

File: A170/21

Applicant: Huntington Fifty Investments Limited

Address: 7805 Hwy 50 Vaughan

Agent: KLM Planning Partners Inc.

Please note that comments and written public submissions received after the preparation of this Staff Report (up until noon on the last business day prior to the day of the scheduled hearing date) will be provided as an addendum.

Commenting Department	<input checked="" type="checkbox"/> Positive Comment	Condition(s) <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
	<input checked="" type="checkbox"/> Negative Comment	
Committee of Adjustment	<input checked="" type="checkbox"/>	
Building Standards	<input checked="" type="checkbox"/>	
Building Inspection		
Development Planning	<input checked="" type="checkbox"/>	
Development Engineering	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Parks, Forestry and Horticulture Operations	<input checked="" type="checkbox"/>	
By-law & Compliance	<input checked="" type="checkbox"/>	
Financial Planning & Development	<input checked="" type="checkbox"/>	
Fire Department		
TRCA		
Ministry of Transportation		
Region of York	<input checked="" type="checkbox"/>	
Alectra (Formerly PowerStream)	<input checked="" type="checkbox"/>	
Public Correspondence (see Schedule B)	<input checked="" type="checkbox"/>	

Adjournment History: N/A

Background History: DA.18-094 (see next page for details)

Staff Report Prepared By: Pravina Attwala
 Hearing Date: Thursday , September 30, 2021

***Please note that additional comments may be received after the publication of the Staff Report. These comments will be processed as an addendum (see website for details).**



**Minor Variance
Application**

Agenda Item: 13

A170/21

Ward: 2

Staff Report Prepared By: Pravina Attwala, Assistant Secretary Treasurer

Date & Time of Live Stream Hearing: Thursday , September 30, 2021 at 6:00 p.m.

As a result of COVID-19, Vaughan City Hall and all other City facilities are closed to the public at this time.

A live stream of the meeting is available at Vaughan.ca/LiveCouncil

Please submit written comments by mail or email to:

City of Vaughan
Office of the City Clerk – Committee of Adjustment
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1
cofa@vaughan.ca

To make an electronic deputation at the meeting please contact the Committee of Adjustment at cofa@vaughan.ca or 905-832-8504. Ext. 8332

Written comments or requests to make a deputation must be received by noon on the last business day before the meeting.

Applicant: Huntington Fifty Investments Limited

Agent: KLM Planning Partners Inc.

Property: **7805 Hwy 50 Vaughan**

Zoning: The subject lands are zoned EM1 - Prestige Employment Area Zone) under By-law 1-88 as amended

OP Designation: Vaughan Official Plan 2010 ('VOP 2010'): "Employment Commercial Mixed-Use" by VOP 2010, Volume 2, Section 12.12 Huntington Business Park, with a maximum permitted building height of 10-storeys and a Floor Space Index ('FSI') of 3 times the area of the lot.

Related Files: DA.18.094.

Purpose: Relief from By-law 1-88, as amended, is being requested to permit the construction of a proposed industrial/office building and to facilitate related Site Plan Application DA.18.094.

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 rear yard setback of 12.0m is required. (Schedule 'A')	1. To permit a minimum rear yard setback of 6.0m.
2. A minimum of 155 parking spaces is required. (3.8.a)	2. To permit a minimum of 141 parking spaces.
3. A strip of land not less than nine 9.0m in width shall be provided along a lot line of a provincial highway or an arterial road, and shall be used for no purpose other than landscaping (6.1.6.b)	3. To permit a strip of land not less than 6.0m in width along a lot line of a provincial highway or an arterial road and shall be used for no purpose other than landscaping.

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

Application No.:	Description:	Status of Approval: Approved/Refused/Withdrawn/ OMB/Concurrent
DA.18-094	In process	In process

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: N/A

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 **noon** on the last business day **prior** to the day of the scheduled Meeting.

Committee of Adjustment:

Public notice was mailed on September 15, 2021

Applicant confirmed posting of signage on September 25, 2021

Property Information	
Existing Structures	Year Constructed
Industrial Building	Unknown (Purchased September 2015)

Applicant has advised that they cannot comply with By-law for the following reason(s):
See attached cover letter from KLM Planning dated June 25, 2021.

Adjournment Request: N/A

Building Standards (Zoning Review):

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

Building Permit No. 21-108484 for Single Use (Industrial) - New, Issue Date: (Not Yet Issued)

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 received to date

Development Planning:

Official Plan: Vaughan Official Plan 2010 ('VOP 2010'): "Employment Commercial Mixed-Use" by VOP 2010, Volume 2, Section 12.12 Huntington Business Park, with a maximum permitted building height of 10-storeys and a Floor Space Index ('FSI') of 3 times the area of the lot.

The Owner submitted Site Development Application File DA.18.094 to facilitate the development of a one-storey employment warehouse building, which was reviewed by the Development Planning Department. On June 22, 2021, Vaughan Council approved DA.18.094 subject to conditions. One of the conditions includes that the Owner submit and obtain approval of a Minor Variance Application from the Committee of Adjustment ('Committee') for variances identified with the application, and that the Committee's decision shall be final and binding, prior to the execution of the Site Plan Letter of Undertaking.

The above noted variances have been reviewed by the Development Planning Department as part of the Site Development Application review process and can therefore be supported.

Accordingly, 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.

Development Engineering:

The Development Engineering (DE) Department does not object to variance application A170/21.

Transportation Comments: No comments/objections.

As there is a Development Application (DA.18.094) for the subject address, Development Engineering provided a condition with the COA approval. After receiving the approval for DA.18.094, the applicant should notify the COA Development Engineering reviewer to clear the condition.

Development Engineering Condition:

The Owner/applicant shall obtain approval for the related Site Development Application (DA.18.094) from the Development Engineering (DE) Department.

Parks Development - Forestry:

Forestry is currently working with development planning on the related DA file. Forestry has no comment at this time.

By-Law and Compliance, Licensing and Permit Services:

No comments no concerns

Development Finance:

1. 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.
2. 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.
3. 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
4. That the payment of applicable Area Specific Development Charges are payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and Area Specific Development Charge By-laws in effect at time of payment.

Fire Department:

No comments received to date

Schedule A – Plans & Sketches

Schedule B – Public Correspondence

Application Cover Letter

Schedule C - Agency Comments

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

Schedule D - Previous Approvals (Notice of Decision)

None

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 **adjourn** this application the following condition(s) is required: None

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 Engineering Farzana Khan 905-832-8585 x 3608 Farzana.Khan@Vaughan.ca	The Owner/applicant shall obtain approval for the related Site Development Application (DA.18.094) from the Development Engineering (DE) Department.

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.

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.

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

PLEASE NOTE: As a result of COVID-19, Vaughan City Hall and all other City facilities are closed to the public at this time.

PUBLIC CONSULTATION DURING OFFICE CLOSURE: 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. Written submissions on an Application shall only be received until **noon** on the last business day **prior** to the day of the scheduled hearing. Written submissions can be mailed and/or emailed to:

City of Vaughan
Office of the City Clerk – Committee of Adjustment
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1
cofa@vaughan.ca

ELECTRONIC PARTICIPATION: During the COVID-19 emergency, residents can view a live stream of the meeting Vaughan.ca/LiveCouncil. To make an electronic deputation, residents must complete and submit a [Public Deputation Form](#) no later than **noon** on the last business prior to the scheduled hearing. To obtain a Public Deputation Form please contact our office or visit www.vaughan.ca

Presentations to the Committee are generally limited to 5 minutes in length. Please note that Committee of Adjustment meetings may be audio/video 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 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.

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

T 905 832 8585 Extension 8002
E CofA@vaughan.ca

Schedule A: Plans & Sketches

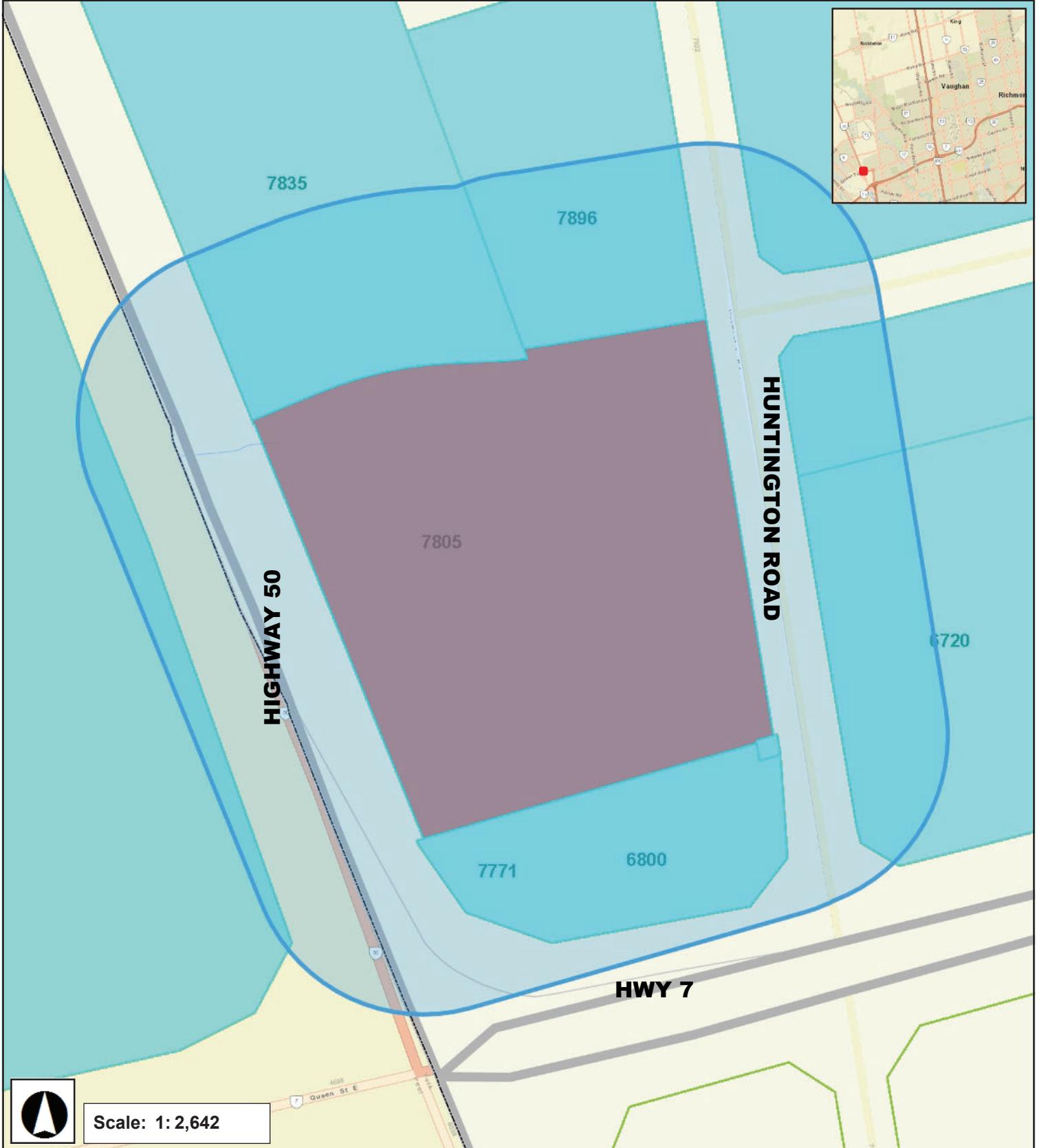
Please note that the correspondence listed in Schedule A is not comprehensive. Plans & sketches received after the preparation of this staff report will be provided as an addendum.

Location Map
Plans & Sketches



LOCATION MAP - A170/21

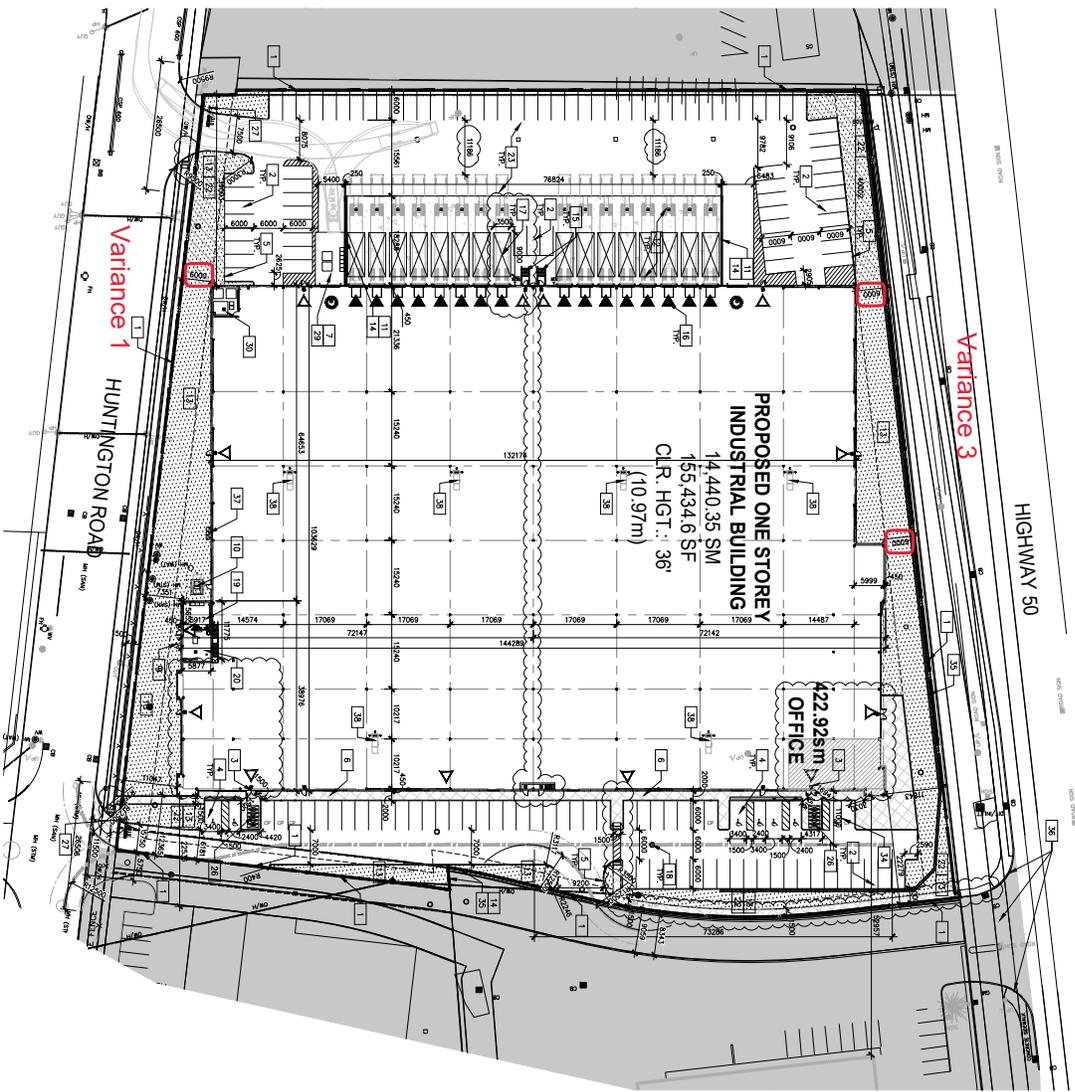
7805 HIGHWAY 50, VAUGHAN



RECEIVED
 By RECEIVED at 10:32 am, Sep 09, 2021

Minor Variance Sketch
 7805 Highway 50
 Part of Lot 6, Concession 10 and Part of the Road Allowance between
 Lots 5 & 6, Concession 10, Registered Plan 65R-36294
 City of Vaughan, Region of York

A170/21



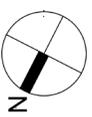
TOR21-0017-00-7805 HWY 50
 SITE STATISTICS

Region 1	7805 HIGHWAY 50
Zoning Category	EMI - First Employment Area
Proposed Use	1-Storey Warehouse w/ Accessory Office
Building Classification	Group P2
The City of Vaughan Zoning By-Law Number 1-88 Section 28 Employment Area Zoning Section 6.1.2	
Schedule A, Section 3.0	
Min. Lot Area (m ²)	Proposed 14,440.35 Required 14,440.35
Min. Front Yard Depth (m) - (Walls)	Proposed 6.0 Required 6.0
Min. Interior Side Yard Depth (m) - (Screen)	Proposed 3.0 Required 6.0
Min. Rear Yard Depth (m) - (Screen)	Proposed 6.0 Required 12.0
Max. Building Coverage (%)	Proposed 56.2% Required 60.0%
Min. Lot Depth (m)	Proposed N/A Required N/A
Min. Lot Area (m ²)	Proposed 12.8 Required 15.0
Maximum Building Height (m)	Proposed 12.8 Required 15.0
Gross Site Area (m ²)	1,181,554.36
Landscape Area (m ²)	5,248,800 ⁺ 20.85%
Paving Area (m ²)	5,778,714 ⁺ 22.84%
Warehouse Ground Floor Area (m ²)	13,937,200 ⁺
Warehouse Mezzanine Area (m ²)	60,150 ⁺
Future Office Ground Floor Area (m ²)	211,460 ⁺
Future Office Mezzanine Floor Area (m ²)	14,148 ⁺
Total Gross Floor Area (GFA)	14,440,350 ⁺

General Provisions Section 3.8
 Warehousing Single Use - 10 Parking spaces per 100 sq. m GFA
 Accessory Office - 2.0 parking spaces per 100 sq. m GFA

Number of Standard Parking Spaces - Warehouse	158	140
Number of Standard Parking Spaces - Office	15	18
Number of Accessible Parking Spaces (1 space = 3% of total)	5	6
Number of Loading Spaces	1	1

Parking Stall Dimensions
 2.75m X 6.0m
 ACCESSIBLE 1m
 TYPE B 2.4 X 6.0 m
 Loading Space Dimensions
 9.0m X 3.5m



- To permit a minimum rear yard setback of 6.0 metres.
- To permit a minimum required parking space total for the industrial/office building of 141 parking spaces.
- To permit a strip of lands not less than six (6) metres in width along a lot line of an arterial road and shall be used for no purpose other than landscaping. This shall not prevent the provision of access driveways across said strip.

GENERAL NOTES

- 1 PROPERTY LINE
- 2 270x6000 PARKING STALL, PAINTED PARKING STRIPING PER CITY STANDARDS.
- 3 PRINCIPLE ENTRY - TENANT FIT-UP SUBJECT TO INTERIOR ALTERATION PERMIT
- 4 TYPICAL SHARED ACCESSIBLE PARKING STALLS, PAINTED PARKING STRIPING PER CITY STANDARDS TO HAVE (2) TYPE B (3000x6000) STALLS WITH 1500mm STRIP BEAM, ACCESSIBLE STORAGE TO BE 1500mm DEEP WITH 1500mm STRIP BEAM, ACCESSIBLE TO CITY OF VAUGHAN ACCESSIBLE PARKING STANDARDS.
- 5 1500mm WIDE CURB TYPICAL.
- 6 SIDEWALK 1500mm TYPICAL U.N.O. (SEE PLAN FOR DIMENSION)
- 7 LOADING PAD FOR WASTE MANAGEMENT MIN. 9.3 m LENGTH X 6.0 m WIDTH MIN. 300mm BASE OF COMPACTED 20mm CRUSHER RUN-LIMESTONE, FINISHED TO MIN. 200mm DEEP CONCRETE.
- 9 FIRE DEPARTMENT CONNECTION / SHAMSE
- 10 PROPOSED LOCATION OF TRANSFORMER C/W CONCRETE PAD
- 11 SCREEN WALL - REFER TO STRUCTURAL DWGS
- 12 CONCRETE APRON
- 13 LANDSCAPE AREA - SEE LANDSCAPE DWGS
- 14 DEPRESSURE RAIL SET INTO RETAINING WALL WHERE GRADE CHANGE AT END OF RETAINING WALL - SEE CIVIL DWGS
- 15 EXTERIOR STEEL STAIRS W/ ROBE STEEL GUARDRAIL TYP.
- 16 TRUCK LOADING DOCK (TYPICAL)
- 17 LOADING SPACE - L.S. (3.5m x 9m)
- 18 FIRE ACCESS ROUTE W/ 12.5M TURNING RADIUS (SEE PLAN) AND SIGNAGE SPACED EVERY 30m ALONG ROUTE
- 19 PROPOSED ELECTRICAL ROOM
- 20 PROPOSED MECHANICAL ROOM
- 21 CURB RADI AT ENTRANCES WITHIN MUNICIPAL SIDEWALK LIMITS TO CONFORM TO OPSD 350.010. - SEE CIVIL DWGS.
- 22 SNOW STORAGE @ MIN. 2%
- 23 ALL SITE ASPHALT TO BE HEAVY DUTY (TYPICAL FOR ALL AREAS REQUIRING FIRE TRUCK OR TRACTOR TRUCK ACCESS)
- 24 POTENTIAL FUTURE DEMISING WALL (SUBJECT TO FUTURE TENANT LAYOUT)
- 25 ROAD CURB AND SIDEWALK TO BE CONTINUOUS THROUGH THE ENTIRE SITE TO MAINTAIN THE EXISTING SIDEWALK AND A CURB DEPRESSION WILL BE PROVIDED FOR AT EACH ENTRANCE.
- 26 INSERTED U-SHAPE GALVANIZED BICYCLE RACKS PROVIDED AT PRINCIPLE ENTRIES
- 27 PROPOSED STOP SIGN LOCATION W/ PAINTED STOP BAR
- 28 RELOCATE UTILITIES/POLES
- 29 LOADING PAD AND WASTE COLLECTION BINS PAD TO HAVE MIN. 300mm COMPACTED 20mm CRUSHER RUN-LIMESTONE AND FINISHED TO MIN. 200mm DEEP OR ACCEPTABLE ALTERNATIVE AS PER CITY STANDARDS. CURB HEIGHT EXCEED 2% - REFER TO CIVIL DWGS.
- 30 INTERNAL GARBAGE STORAGE
- 31 PROPOSED AMENITY SEATING AREAS - REFER TO LANDSCAPE DWGS
- 32 VISITOR PARKING SPACES W/ SIGNAGE
- 33 COMMUNITY MAILBOX PER CANADA POST SPECIFICATIONS
- 34 CARPOOL PARKING SPACES 2700x6000mm W/ SIGNAGE
- 35 RETAINING WALL - REFER TO CIVIL DWGS.
- 36 EXISTING ENTRANCE AND CURBS NOT PART OF THIS SITE PLAN SUBMISSION.
- 37 GAS METERS - REFER TO MECH. DWGS
- 38 ROOF TOP UNITS - REFER TO MECH. DWGS

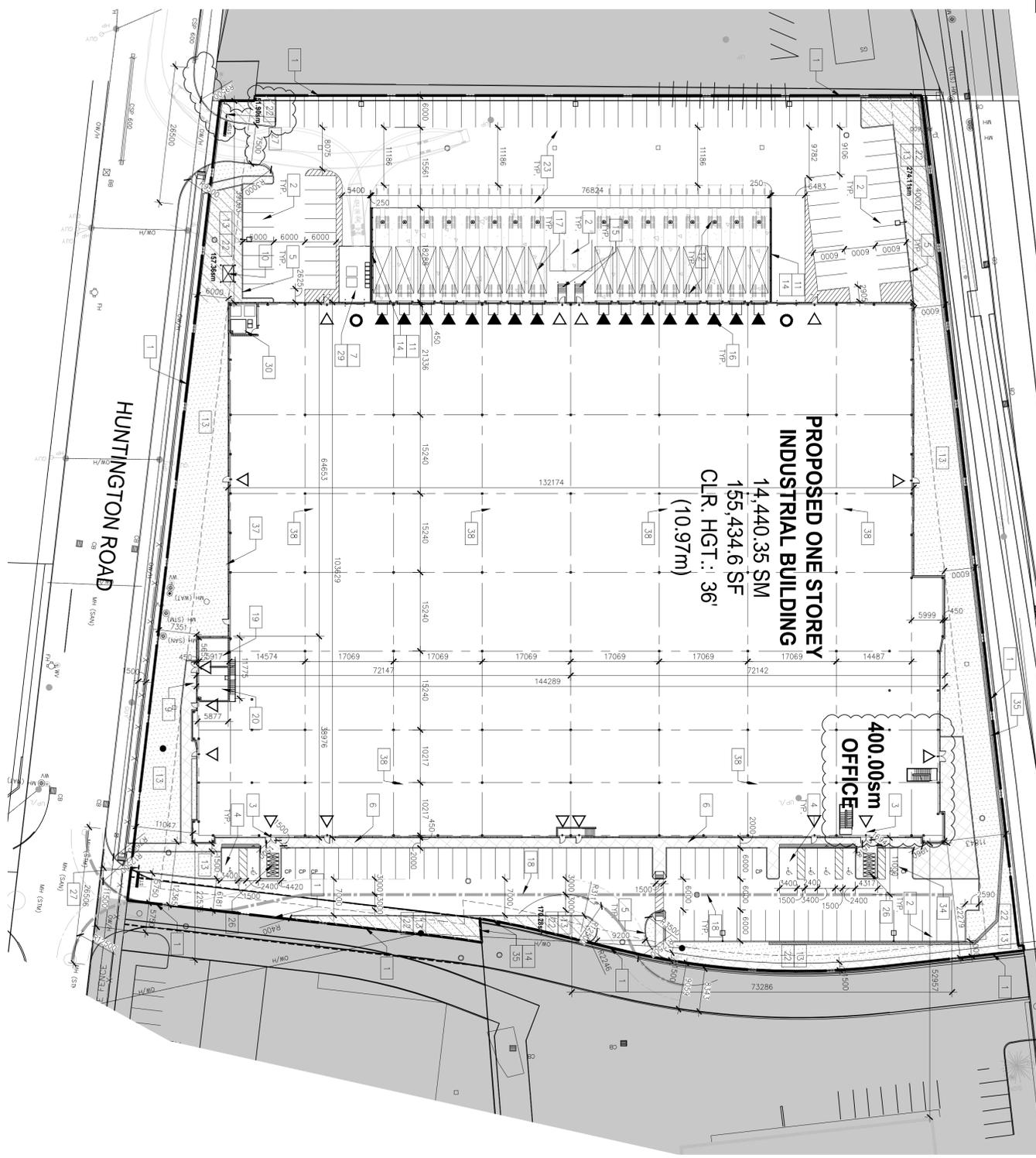
SITE LEGEND

- EXISTING AREA N.I.C (HATCHED)
- NEW LANDSCAPED AREA (HATCHED)
- NEW CONCRETE PAVING AREA (HATCHED)
- FIRE ACCESS ROUTE WITH 12.5M TURNING RADIUS
- TRUCK LOADING DOCK DOOR
- TRUCK DRIVE-IN DOOR
- MAIN DOOR ENTRY
- FIRE DEPT CONNECTION (VERIFY LOCATION WITH CIVIL DRAWINGS)
- NFMH - NON FREEZE WALL HOISTANT
- PROPOSED FIRE HOISTANT (VERIFY LOCATION WITH CIVIL DRAWINGS)
- EXISTING FIRE HOISTANT (VERIFY LOCATION WITH CIVIL DRAWINGS)
- 1500mm WIDE DEPRESSURE CURB FOR ACCESSIBLE PARKING AND EXTERIOR ACCESS - REFER TO DETAIL 4/A1.2
- PROPOSED CATCHBASIN
- WM DENOTES MANHOLE
- OMH/HP EXISTING HYDRO POLE
- NEW STOP SIGN

KEY PLAN



A170/21



BUILDING I /SITE PLAN
SCALE: 1:500

NOTE
REFER TO CIVIL ENGINEERING DRAWINGS FOR INFORMATION.

NOTE
ALL PAVEMENT MARKING AND SNOW TO BE STORED ON SITE WHERE NOTED - REFER TO NOTE 4/A.1.

NOTE
REGISTERED PLAN 658-30714 (GEOGRAPHIC TOWNSHIP OF VAUGHAN) IN THE CITY OF VAUGHAN, ONTARIO, CANADA. PREPARED BY RONNEY DEVER DATED: MAR 14, 2016

1. Min. rear yard setback 6.0m
2. Min. 141 parking spaces
3. Strip of land not less than 6.0m in width along a lot line of a provincial highway or an arterial road and shall be used for no purposes other than landscaping.

CAUTION: IF THIS SHEET IS NOT 24"x36" IT IS A REDUCED PRINT

TOR21-0017-00-7805 HWY 50		7805 HIGHWAY 50	
SITE STATISTICS		EM1: Retail Employment Area	
Building Category	1-Storey Warehouse w/ Accessory Office	Group F2	
Building Classification			
The City of Vaughan Zoning By-Law Number 1-88 Section 26: Employment Area Zones Section 6.1.2 Schedule A, Section 3.0			
Min. Lot Area (m ²)	Proposed 251,963.3	Required 3007.0	
Min. Front Yard Depth (m) - (West)	6.0	6.0	
Min. Interior Side Yard Depth (m) - (South)	39.0	6.0	
Min. Exterior Side Yard Depth (m) - (North)	12.4	6.0	
Min. Rear Yard Depth (m) - (East)	6.0	12.0	
Max. Lot Coverage (%)	56.5%	60.0%	
Min. Lot Depth (m)	N/A	N/A	
Max. Gross Floor Area (m ²)	N/A	N/A	
Maximum Building Height (m)	12.8	15.0	
Gross Site Area (m ²)	25,196,257%	N/A	
Landscaped Area (m ²)	5,180,35m ²	20.57%	5,000%
Paving Area (m ²)	5,278,27m ²	22.94%	N/A
Snow Storage Area (m ²)	653,65m ²	2.60%	2,00%
Warehouse Ground Floor Area (m ²)	14,027,19m ²	N/A	N/A
Warehouse Mezzanine Area (m ²)	381,59m ²	N/A	N/A
Future Office Ground Floor Area (m ²)	200,00m ²	N/A	N/A
Future Office Mezzanine Floor Area (m ²)	14,227,79m ²	N/A	N/A
Total Gross Floor Area (GFA)	14,440,38m ²	N/A	N/A
General Provisions Section 3.8			
Number of Standard Parking Spaces - Warehouse	127	141	
Number of Standard Parking Spaces - Office	14	14	
(3.5 Spaces/100sm)			
Number of Accessible Parking Spaces	7	6	
(1 Space + 3% of total)	141	156	
Total Number of Parking Spaces	141	156	
Number of Loading Spaces	16	4	
Parking Stall Dimensions	STANDARD 2700 X 6000 ACCESSIBLE TYPE A 3.4m X 6.0m TYPE B 2.4m X 6.0m 9.0m X 3.5m		
Loading Space Dimensions	9.0m X 3.5m		

NOTE
PART OF MINOR VARIANCE APPLICATION NUMBER A170/21

REVISED & RECEIVED AUGUST 10, 2021

<p>WARE MALCOMB Leading Design for Commercial Real Estate</p> <p>180 bass pro mills drive, unit 103 vaughan, ontario, L4K 5W9 p 905.760.1221 f 905.248.3344</p> <p>a business name of WMA Inc.</p>	<p>ZZEN</p>	<p>7805 HWY 50 7805 HIGHWAY 50 VAUGHAN, ON</p>	<p>SITE PLAN</p> <table border="1"> <thead> <tr> <th>DATE</th> <th>REMARKS</th> </tr> </thead> <tbody> <tr> <td>2018-09-11</td> <td>ISSUED FOR SPA</td> </tr> <tr> <td>2021-04-01</td> <td>ISSUED FOR TENDER</td> </tr> <tr> <td>2021-04-14</td> <td>REISSUED FOR SPA</td> </tr> <tr> <td>2021-05-05</td> <td>RESPONSE TO CITY COMMENTS</td> </tr> <tr> <td>2021-07-09</td> <td>REISSUED FOR SPA</td> </tr> <tr> <td>2021-07-21</td> <td>REVISED AS PER CITY'S COMMENTS</td> </tr> <tr> <td>2021-08-03</td> <td>REVISED AS PER CITY'S COMMENTS</td> </tr> </tbody> </table>	DATE	REMARKS	2018-09-11	ISSUED FOR SPA	2021-04-01	ISSUED FOR TENDER	2021-04-14	REISSUED FOR SPA	2021-05-05	RESPONSE TO CITY COMMENTS	2021-07-09	REISSUED FOR SPA	2021-07-21	REVISED AS PER CITY'S COMMENTS	2021-08-03	REVISED AS PER CITY'S COMMENTS	<p>PA / PM: F. DI ROMA</p> <p>DRAWN BY: TOR21-0017-00</p> <p>JOB NO.: TOR21-0017-00</p> <p>SHEET: A1.0</p> <p>DA:18.094</p>
		DATE	REMARKS																	
2018-09-11	ISSUED FOR SPA																			
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2021-07-09	REISSUED FOR SPA																			
2021-07-21	REVISED AS PER CITY'S COMMENTS																			
2021-08-03	REVISED AS PER CITY'S COMMENTS																			

THESE DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY AND COPYRIGHT OF WARE MALCOMB AND SHALL NOT BE USED ON ANY OTHER WORK EXCEPT BY AGREEMENT WITH WARE MALCOMB. WRITTEN DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALED DIMENSIONS AND SHALL BE VERIFIED ON THE JOB SITE. ANY DISCREPANCY SHALL BE BROUGHT TO THE NOTICE OF WARE MALCOMB PRIOR TO THE COMMENCEMENT OF ANY WORK.

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.

Application Cover Letter



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

File: P-3254

A170/21

June 25, 2021

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

**Attention: Christine Vigneault
Manager, Development Services & Secretary Treasurer to the Committee of Adjustment**

**Re: Minor Variance Application
Related File No.: DA.18.094
7805 Highway 50
Part of Lot 6, Concession 10 and Part of the Road Allowance between Lots 5 & 6,
Concession 10, Registered Plan 65R-36294
Huntington-Fifty Investments Limited
City of Vaughan, Region of York**

Dear Ms. Vigneault,

KLM Planning Partners Inc. is the land use planner on behalf of Huntington-Fifty Investments Limited ('the Owner') with respect to the development of their lands for employment uses. On behalf of our client, we are pleased to submit the enclosed materials in support of their application to the Committee of Adjustment for Minor Variance which is required to facilitate their Council approved Site Plan Approval application.

The Subject Lands are generally located north of Highway 7, west of Huntington Road, east of Highway No. 50, and are municipally known as 7805 Highway No. 50 (the "Subject Lands"). The Subject Lands are legally described as Part of Lot 6, Concession 10 and Part of the Road Allowance between Lots 5 & 6, Concession 10, are approximately 2.51 hectares (6.22 acres) in area and are currently vacant.

1.0 Development Proposal

An application for Site Plan Approval has been submitted to the City of Vaughan which contemplates the construction of an industrial/office building with a total GFA of approximately 14,148.74 sq.m. (152,295.76 sq.ft.). The industrial component is proposed to be one-storey in height with a mezzanine and a total GFA of approximately 13,937.28 sq.m. (150,019.63 sq.ft.). The office component will be two-storeys in height and located at the north west corner of the proposed building which addresses the Highway No. 50 frontage. The proposed office component will have a total GFA of approximately 423 sq.m. (2,276.13 sq.ft.). The proposed development will be serviced by 141 parking spaces (including six

(6) accessible parking spaces), sixteen (16) loading spaces and three (3) proposed access driveways off of Huntington Road and Highway No. 50. Two of the driveways are accessed from Huntington Road and the third from Highway No. 50. The northernmost Huntington driveway access as well as the Highway No. 50 driveway access are shared with the landowners to the north. Accordingly, access easements have been secured via a committee of adjustment application (B037/15 & B039/15) that have been approved and certified on title on May 4th, 2016.

2.0 Application

A request for a Minor Variance application is required to introduce site specific development standards which will facilitate the employment development, contemplated by the Council approved Site Plan Approval application. It should be noted that planning staff have provide their support for the proposed variances as outlined in the Site Plan Approval recommendation report, dated June 1, 2021. Development Planning staff support the requested exceptions identified as they are considered to be minor and consistent with previous exceptions granted for other employment development in the area.

2.1 Requested Relief

The requested variances pertain to the building setbacks, the minimum parking rate, and the minimum required landscape strips. The following section of this letter will provide a detailed discussion of the proposed variances.

1. Minimum Rear Yard Setback

“To permit a minimum rear yard setback of 6.0 metres”

The Subject Lands front onto two public roads (Highway 50 and Huntington Road) and results in a rear yard facing Huntington Road. The requested variance to reduce the minimum required rear yard setback from the required 12 metres to 6 metres will facilitate the industrial/office building on the subject lands. The subject lands front on both Highway No. 50 and Huntington Road and are considered to be a through lot. For zoning purposes, the front lot line of the subject lands is identified as Highway No. 50 and the rear lot line is considered to be the lot line opposite the front lot line, which in this case is Huntington Road. However, given that the building will address two public roads; the setback to Huntington Road will also function as a front yard setback rather than a rear yard setback. The proposed rear yard setback is consistent with the required front yard setback requirement in the EM1 Zone. The proposed building façade will appropriately address both public right of ways. Furthermore, Development Planning staff have provided their support for the reduced minimum rear yard as it is considered acceptable to facilitate a consistent streetscape along Huntington Road.

Given the above, the request variance to reduce the minimum required rear yard setback will facilitate the proposed development contemplated by the Council approved Site Plan and will maintain the intent of the zoning by-law requirement for a prestige employment building setback to a public street.

2. Minimum Required Parking

“The minimum required parking shall be 141 parking spaces.”

The requested variance to reduce the minimum required parking from 155 spaces to 141 spaces is required to facilitate the proposed development of the industrial/office building. The City of Vaughan requires a Parking Justification Study to be submitted with variances requesting a deficiency greater than 10%. A Parking Justification Study is not required for this requested variance as the difference between the minimum required and the proposed is only a difference of 14 spaces, being a 9% deficiency. The 141 parking spaces are sufficient for the operation of the proposed uses on the Subject Lands is considered in minor in nature. It should be noted that Development Planning staff have previously provided their support for larger parking reduction that was originally contemplated on the site plan that equated to a 27% reduction to the required parking, as outlined the Site Plan Approval recommendation report to Committee of the Whole, dated June 1, 2021.

3. Minimum Required Landscape Strip

“To permit a strip of lands not less than six (6) metres in width along a lot line of an arterial road and shall be used for no purpose other than landscaping. This shall not prevent the provision of access driveways across said strip”

As previously discussed, the subject lands are considered to be a through lot between Highway No. 50 and Huntington Road. The requested variance to reduce the minimum permitted landscape strip adjacent to Highway No. 50 will facilitate a development that addresses the public boulevard in close proximity to the prominent intersection of Highway No. 50 and Highway No. 7. The proposed 6.0 m landscape strip is consistent with similar developments along arterial roads throughout the City of Vaughan, including the existing development immediately to the north of the Subject Lands which will provide for a consistent streetscape along the Highway 50 frontage.

Again, it should be noted that this requested variance was also supported by Development Planning staff as outlined in their Site Plan Approval recommendation report to Committee of the Whole dated June 1, 2021.

4.0 **Minor Variance Test Discussion**

This Section will summarize the requested variances in respect to the four tests of a Minor Variance, set out by Section 45(1) of the Planning Act.

1. Is the development and requested variances consistent with the general intent and purpose of the Official Plan?

The subject lands are designated ‘Employment Commercial Mixed-use’ in the City of Vaughan Official Plan and located within the Huntington Business Park Area Specific Plan. The Official Plan further indicates a maximum permitted height of ten-storeys and a maximum permitted FSI of 3.0. The Employment Commercial Mixed-use designation permits a variety of office, retail and service uses.

The City of Vaughan Zoning By-law 1-88, as amended, zones the subject lands as “Prestige Employment Area (EM1)” Zone. The Prestige Employment Area Zone permits a variety of employment and office uses, including the proposed development contemplated by the in-process Site Plan Approval application. The proposed development is deemed to conform to the Official Plan as the current zoning permits the contemplated use.

2. Is the development and requested variances consistent with the general intent and purpose of the Zoning Bylaw?

As previously discussed, the subject lands are currently zoned “Prestige Employment Area (EM1)” by the City of Vaughan Zoning By-law 1-88, as amended. The Prestige Employment Area Zone permits a variety of employment and office uses, including the proposed development contemplated by the in-process, Council approved Site Plan Approval application. The variances being requested will facilitate site-specific design standards to permit the proposed employment building on the subject lands.

It is for the above reasons that we are of the opinion that the proposed development and requested variances are consistent with the general intent and purpose of the Zoning By-law and represent good land use planning.

3. Are the requested variances desirable for the appropriate development of the lands?

The Subject Lands are currently vacant and underutilized. As previously discussed, the variances being requested will facilitate an in-process, Council approved Site Plan application for an employment use that is permitted by the City of Vaughan Official Plan and Zoning By-law 1-88, as amended. It is for the above reasons that we are of the opinion that the proposed development and requested variances are desirable for the appropriate development of the subject lands.

4. Are the variances requested minor in nature?

The variances that are being requested are minor in nature and will make minor adjustments to the development standards of the Prestige Employment Area (EM1) Zone. The variances will facilitate the proposed employment building on a through lot with a dual frontage building façade on both Highway No. 50 and Huntington Road.

Furthermore, the Development Planning Department has provided their support in their recommendation report for Site Plan Approval to the Committee of Adjustment for the requested variances as they are considered to be minor and consistent with previous exceptions granted for other employment development in the area.

Given the above analysis, we are of the opinion that the requested variances are consistent with the general intent and purpose of the Official Plan and the Zoning Bylaw, are desirable for the appropriate development of the lands, and are minor in nature. Furthermore, it is not anticipated that the proposed minor variances will have any adverse impacts to abutting lands. It is for these reasons that believe the proposed minor variance represent good land use planning.

In support of the proposed application to the Committee of Adjustment for Minor Variance, please find enclosed the following materials:

1. One (1) cheque in the amount of \$3,560.00, representing the 2021 Application fee for an Industrial/Commercial Minor Variance Application;
2. One (1) copy of the fully executed Minor Variance Application Form;
3. One (1) copy of the Site Plan prepared by Ware Malcomb, dated May 5, 2021;
4. One (1) Minor Variance Sketch.

We trust the foregoing is in order, however, should you have any questions please do not hesitate to contact the undersigned.

Yours truly,
KLM Planning Partners Inc.



Ryan Virtanen, BES, MCIP, RPP
Partner

RE: 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.-

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

Date: August 25th , 2021

Attention: **Christine Vigneault**

RE: Request for Comments

File No.: **A170-21**

Related Files:

Applicant Huntington-Fifty Investments Limited

Location 7805 Highway 50



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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

Mr. Tony D'Onofrio
Supervisor, Subdivisions (Alectra East)
Phone: 1-877-963-6900 ext. 24419

E-mail: stephen.cranley@alectrautilities.com

Email: tony.donofrio@alectrautilities.com

Pravina Attwala

Subject: FW: REQUEST FOR COMMENTS - A170/21 (7805 HIGHWAY 50)

From: Hurst, Gabrielle <Gabrielle.Hurst@york.ca>
Sent: September-07-21 11:33 AM
To: Pravina Attwala <Pravina.Attwala@vaughan.ca>
Cc: Committee of Adjustment <CofA@vaughan.ca>
Subject: [External] RE: REQUEST FOR COMMENTS - A170/21 (7805 HIGHWAY 50)

Good morning Pravina,
The Regional Municipality of York has completed its review of the above minor variance and has no comment.

Gabrielle

Gabrielle Hurst mcip rpp | Community Planning and Development Services | The Regional Municipality of York | 1-877
464 9675 ext 71538 | gabrielle.hurst@york.ca | www.york.ca