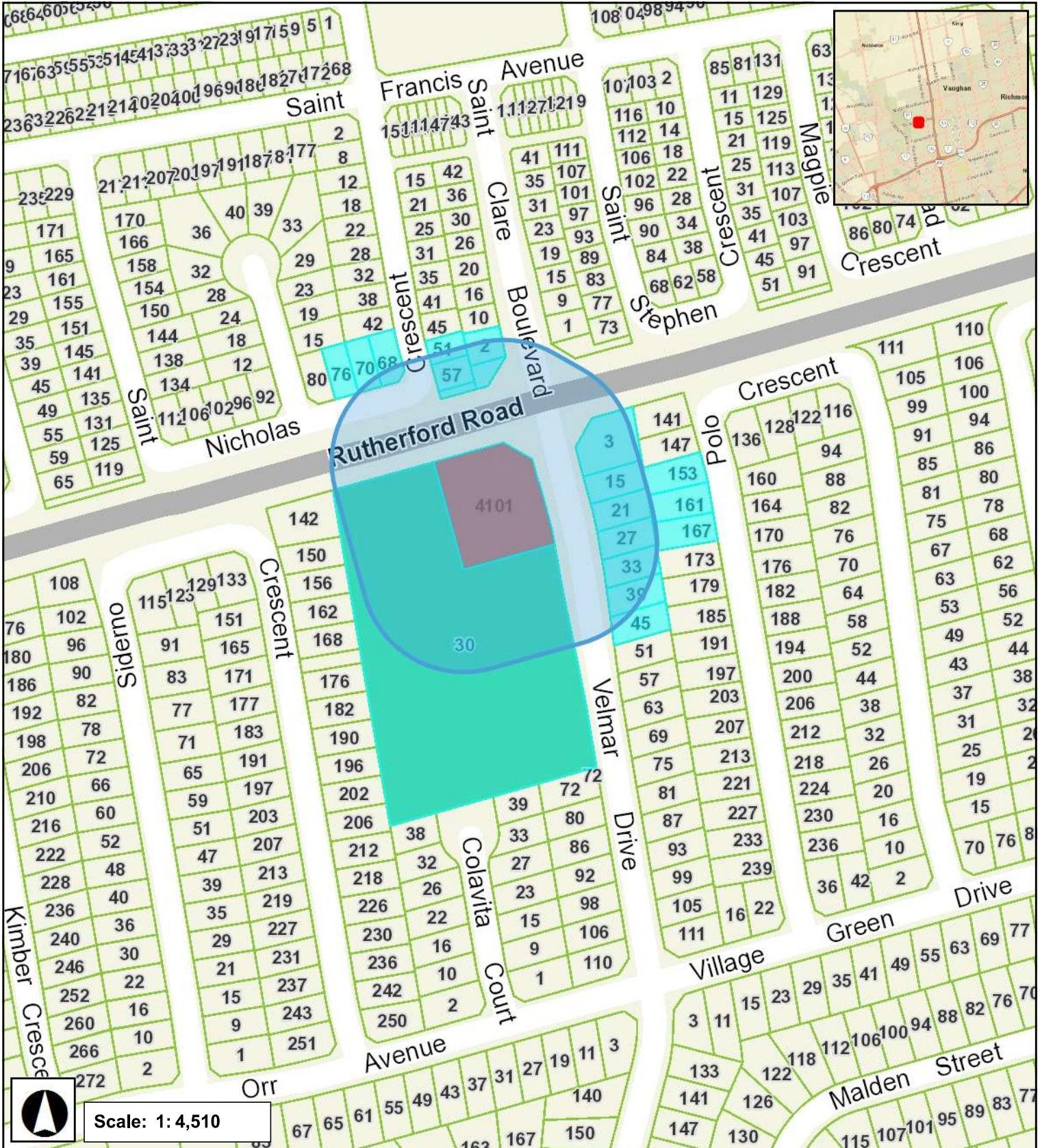
That the payment of the City Development Charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the City's Development Charges By-law in effect at the time of payment.

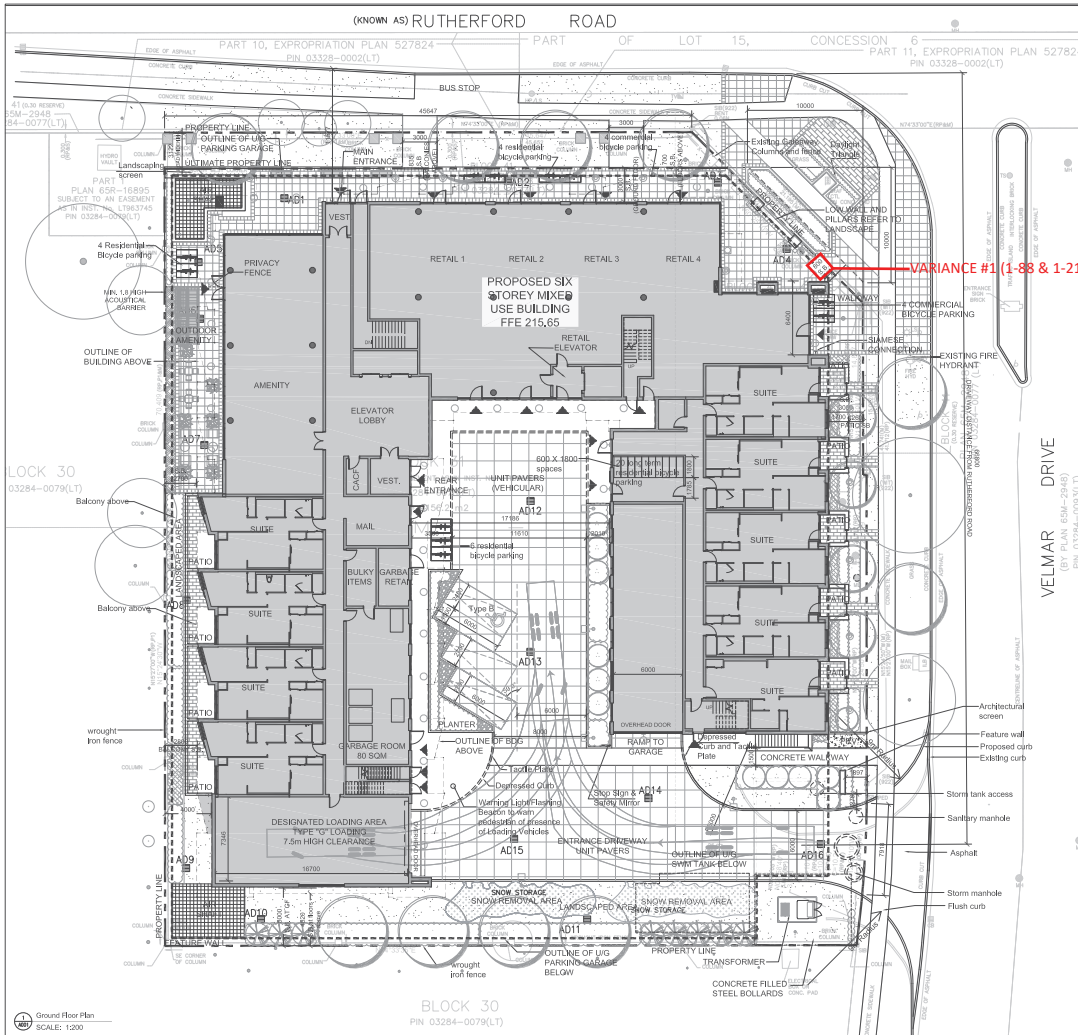
That the payment of the Education Development Charge if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the Boards of Education By-laws in effect at the time of payment

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





GENERAL NOTES

- THIS SITE PLAN HAS BEEN PREPARED IN ACCORDANCE TO THE ZONING BY-LAW NO. 148 OF THE TOWN OF VAUGHAN.
- FOR STORM WATER MANAGEMENT, SITE SERVING AND GRADING INFORMATION, REFER TO DRAWINGS PREPARED BY: SHAEFFER CONSULTING ENGINEERS 4 RONROSE DR. CONCORD, ONT.
- FOR LANDSCAPE INFORMATION, REFER TO DRAWINGS PREPARED BY: STRYBOS BARRON HING LTD., 5170 HORTONARIO ST., MISSISSAUGA, ONT.
- SURVEY CREDIT INFORMATION TAKEN FROM PLAN OF PART OF LOT 31, PLAN 60A-2948-CITY OF VAUGHAN PREPARED BY: RICHMAN SURVEYORS LTD., 1131 CENTRE ST., THORN HILL ONT.
- ANY GRADE ELEVATIONS ARE SHOWN FOR REFERENCE ONLY. REFER TO GRADING AND SITE SERVING PLAN FOR GRADING AND USE SERVICES.
- ALL SITE AREA LIGHTING IS TO BE DIRECTED DOWNWARD AND DEFLECTED AWAY FROM ADJACENT LOTS, ROADS AND STREETS.
- ALL CURBING AND DRIVEWAY ENTRANCES TO BE DESIGNED IN ACCORDANCE WITH THE CITY'S MATERIALS STANDARDS AND SPECIFICATIONS MANUAL.
- THE BUILDING AND THE SITE HAS BEEN DESIGNED TO BE BARRIER FREE IN ACCORDANCE WITH THE REQUIREMENTS OF BILL 118 AND 120, ACCESSIBILITY FOR ONTARIANS WITH DISABILITY ACT 2005.
- 15% OF ALL RESIDENTIAL SUITES SHALL BE PROVIDED WITH BARRIER-FREE DESIGN REQUIREMENTS IN ACCORDANCE WITH OBC 3.7.2.1(1).
- CONSTRUCTION OF ASPHALT PAVING ALONG SERVICE ROUTE: 40mm COMPACTED H-3 ASPHALT; 50mm COMPACTED H-4 ASPHALT.

ACCESSIBILITY NOTES

- PARKING REQUIREMENTS FOR BARRIER-FREE PARKING SPACES TO COMPLY TO SECTIONS 2 AND 3.0(2) OF ZONING BY-LAW 148.
- BARRIER FREE PARKING SPACES TO BE DESIGNATED WITH VERTICAL SIGNS AND PAVEMENT MARKINGS WITH THE INTERNATIONAL SYMBOL OF ACCESSIBILITY.
- ALL WAY-FINDING AND WARNING SIGNS LOCATED WITHIN THE SITE TO BE GLARE-FREE, EASILY VISIBLE AND LEGIBLE.
- APPROPRIATE SIGNAGE TO BE INSTALLED TO INDICATE LOCATION OF ACCESSIBLE ENTRANCES.
- WAY-FINDING AND WARNING SIGNS SHALL BE INSTALLED WITH STANDARD TACTILE SYMBOLS AND BRAILLE MESSAGES FOR EASY ACCESS AND RECOGNITION FOR THOSE WITH VISUAL IMPAIRMENTS AT ENTRANCES, EMERGENCY EXITS, PUBLIC WASHROOMS, ELEVATORS, PARKING AREAS ON AN ACCESSIBLE ROUTE.

PARKING SIZE

THE PRESENT SITE PLAN HAS BEEN PREPARED IN ACCORDANCE TO BY-LAW 96/2012. BY-LAW 96/2012 AMENDS THE DEFINITION OF PARKING SPACE. A PARKING SPACE MEANS A RECTANGULAR AREA MEASURING AT LEAST 3.0M X 5.0M EXCLUSIVE OF ANY ABLES OR INGRESS AND EGRESS LANES USED FOR TEMPORARY PARKING OF MOTOR VEHICLES.

NOISE REDUCTION NOTES

- BUILDING FACADE COMPONENTS TO BE DESIGNED TO MEET SOUND LEVEL LIMITS OF THE MUNICIPALITY AND THE MINISTRY OF ENVIRONMENT. FACADE CONSTRUCTION TO BE REVIEWED BY THE ACoustICAL CONSULTANT DURING DETAILED DESIGN TO ENSURE THAT THE INDOOR SOUND LEVEL CRITERIA WILL BE MET.
- A MIN. 1.5M HIGH ACoustICAL BARRIER TO BE PROVIDED AT THE OUTDOOR AMENITIES AREA AT GRADE TO REDUCE THE NOISE LEVEL BELOW GRADE, BARRIER TO MEET MPC REQUIREMENTS.
- ALL UNITS TO BE SUPPLIED WITH CENTRAL AIR CONDITIONING SYSTEM WHICH WILL ALLOW WINDOWS AND EXTERIOR DOORS TO REMAIN CLOSED THEREBY INSURING THAT THE INDOOR SOUND LEVELS ARE WITHIN THE SOUND LEVEL LIMITS OF THE MUNICIPALITY AND THE MINISTRY OF ENVIRONMENT.
- REFER TO THE NOISE IMPACT REPORT BY INVOI, DATED OCTOBER 17 2020 FOR ADDITIONAL INFORMATION.

SNOW REMOVAL NOTES:

- SNOW AREA ARE INDICATED ON SITE PLAN.
- SNOW IN EXCESS WILL BE REMOVED FROM THE SITE AT THE OWNERS EXPENSE.

4101 Rutherford - Vista on Green
KFA Architects & Planners
Date: May 17th, 2024
Legal Description: BLOCK 31 PLAN 60M-2948 CITY OF VAUGHAN

Site Area	Commercial	Residential	Total
Site Area (conveyance excluded)	4106.0 m ²		44,735 sf
Lot Coverage	80%		22,260 sf
Lot Depth	70.4 m		
Building Coverage	2068.0 m ²		22,260 sf
Lot Coverage (%)	50%		25.3 m
Basement			

Floors	Commercial	Residential	Total
1st Floor	496	1,939.0 m ²	20,871.9 sf
2nd Floor		2,129.0 m ²	22,917.1 sf
3rd Floor		2,275.0 m ²	24,487.4 sf
4th Floor		1,752.0 m ²	18,202.8 sf
5th Floor		1,752.0 m ²	18,202.8 sf
6th Floor		1,752.0 m ²	18,202.8 sf
MVA		0.0 m ²	0 sf
Total GFA	496.0	10,548.0	11,444.0 m²
			123,240 sf

Unit Count	Units	1B	1B/D	2B	2B/D	3B
1st Floor	26	17	1	8	5	0
2nd Floor	17	17	1	10	2	1
3rd Floor	31	17	1	10	2	1
4th Floor	22	7	1	11	2	1
5th Floor	22	7	1	11	2	1
6th Floor	22	7	1	11	2	1
Total Units	138	56	5	59	10	5

Vehicle Parking	At Grade	P1 Level	P2 Level	P3 Level	Sub Total
Residential	9	3	8	3	23
Residential Visitor	3	24	94	96	217
Commercial	3	61	94	96	254
Barrier Free	1	3	3	3	10
Total Vehicle Parking Required					217

Landscaping Area	Sub Total	%
Soft Landscaping	724.4 m ²	17%
Hard Landscaping	633.1 m ²	15%
Total	1357.5 m²	33%

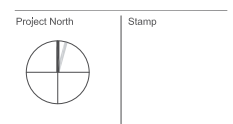
Amenity Area	Sub Total	%
Private Amenity	655.8 m ²	16%
Outdoor Public Amenity	184.0 m ²	5%
Outdoor Public Amenity	1355.7 m ²	33%
Landscaping	2068.0 m ²	51%
Total Amenities	5485.5 m²	123%

4101 RUTHERFORD

4101 Rutherford
Vaughan, ON.

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No.	Issue / Description	Date
1.	Issued for OPA,ZBL,SPA	10.05.2019
2.	Issued for coordination	03.09.2020
3.	Re-issued for OPA,ZBL,SPA	08.19.2020
4.	Issued for coordination	02.12.2020
5.	Issued for OPA,Rezoning,SPA	02.05.2021
6.	Issued for OPA,Rezoning,SPA	03.25.2021
7.	Issued for OPA,Rezoning,SPA	04.26.2021
8.	Issued for OPA,Rezoning,SPA	07.12.2022
9.	Issued for SPA	05.17.2024



Project No: 16080

Scale: 1:200

Date: 02.09.2023

Drawn by: CG

Drawing Title

SITE PLAN & STATS

Drawing Number

A001



3 Cont'd Plan

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

Department / Agency <small>*Comments Received</small>	Conditions Required		Nature of Comments
Building Standards (Zoning) *See Schedule B	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments
Development Planning	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Recommend Approval w/Conditions

External Agencies <small>*Comments Received</small>	Conditions Required		Nature of Comments <small>*See Schedule B for full comments</small>
Alectra	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments
TRCA	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments
Region of York	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments

Date: October 9th 2024

Attention: **Christine Vigneault**

RE:

File No.: **A160-24**

Related Files:

Applicant Humphries Planning Group Inc.

Location 4101 Rutherford Road



Discover the possibilities

COMMENTS:

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

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

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

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

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

References:

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

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

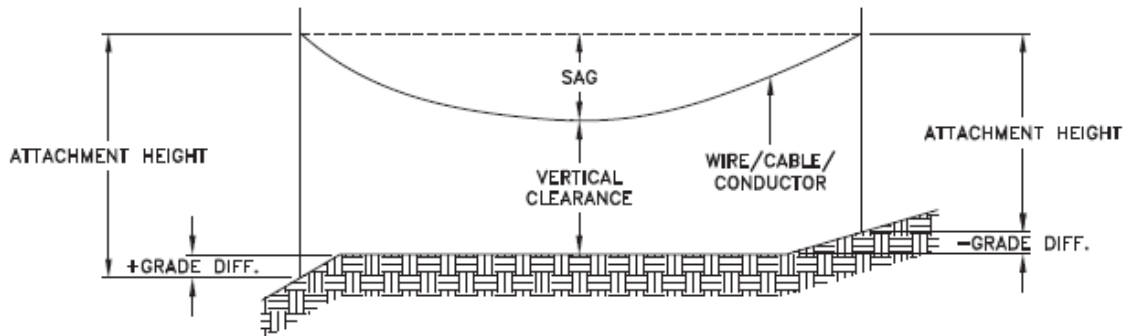
Mr. Stephen Cranley, C.E.T
Supervisor, Distribution Design, ICI & Layouts (North)
Phone: 1-877-963-6900 ext. 31297

E-mail: stephen.cranley@alectrautilities.com

Mitchell Penner
Supervisor, Distribution Design-Subdivisions
Phone: 416-302-6215

Email: Mitchell.Penner@alectrautilities.com

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 <u>VEHICLES</u>	442cm	442cm	480cm	520cm
OVER GROUND ACCESSIBLE TO <u>PEDESTRIANS AND BICYCLES ONLY</u>	250cm	310cm	340cm	370cm
ABOVE TOP OF RAIL AT <u>RAILWAY CROSSINGS</u>	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.

CONVERSION TABLE

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"

REFERENCES

SAGS AND TENSIONS | SECTION 02

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.	2012-JAN-09
Name	Date
P.Eng. Approval By:	Joe Crozier



VOLTAGE	MINIMUM HORIZONTAL CLEARANCE 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).

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: *D. Dadwani*

ORIGINAL ISSUE DATE: 2010-MAY-05 REVISION NO: REVISION DATE:
PS:\System Planning and Standards\Standard Design\PowerStream Standards\PowerStream Standards working files\Section 3-1-02\WG 03-4 R0 May 5, 2010.dwg, 5/5/2010 10:22:02 AM, Adobe PDF

To: Committee of Adjustment
From: Gregory Seganfreddo, Building Standards Department
Date: October 03, 2024
Applicant: Humphries Planning Group Inc
Location: 4101 Rutherford Road
 PLAN 65M2948 Block 31
File No.(s): A160/24

Zoning Classification:

The subject lands are zoned RM3 Multiple Residential Zone 3 and subject to the provisions of Exception 14.509 under Zoning By-law 001-2021, as amended.

#	Zoning By-law 001-2021	Variance requested
1	A minimum setback to a sight triangle shall be 2.55 m at grade. [Exception 14.509, Section 1.i.i]	To permit a minimum setback of 0.8 m to a sight triangle at grade.

The subject lands are zoned RA2, Apartment Residential Zone and subject to the provisions of Exception 9(814) under Zoning By-law 1-88, as amended.

#	Zoning By-law 1-88	Variance requested
1	The minimum setback to a sight triangle shall be 2.55 m at grade. [Exception 9(814), Section 1b) ivii]	To permit a minimum setback of 0.8 m to a sight triangle at grade.

Staff Comments:

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

There are no outstanding Orders on file

Building Permit(s) Issued:

A Building Permit has not been issued. The Ontario Building Code requires a building permit for structures that exceed 10m²

Other Comments:

General Comments	
1	The applicant shall be advised that additional variances may be required upon review of detailed drawing for building permit/site plan approval.

Conditions of Approval:

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

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

To: Christine Vigneault, Committee of Adjustment Secretary Treasurer
From: Nancy Tuckett, Director of Development Planning
Date: November 5, 2024
Name of Owner: Filippo Campione – Velmar Centre Property Limited
Location: 4101 Rutherford Road
File No.(s): A160/24

Proposed Variances (By-law 001-2021):

1. To permit a minimum setback of **0.8 m** to a sight triangle at grade.

By-Law Requirements (By-law 001-2021):

1. The minimum setback to a sight triangle shall be **2.55 m** at grade.

Proposed Variances (By-law 1-88):

2. To permit a minimum setback of **0.8 m** to a sight triangle at grade.

By-Law Requirements (By-law 1-88):

2. The minimum setback to a sight triangle shall be **2.55 m** at grade.

Official Plan:

Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Mixed-Use" by Volume 1, Schedule 13 – Land Use, subject to Volume 2, Site Specific Policy 13.69.

Background:

In 2019, the Owner of 4101 Rutherford Road submitted Official Plan Amendment application, file OP.19.003, and Zoning By-law Amendment application, file Z.19.008 to redesignate and rezone the Subject Lands to permit the development of a six (6) storey residential building containing at-grade commercial uses.

Files OP.19.003 and Z.19.008 were appealed by the Owner to the Local Planning Appeal Tribunal ('LPAT'), now Ontario Land Tribunal ('OLT'). On November 14, 2022, the OLT issued an Interim Order approving the proposed amendments in principle and withholding the Final Order until such time that draft instruments are prepared to implement the development design. On January 30, 2024, the OLT issued a Final Order approving the proposed amendments in accordance with the provided draft instruments. The approved amendments are summarized in the following bullet points:

- In VOP 2010, Volume 1, Schedule 13 – Land Use: redesignated from "Low-Rise Mixed Use" with a maximum permitted height of 4 storeys and a maximum permitted density of 1.5 times the area of the lot to "Low-Rise Mixed-Use" with a maximum permitted height of 6 storeys and a maximum permitted density of 2.75 times the area of the lot, subject to Volume 2, Site Specific Policy 13.69.
- In Zoning By-law 1-88: rezoned from "C3 – Local Commercial Zone", subject to Exception 9(814) to "RA2 – Apartment Residential Zone", subject to Exception 9(814).
- In Zoning By-law 001-2021: rezoned from "NC – Neighbourhood Commercial Zone", subject to Exception 14.509, to "RM3 – Multiple Residential Zone 3", subject to Exception 14.509.

A Site Development application, file DA.19.042, was submitted concurrently with the Official Plan Amendment and Zoning By-law Amendment applications to facilitate the proposed redevelopment. There was a minor design change proposed to the building since the Final Order was issued by the OLT, which introduced a column and required a variance.

Comments:

The Owner is seeking relief to permit a reduced setback from the sight triangle for the proposed six (6) storey mixed-use residential apartment building with the above-noted variances.

The Development Planning Department has no objections to Variances 1 and 2 for the 0.8 m at-grade setback from the sight triangle in order to permit the first storey column at the corner of the building. The Subject Lands are located on the southwestern corner of the intersection of Rutherford Road and Velmar Drive. The site-specific exceptions approved by the OLT require a 2.55 m setback from the sight triangle for portions of the building at grade. The requested 0.8 m minimum setback only applies to one column located on the northeast side of the building which connects the second and third storeys to the ground. The column corresponds with a projection of the second and third floors beyond the walls of the first floor. This projection was part of the OLT decision. All other portions of the building at-grade maintain a compliant setback distance.

An intent of the at-grade setback provision is to ensure sufficient spatial separation between the building wall and the sight triangle to provide for adequate pedestrian access and maneuverability. The reduced setback of 0.8 m still provides sufficient space for access and maintenance. Alternatively, pedestrian access is available via a public sidewalk through the sight triangle. As part of the redevelopment of the Subject Lands, the sight triangle is proposed to contain gateway features: multiple structures and landscaping features such as shrubbery, traffic control boxes, and gateway plaques. The column is not anticipated to incur negative visual impacts on the public realm and motorists within the right-of-way as it is positioned behind the gateway features.

Accordingly, Development Planning Department staff can support the requested variances and are of the opinion that the proposal is minor in nature, maintains the general intent and purpose of the Official Plan and Zoning By-law, and is desirable for the appropriate development of the land.

Recommendation:

The Development Planning Department recommends approval of the application.

Condition of Approval:

If the Committee finds merit in the application, the following condition of approval is recommended:

1. That all comments on Site Development Application DA.19.042 be addressed to the satisfaction of the Development Planning Department.

Comments Prepared by:

Harry Zhao, Planner 1
David Harding, Senior Planner
Janany Nagulan, Senior Planner

From: [Cameron McDonald](#)
To: [Committee of Adjustment Mailbox](#)
Subject: [External] RE: A160/24 - 4101 Rutherford Rd - REQUEST FOR COMMENTS CITY OF VAUGHAN- Agency Circulation
Date: Friday, October 11, 2024 2:18:42 PM
Attachments: [image002.png](#)

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Good afternoon,

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 the 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](tel:(437)880-1925)

E: cameron.mcdonald@trca.ca

A: [101 Exchange Avenue, Vaughan, ON, L4K 5R6](#) | trca.ca



From: [Development Services](#)
To: [Committee of Adjustment Mailbox](#)
Subject: [External] RE: A160/24 - 4101 Rutherford Rd - REQUEST FOR COMMENTS CITY OF VAUGHAN- Agency Circulation
Date: Tuesday, October 22, 2024 11:07:39 AM
Attachments: [image001.png](#)
[image003.png](#)

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Hello,

The Regional Municipality of York has completed its review of the minor variance application – A160/24 (4101 Rutherford Rd) and has no comment.

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.Pl. | 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

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SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE

Correspondence Type	Name	Address	Date Received (mm/dd/yyyy)	Summary
Applicant				Cover Letter

September 23, 2024
HPGI File: 13340

City of Vaughan
Development Planning Department
2141 Major Mackenzie Drive
Vaughan, ON
L6A 1T1

Attn: Harry Zhao, Planning Technician

Re: Minor Variance Application
4101 Rutherford Road
Velmar Centre Property Ltd.
OLT File: OLT-21-001045

Velmar Centre Property Ltd. is the owner of land located at the south west corner of Rutherford Road and Velmar Drive, municipality known as 4101 Rutherford Road and legally described as Block 31 Plan 65M-2948. On behalf of the owner, Humphries Planning Group Inc. (HPGI) is submitting a Minor Variance application to permit the proposed development of a 6-storey mixed-use building containing 135 units.

The total proposed GFA for the building is 11,444 sqm, with a total lot coverage of approximately 50% and a density of 2.75 FSI. The Subject Site is proposed to accommodate one (1) access point from Velmar Drive. The development proposal provides for a total of 274 parking spaces, including 190 resident parking spaces, 27 residential visitor parking spaces and 57 commercial parking spaces. As well, the development proposal provides for a total of 130 bicycle parking spaces.

In order to facilitate the development proposed through the Site Plan Application, relief from the City of Vaughan Zoning By-law 1-88 and City of Vaughan Zoning By-law 001-2021 is required. The below identifies the variances required for relief for 1-88 and 001-2021.

Variance #1: Per OLT order (OLT-21-001045), section 1.h) and 1.h) ivii) permits a minimum setback of 2.55 m at grade from a sight-triangle, whereas the development proposes a 0.8 m setback.

In support of the Minor Variance application, Humphries Planning Group Inc. is submitting the following materials:

Deliverable	Consultant	Date
Cover Letter	HPGI	September 23, 2024

Variations Requested Chart	HPGI	September 23, 2024
Property Setbacks Chart	HPGI	September 23, 2024
Size of Structures Chart	HPGI	September 23, 2024
Site Plan (with highlighted variances)	KFA Architects	May 17, 2024
Authorization of Owner Form	Owner	September 23, 2024
Sworn Declaration Form	Owner & HPGI	September 23, 2024
Authorizing Statements	Owner	September 23, 2024
Tree Declaration Form	Owner	September 23, 2024
Minor Variance Application Fee	--	Paid through COA Submission Portal
Digital Submission	HPGI	Through COA Submission Portal

We trust that the above is in order and constitutes a complete application for Minor Variance. We request that notice of such be issued and that the enclosed materials be circulated for review and a meeting be scheduled with the Committee of Adjustment.

Yours truly,
HUMPHRIES PLANNING GROUP INC.



Rosemarie Humphries BA, MCIP, RPP
President

cc.
Velmar Centre Property Ltd.

SCHEDULE D: BACKGROUND

Application No. (City File)	Application Description (i.e. Minor Variance Application; Approved by COA / OLT)
N/A	N/A