



File: A109/19

Applicant: 1791234 Ontario Limited

Address: 8745 Hwy 50 Vaughan ON

Agent: KLM Planning Partners Inc.

Please note that comments received after the preparation of this Staff Report (up until 12:00 p.m. on the scheduled hearing date) will be provided as an addendum.

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

Adjournment History: N/A

Background History: B002/18



Minor Variance
Application

Agenda Item:11

A109/19

Ward: 2

Staff Report Prepared By: Lenore Providence, Assistant Secretary Treasurer

Date of Hearing: Thursday , September 05, 2019

Applicant: 1791234 Ontario Limited

Agent: KLM Planning Partners Inc.

Property: 8745 Hwy 50 Vaughan ON

Zoning: The subject lands are zoned EM1, Prestige Employment Area Zone, and subject to the provisions of Exception 9(1308) under By-law 1-88 as amended.

OP Designation: Vaughan Official Plan ("VOP"): Prestige Employment

Related Files: DA.18.086

Purpose: Relief from the bylaw is being requested to permit the construction of a proposed two storey warehouse (employment use) to facilitate Site Plan Application DA.18.086.

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

By-law Requirement	Proposal
1. A minimum Landscape strip of 9.0 metres is required.	1. To permit a minimum Landscape strip of 6.0 metres along Highway 50.

Background (previous applications approved by the Committee on the subject land):

Application No.:	Description:	Status of Approval: Approved/Refused/Withdrawn/ OMB/Concurrent
B002/18	Consent to sever a parcel of land, together with easements.	Approved Certificate Issued Oct 3/18

For information on the previous approvals listed above please visit www.vaughan.ca. To search for a file number, enter it using quotes around it. For example, "A001/17".

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

Adjournment History: None

Staff & Agency Comments

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

Committee of Adjustment:
Public notice was mailed on August 21, 2019

Applicant confirmed posting of signage on August 23, 2019

Property Information	
Existing Structures	Year Constructed
Vacant Land – N/A	Vacant Land – N/A

Applicant has advised that they cannot comply with By-law for the following reason(s): The minor variance seeking to permit a 6.0 metre landscape strip adjacent to Hwy 50 whereas a 9.0 metre landscape strip is required in order to facilitate the development of an employment/industrial building in an efficient manner. Further, the lands adjacent to the north provide a 6.0 metre landscape strip and this minor variance would allow the landscape strip widths and building setbacks to be consistent.

Adjournment Request: N/A**Building Standards (Zoning Review):**

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

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

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

Building Inspections (Septic):

No comments or concerns

Development Planning:

Vaughan Official Plan ("VOP"): Prestige Employment

The Owner is requesting permitting to construct an industrial building on the subject lands with the above noted variance.

The Owner has submitted Site Development Application DA.19.032 to permit the above noted development which has not yet been scheduled. The Development Planning Department has no objection to the requested variance as there is sufficient landscaping on site. Peel Region has indicated that they have no objection to the consent application.

The Development Planning Department is 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.

The Development Planning Department recommends approval of the application, subject to the following condition:

That related Site Development File DA.19.032 be approved to the satisfaction of the Development Planning Department.

Cultural Heritage (Urban Design):

No comment.

Development Engineering:

The Development Engineering (DE) Department does not object to variance application A109/19 subject to the following condition(s):

The Owner/applicant shall obtain approval for the related Site Development Application (DA.18.086) from the Development Engineering (DE) Department.

Parks Development:

No Response.

By-Law and Compliance, Licensing and Permit Services:

No Response.

Financial Planning and Development Finance:

That the payment of the City Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and City-wide Development Charge By-law in effect at time of payment.

That the payment of Region of York Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and Regional Development Charges By-laws in effect at time of payment.

That the payment of Education Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Education Act and York Region District School Board and York Catholic District School Board Development Charges By-laws in effect at time of payment

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

Fire Department:

No Response.

Schedule A – Plans & Sketches

Schedule B – Public Correspondence
Application Cover Letter – KLM (Agent)

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

Schedule D - Previous Approvals (Notice of Decision)
B002/19

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

The Planning Act sets the criteria for authorizing minor variances to the City of Vaughan’s Zoning By-law. Accordingly, review of the application considers 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.

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 Michael DiFebo 905-832-8585 x 8990 Michael.DiFebo@vaughan.ca	That related Site Development File DA.19.032 be approved to the satisfaction of the Development Planning Department.
2	Development Engineering Jason Pham 905-832-8585 x 8716 jason.pham@vaughan.ca	The Owner/applicant shall obtain approval for the related Site Development Application (DA.18.086) from the Development Engineering (DE) Department.

Please Note:

Relief granted from the City’s Zoning By-law is determined to be the building envelope considered and approved by the Committee of Adjustment.

Development outside of the approved building envelope (subject to this application) must comply with the provisions of the City’s Zoning By-law or additional variances may be required.

Elevation drawings are provided to reflect the style of roof to which building height has been applied (i.e. flat, mansard, gable etc.) as per By-law 1-88 and the Committee of Adjustment approval. Please note, that architectural design features (i.e. window placement), that do not impact the style of roof approved by the Committee, are not regulated by this decision.

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. 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.

Notice to the Applicant – Development Charges

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

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

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

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

Notice to Public

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

Written submissions can be mailed and/or emailed to:

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

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

PUBLIC RECORD: Personal information is collected under the authority of the Municipal Act, the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), the Planning Act and all other relevant legislation, and will be used to assist in deciding on this matter. All personal information (as defined by MFIPPA), including (but not limited to) names, addresses, opinions and comments collected will become property of the City of Vaughan, will be made available for public disclosure (including being posted on the internet) and will be used to assist the Committee of Adjustment and staff to process this application.

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

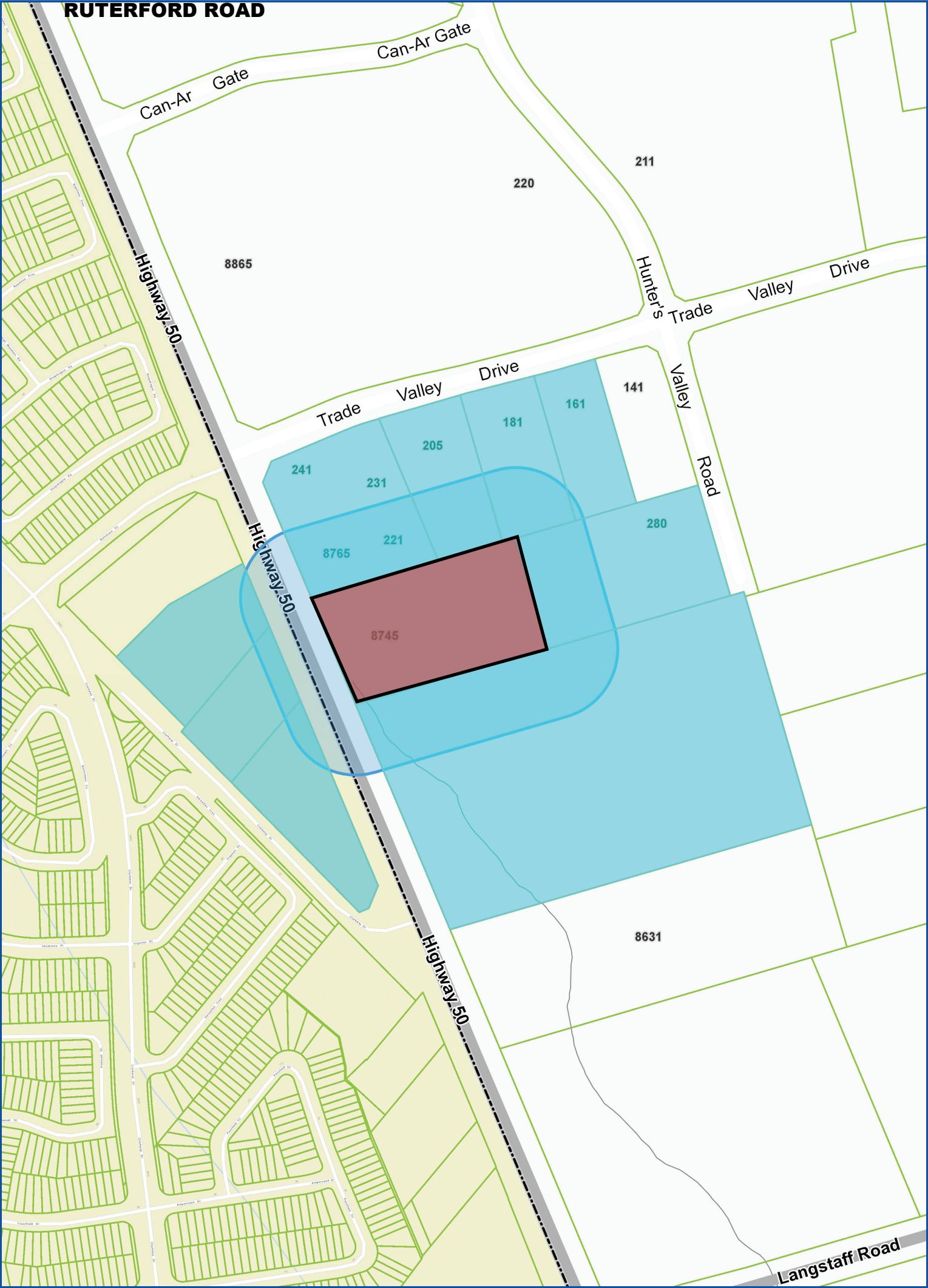
For further information please contact the City of Vaughan, Committee of Adjustment

T 905 832 8585 Extension 8332
E CofA@vaughan.ca

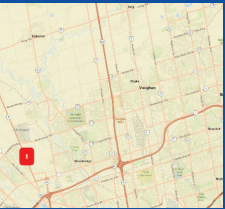
Schedule A: Plans & Sketches

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

Location Map
Sketches



Map Information:



Title:

NOTIFICATION MAP - A109/19

8745 HIGHWAY #50, WOODBRIDGE

Disclaimer:

Every reasonable 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 responsibility or liability due to errors or omissions. Please report any discrepancies to Infrastructure Programming.



Scale: 1:4,514
0 0.07 km

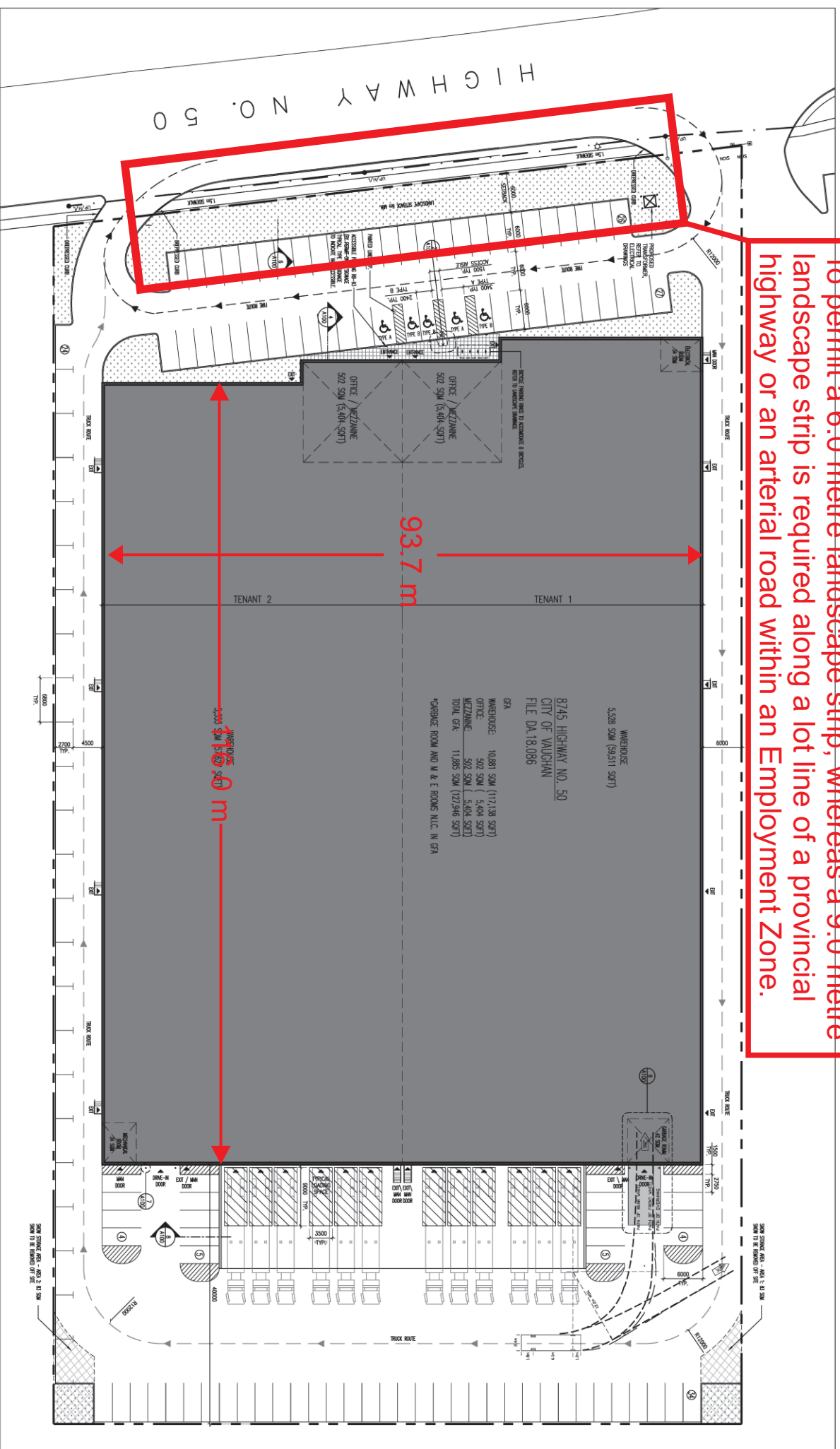


Created By:
Infrastructure Delivery
Department
August 16, 2019 9:09 PM

Projection:
NAD 83
UTM Zone
17N

July 10, 2019

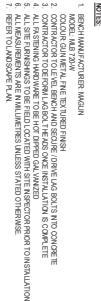
To permit a 6.0 metre landscape strip, whereas a 9.0 metre landscape strip is required along a lot line of a provincial highway or an arterial road within an Employment Zone.





BENCH

N.T.S.



BENCH

N.T.S.



5	D-1
DECIDUOUS TREE	
N.T.S.	



DECIDUOUS SHRUB

1. PRODUCT INVESTIGATION IS AS FOLLOWS:
 11. MANUFACTURER, MACLIN
 12. MODEL, MERRIS
 13. COLOR, GUNNE TUL
2. CONDUCTOR OF INVESTIGATION OF THE GUNNE THREADED RODS IS NOT KNOWN
3. CONDUCTOR OF INVESTIGATION OF THE GUNNE THREADED RODS IS NOT KNOWN
4. ALL THE PURCHASERS TO BE RECALLED, WITH THE DIRECTOR PRIOR TO RECALLING
5. ALL RECALLS ARE TO BE MADE WITH THE DIRECTOR PRIOR TO RECALLING
6. RECALL IS TO BE MADE WITH THE DIRECTOR PRIOR TO RECALLING

BIKE RING
N.T.S.



CONFEROUS TREE
N.T.S.

1. THE CONTRACTOR, UPON ACCEPTANCE OF THE CONTRACT, ASSUMES COMPLETE RESPONSIBILITY AND LIABILITY FOR THE JOB SITE DURING THE COURSE OF CONSTRUCTION, AND WILL ENSURE PUBLIC SAFETY AND CLEANLINESS OF MINORAL ROAD NEAR THE SITE.
2. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS, GRADES AND SITE CONDITIONS BEFORE PROCEEDING WITH THE WORK, AND REPORT ANY DISCREPANCIES TO THE CONSULTANT BEFORE PROCEEDING. NO ALLOWANCE SHALL BE MADE FOR OMBASAF OR THE CONTRACTOR FOR FAILURE TO DO SO.

4. THE CONSULTANT IS NOT RESPONSIBLE FOR ACCIDENTS OR INJURY OR ENGINEERING DRAWINGS. REFER TO APPROVED DRAWINGS BEFORE PROCEEDING WITH THE WORK.
5. ALL CONSTRUCTION TOILET CARRIED OUT IN ACCORDANCE WITH THE MOST CURRENT PROVISIONS AND MUNICIPAL BYLAWS AND SPECIFICATIONS.
6. THE CONTRACTOR MUST CONFORM TO ALL APPLICABLE CODES AND REGULATIONS OF ALL AUTHORITIES HAVING JURISDICTION.
7. SITE SHALL BE MAINTAINED IN A CLEAN AND ORDERLY STATE FOR THE DURATION OF CONSTRUCTION. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE OCCUPATIONAL HEALTH AND SAFETY ACT.
8. CONTRACTOR SHALL BE RESPONSIBLE TO CLEAN ROADS SKULL TO THE SATISFACTION OF THE CONSULTANT OWNER.
9. **DUST CONTROL:** THE CONTRACTOR SHALL TAKE ALL NECESSARY MEASURES TO CONTROL DUST ON THE PROJECT SITE ON A DAILY BASIS AND TO THE SATISFACTION OF THE CONSULTANT.
10. REFUELING, LUBRICATION AND/OR MAINTENANCE OF CONSTRUCTION VEHICLES IS NOT PERMITTED ON SITE UNLESS APPROVED BY THE OWNER IN WRITING.
11. THE CONTRACTOR SHALL ESTABLISH SAFE PROTECTIVE BOUNDARIES AND CORNER STAKES, AND SHALL BE RESPONSIBLE FOR ALL COSTS OF RE-ESTABLISHING THEM SHOULD THEY BE DESTROYED.
12. THE CONTRACTOR SHALL BE PERMITTED ONE (1) POINT OF ACCESS FROM HIGHWAY 16A. CONTRACTOR SHALL BE RESPONSIBLE FOR INSTALLING ONE (1) CONSTRUCTION GATE WITH LOCK.
13. THE CONTRACTOR SHALL BE REQUIRED TO HAVE A FLAGMAN DIRECTING ALL DELIVERIES OF MACHINERY OR MATERIAL TO THE SITE.
14. STORAGE OF MATERIALS, VEHICLES AND EQUIPMENT SHALL NOT BE PERMITTED WITHIN THE MUNICIPAL ROAD ALLOWANCE OR ON PRIVATE PROPERTY.
15. ACCESS FOR THE STORAGE OF MATERIALS AND EQUIPMENT SHALL BE APPROVED BY INSPECTOR, MATERIAL AND EQUIPMENT STORAGE SHALL NOT BE PERMITTED WITHIN 15m OF RESIDENTIAL LOTS.
16. THE CONTRACTOR SHALL ADVISE THE CONSULTANT 48 HOURS PRIOR TO COMMENCEMENT OF WORK TO COORDINATE ANY SCHEDULING.
17. ALL EXISTING UTILITIES SHOWN ON THE PLANNING & SITE SURVEY REFERENCE APPENDICES SHALL BE THE CONTRACTOR'S DUTY TO CONTACT THE UTILITY COMPANIES FOR UTILITY LOCATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGES CAUSED TO EXISTING UTILITIES DURING CONSTRUCTION. THE CONTRACTOR SHALL GIVE UTILITIES ADVANCE NOTICE PRIOR TO DIGGING AND SHALL ASSUME ALL LIABILITIES OF DAMAGE DURING CONSTRUCTION.
18. ALL EXISTING VEGETATION AND UTILITIES SHALL BE PROTECTED BY THE CONTRACTOR FOR THE DURATION OF CONSTRUCTION. REFER TO DETAILS FOR APPROVED FENCING TYPES. ANY DAMAGES INCURRED TO BE RECTIFIED AT THE COST TO THE CONTRACTOR.
19. NO MACHINE ACCESS OR GRAVE CAVES ARE PERMITTED WITHIN THE DRY LINE OF EXISTING TREES. ANY ROOTS OR BRANCHES WHICH EXTEND BEYOND THE TREE PROTECTION HOARDING INDICATED ON THE PLAN WHICH REQUIRE PROTECTION MUST BE DONE IN ACCORDANCE WITH GOOD ARBORICULTURAL STANDARDS. ANY EXCAVATIONS WITHIN THE TREE LINE MUST BE HAND DUG. THE CONTRACTOR TO REMOVE AND DISPOSE HOARDING FENCING UPON COMPLETION OF CONSTRUCTION.
20. ALL TEMPORARY PROTECTIVE FENCING INCLUDING TREE PROTECTIVE FENCING SHALL BE MAINTAINED BY THE CONTRACTOR FOR THE DURATION OF CONSTRUCTION AND REMOVED FOLLOWING COMPLETION OF CONSTRUCTION.
21. SUBSTANTIAL CONSTRUCTION OPENING PROVIDED BY CONSULTANT REQUIRED LOCATIONS TO BE IDENTIFIED AND APPROVED PRIOR TO THE COMMENCEMENT OF CONSTRUCTION.
22. THE CONTRACTOR IS EXPECTED TO PROVIDE MODULAR HOARDING FENCE AROUND ALL AREAS OF ACTIVE CONSTRUCTION. THE CONTRACTOR MAY REMOVE MODULAR FENCING ONLY UPON WRITTEN APPROVAL OF THE CONSULTANT. THAT THE CONSULTANT HAS REVIEWED ALL DRAWINGS, SPECIFICATIONS AND RELATED DOCUMENTS ARE THE COPYRIGHT OF THE CONSULTANT AND MUST BE RETURNED UPON REQUEST. REPRODUCTION OF DRAWINGS, SPECIFICATIONS AND RELATED DOCUMENTS IN WHOLE OR IN PART IS FORBIDDEN WITHOUT THE CONSULTANT'S PERMISSION. DRAWINGS ARE NOT TO BE SCALED.
23. NO HOARDING FENCING COMPONENT INCLUDING BRACES AND FOOT SUPPORTS, SHALL ENCLUMBER THE PUBLIC SIDEWALK AT ANY TIME.
24. CONSTRUCTION SHALL SUPPLY AND INSTALL UTILITY FABRIC PROTECTION ON ALL EXISTING CATCH BASINS AND UTILITIES THAT ARE TO REMAIN AND THAT MAY BE AFFECTED BY THE CONSTRUCTION.
25. REMOVE AND DISPOSE OF ALL ITEMS NECESSARY TO REPAIR NEW CONSTRUCTION.
26. REMOVE ALL SOIL AND SOIL ASHAY REQUIRED TO REPAIR NEW CONSTRUCTION.

ID	(revision)	d.dono	by
R4	SSE FOR SPA	JUL 22 2019	JS
R3	SSE FOR SPA	MAR 19 2019	AG
R2	E-USE PLAN FOR COORDINATION	OCT 6 2018	AG
R1	SSE FOR SPANISH COUNCIL	FEB 14 2018	AG
R0	SSE FOR CONTINENTAL APPROVAL	SEP 17 2016	AG

THESE DRAWINGS ARE THE PROPERTY OF LANDSCAPE PLANNING LIMITED AND SHALL NOT BE ALTERED, MODIFIED OR CHANGED WITHOUT THE WRITTEN CONSENT OF LANDSCAPE PLANNING LIMITED. SEAL IS NOT VALID WITHOUT SIGNATURE OF THE LANDSCAPE ARCHITECT. DRAWINGS CANNOT BE USED FOR TENDER/CONSTRUCTION UNTIL SIGNED BY LANDSCAPE ARCHITECT.

reviewed by	drawn by
JS	AG
date	JULY 2019
scale	N.T.S.

scale N.T.S.

drawing title
DETAILS

drawing number

ZZEN GROUP LTD.

project title
MAVONE 8745 HWY 50

project number
2018-054



Schedule B: Public Correspondence Received

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

Application Cover Letter – KLM (Agent)



64 Jardin Drive, Unit 1B
Concord, Ontario
L4K 3P3
T. 905.669.4055
F. 905.669.0097
klmplanning.com

File: P-2966

July 24, 2019

A109/19

City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1T1

Attention: Ms. Christine Vigneault
Secretary Treasurer

Re: 1791234 Ontario Limited (Vaughan West 11 Limited)
Application for Minor Variance
8745 Highway 50
Parts 6,7 and 8 on Registered Plan 65R-3799
Part of Lot 12, Concession 10
City of Vaughan, Regional Municipality of York

Dear Ms. Vigneault,

On behalf of our clients, 1791234 Ontario Limited (Vaughan West 11 Limited), owners of the above noted lands, we are pleased to submit the following application for Minor Variance. The subject lands consist of a $\pm 20,257.14$ m² property located on the east side of Highway 50, south of Trade Valley Drive. The lands are municipally known at 8745 Highway 50, and are legally described as Parts 6,7 and 8 on Registered Plan 65R-3799. The proposed minor variance seeks to reduce the required width of a landscape strip "along a lot line of a provincial highway or an arterial road" from 9.0 metres to 6.0 metres in order to facilitate the development of an employment warehouse use.

The subject lands are designated 'Prestige Employment' as found on *Schedule 13 Land Use* within the 2010 Vaughan Official Plan (2010 Vaughan OP). Furthermore, the lands are zoned 'Prestige Employment Area (EM1)' by By-law 1-88, Exception 9(1308), as amended.

In preparation of the proposed application, the four tests of a Minor Variance as provided for in Section 45(1) of the Planning Act, R.S.O. 1990, c. P.13, have been reviewed below:

1. General Intent and Purpose of the Official Plan is Maintained

As noted above, the lands subject to the proposed variances are currently designated "Prestige Employment Area" by the 2010 Vaughan OP. According to the policy 9.2.2.11.c of the Official Plan, "...Industrial uses including manufacturing, warehousing (but not a retail warehouse)" are

permitted. Furthermore, accessory office uses are permitted so long as they are located on the same lot as the warehouse and, “...*the combination of accessory office and accessory retail uses shall not exceed 49% of the total gross floor area*”. The proposed accessory office use is located within the same lot, and only comprise 8.4% of the total GFA. The proposed variance does not seek a change in the permitted land use; therefore, the intent and purpose of the Official Plan is being maintained.

2. General Intent and Purpose of the Zoning By-law is Maintained

The lands subject to the proposed variance are zoned ‘Prestige Employment Area (EM1)’ by By-law 1-88, Exception 9(1308), as amended. The Prestige Employment Area zone permits the development of employment uses in accordance with Section 6.2 of Zoning By-law 1-88.

It is recognized that landscape strips adjacent to provincial highways or an arterial road are intended to provide separation distance and opportunities for visual screening from parking aisles and employment uses. With that being said, the enclosed Landscape Plan prepared by Landscape Planning Ltd. has been thoughtfully prepared to provide robust plantings within the proposed 6.0 metre landscape strip. The combination of the 6.0 metre landscape strip and robust landscaping as well as the provision of street trees within the public right of way will have the effect of screening and mitigating visual impacts and providing appropriate separation distance from the proposed parking aisle and employment uses to Highway 50.

Accordingly, we believe the proposed variances maintain the general intent and purposes of the Zoning By-law.

3. Desirable for the Appropriate Development or Use of the Land

The proposed minor variances will facilitate the development of the lands as an employment use. The proposed employment use conforms to the Official Plan, will not cause any adverse impacts on adjacent uses and will meet the intent of the Zoning By-law. Furthermore, the proposed 6.0 metre landscape strip represents an extension of a proposed 6.0 metre landscape strip on the adjacent property to the north. The subject lands and the adjacent property to the north are proposed to have a shared access, and the common 6.0 metre landscape strip would allow for a consistent landscape strip between the two properties.

In this regard, the proposed variance will facilitate a desirable built form and an appropriate use of the subject lands that is consistent with the surrounding area.

4. Variance is Minor in Nature

The proposed employment use will be located in an existing employment area consisting of buildings that will have similar built form and architectural elements, which conforms with the policies of the City of Vaughan Official Plan 2010. Based on this, it is our opinion that the proposed variance is minor in nature. As discussed above, the proposed 6.0 metre landscape strip would be consistent with the landscape strip to the adjacent property to the north, and as such the variance does not seek relief that is exceptional to the surrounding uses. Based on this, it is our opinion that the proposed variance is minor in nature.

In consideration of the above, we are of the opinion that the proposed minor variance associated with the subject lands maintain the general intent of the Official Plan and Zoning By-law, are minor in nature and is appropriate for the subject lands. It is our opinion that the proposed variances meet the four (4) tests under Section 45(1) of the Planning Act.

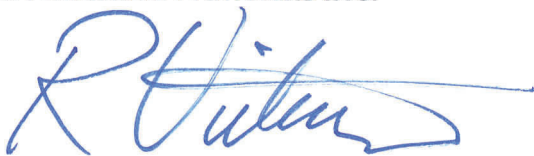
In support of this application, please find the following enclosed materials:

1. One (1) application form for a Minor Variance Application, fully executed;
3. One (1) copy of the Landscape Plans, titled 'L1' and 'D1' prepared by Landscape Planning Ltd., dated July 22, 2019;
4. One (1) sketch of the proposed Minor Variance, prepared by KLM Planning Partners Inc., and
5. One (1) cheque in the amount of \$3,359.00 made payable to the City of Vaughan reflecting the fee required for a Minor Variance for Employment Uses.

Trusting the above and enclosed are in order, please do not hesitate to contact the undersigned should you have any questions or concerns.

Yours truly,

KLM PLANNING PARTNERS INC.



Ryan Virtanen, BES, MCIP, RPP
Partner

CC: Mr. Sam Speranza, ZZen Group of Companies

Schedule C: Agency Comments

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

Alectra (Formerly PowerStream) – No concerns or objections
Region of York – No concerns or objections
Region of Peel



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
Phone: 1-877-963-6900 ext. 31297
Fax: 905-532-4401
E-mail: stephen.cranley@alectrautilities.com

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

Providence, Lenore

Subject: FW: Minor Variance - A109/19 - 8745 Highway 50

From: Shahid, Sadaf <Sadaf.Shahid@york.ca>

Sent: August-21-19 8:51 AM

To: Providence, Lenore <Lenore.Providence@vaughan.ca>

Cc: Attwala, Pravina <Pravina.Attwala@vaughan.ca>; MacPherson, Adriana <Adriana.MacPherson@vaughan.ca>

Subject: Minor Variance - A109/19 - 8745 Highway 50

Hi Lenore,

The Regional Municipality of York has completed its review of the above mentioned Minor Variance Application and has **no comment**.

Should you have any questions or concerns, please contact Sadaf Shahid, Assistant Planner at ext. 73012 or by email at sadaf.shahid@york.ca.

Best,

Sadaf Shahid | Planning Assistant

Planning and Economic Development Branch, Corporate Services Dept.

The Regional Municipality of York| 17250 Yonge Street | Newmarket, ON L3Y 6Z1

O: 1-877-464-9675 ext. 73012 | sadaf.shahid@york.ca | www.york.ca

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

Please consider the environment before printing this email.

Providence, Lenore

Subject: FW: Minor Variance - A109/19 - 8745 Highway 50

From: Shahid, Sadaf <Sadaf.Shahid@york.ca>

Sent: August-21-19 8:51 AM

To: Providence, Lenore <Lenore.Providence@vaughan.ca>

Cc: Attwala, Pravina <Pravina.Attwala@vaughan.ca>; MacPherson, Adriana <Adriana.MacPherson@vaughan.ca>

Subject: Minor Variance - A109/19 - 8745 Highway 50

Hi Lenore,

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Best,

Sadaf Shahid | Planning Assistant

Planning and Economic Development Branch, Corporate Services Dept.

The Regional Municipality of York| 17250 Yonge Street | Newmarket, ON L3Y 6Z1

O: 1-877-464-9675 ext. 73012 | sadaf.shahid@york.ca | www.york.ca

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Please consider the environment before printing this email.

Public Works

10 Peel Centre Dr.
Suite B
Brampton, ON
L6T 4B9
tel: 905-791-7800

peelregion.ca

August 21, 2019

Christine Vigneault, Secretary-Treasurer
Committee of Adjustment
City of Vaughan
2141 Major Mackenzie Dr,
Vaughan, ON, L6A 1T1

CC: John Hardcastle, Manager, Development Services

**Re: Peel Region Consolidated Comments – A109/19
City of Vaughan Committee of Adjustment Hearing
September 5, 2019**

Dear Ms. Vigneault,

Peel Region is responsible for the operation, maintenance and access control review for Regional Road 50 in accordance with Boundary Operating Agreements between York Region and Peel Region. In accordance with the terms of this agreement Peel Region is responsible for the review, comment and implementation of access control requirements, in cooperation with York Region through all types of development applications for lands fronting Region Road 50. Keeping with the terms of this agreement, Peel Region staff have reviewed the above noted minor variance listed on the September 5, 2019, Vaughan Committee of Adjustment Agenda and offer the following comments:

Regarding Minor Variance Application A109/19

Region of Peel – Patrick Amaral (905) 791-7800, extension 4093

The minor variance seeking to reduce the required width of a landscape strip from 9.0 metres to 6.0 metres provides additional space within the front yard to accommodate the fire route and two-way traffic through the front driveway aisle to the only permitted access, being the shared access between the subject lands and 241 trade Valley Drive to the north.

The access located at the southern extent of the property is temporary and cannot be utilized for the purposes of a fire route, accordingly the reduced landscaped strip will facilitate better two-way traffic flow and the relocation of the fire route to the front of the proposed building.

As such, the Region of Peel has no objections to the proposed variance, but advise that the site plan application will require revisions to the fire route prior to Regional clearance.

For further questions or concerns please contact the undersigned at 905-791-7800, extension 4093, or by email at: patrick.amaral@peelregion.ca

Sincerely,



Patrick Amaral
Junior Planner
Development Services

Public Works

10 Peel Centre Dr.
Suite B
Brampton, ON
L6T 4B9
tel: 905-791-7800

peelregion.ca



Schedule D: Previous Approvals (Notice of Decision)

B002/18



NOTICE OF DECISION
Consent Application B002/18

Section 53 of the Planning Act, R.S.O. 1990, c.P.13

Date of Hearing: Thursday, May 10, 2018

Applicant: 1791234 Ontario Limited

Agent: KLM Planning Partners Inc.

Property: 280 Hunter's Valley Road, Vaughan

Zoning: The subject lands are zoned EM1, Prestige Employment Area Abutting Major Roads subject to Exception 9(1308) and EM2, General Employment Area subject to Exception 9(1308) under By-law 1-88, as amended.

OP Designation: VOP 2010: "Prestige Employment"

Related Files: None.

Purpose: Consent is being requested to sever a parcel of land for commercial purposes, with frontage onto Hunter's Valley Road approximately 20,234.40 square metres reserving an easement for storm and sanitary services and watermain installation over the severed parcel (servient land) in favour of the retained land (dominant land). The retained parcel of land has frontage onto Highway 50 and is approximately 18,680.50 square metres.

The easement to be reserved over the severed parcel for storm and sanitary services is shown as Part 2 on the draft plan submitted with the application and the easement to be reserved for watermain installation is shown as Part 3 and Part 4 on the draft plan submitted with the application.

The severed and retained land are currently vacant.

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

Having regard to the written and oral submissions related to this application as required by Section 53(18), the requirements of Section 51(24) as required by Section 53(12) and matters of Provincial interest (Provincial Policy Statement) as required by Section 3(1) of the Planning Act, R.S.O. 1990, c. P. 13, as amended, it is the decision of the Committee that provisional consent of the application:

THAT Application No. B002/18 on behalf of 1791234 Ontario Limited be **APPROVED**, in accordance with the sketches attached and subject to the following conditions:

	Department/Agency	Condition
1	Committee of Adjustment Christine Vigneault 905-832-8585 x 8332 christine.vigneault@vaughan.ca	1. That the applicant's solicitor provides the secretary-treasurer with a copy of the prepared draft transfer document to confirm the legal description and PIN of the subject lands. Subject land applies only to the severed parcel, leased land, easement etc. as conditionally approved by the Committee of Adjustment. 2. That the applicant provides two (2) full size copies of the deposited plan of reference of the entire land which conforms substantially with the application as submitted.

		3. Payment of the Certificate Fee as provided on the City of Vaughan's Committee of Adjustment Fee Schedule.
2	<p>Real Estate Franca Mazzanti</p> <p>905-832-8585 x 8474 franca.mazzanti@vaughan.ca</p>	<p>The applicant shall provide the City with an appraisal report and valuation of the subject land (land only) to be prepared by an accredited appraiser. Payment of a Parkland levy to the City in lieu of the deeding of land for park purposes shall be made if a new lot is being created. Said levy is to be 2% of the appraised market value of the subject land as of the date of the Committee of Adjustment giving notice to the Applicant of the herein decision. Said levy shall be approved by the Senior Manager of Real Estate. Payment shall be made by certified cheque only.</p>
3	<p>Development Engineering Brad Steeves</p> <p>905-832-8585 x 8977 brad.steeves@vaughan.ca</p>	<p>1) The Owner/applicant shall arrange to register & deposit the submitted draft reference plan prepared by Schaeffer Dzoldov Bennett Ltd. dated March 13, 2018 at their expense for the conveyance of the subject lands showing all proposed easements to the satisfaction of DE.</p> <p>2) The Owner/applicant shall apply to annex restrictive covenants S.118 for the proposed severance of lands and easement registration. No transfer of lands for Parcel A "Retained Lands" shall be registered without consent of the corporation of the City of Vaughan, until such time that the sanitary, storm and water connections are available to the lands to the satisfaction of the Development Engineering (DE) Department.</p>
4	<p>Development Finance Nelson Pereira</p> <p>905-832-8585 x 8393 nelson.pereira@vaughan.ca</p>	<p>1) The owner shall pay of a Tree Fee, approved by Council as of the date of granting the consent. 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).</p> <p>2) 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).</p>
5	<p>Region of York Gabrielle Hurst</p> <p>905-830-4444 x 71538 gabrielle.hurst@york.ca</p>	<p>1. Prior to final approval, the Owner shall convey the following lands to York Region for public highway purposes free of all costs and encumbrances, to the satisfaction of the Regional Solicitor:</p> <p>A widening across the full frontage of the site where it abuts Highway 50 of sufficient width to provide a minimum of 22.5 metre(s) from the Centre Line of Construction of Highway 50.</p>

	<p>2. The Owner shall provide a solicitor's certificate of title in a form satisfactory to the Regional Solicitor, at no cost to the Region, with respect to the conveyance of these lands to York Region.</p> <p>3. The Owner shall arrange for the preparation, review and deposit on title of a reference plan describing the lands to be conveyed to the Region, as described above, to the satisfaction of the Regional Planning and Economic Development Branch. The Region requires the Owner submit a Phase One Environmental Site Assessment ("ESA") in general accordance with the requirements of the Environmental Protection Act and O. Reg. 153/04 Records of Site Condition, as amended ("O. Reg. 153/04"). The Phase One ESA must be for the Owner's property that is the subject of the application and include the lands to be conveyed to the Region (the "Conveyance Lands"). The Phase One ESA cannot be more than two (2) years old at: (a) the date of submission to the Region; and (b) the date title to the Conveyance Lands is transferred to the Region. If the originally submitted Phase One ESA is or would be more than two (2) years old at the actual date title of the Conveyance Lands is transferred to the Region, the Phase One ESA will need to be either updated or a new Phase One ESA submitted by the Owner. Any update or new Phase One ESA must be prepared to the satisfaction of the Region and in general accordance with the requirements of O. Reg. 153/04. The Region, at its discretion, may require further study, investigation, assessment, delineation and preparation of reports to determine whether any action is required regardless of the findings or conclusions of the submitted Phase One ESA. The further study, investigation, assessment, delineation and subsequent reports or documentation must be prepared to the satisfaction of the Region and in general accordance with the requirements of O. Reg. 153/04. Reliance on the Phase One ESA and any subsequent reports or documentation must be provided to the Region in the Region's standard format and/or contain terms and conditions satisfactory to the Region.</p> <p>The Region requires a certified written statement from the Owner that, as of the date title to the Conveyance Lands is transferred to the Region: (i) there are no contaminants of concern, within the meaning of O. Reg. 153/04, which are present at, in, on, or under the property, or emanating or migrating from the property to the Conveyance Lands at levels that exceed the MOECC full depth site</p>
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		<p>condition standards applicable to the property; (ii) no pollutant, waste of any nature, hazardous substance, toxic substance, dangerous goods, or other substance or material defined or regulated under applicable environmental laws is present at, in, on or under the Conveyance Lands; and (iii) there are no underground or aboveground tanks, related piping, equipment and appurtenances located at, in, on or under the Conveyance Lands.</p> <p>The Owner shall be responsible for all costs associated with the preparation and delivery of the Phase One ESA, any subsequent environmental work, reports or other documentation, reliance and the Owner's certified written statement.</p> <p>5. This application is subject to York Region's development applications processing fee in accordance with (By-law 2010 15). The review fee for Consent to Sever is \$810. The fee for Review and Approval of Environmental Site Assessment Report fee is \$1,500. These fees are required to proceed with the review.</p> <p>The owner shall provide the Region with a cheque made payable to "The Regional Municipality of York" and forwarded to the Development Review Coordinator, Planning and Economic Development Branch.</p> <p>6. Prior to final approval, the Planning and Economic Development Branch shall certify that Conditions 1-5 have been met to its satisfaction.</p>
6	<p>Peel Region Patrick Amaral</p> <p>905-791-7800 ext 4093 Patrick.amaral@peelregion.ca</p>	<p>The owner shall execute an access agreement to the satisfaction of the Region of Peel.</p>

WARNING:

Conditions must be fulfilled within one year from the date of the giving of the Notice of Decision, failing which this application shall be deemed to be refused. Section 53(41), The Planning Act R.S.O., 1990


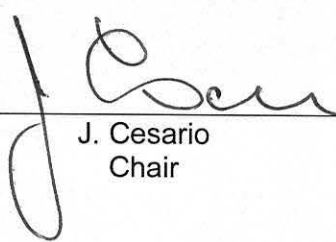
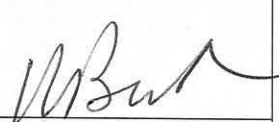
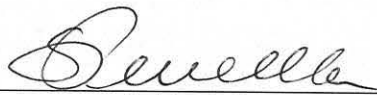
For the following reasons:

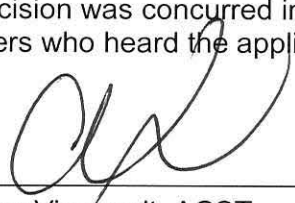
1. The proposal conforms to Section 51(24) as required by Section 53(12) of the Planning Act.
2. The proposal conforms to the City of Vaughan Official Plan.
3. The proposal conforms to the Provincial Policy Statements as required by Section 3(1) of the Planning Act.

Written & oral submissions were received from the following:

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

SIGNED BY ALL MEMBERS PRESENT WHO CONCUR IN THIS DECISION:

		
H. Zheng Member	J. Cesario Chair	R. Buckler Vice Chair
ABSENT		
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.	June 7, 2018 4:30 p.m.
LAST DAY FOR FULFILLING CONDITIONS:	May 19, 2019 May 18, 2019 4:30 p.m.
CERTIFICATION: I hereby certify that this is a true copy of the decision of the City of Vaughan Hill 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 Committee of Adjustment	

Appealing to The Local Planning Appeal Tribunal
The *Planning Act*, R.S.O. 1990, as amended, Section 53

The applicant, the Minister or any other person or public body who has an interest in the matter may within **20 days after** the giving of notice 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 after the giving of notice 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.

Important Information

Conditions of Approval: It is the applicant's responsibility to ensure that all conditions of approval have been fulfilled in accordance with the Committee's decision and the last day for fulfilling conditions (by 4:30 p.m.). Contact information has been provided for each respective department and agency to assist you with completing these conditions. Please note that some conditions may require two to three months to process.

No extension to the last day for fulfilling conditions is permissible and no further notice will be provided regarding the lapsing of your consent application.

Notice of Changes to the Provisional Consent: The Committee of Adjustment may change the conditions of a provisional consent at any time before the consent is given. You will be entitled to receive notice of any changes to the conditions of the provisional consent if you have made a written request to be notified of changes to the conditions of the provisional consent.

Lapsing of the Consent: If the conditions of approval are not satisfied within the prescribed time period (as provided in Section 53(41) of the Planning Act), the consent is deemed refused for failure to fulfill the conditions and has lapsed.

Final Approval: Final approval of the application will be issued in the form of a Certificate (pursuant to Section 53(42) of the Planning Act) once **all** conditions of the provisional consent have been satisfied.

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;

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

Adriana MacPherson

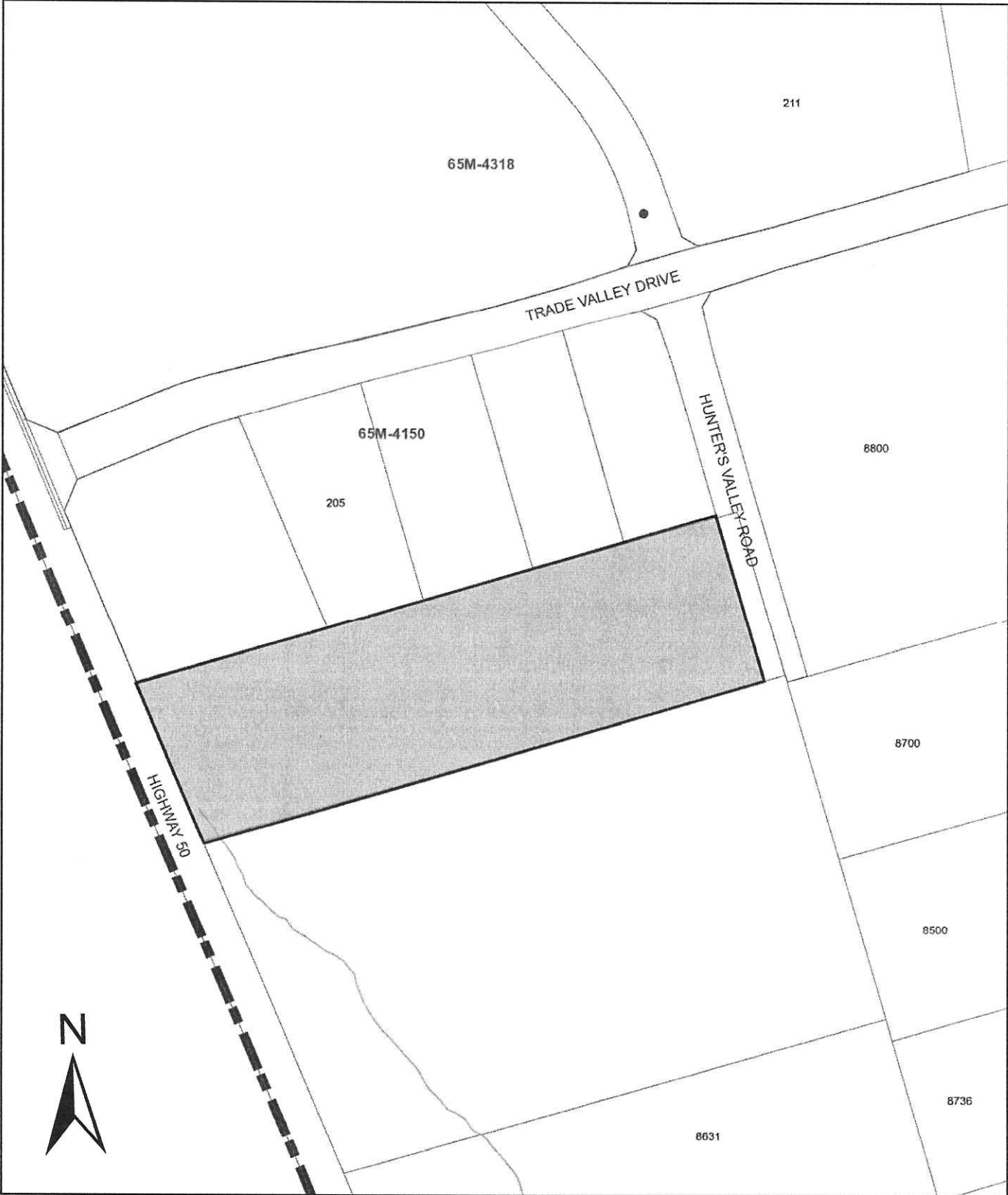
T 905 832 8585 x 8360

E CofA@vaughan.ca



Location Map - B002/18

Parts 1 of Plan 65R-31424 and Parts 2,3,4 & 5 of Plan 65R-31861, part of lot 10, Concession 10



Langstaff Road

City of Vaughan

0 0.05 0.1 0.2 Kilometers

The City of Vaughan makes every effort to ensure that this map is free of errors but does not warrant that the map or its features are spatially, tabularly, or temporally accurate or fit for a particular use. This map is provided by the City of Vaughan without warranties of any kind, either expressed or implied.

PLAN OF SURVEY OF
PART OF LOT 12, CONCESSION 1C
(GEOGRAPHIC TOWNSHIP OF VAUGHAN, COUNTY OF YORK)
CITY OF VAUGHAN
REGIONAL MUNICIPALITY OF YORK
SCALE 1:500

OFFICER N. DZALDOY
ON TARIO LAND SURVEYOR
REPRESENTATIVE FOR LAND REGISTRAR FOR THE
LAND TITLES DIVISION OF YORK REGION No. 63

PART 6 - SUBJECT TO EASEMENT IN GROSS AS IN INST NO YR1326461.

RT 8
106.07 m
PARCEL A
RETAINED LANDS
PART 8
18,680.5 m²

PARCEL B SEVERED LANDS

~~18,680.5 m²~~

20,234.4 m²

NOTES	DEMOS	PLANTED MONUMENT FOUND MONUMENT
5B		STANDARD IRON BAR
5B		IRON BAR
SSB		SHORT STANDARD RON BAR
P1		PLAN 65R-3482
P1		PLAN 65R-3507
P2		REGISTERED PLAN 65M-4155
		MEASURED

SURVEYOR'S CERTIFICATE
I CERTIFY THAT:

1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM

2 THE SURVEY WAS COMPLETED ON THE DAY OF . 2018

DATE _____

OFFICE OF THE
ONTARIO LAND SURVEYOR

SCHAEFFER DZALDOY BENNETT LTD.
ONTARIO LAND SURVEYORS

SCHAEFFER DZALDOY BENNETT LTD.
 ONTARIO LAND SURVEYORS
 64 JARDIN DRIVE CONCORD, ONTARIO L4K 3P3 TEL (416) 987-0101
 C.A.C. St. DRAFT ACAD/L. CHECHKO SCAL. P200 JOB NO. 17-269-004

MARCH 13, 2010