

ITEM: 6.9	REPORT SUMMARY MINOR VARIANCE APPLICATION FILE NUMBER A176/24
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Report Date: November 29, 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 checked="" type="checkbox"/>	No <input type="checkbox"/>	General Comments w/Conditions
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
Region of York	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments
TRCA	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments
MTO	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			10/23/2024	Planning Justification Report

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 (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 A176/24

CITY WARD #:	4
APPLICANT:	Peercan Inc.
AGENT:	Oz Kemal (MHBC Planning)
PROPERTY:	8118 Dufferin Street, Vaughan
ZONING DESIGNATION:	See below.
VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:	Vaughan Official Plan 2010 ('VOP 2010'): "General Employment"
RELATED DEVELOPMENT APPLICATIONS:	DA.24.042
PURPOSE OF APPLICATION:	Relief from the Zoning By-law is being requested to permit the construction of a Battery Energy Storage System ('BESS') that is used to provide power to the energy grid in the case of a blackout or dip in power on the hydro grid. Relief is also required to facilitate related Site Plan Application DA.24.042.

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

The subject lands are zoned EM1– Prestige Employment Zone and subject to the provisions of Exception 14.835 under Zoning By-law 001-2021, as amended.

#	Zoning By-law 001-2021	Variance requested
1	The minimum setback for buildings and structures from the Highway 407 and Transitway Corridor rights-of-way shall be 14.0 m. [14.835.2.1]	To permit a minimum setback for buildings and structures from the Highway 407 and Transitway Corridor rights-of-way to be 4.0m.

HEARING INFORMATION

DATE OF MEETING: Thursday, December 5, 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 Posted Online:	November 21, 2024
Date Applicant Confirmed Posting of Sign:	November 20, 2024
Applicant Justification for Variances: <small>*As provided in Application Form</small>	Safety separation distances between battery energy storage system enclosure requires use of full extent of lots and transformers
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:	
Due to the postal workers' strike, residents might experience delays in receiving public hearing notices by mail. However, the Committee of Adjustment remains committed to providing public notifications of upcoming hearings as per the Planning Act and its regulations. We will continue to:	
<ul style="list-style-type: none"> Publish hearing notices on the municipal website. Post links to agendas and application information on our webpages. Email links to hearing agendas to community associations, Councillors' offices and other contacts. Ensure a public hearing notice is posted on the property subject to an application. 	
For more information on Public Notices and to search for notices related to upcoming Council or Committee meetings, please visit: Public Notices City of Vaughan	
Committee of Adjustment Recommended Conditions of Approval:	None

BUILDING STANDARDS (ZONING)

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

DEVELOPMENT PLANNING

<small>**See Schedule B for Development Planning Comments.</small>	
Development Planning Recommended Conditions of Approval:	That all comments on Site Development Application DA.24.042 be addressed to the satisfaction of the Development and Parks Planning Department

DEVELOPMENT ENGINEERING

Link to Grading Permit Link to Pool Permit Link to Curb Curt Permit Link Culvert Installation	
Development Engineering has no objection to Minor Variance A176/24 should the attached condition be satisfied.	
Development Engineering Recommended Conditions of Approval:	The Owner/Applicant shall satisfy the Development Engineering Department requirements for the related Site Plan Development Application (DA.24.042)

PARKS, FORESTRY & HORTICULTURE (PFH)

Vaughan Forestry issued a PTRP on August 13, 2024, as part of DA.24.042 application. There appear to be no further impacts to trees on this site relating to the minor variance. Forestry has no further comments at this time.

PFH Recommended Conditions of Approval:	None
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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:	None
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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 Alyssa.pangilinan@vaughan.ca	That all comments on Site Development Application DA.24.042 be addressed to the satisfaction of the Development and Parks Planning Department
2	Development Engineering jonal.hall@vaughan.ca	The Owner/Applicant shall satisfy the Development Engineering Department requirements for the related Site Plan Development Application (DA.24.042)

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.

IMPORTANT INFORMATION

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.

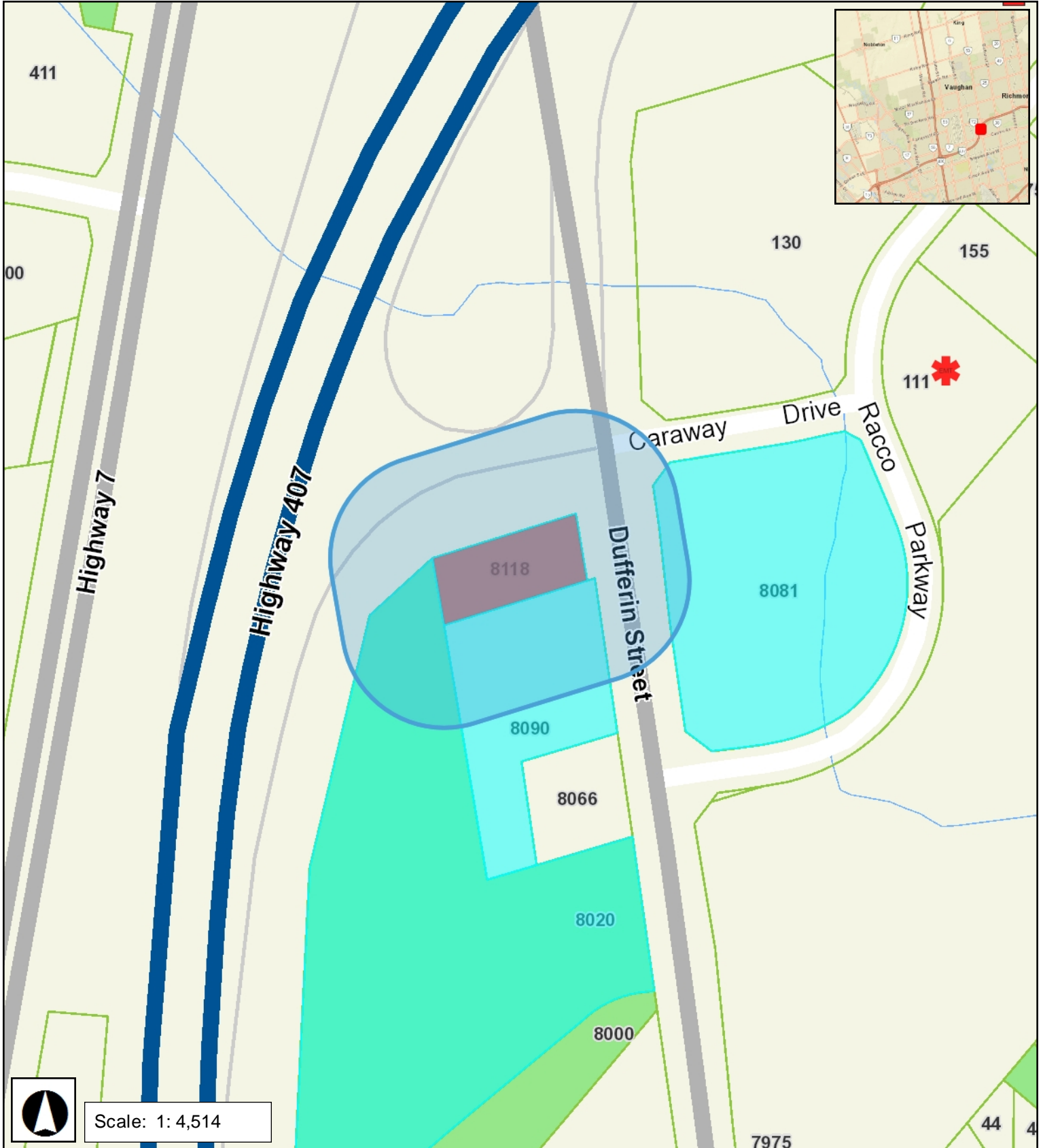
That the payment of the City Development Charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the City's Development Charges By-law in effect at the time of payment.

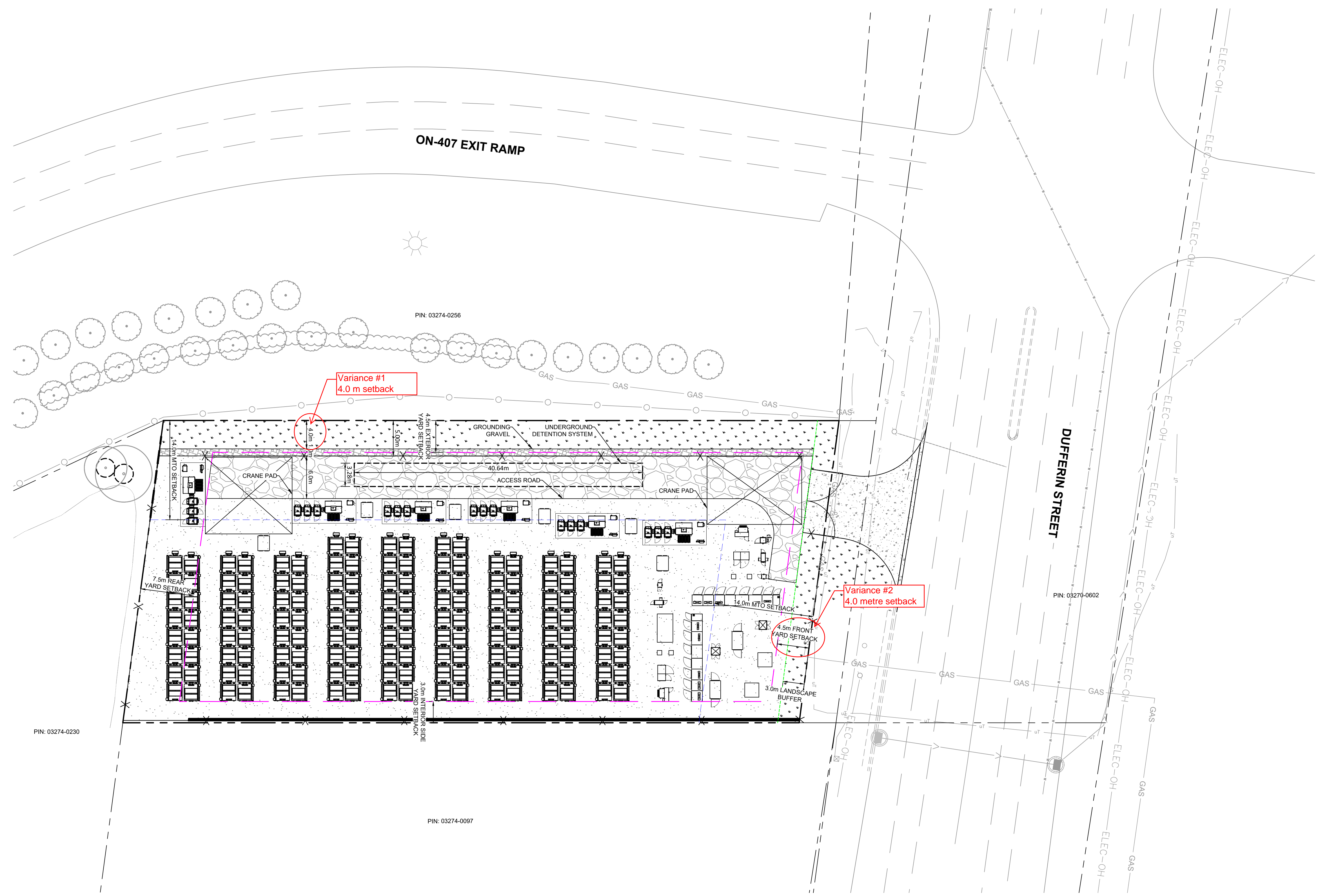
That the payment of the Education Development Charge if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the Boards of Education By-laws in effect at the time of payment

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





Variance #1
4.0 m setback

Variance #2
4.0 metre setback

LEGEND

	PROPERTY LINE
	PROPOSED FENCE
	SETBACK LINE
	MTO SETBACK LINE
	LANDSCAPE BUFFER
	PROPOSED CONCRETE PAVEMENT
	PROPOSED YARD ROCK
	PROPOSED GRAVEL ROAD
	PROPOSED GROUNDING GRAVEL
	PROPOSED VEGETATION, SEE LANDSCAPE PLANS
	PROPOSED RETAINING WALL
	PROPOSED R1 STOP SIGN

CONTRACTOR'S NOTES:

- ALL DIMENSIONS ARE IN METRES AND / OR MILLIMETRES UNLESS OTHERWISE INDICATED.
- DRAWINGS ARE NOT TO BE SCALED.
- THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS IN THE FIELD AND SHALL REPORT ANY DISCREPANCIES TO THE ENGINEER IMMEDIATELY UPON FINDING.
- THE EXACT LOCATION OF UTILITIES SHALL BE DETERMINED BY CONSULTING THE UTILITY COMPANIES CONCERNED. THE CONTRACTOR SHALL PROVE THE LOCATION OF UTILITIES AND SHALL BE RESPONSIBLE FOR ADEQUATE PROTECTION FROM DAMAGE.
- BENCHMARKS FOR LAYOUT ARE TO BE OBTAINED FROM THE CITY OF VAUGHAN ENGINEERING DEPARTMENT.

NOTE:

EVERY REASONABLE EFFORT HAS BEEN MADE TO ENSURE THAT THE INFORMATION APPEARING ON THIS PLAN 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.

BEARING REFERENCE: BEARINGS ARE ASTRONOMIC AND AREA REFERRED TO THE DISTANCE BETWEEN ORP B & C AND HAVING A BEARING OF N72°50'00"E.

8			
7			
6			
5			
4			
3			
2			
1	SITE CONCEPT	BPG	10/15/2024
NO.	DESCRIPTION	BY	DATE

UPDATES & REVISIONS

ENGINEERING COMPANY NAME:

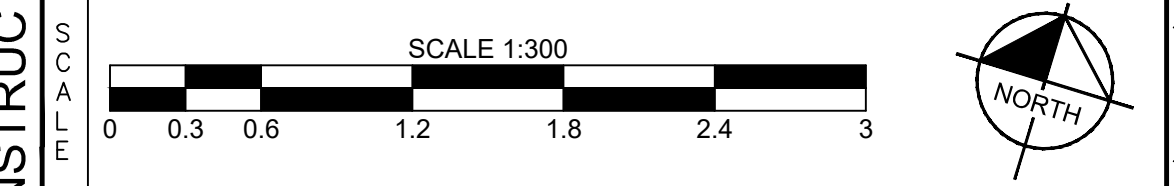
Kimley»Horn

2024 KIMLEY-HORN AND ASSOCIATES, INC. PHONE: 651-645-4197
787 EUSTIS STREET, SUITE 100, ST. PAUL, MN 55114 WWW.KIMLEY-HORN.COM

ENGINEER'S STAMP:

APPROVED AS TO FORM IN RELIANCE, UPON THE PROFESSIONAL SKILLS AND ABILITY OF THE CONSULTING ENGINEERS AS TO DESIGN AND SPECIFICATIONS.

DATE



SITE CONCEPT

VAUGHAN

DESIGNED & DRAWN BY: JLL	DATE: JULY 12 2024	CHECKED BY: BPG
SURVEYED BY: BJS	APPROVED BY: WDM	APPROVED BY: WDM
SCALE: HORIZONTAL: 1:300	PROJ. No. DA.24.042	DWG. No. EX-1



ISSUED FOR PERMIT - NOT FOR CONSTRUCTION

PLAN OF SURVEY
OF
PART OF LOT 8, CONCESSION 3,
IN THE
CITY OF VAUGHAN
REGIONAL MUNICIPALITY OF YORK

© TOTAL TECH SURVEYING INC.

8 LEGEND

- SIB DENOTES 25 mm X 25 mm X 1.22 m STANDARD IRON BAR
- SSIB DENOTES 25 mm X 25 mm X 0.61 m SHORT STANDARD IRON BAR
- IB DENOTES 16 mm X 16 mm X 0.61 m IRON BAR
- IB# DENOTES 19 mm Diameter X 0.61 m ROUND IRON BAR
- DENOTES SURVEY MONUMENT FOUND
- DENOTES SURVEY MONUMENT SET AND MARKED 1858
- WIT. DENOTES WITNESS
- (S) DENOTES SET
- (PROP) DENOTES SET PROPORTIONALLY
- (N.T.S.) DENOTES NOT TO SCALE
- (OU) DENOTES ORIGIN UNKNOWN
- (S/W) DENOTES 3" X 3/8" SPIKE/WASHER
- (NBF) DENOTES NO BAR FOUND
- (D) DENOTES DEED INST. No. R523524
- (1493) DENOTES JOHN F.G. YOUNG, O.L.S.
- (OH) DENOTES ONTARIO HYDRO
- H — DENOTES ELECTRICAL OVERHEAD
- UH — DENOTES ELECTRICAL UNDERGROUND
- G — DENOTES GAS LINE
- UT — DENOTES COMMUNICATION UNDERGROUND
- C — DENOTES TV UNDERGROUND
- GP ○ DENOTES WOOD BOLLARD
- ⊥ DENOTES PERPENDICULAR
- (M) DENOTES MEASURED
- (C) DENOTES CALCULATED
- /— DENOTES NOT TO SCALE
- (LT) DENOTES LAND TITLES
- ⊕ DENOTES SET BY INTERSECTION
- (P) DENOTES PLAN 65R-23168
- (MMM) DENOTES MMM GEOMATICS ONTARIO LTD.

9 BASIS OF BEARING

BEARING REFERENCE
BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE DISTANCE BETWEEN ORP B & C AND HAVING A BEARING OF N72°50'00"E.

10 SURVEYOR'S NOTES

1 TITLE DESCRIPTION

PART OF LOT 8, CONCESSION 3
IN THE
CITY OF VAUGHAN
REGIONAL MUNICIPALITY OF YORK

2 SCHEDULE 'B' ITEMS

NOTES CORRESPONDING TO SCHEDULE "B":
PIN 03274-0096 (LT)
AS IN DEED INST. No. R523524

4 UNITS

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

11 PARKING INFORMATION

NOT APPLICABLE

12 LAND AREA

PIN 03274-0096 (LT); PART OF LOT 8,
CONCESSION 3;
AREA = 4060.1 SQ.M.

13 BUILDING AREA

166.3 Sq.m.

14 BUILDING HEIGHT

15.0m

5 FLOOD INFORMATION

NOT APPLICABLE

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:
1. THIS SURVEY WAS COMPLETED ON THE 27 TH DAY OF OCTOBER, 2023.

DATE: JANUARY 18, 2024

BLOSS J. SUTHERLAND
ONTARIO LAND SURVEYOR
for TOTAL TECH SURVEYING INC.

Approved O.L.S. Surveyor

Total Tech Surveying Inc.

341 Talbot St. N.
Units 2 & 3
Essex, ON N8M 2W3
(519) 776-9887

ROAD ALLOWANCE BETWEEN CONCESSIONS 2 and 3

LOCALLY KNOWN AS DUFFERIN STREET ALSO KNOWN AS HIGHWAY No. 53
P.I.N. 03270-0602 (LT)
P.I.N. 03270-0603 (LT)



18 SURVEY DRAWING

COORDINATES ARE DERIVED FROM GRID OBSERVATIONS USING THE SMART-NET NETWORK SERVICE AND ARE REFERRED TO UTM ZONE 17 (81° WEST LONGITUDE) NAD83 (CSRS) (2010.0). COORDINATE VALUES ARE TO AN URBAN ACCURACY IN ACCORDANCE WITH SECTION 14(2) OREG 216/10

POINT ID	NORTHING	EASTING
ORP-A	4852395.776	622417.165
ORP-B	4852353.521	622425.113
ORP-C	4852383.434	622515.599

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

POINT ID	NORTHING	EASTING
ORP-A	5000.000	5000.000
ORP-B	4957.597	5007.116
ORP-C	4985.725	5098.172

ALTA/ACSM Land Title Survey

17 CLIENT INFORMATION BOX

This survey prepared in accordance with the "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys (Effective February 23, 2011)"

Prepared For:
KIMLEY-HORN and ASSOCIATES, INC.
11995 SINGLETREE LANE,
EDEN PRAIRIE,
MINNESOTA, U.S.A.
55344

Client Ref. No:

Project Location:
8118 DUFFERIN STREET
VAUGHAN #1E
CITY OF VAUGHAN

Project Name:
HYDRO VAUGHAN DISTRIBUTION INC.

Job Number:
2023-010

3 SURVEYOR CERTIFICATION

To:
KIMLEY-HORN and ASSOCIATES, INC.

This is to certify to KIMLEY-HORN and ASSOCIATES, INC. that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, (except in states that require record monument platting), 2, 3, 4, 6(b), 7(a), 7(b)(1), 7(c), 8, 9, 11 (a) (location of utilities per visible, aboveground, observed evidence), 13, 14, 16, 18, 21, 23 (to the extent possible, graphically depict on survey drawing the zoning setback lines), and 24 of Table A thereof. The field work was completed on the 4th day of December, 2023.

Date: JANUARY 18, 2024

(signed) Bloss J. Sutherland

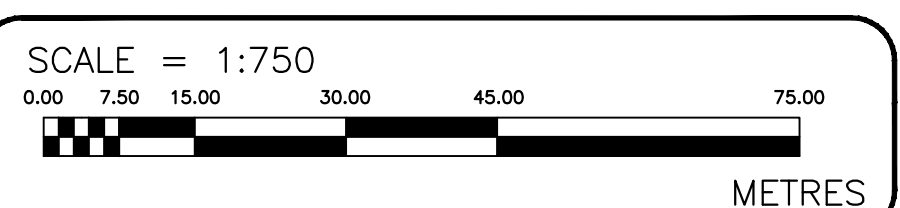
7 ZONING INFORMATION

SITE RESTRICTION:
ZONE - B1.1 for PIN 03274-0096 (LT)

- Permitted Uses
HYDRO VAUGHAN DISTRIBUTION INC.;
- EXISTING LOT FRONTAGE - N/A
- EXISTING LOT AREA - 4060.1 Sq.m.
- SETBACKS
FRONT - 6m
INTERIOR SIDE - 3.0m Side Yard
INTERIOR SIDE ABUTTING RESIDENTIAL OR INSTITUTIONAL - Not Applicable
REAR - N/A
- MAXIMUM BUILDING HEIGHT - 14.0m
- MAXIMUM LOT COVERAGE - N/A
- MINIMUM LANDSCAPED AREA - N/A

All site restrictions were obtained per Ontario BESS_setbacks_draft_12-13-2022

16 NORTH ARROW/SCALE



6 CEMETERY

NOT APPLICABLE

There is no visible evidence of cemeteries on the subject property at the time of survey however, there is a cemetery located to the south of the property.

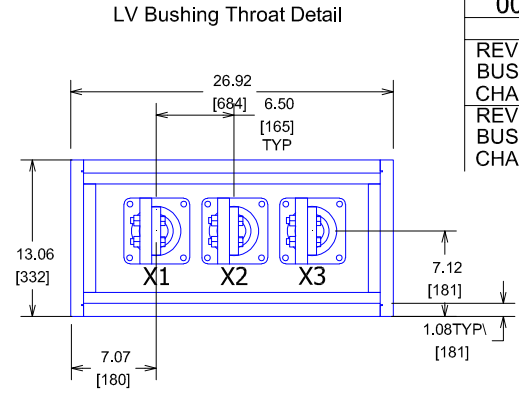
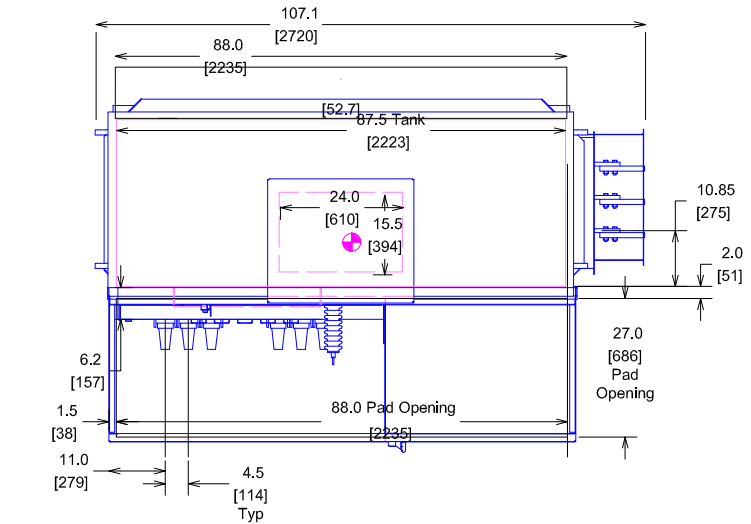
15 VICINITY MAP



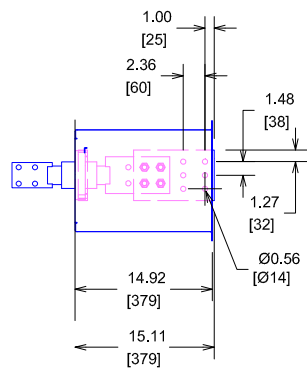
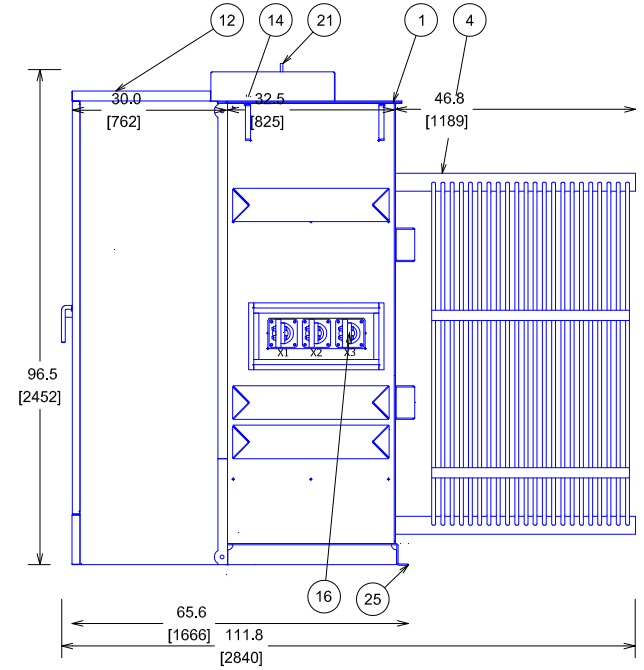
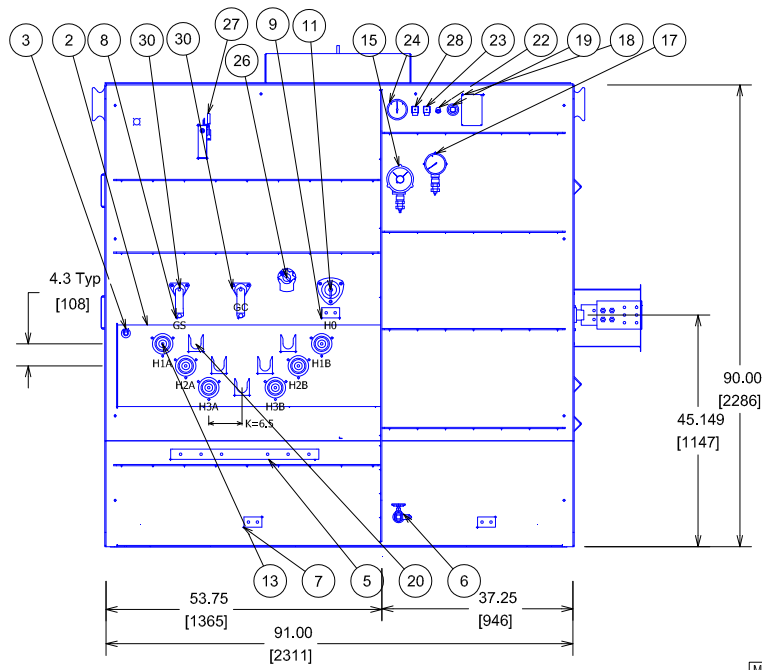
Key to CDS ALTA Survey

- 1 TITLE DESCRIPTION
- 2 SCHEDULE 'B' ITEMS
- 3 SURVEYOR CERTIFICATE
- 4 UNITS
- 5 FLOOD INFORMATION
- 6 CEMETERY
- 7 ZONING INFORMATION
- 8 LEGEND
- 9 CLIENT INFORMATION BOX
- 10 SURVEYING NOTES
- 11 PARKING INFORMATION
- 12 LAND AREA
- 13 BUILDING AREA
- 14 BUILDING HEIGHT
- 15 VICINITY MAP
- 16 SCALE
- 17 CLIENT INFORMATION BOX
- 18 SURVEY DRAWING

ITEM	DESCRIPTION
1	Welded Cover w/ Handhole
2	Bushing Box
3	Bushing Box Drain Plug
4	Cooling Radiators (2-19 + 2-22 Panel Banks)
5	Copper Ground Bus
6	Drain Valve with Sampler
7	Ground Pad .50-13 Tap
8	Ground Strap and Nut
9	Ground Pad .50-13 Tap
10	Ground Shield Bushing
11	H0 Bushing
12	High Security Cabinet w/ Pentahead Door Bolts
13	35kV 600 Amp Deadbreak HV Bushing
14	Lifting Lug
15	Liquid Temperature Gauge w/ Alarm Contacts
16	1.2kV LV Bushing w/ 6 Hole Spade and Adapter w/ 4 Holes on 2.36 Inch Centers
17	Magnetic Oil Level Gauge w/ Alarm Contacts
18	Nameplate
19	One Inch Upper Press. Conn. and Fill Plug
20	Parking Stand
21	Pressure Relief Device
22	Pressure Relief Valve
23	Pressure Switch w/ Alarm Contacts
24	Pressure Vacuum Gauge
25	Tank Base w/ Jacking and Rolling Facilities
26	5-Position Tap Changer
27	Vacuum Fault Interrupter
28	Vacuum Switch w/ Alarm Contacts
29	LV Bushing Throat
30	Ground Core Bushing




00000A68KJEA	
REVISIONS	
REV02	VG D 25/07/24 BUSHING THROAT CHANGED
REV03	VG D 26/08/24 BUSHING THROAT CHANGED



3PH Padmount Transformer 60Hz
4500.0 kVA ONAN 65 AWR Mineral Oil
HV 27600Y/15935 150 kV BIL
LV 690D 30 kV BIL
5.98 %IZ

ANSI 61 Light Gray Topcoat
Mild Steel Construction
UL Listed

The unit is designed with a steel barrier between the high voltage and low voltage compartments. The cabinet is designed with an ANSI style non-flip-top cabinet. The bushing spacing, tank dimensions and front plate dimensions shall be per ANSI standards. A continuous ground bus bar shall not be provided due to the barrier. Primary neutral will be brought out to a fully insulated H0 bushing.

MATERIAL:		 Powering Business Worldwide	
ALL DIMENSIONS ARE IN INCHES [MM]			
THE INFORMATION ON THIS DOCUMENT WAS CREATED BY EATON. IT WAS DISCLOSED IN CONFIDENCE AND IS ONLY TO BE USED FOR THE PURPOSE IN WHICH IT WAS SUPPLIED.		TITLE: Distribution Transformer Outline Drawing DESC: COOPER POWER SERIES THREE-PHASE PAD-MOUNTED COMPARTMENTAL TYPE	
DWG: PTP	DATE: 7/23/2024	REF: P3D V04R06M02	SHEET #: 1 OF 1
THIS DRAWING HAS BEEN GENERATED FROM A 3D MODEL.		SCALE: 1	REV: 03
00000A68KJEA			



COOPER POWER SERIES

3φ DISTRIBUTION TRANSFORMER ASSEMBLED IN WAUKESHA, WI U.S.A

KVA 4500 65°C 60Hz

NAMEPLATE NUMBER 00000A68KJEA

MODEL 27600Y/15935 ONAN

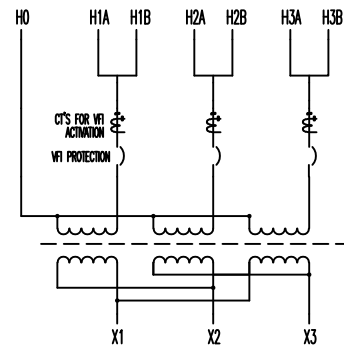
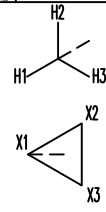
LV 690 5.98 %IZ @85°C MFG DATE

HV KV BIL 150 HV NEUTRAL KV BIL 150 LV KV BIL 30 HV/LV CONDUCTOR AL / AL

PCB CONTENT LESS THAN 1 PPM AT TIME OF MANUFACTURE CAUTION - READ INSTRUCTION MANUAL MN202001EN

APPROX. WEIGHT IN KGS	
CORE & COIL UNTANKING	4183
TANK & FIT	3312
FLUID: OIL LITERS: 3126	2791
TOTAL	10286

TAP	VOLTAGE	%
A	28980	105.0
B	28290	102.5
C	27600	100.0
D	26910	97.5
E	26220	95.0



VFI TIMING PLUG TYPE: EF

MAX AMPS AT 4500 KVA %IZ AT BASE KVA AND RATED VOLTAGE STEP-UP DISTRIBUTION TRANSFORMER



- NOTES: 1) ACTUAL PLATE IS A NEGATIVE OF THE ABOVE DRAWING.
2) ACTUAL %IZ TO BE STAMPED IN AFTER TESTING.

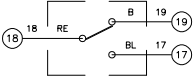
NAMEPLATE MATERIAL: ALUMINUM

225201829,10

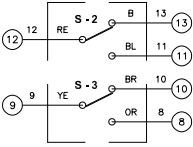
1189613A2181 REVISIONS

MATERIAL:			
ALL DIMENSIONS ARE IN INCHES [MM]		TITLE: LASER NAMEPLATE	
THE INFORMATION ON THIS DOCUMENT WAS CREATED BY EATON. IT WAS DISCLOSED IN CONFIDENCE AND IS ONLY TO BE USED FOR THE PURPOSE IN WHICH IT WAS SUPPLIED.		DESC: COOPER POWER SERIES 00000A68KJEA	
DWG: PTP	DATE: 7/23/2024	REF:	SHEET #: 1 of 1
			SCALE: 1=1
			REV: 00
1189613A2181			

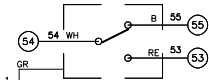
LL - 1



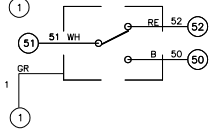
LT - 1



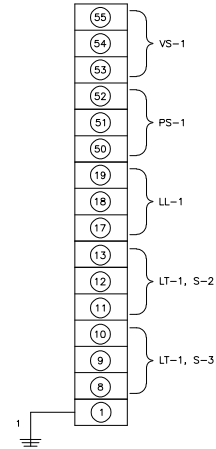
VS - 1 *



PS - 1 *



TB - 1



- USE COOPER CONDUCTORS ONLY, #22 - 10 AWG
 - TB-(1-2) SCREW TIGHTENING TORQUE 18-20.0 IN-LB

DEVICE	120-240VAC	48VDC	125VDC	250VDC
LT/LL/PRD/RRR	15	1.3	.50	.25
SPC	10	2.0	.50	.25
PS/SVS	5	1.0	.40	.20
WTI	15	1.3	.50	.25
TPG	1	-	-	-
LCP	3	-	-	-
U	5	2.0	2.0	N/A

NOTE: AC LOADS = INDUCTIVE P.F. 75%
 DC LOADS = NON-INDUCTIVE

DEVICE	LT 55°C AWR	LT 65°C 55/65 AWR	LT 75°C 55/75 65/75 AWR	WTI 55°C AWR	WTI 65°C 55/65 AWR	WTI 75°C 55/75 65/75 AWR
S-1 (FANS)	60°C	70°C	80°C	70°C	80°C	90°C
S-2 (ALARM)	80°C	90°C	100°C	110°C	120°C	130°C
S-3 (TRIP)	105°C FIXED	105°C FIXED	120°C FIXED	120°C FIXED	130°C FIXED	140°C FIXED

TB-(1-1) TERMINAL BLOCK, 600V, 35A
 PS-1 PRESSURE SWITCH (63PV)
 ACTIVATES AT +6.0±1.6 PSIG (+41±10 kPa) RISING
 VS-1 VACUUM SWITCH (63PV)
 ACTIVATES AT -2.5±1.5 PSIG (-17±10 kPa) FALLING
 LL-1 LIQUID LEVEL GAGE (71Q)
 S-1 ACTIVATES LOW LEVEL ALARM CIRCUIT
 LT-1 LIQUID TEMPERATURE GAGE (26G)

LEGEND

- INDICATES PREWIRED DEVICE
- INDICATES REMOTE DEVICE
- INDICATES WIRE HEAT SHRINK NUMBER LABEL
- INDICATES TERMINAL BLOCK CONNECTION
- INDICATES INTRINSICALLY SAFE TERM BLOCK CONN
- INDICATES RELAY TERM AND #
- INDICATES SPLICE
- INDICATES NORMALLY CLOSED CONTACT (NC)
- INDICATES NORMALLY OPEN CONTACT (NO)
- INDICATES CUSTOMER CONNECTION
- POLARITY MARK
- INDICATES CT SHORTING PINS - TO BE REMOVED WHEN LOAD IS CONNECTED TO CT
- WIRE COLORS APPLICABLE ONLY WHEN USING CORD CONNECTORS TO SWITCHES

- AM - AMBER
- WH - WHITE
- GR - GREEN
- BL - BLACK
- B - BLUE
- OR - ORANGE
- RE - RED
- BR - BROWN
- YE - YELLOW

MATERIAL: N/A		ALL DIMENSIONS ARE IN INCHES [MM]	
THE INFORMATION ON THIS DOCUMENT WAS CREATED BY EATON. IT WAS DISCLOSED IN CONFIDENCE AND IS ONLY TO BE USED FOR THE PURPOSE IN WHICH IT WAS SUPPLIED.			
TITLE: SCHEMATIC		DESC: COOPER POWER SERIES 3PH PAD CONTROL BOX SCHEMATIC	
DWG: PTP	DATE: 05/30/24	REF: 4257602C0000	SHEET #: 1 of 1
SCALE: N/A	REV: 00	4257608C0570	

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

Internal Departments <small>*Comments Received</small>	Conditions Required		Nature of 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

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
Region of York	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments
TRCA	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments
MTO	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments

Date: October 31st 2024

Attention: **Christine Vigneault**

RE: Request for Comments

File No.: **A176-24**

Related Files:

Applicant: MBHC Planning

Location 8118 Dufferin Street



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:

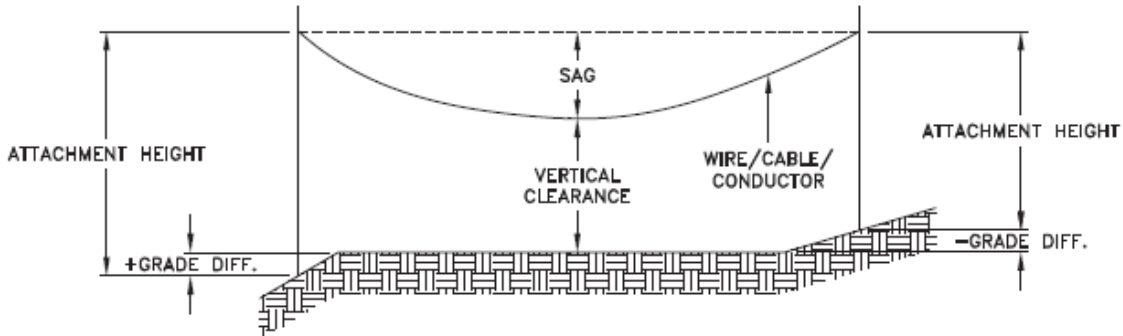
Mr. Stephen Cranley, C.E.T
Supervisor, Distribution Design, ICI & Layouts (North)
Phone: 1-877-963-6900 ext. 31297

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"

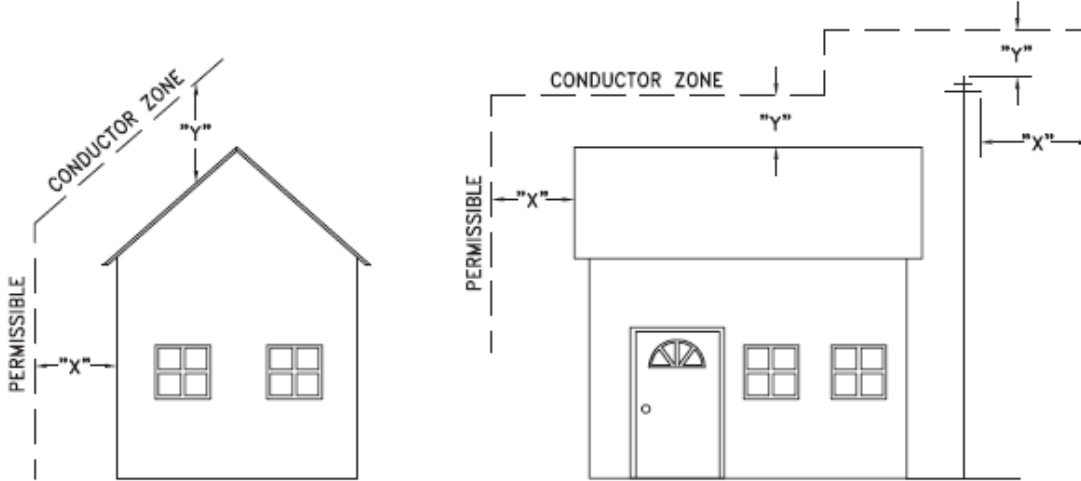
REFERENCES

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: Faegheh Gholami, Building Standards Department
Date: October 30, 2024
Applicant: MHBC Planning
Location: 8118 Dufferin Street
 CONC 3 Part of Lot 8
File No.(s): A176/24

Zoning Classification:

The subject lands are zoned EM1– Prestige Employment Zone and subject to the provisions of Exception 14.835 under Zoning By-law 001-2021, as amended.

#	Zoning By-law 001-2021	Variance requested
1	The minimum setback for buildings and structures from the Highway 407 and Transitway Corridor rights-of-way shall be 14.0 m. [14.835.2.1]	To permit a minimum setback for buildings and structures from the Highway 407 and Transitway Corridor rights-of-way to be 4.0m.

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	
2	The applicant shall be advised that additional variances may be required upon review of detailed drawing for building permit.

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.

From: [Mulrenin, Colin \(MTO\)](#)
To: [Alyssa Pangilinan](#); [Singh, Christian \(MTO\)](#); [Brown, Francesca \(MTO\)](#)
Cc: [Janany Nagulan](#); [Committee of Adjustment Mailbox](#)
Subject: [External] RE: URGENT - A176/24-8118 Dufferin Street - Agency Circulation City of Vaughan requires a comments
Date: Monday, November 18, 2024 4:31:40 PM
Attachments: [image002.png](#)

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 Alyssa,

MTO has already reviewed this site plan and has agreed to a setback reduction, so we have no further comments. Apologies for the delayed response.

Regards,

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

To: Christine Vigneault, Committee of Adjustment Secretary Treasurer

From: Nancy Tuckett, Director of Development and Parks Planning

Date: November 25, 2024

Name of Owner: Shawn Reyhani – Peercan Inc.

Location: 8118 Dufferin Street

File No.(s): A176/24

Proposed Variances (By-law 001-2021):

1. To permit a minimum setback for buildings and structures from the Highway 407 and Transitway Corridor rights-of-way to be **4.0 m**.

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

1. The minimum setback for buildings and structures from the Highway 407 and Transitway Corridor rights-of-way shall be **14.0 m**.

Official Plan:

Vaughan Official Plan 2010 ('VOP 2010'): "General Employment".

Background:

The Owner is seeking relief to permit a public utility compound on the Subject Lands consisting of nine (9) rows of Battery Energy Storage Systems ('BESS') and associated equipment with the above-noted variance. The proposed BESS was selected by the Ontario Independent Electricity System Operator ('IESO') as part of its Expedited Long-Term Request for Proposals ('LT1 RFP') for electricity storage capacity. These projects are intended to contribute towards the energy needs of the overall Ontario electricity system as identified by the IESO. On December 13, 2022, Vaughan Council voted to endorse, in principle, Alectra Convergent Development LP's proposal to construct and operate BESS at 8118 Dufferin Street by issuing a Municipal Support Resolution ('MSR'). The Applicant has submitted a Site Development Application, DA.24.042, for approval with the Development and Parks Planning Department, and is currently under review.

Comments:

Variance 1 is requested to reduce the minimum setbacks from the Highway 407 and Transitway Corridor rights-of-way to structures and equipment proposed as part of the BESS compound on the Subject Lands. The Highway 407 and Transitway Corridor rights of way abut the north and east lot lines of the Subject Lands. Site-specific exception 14.835 requires a minimum setback of 14.0 m from the rights-of-way to any buildings and structures on the Subject Lands. The Ministry of Transportation ('MTO') staff have reviewed the request to reduce the MTO setback from 14.0 m to 4.0 m and have no concerns with the requested setback reduction.

The Development and Parks Planning Department has no objections to Variance 1. The Subject Lands are designated "General Employment" by Schedule 13 – Land Use of Vaughan Official Plan 2010 ('VOP 2010') and zoned "EM1 – Prestige Employment Zone" by Comprehensive Zoning By-law 001-2021. Public utilities are permitted on the Subject Lands by VOP 2010 and the Zoning By-law. The intent of site-specific provision 14.835.2.1 is to ensure that a buffer is maintained around the highway rights-of-way to accommodate for future highway widening, prevent structures and buildings from visually imposing on motorists within the rights-of-way, and to minimize stormwater output on the highway from abutting lots. The proposed BESS compound will be generally located toward the southwest portions of the Subject Lands away from the rights-of-way. The BESS batteries are 2.45 m in height and are modest in mass. A row of coniferous trees exist between the north lot line of the Subject Lands and the Highway 407 off-ramp. The BESS compound is therefore not anticipated to incur negative visual and massing impacts on motorists within the Highway 407 and Transitway Corridor rights-of-way to the north. MTO staff have reviewed the proposed design and are satisfied that the reduced setback will not adversely impact engineering-related technical concerns.

Accordingly, the Development and Parks Planning Department can support the requested variance and 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.

Recommendation:

The Development and Parks Planning Department recommends approval of the application.

Conditions 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.24.042 be addressed to the satisfaction of the Development and Parks Planning Department.

Comments Prepared by:

Harry Zhao, Planner 1
Janany Nagulan, Senior Planner

From: [Cameron McDonald](#)
To: [Committee of Adjustment Mailbox](#)
Subject: [External] RE: A176/24-8118 Dufferin Street - Agency Circulation City of Vaughan requires a comments
Date: Thursday, October 31, 2024 4:06:24 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: [Josie Filippelli](#)
Cc: [Committee of Adjustment Mailbox](#)
Subject: [External] RE: A176/24-8118 Dufferin Street - Agency Circulation City of Vaughan requires a comments
Date: Wednesday, November 13, 2024 2:53:47 PM
Attachments: [image001.png](#)
[image003.png](#)

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.

Hello,

The Regional Municipality of York has completed its review of the minor variance application – A176/24 (8118 Dufferin Street) and has no comment.

Please note Regional comments will continue to be provided through the related Site Plan SP.24.V.0118.

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			10/23/2024	Planning Justification Report



October 23, 2024

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

Dear Christine Vigneault:

**RE: APPLICATION FOR MINOR VARIANCE – PLANNING JUSTIFICATION LETTER
8118 DUFFERIN STREET, VAUGHAN
OUR FILE 24132A**

On behalf of our client and registered landowner, Peercan Inc. c/o Shawn Rehyani, we are pleased to submit this Minor Variance Application for the property municipally addressed as 8118 Dufferin Street in the City of Vaughan (the 'Subject Lands'). Enclosed with this letter, you will find:

- One (1) copy of the Minor Variance Application Form, including;
 - Authorization Form
 - Authorizing Statements
 - Chart – Confirm Variances Requested
 - Chart – Property Setbacks for all Existing and Proposed Structures
 - Chart – Size of all Existing and Proposed Structures
 - Tree Declaration Form
 - Sworn Declaration Form
- One (1) copy of the Site Plan identifying the variance required;
- One (1) copy of the Legal Survey; and,
- The minor variance fee amount, will be made under separate cover, upon confirmation from City staff.

BACKGROUND

Subject Lands

The Subject Lands are designated as General Employment within the City of Vaughan Official Plan and zoned site-specific Prestige Employment zone (EM1-835) in the City of Vaughan Zoning By-law 001-2021. A single dwelling unit currently exists on site and will require a demolition permit for its removal. The existing building represents a legal non-conforming use under the current designation and zoning.

The Subject Lands have a lot frontage of 43.0 m along Dufferin Street with a lot depth of approximately 95.44 m creating a lot area of approximately 4,060.1 m².

Surrounding Land Uses

The following chart identifies the City of Vaughan Official Plan (Schedule 13: Land Use) and Zoning By-law designations and zones of the lands surrounding the Subject Lands:

Surrounding Land Uses: Designations and Zones		
Direction	Official Plan Designation	Zoning By-Law Zone
North	Parkway Belt West Lands - highway corridor	Parkway Belt West (PB1)
East	Parkway Belt West Lands - inter-regional transit corridor Employment Commercial Mixed Use - east side of Dufferin Infrastructure & Utilities - Hydro Corridor	Parkway Belt West (PB1 and PB 2) General Commercial exception (GC-739) Parkway Belt West (PB1 and PB2)
South	General Employment	Prestige Employment exception (EM1-835)
West	Parkway Belt West Lands - highway corridor Infrastructure & Utilities - Hwy 407	Parkway Belt West (PB1)

THE PROPOSAL

The proposal is to utilize the Subject Lands as a Public Use/Utility as approved by a Public Authority (Province of Ontario). This use is identified as a Battery Energy Storage System ('BESS') that is a system that stores and provides power to the energy grid in the case of a blackout or dip in power on the hydro grid.

Requested Variance

The Minor Variance application requests relief from the following EM1-835 Lot and Building Requirements regarding the Highway 407 and Transitway Corridors' 14.0 metre setback regulation of Zoning By-laws 001-2021 and 1-88:

1. Zoning By-law 001-2021 - Section 14.835.2 Lot and Building Requirements
14.835.2.1 The minimum setback for buildings and structures from the Highway 407 and Transitway Corridor right-of-ways shall be 14.0 m.
2. Zoning By-law 1-88 - Section 9(1186)(bi) of Zoning By-law 1-88 Buildings and Structures
bi) Buildings and structures shall be setback a minimum distance of 14 metres from the Highway #407 and Transitway Corridor right-of-ways.

The requested variance is to permit:

1. Reduced minimum yard setbacks abutting a Highway Corridor (Highway 407) of 4.0 metres in both the exterior side yard (north) and front yard, whereas section 14.835.2.1 of Zoning By-law 001-2021 and

section 9(1186(bi)) of Zoning By-law 1-88 both require that any building or structure is to be setback a minimum of 14 metres from any lot line abutting a highway corridor.

It should be noted that under Section 14.835.2.2 – public uses are exempt from the minimum lot coverage and yard requirements of the EM1 zone, with the exception of 14.835.2.1 regarding the MTO setback. (Note, there appears to be a clerical error in the site specific as it reads 14.1186.1.2.1, which is a reference to Zoning By-law 1-88 and not 001-2021).

It should be noted that under Zoning By-law 001-2021, section 14.835.2 Lot and Building Requirements, subsection 14.835.2.2 indicates that Public Uses shall be exempt from the minimum lot coverage and yard requirements of the EM1 zone.

PLANNING ANALYSIS AND JUSTIFICATION

The requested variance to Zoning By-law 001-2021, section 14.835.2.1 Lot and Building Requirements the four tests set out under Section 45(1) of the *Planning Act* as follows:

1. *The variance maintains the general intent and purpose of the Official Plan*

Under the definitions of the Official Plan, the proposed BESS falls under the definition of Public Utility/Utilities wherein a public body or private corporation provides infrastructure to the public, such as hydro. As such, it is the policy of Council to maximize the flexibility and adaptability of utility corridors within public rights-of-way to maintain corridors that can accommodate long-term needs and are able to adapt to new technologies (s.8.4.1.3). According to the Official Plan, s.9.2.2.11.b, Prestige Employment Areas are to be located on arterial streets and along the Highway 400-series such as the Subject Lands.

The Official Plan also notes under section 8.4.1, that Vaughan has two high voltage electricity transmission lines and associated distribution facilities, including the one in proximity to the Subject Lands that follows the Highway 407 corridor. Due to these transmission line corridors representing large-scale investments, the City's policy is to protect major utility corridors from activities and development that may threaten their long-term viability. In the case of the proposed use of the lands, the BESS project supports and enhances the long-term viability of the transmission system by providing a back up system in the case of black out or power dip in the grid.

Based on the above, it is my interpretation that the variance maintains the general intent and purpose of the Official Plan

2. *The variance maintains the general intent and purpose of the Zoning By-law*

Under s.4.15.1 Public Uses Permitted in All Zones, it is noted that public uses are permitted in all zones, such as the EM1-835 zone. Under s.14.835.2.2, public uses are exempt from minimum lot coverage and yard requirements of the EM1 Zone. This provision is carried forward from By-law 1-88 9(1186(bi)). The variance does not alter the intent and purpose of the EM1-835 zone, the Zoning By-law 001-2021 nor of the MTO highway Right-of-Way ('ROW'). This is confirmed through the MTO correspondence, included with this submission, confirming that they are in agreement the reduced setbacks shown in the Site Plan provided.

Based on the above, it is my interpretation that the variance maintains the general intent and purpose of the Zoning By-law.

3. The requested variance is desirable for the appropriate development or use of the land.

The definition of Public Use in Zoning By-law 01-2021, means "the use of lands or structures by a public authority or private corporation that has the authorization of a public authority." In context of Zoning By-law, section 4.15.1 Public Uses Permitted in All Zones, subsection 4.15.1.1.b, states that a structure required for a public use is permitted to be not closer than 0.6 m from any lot line. The proposed setback is 4.0 metres, which is greater than the minimum required 0.6 metres noted in the Zoning By-law (as per subsection 4.15.1.1.b).

The variance will ensure that the BESS system in its entirety are contained within the Subject Lands, setback at 4.0 m from the northern exterior side yard lot line and eastern front lot line and external to the MTO ROW. As the variance is to permit a public utility use within a required MTO setback, the proposed variance is desirable for the permitted use of the land as a Battery Energy Storage System near an existing hydro transmission corridor.

4. The requested variances are minor in nature

As noted in item no. 3 above, the variance is minor as it exceeds the general Zoning By-law's minimum setback requirement of 0.6 m from the lot line for public uses while reducing the 14 m MTO ROW setback by 10 metres to a 4.0 m setback for the exterior side and front yards. The BESS enclosures are not proposed to be located within the existing MTO ROW. As noted above, the MTO has provided correspondence (submitted with this application) in support of the variance request.

CONCLUSION

Based on our planning analysis provided herein, the proposed minor variances meet the requirements of 45(1) of the Planning Act.

Please note, this site is currently under site plan approval, subject to this variance, and tree removal permit for this variance.

If you require further information, please do not hesitate to contact us.

Yours truly,

MHBC



Oz Kemal, BES, RPP, MCIP
President

cc. Peercan Inc.

SCHEDULE D: BACKGROUND

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