

	COMMITTEE OF ADJUSTMENT REPORT SUMMARY MINOR VARIANCE APPLICATION FILE NUMBER A192/21
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AGENDA ITEM NUMBER: 03	CITY WARD #: 1
APPLICANT:	Livwest North Inc.
AGENT:	Robert Lavecchia - KLM Planning Partners Inc.
PROPERTY:	6701 Highway 7 et al. See Schedule A for Location Map. Property is located at the southeast corner of Highway #7 and Huntington Road, Woodbridge.
ZONING DESIGNATION:	The subject lands are zoned A, Agricultural, under By-law 1-88 as amended.
VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:	Vaughan Official Plan 2010 ('VOP 2010'): "Employment Commercial Mixed-Use" with a maximum permitted height of 10-storeys and floor space index ('FSI') of 3 times the area of the lot, subject to Area Specific Plan 12.12: Huntington Business Park.
RELATED DEVELOPMENT APPLICATIONS:	B017/21 & A191/21, DA.18.069
PURPOSE OF APPLICATION:	Relief from the City's Zoning By-law is being requested to permit reduced lot area on the retained land to facilitate Consent Application B017/21.

THIS REPORT CONTAINS COMMENTS FROM THE FOLLOWING DEPARTMENTS & AGENCIES:

*Please see **Schedule B** of this report for a copy of Development Planning and Agency correspondence.

Additional comments from departments and agencies may be received after the publication of the Staff Report. These comments will be processed as an addendum and posted on the City’s Website.

DEPARTMENTS	Circulated	Comments Received	Conditions	Nature of Comments
Committee of Adjustment	☒	☒	☒	General Comments w/Conditions
Building Standards (Zoning Review)	☒	☒	☐	General Comments
Building Inspection (Septic)	☒	☐	☐	
Development Planning	☒	☐	☐	Application Under Review
Development Engineering	☒	☒	☐	Recommend Approval w/Conditions
Parks, Forestry and Horticulture Operations	☒	☒	☐	No comment no concerns
By-law & Compliance, Licensing & Permits	☒	☒	☐	No comment no concerns
Development Finance	☒	☒	☐	Recommend Approval/No Conditions
Real Estate	☐	☐	☐	
Fire Department	☒	☒	☐	No comment no concerns
AGENCIES	Circulated	Comments Received	Conditions	Nature of Comments
TRCA	☒	☐	☐	
Ministry of Transportation (MTO)	☒	☐	☐	
Region of York	☒	☒	☐	Recommend Approval/No Conditions

AGENCIES	Circulated	Comments Received	Conditions	Nature of Comments
Alectra	☒	☒	☐	Recommend Approval/No Conditions
Bell Canada	☒	☐	☐	
YRDSB	☐	☐	☐	
YCDSB	☐	☐	☐	
CN Rail	☐	☐	☐	
CP Rail	☐	☐	☐	
TransCanada Pipeline	☐	☐	☐	
Metrolinx	☐	☐	☐	
Propane Operator	☐	☐	☐	

PUBLIC & APPLICANT CORRESPONDENCE				
*Please see Schedule C of this report for a copy of the public & applicant correspondence listed below.				
The deadline to submit public comments is noon on the last business day prior to the scheduled hearing date .				
Comments and written public submissions received after the publication of this Staff Report will be processed as an addendum and posted on the City’s Website.				
All personal information collected because of this public meeting (including both written and oral submissions) is collected under the authority of the Municipal Act, the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), the Planning Act and all other relevant legislation, and will be used to assist in deciding on this matter. All personal information (as defined by MFIPPA), including (but not limited to) names, addresses, opinions and comments collected will become property of the City of Vaughan, will be made available for public disclosure (including being posted on the internet) and will be used to assist the Committee of Adjustment and staff to process this application.				
Correspondence Type	Name	Address	Date Received (mm/dd/yyyy)	Summary
Applicant / Authorized Agent	KLM Planning, Robert Lavecchia		12/20/2021	Planning Justification Report
Applicant / Authorized Agent	KLM Planning, Robert Lavecchia		7/21/2021	Cover / Summary Letter

PREVIOUS COA DECISIONS ON THE SUBJECT LAND		
*Please see Schedule D for a copy of the Decisions listed below		
File Number	Date of Decision MM/DD/YYYY	Decision Outcome
None		

ADJOURNMENT HISTORY
* Previous hearing dates where this application was adjourned by the Committee and public notice issued.
None



COMMITTEE OF ADJUSTMENT REPORT MINOR VARIANCE APPLICATION A192/21

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APPLICANT:	Livwest North Inc.
AGENT:	Robert Lavecchia - KLM Planning Partners Inc.
PROPERTY:	6701 Highway 7 et al. See Schedule A for Location Map. Property is located at the southeast corner of Highway #7 and Huntington Road, Woodbridge.
ZONING DESIGNATION:	The subject lands are zoned A, Agricultural, under By-law 1-88 as amended.
VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:	Vaughan Official Plan 2010 ('VOP 2010'): "Employment Commercial Mixed-Use" with a maximum permitted height of 10-storeys and floor space index ('FSI') of 3 times the area of the lot, subject to Area Specific Plan 12.12: Huntington Business Park.
RELATED DEVELOPMENT APPLICATIONS:	B017/21, A191/21, DA.18.069
PURPOSE OF APPLICATION:	Relief from the City's Zoning By-law is being requested to permit reduced lot area on the retained land to facilitate Consent Application B017/21.

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 9(1501) under Zoning By-law 1-88, as amended.

Zoning By-law 1-88		Variance requested
1	A minimum lot area of 10 Ha. is required (Schedule A)	To permit a minimum lot area of 9.89 Ha.

HEARING INFORMATION

DATE & TIME OF HEARING: January 20, 2022 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.

PUBLIC PARTICIPATION

You can watch a live stream of the hearing at [Vaughan.ca/LiveCouncil](https://vaughan.ca/LiveCouncil)

If you wish to speak to the Committee of Adjustment on an application please complete and submit a [Public Deputation Form](#) to cofa@vaughan.ca by **noon** on the last business day prior to the hearing.

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 must be submitted by **noon** on the last business day **prior** to the day of the scheduled hearing. Written submissions can be emailed to cofa@vaughan.ca

[For more information, please visit the City of Vaughan website.](#)

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.

INTRODUCTION	
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 COMMENTS		
Date Public Notice Mailed:	January 5, 2022	
Date Applicant Confirmed Posting of Sign:	December 23, 2021	
Applicant Justification for Variances: *As provided by Applicant in Application Form	The parcel to be retained from the associated proposed consent application are within the City's urban area and designated for an employment land use in the Official Plan but still zoned Agricultural. The retained parcels would not meet the minimum lot area requirement of the Agricultural Zone. *See Schedule C for more details.	
Adjournment Requests (from staff): *Adjournment requests provided to applicant prior to issuance of public notice	None.	
Was a Zoning Review Waiver (ZRW) Form submitted by Applicant:	No	
*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.		
*A revised submission may be required to address staff / agency comments received as part of the application review process.		
*Where a zoning review has not been completed on a revised submission, an opportunity is provided to the applicant to adjourn the proposal prior to the issuance of public notice.		
Adjournment Fees: In accordance with Procedural By-law 069-2019, an Adjournment Fee is applicable to reschedule an application after the issuance of public notice where a request for adjournment has been provided to the applicant prior to the issuance of public notice. An Adjournment Fee can only be waived in instances where adjournment of an application is requested by the Committee or staff after the issuance of public notice.		
Committee of Adjustment Comments:	None	
Committee of Adjustment Recommended Conditions of Approval:	1. That a Surveyors Certificate confirming lot area is submitted. 2. That Consent Application B017/21 receive final certification from the Secretary Treasurer and be registered on title. A copy of the registered transfer confirming registration of the Certificate of Official must be provided to the Secretary Treasurer to satisfy this condition. 3. That the applicant obtain a municipal address from the GIS Mapping Section of the Development Planning Department and that confirmation of address creation be provided to the Secretary Treasurer.	

BUILDING STANDARDS (ZONING) COMMENTS	
The applicant shall be advised that additional variances may be required upon review of detailed drawing for building permit/site plan approval.	
This application shall be read in conjunction with file B017/21	
Building Standards Recommended Conditions of Approval:	None

DEVELOPMENT PLANNING COMMENTS	
Application Under Review	
Development Planning Recommended Conditions of Approval:	None

DEVELOPMENT ENGINEERING COMMENTS	
The Development Engineering (DE) Department does not object to variance application A192/21 subject to the following condition(s):	
Development Engineering Recommended Conditions of Approval:	1. The Owner/applicant shall obtain approval for the related Site Development Application (DA.18.089) from the Development Engineering (DE) Department. 2. The Minor Variance Application A192/21 shall be approved final and binding in conjunction with consent application B017/21 and B018/21.

PARKS, FORESTRY & HORTICULTURE (PFH) COMMENTS	
Forestry has no comments at this time	
PFH Recommended Conditions of Approval:	None

DEVELOPMENT FINANCE COMMENTS	
No comment no concerns	
Development Finance Recommended Conditions of Approval:	None

BY-LAW AND COMPLIANCE, LICENSING AND PERMIT SERVICES COMMENTS	
No comment no concerns	
BCLPS Recommended Conditions of Approval:	None

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

FIRE DEPARTMENT COMMENTS	
No comment no concerns	
Fire Department Recommended Conditions of Approval:	None

SCHEDULES TO STAFF REPORT	
*See Schedule for list of correspondence	
Schedule A	Drawings & Plans Submitted with the Application
Schedule B	Development Planning & Agency Comments
Schedule C (if required)	Correspondence (Received from Public & Applicant)
Schedule D (if required)	Previous COA Decisions on the Subject Land

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:

SUMMARY OF RECOMMENDED CONDITIONS OF APPROVAL		
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.		
#	DEPARTMENT / AGENCY	CONDITION(S) DESCRIPTION
1	Committee of Adjustment christine.vigneault@vaughan.ca	1. That Consent Application B017/21 receive final certification from the Secretary Treasurer and be registered on title. A copy of the registered transfer confirming registration of the Certificate of Official must be provided to the Secretary Treasurer to satisfy this condition. 2. That the applicant obtain a municipal address from the GIS Mapping Section of the Development Planning Department and

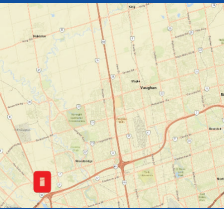
SUMMARY OF RECOMMENDED CONDITIONS OF APPROVAL		
All conditions of approval, unless otherwise stated, are considered to be incorporated into the approval “if required”. If a condition is no longer required after an approval is final and binding, the condition may be waived by the respective department or agency requesting conditional approval. A condition cannot be waived without written consent from the respective department or agency.		
		that confirmation of address creation be provided to the Secretary Treasurer. 3. That a Surveyors Certificate confirming lot area is submitted.
2	Development Engineering farzana.khan@vaughan.ca	1. The Owner/applicant shall obtain approval for the related Site Development Application (DA.18.089) from the Development Engineering (DE) Department. 2. The Minor Variance Application A191/21 shall be approved final and binding in conjunction with consent application B017/21 and B018/21.
3	Development Planning michael.torres@vaughan.ca	Application under review.

IMPORTANT INFORMATION – PLEASE READ
CONDITIONS: It is the responsibility of the owner/applicant and/or authorized agent to obtain and provide a clearance letter from respective department and/or agency (see condition chart above for contact). This letter must be provided to the Secretary-Treasurer to be finalized. All conditions must be cleared prior to the issuance of a Building Permit. APPROVALS: Making any changes to your proposal after a decision has been made may impact the validity of the Committee’s decision. An approval obtained from the Committee of Adjustment, where applicable, is tied to the building envelope shown on the plans and drawings submitted with the application and subject to the variance approval. A building envelope is defined by the setbacks of the buildings and/or structures shown on the plans and drawings submitted with the application, as required by Ontario Regulation 200/96. Future development outside of an approved building envelope, where a minor variance was obtained, must comply with the provisions of the City’s Zoning By-law. Elevation drawings are provided to reflect the style of roof (i.e. flat, mansard, gable etc.) to which a building height variance has been applied. Where a height variance is approved, building height is applied to the style of roof (as defined in the City’s Zoning By-law) shown on the elevation plans submitted with the application. Architectural design features that are not regulated by the City’s Zoning By-law are not to be considered part of an approval unless specified in the Committee’s decision.
DEVELOPMENT CHARGES: That the payment of the Regional Development Charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the Regional Development Charges By-law in effect at the time of payment. That the payment of the City Development Charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the City's Development Charges By-law in effect at the time of payment. That the payment of the Education Development Charge if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the Boards of Education By-laws in effect at the time of payment That the payment of Special Area Development charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and The City's Development Charge By-law in effect at the time of Building permit issuance to the satisfaction of the Reserves/Capital Department.
NOTICE OF DECISION: If you wish to be notified of the decision in respect to this application or a related Ontario Land Tribunal (OLT) hearing you must complete a Request for Decision form and submit to the Secretary Treasurer (ask staff for details). In the absence of a written request to be notified of the Committee’s decision you will not receive notice.

SCHEDULE A: DRAWINGS & PLANS



Map Information:



Title:
6701 HIGHWAY 7, 7551 HUNTINGTON ROAD
et al, WOODBRIDGE

NOTIFICATION MAP - B017/21, B018/21, A191/21, A192/21 & A193/21

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



Scale: 1: 6,102
0 0.10 km



Created By:
Infrastructure Delivery
Department
November 20, 2020 4:28 PM

Projection:
NAD 83
UTM Zone
17N

COMMERCIAL LAND USE

A192/21

RICULTURAL
LAND USE

9.89Ha
#1

A192/21

LOT AREA VARIANCE

RETAINED
PARCEL A
(9.896 ha)

RETAINED
PARCEL B
(4.087 ha)

LOT AREA VARIANCE

A193/21

TRANSPORTATION
(FUTURE TRANSIT STATION)
LAND USE

B017/21
A191/21

SEVERED
PARCEL A
(10.125 ha)

SEVERED
PARCEL B
(7.970 ha)

PROPOSED LANDSCAPE STRIP VARIANCE

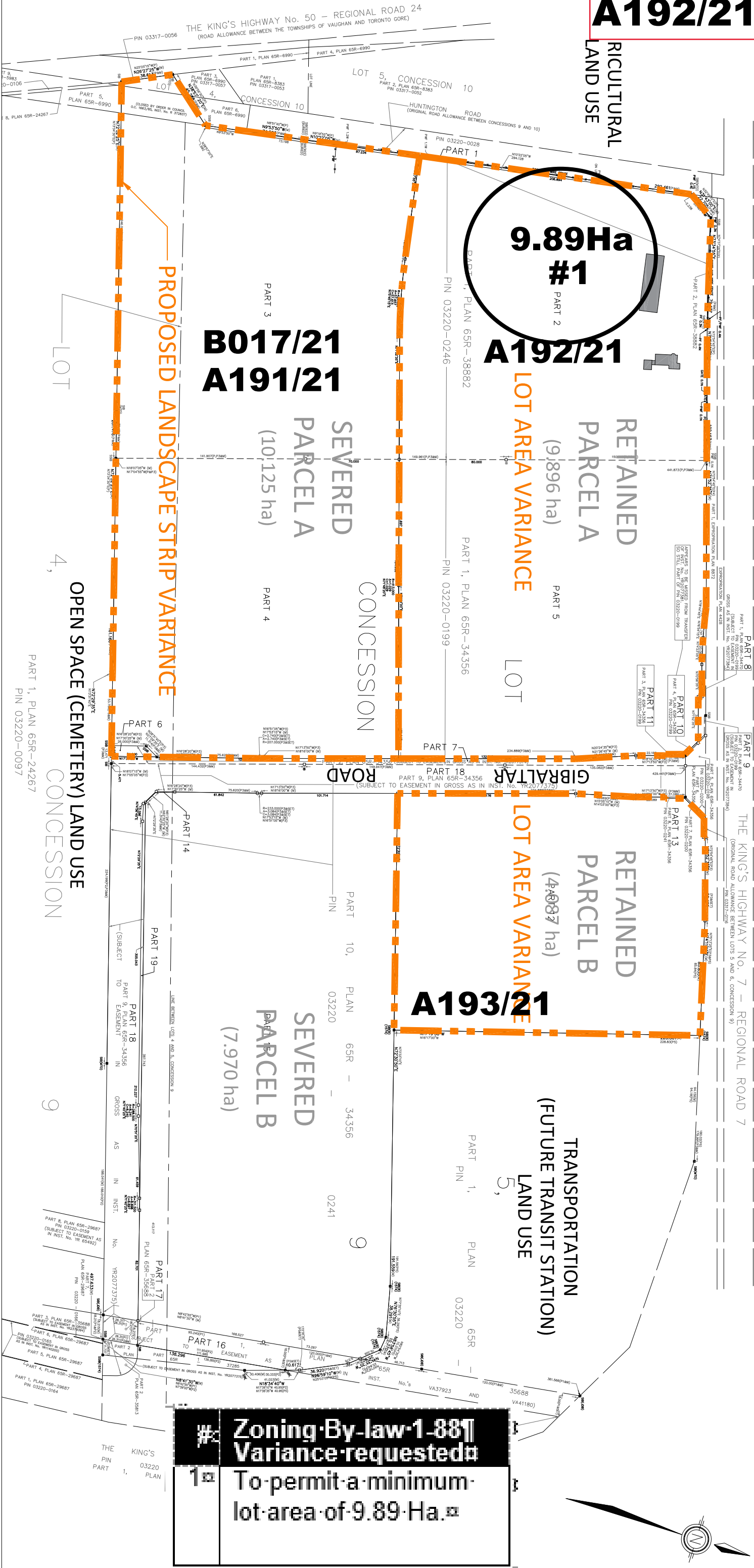
OPEN SPACE (CEMETERY) LAND USE

LOT

CONCESSION

9

PART 1, PLAN 65R-24267
PIN 03220-0097



Zoning By-law 1-881
Variance requested
To permit a minimum
lot area of 9.89 Ha.

MINOR VARIANCE CONTEXT

SEVERED & RETAINED PARCEL(S) SUBJECT TO MINOR VARIANCE APPLICATIONS



PROJECT No. P-2197
November 24, 2021
SCALE: NTS

64 JARDIN DRIVE - UNIT 1B, CONCORD ONTARIO L4K 3P3
TEL: (905) 669-4055 FAX: (905) 669-0097 design@klmplanning.com
Planning • Design • Development

SCHEDULE B: DEVELOPMENT PLANNING & AGENCY COMMENTS				
AGENCIES	Circulated	Comments Received	Conditions	Nature of Comments
TRCA	☒	☐	☐	
Ministry of Transportation (MTO)	☒	☐	☐	
Region of York	☒	☒	☐	Recommend Approval/No Conditions
Alectra	☒	☒	☐	Recommend Approval/No Conditions
Bell Canada	☒	☐	☐	
YRDSB	☐	☐	☐	
YCDSB	☐	☐	☐	
CN Rail	☐	☐	☐	
CP Rail	☐	☐	☐	
TransCanada Pipeline	☐	☐	☐	
Metrolinx	☐	☐	☐	
Propane Operator	☐	☐	☐	
Development Planning	☒	☐	☐	Application Under Review

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

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

Email: tony.donofrio@alectrautilities.com

Lenore Providence

Subject: FW: A192/21 - Request for Comments (RETAINED): (Hwy 7 and Hwy 50, Woodbridge)

From: Hurst, Gabrielle <Gabrielle.Hurst@york.ca>

Sent: October-01-21 2:43 PM

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

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

Subject: [External] RE: A192/21 - Request for Comments (RETAINED): (Hwy 7 and Hwy 50, Woodbridge)

Good afternoon Lenore,
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

SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE				
Correspondence Type	Name	Address	Date Received (mm/dd/yyyy)	Summary
Applicant / Authorized Agent	KLM Planning, Robert Lavecchia		12/20/2021	Planning Justification Report
Applicant / Authorized Agent	KLM Planning, Robert Lavecchia		7/21/2021	Cover / Summary Letter



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

P-2197

July 21, 2021

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

Attention: Christine Vigneault

Re: 1406979 Ontario Limited c/o Zzen Group
Consent to Sever and Minor Variance Applications
6701 Highway 7 & 7551 Huntington Road
South side of Highway 7, east of Old Huntington Road
Part of Lots 4 & 5, Concession 9
City of Vaughan, Regional Municipality of York

Dear Ms. Vigneault,

KLM Planning Partners Inc. is the land use planner on behalf of 1406979 Ontario Limited c/o Zzen Group (the "Owners") with respect to their above noted lands located at 6701 Highway 7 & 7551 Huntington Road (the "Subject Lands"). On behalf of our client, we are pleased to submit the following enclosed materials in support of an applications for Consent to Sever and Minor Variance.

The subject lands are municipally known as 6701 Highway 7 & 7551 Huntington Road and legally known as Part of Lots 4 & 5, Concession 9 being located on the south side of Highway 7, east of Old Huntington Road. The subject lands are designated Prestige Employment of the City of Vaughan Official Plan. The subject lands are currently zoned A Agriculture Area Zone and EM1 Prestige Employment Zone of the City of Vaughan Zoning By-law 1-88.

A portion of the Subject Lands are subject to Zoning By-law 121-2020 which rezones a portion of the lands from (A) Agriculture to (EM1) Prestige Employment as noted above. Further, the lands are subject to a development agreement between the Owners and the City of Vaughan (the "City") which will convey lands to the City for the purposes of extending existing New Huntington Road and Gibraltar Road as shown on the enclosed Severance Sketches. The Consent to Sever applications proposed are to facilitate the severance of the portions of the Subject lands zoned (EM1) Prestige Employment from the balance of the lands still zoned (A) Agriculture. Site Plan applications have been submitted to the City and are currently under review.

Consent Sketches have been prepared by KLM Planning Partners Inc. dated June 23, 2021, outlining the conveyance of the new public rights of way and proposed severance of the Subject Lands as described above. The development agreement as noted above will naturally sever the lands in two parcels on the west (Parcel A) and east (Parcel B) side of the new rights of way. The Consent to Sever applications will

then further sever the Subject Lands into Severed and Retained Parcels A and B effectively separating the rezoned lands from the agricultural lands facilitating future development of the rezoned lands via the in-process Site Plan applications.

In addition to the Consent to Sever applications, Minor Variance applications are required for three of the four parcels that are to be created to seek relief from the requirements of By-law 1-88 related to the minimum lot area in the Agricultural zone and the requirement for a landscape strip in employment zones which abut an Open Space zone. A brief rationale for the required minor variances is as follows:

Retained Parcels A and B

Minor Variance Required:

The minimum lot area shall be 9.5 ha for Retained Parcel A and 3.5 hectares for Regained Parcel B;

WHEREAS

The minimum lot area in the Agricultural Zone is 10 hectares.

Planning Rationale:

The general intent and purpose of the Official Plan and zoning by-law are to define the City's settlement and rural areas and further provide for Agricultural and Employment uses within these areas that are on lots that are of sufficient size and configuration to support their intended uses. The lands subject to this minor variance are within the City's settlement areas and designated in the Official Plan for employment uses while still being within the Agricultural zone of the Zoning By-law 1-88. Given that Vaughan Council has determined these lands shall be designated for urban and not agricultural uses, it is not appropriate for the lands to be subject to the lot area requirements of the Agricultural zone. These lands will be subject to future Planning Act applications in order that they be developed for urban uses and the proposed lot sizes will not preclude these uses from being implemented. These variances are minor in nature and will not preclude the lands from continuing to be used for the growing of field crops on a contract basis until such time that future development applications are submitted and approved allowing the lands to be meet their intended purpose. The variance will have no impact, will not prejudice existing surrounding uses, will not change the current use of the Subject Lands and are desirable in that they will in part facilitate the use of the severed lands for employment uses.

Severed Parcel A

Minor Variance Required:

Where an Employment Area Zone abuts the boundary of lands zoned Open Space, there shall be no requirement for a landscape strip inside the Employment Area zone to be used for no other purpose than landscaping;

WHEREAS

Where an Employment Area Zone abuts the boundary of lands zoned Open Space or Residential, a strip of land not less than 7.5 metres in width and inside the Employment Area Zone and abutting its boundary, shall be used for no purpose other than landscaping.

Planning Rationale:

The general intent and purpose of the Official Plan and zoning by-law are to provide appropriate areas for landscaping and provide separation distance between employment uses and other more sensitive land uses. The open space land use in question is a cemetery use and the employment land use in question is a prestige employment use where no noxious uses are permitted. The cemetery use, while zoned in the OS2 Open Space Park zone, is not intended for recreation uses and is generally not an intensive land use whereby large numbers of active users are present. The impact of the variance is minor in nature and will be negligible in the context of the cemetery lands having been filled and raised by some number of meters above the lands subject to the propose variance resulting in a sloped area abutting the property line which effectively creates a separation between the cemetery use and the future employment use. This variance is desirable as it promotes the efficient use of employment land within the City's urban area which will in part reduce the need for further expansion of urban areas for employment uses. This variance is minor in nature and does not impact the operation or use of the abutting cemetery lands and does not remove the requirement for a 6 metre interior yard in the EM1 Prestige Employment zone which will provide an appropriate separation from the abutting cemetery use.

Given the above it is our opinion that the proposed minor variances meet the intent and purpose of the Official Plan and zoning by-law, are minor in nature, are desirable and represent good planning.

In support of the proposed application for Consent to Sever and Minor Variance, please find enclosed the following materials in accordance with the City of Vaughan Consent and Minor Variance Application submission requirements.:

1. One (1) copy of each of the completed Consent to Sever application forms for Parcels A and B;
2. One (1) copy of each of the completed Minor Variance application forms for Retained Parcels A and B and Severed Parcel A;
3. One (1) cheque in the amount of \$17,198 for the applicable Consent and Minor Variance Application Fees per the below breakdown;
 - a. Consent: $\$3,759.00 \times 2 = \$7,518.00$
 - b. Minor Variance (Agricultural): $\$3,060.00 \times 2 = \$6,120.00$
 - c. Minor Variance (Industrial): $\$3,560.00$
4. One (1) copy of the ROW Conveyance Consent Sketch, prepared by KLM Planning Partners Inc., dated June 23, 2021;
5. One (1) copy of the Severance Consent Sketch, prepared by KLM Planning Partners Inc., dated June 23, 2021;
6. One (1) copy of the Minor Variance Sketch, prepared by KLM Planning Partners Inc., dated June 23, 2021;
7. One (1) copy of the Draft Reference Plan, prepared by Schaeffer Dzaldov Bennett Ltd., dated May 27, 2020;
8. One (1) copy of the Notice of Decision for Consent application B31/00 issued by the City of Vaughan on April 7, 2000;
9. One (1) copy of the Notice of Decision for Consent application B063/06 issued by the City of Vaughan on December 15, 2006;
10. One (1) USB drive containing all digital materials.

I trust that the above materials are in order. Should you have any questions with respect to the enclosed or require anything further, please do not hesitate to contact the undersigned.

Yours truly,

KLM PLANNING PARTNERS INC.



Robert Lavecchia B.U.R.Pl.

Senior Planner II

CC: Mr. Sam Speranza, Zzen Group of Companies



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

KLM File: P-2197

December 20, 2021

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

Attention: Christine Vigneault
Re: Livwest North Inc.
Planning Rationale for Consent to Sever Applications
6701 Highway 7 & 7551 Huntington Road
South side of Highway 7, east of Old Huntington Road
Part of Lots 4 & 5, Concession 9
City of Vaughan, Regional Municipality of York

Dear Ms. Vigneault,

KLM Planning Partners Inc. is the land use planner on behalf of Livwest North Inc. and 1406979 Ontario (the "Owner") with respect to their above noted lands located at 6701 Highway 7 & 7551 Huntington Road (the "Subject Lands").

The Subject Lands are municipally known as 6701 Highway 7 & 7551 Huntington Road and legally known as Part of Lots 4 & 5, Concession 9 being located on the south side of Highway 7, east of Old Huntington Road. The Subject Lands are designated Prestige Employment of the City of Vaughan Official Plan. The Subject Lands are currently zoned 'A' Agriculture Area Zone and 'EM1' Prestige Employment Zone of the City of Vaughan Zoning By-law 1-88.

Consent and Minor Variance applications were submitted to the City on July 22, 2021 and in response, planning staff at the City in their email dated October 6, 2021 requested a planning rationale for the proposed consent applications and is provided below.

Provincial Policy Statement 2020

The Provincial Policy Statement 2020 (the "PPS") came into effect on May 1, 2020 and is the guiding document providing policy direction on matters of Provincial interest related to planning and development. The PPS sets the policy foundation to regulate land use and development while also supporting the Provincial goal to enhance the quality of life for all Ontarians. The Ontario Planning Act, 1990 (the "Act") requires that all decisions that affect planning matters shall be consistent with policy statements issued under the Act, including the PPS.

The Subject Lands meet the definition of a settlement area under the PPS being within the City of Vaughan built up area and having been designated for development over the long-term planning horizon. The PPS does not prohibit severance applications or lot creation within settlement areas.

The consent applications are consistent with the Provincial Policy Statement.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2020

A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2020 (the “Growth Plan”), prepared under the *Places to Grow Act, 2005* is a framework document that seeks to implement the Provincial vision for the establishment of strong, prosperous communities to the year 2051. The Subject lands are within the City of Vaughan and Region of York delineated built up areas and are therefore a location where growth is expected and broadly encouraged.

While the Growth Plan does not provide specific policies on consent applications or lot creation within the built up areas, it does provide policies on where and how growth should take place, preparing infrastructure to support growth and protecting natural areas and resources. As noted above, the Subject Lands are within a settlement area with a delineated built boundary and have existing or planned municipal water and wastewater systems. Further, the lands are designated for growth and will, together with the fulfillment of the surrounding Official Plan policies, support the achievement of complete communities. The proposed applications will also help to achieve the intensification strategies of the City and Region and will create parcels of land to be developed in the future in accordance with the existing land use permissions.

The proposed applications will also support the objectives of the Growth Plan related to employment by making efficient use of an existing employment area which is currently underutilized. The proposed lot creation will allow for the future development of the lands and increase employment densities in a designated employment area. Further, by contributing to the implementation of an employment use in a designated employment area, the intended employment function of the lands will be preserved and protected.

The proposed applications conform to the Growth Plan.

Parkway Belt West Plan

The Subject Lands are not within the Parkway Belt West Plan area.

Greenbelt Plan 2017

The Subject Lands are not within the Greenbelt Plan area.

Oak Ridges Moraine Conservation Plan 2017

The Subject Lands are not within the Oak Ridges Moraine Conservation Plan area.

Ontario Heritage Act

No structures on the Subject Lands are designated under Part IV of the Ontario Heritage Act however one structure is listed under the Ontario Heritage Act. This structure will remain on one of the newly created lots where no further development beyond the lot creation will be proposed and this structure is not proposed or required to be demolished as part of the consent applications.

The proposed applications conform to the Ontario Heritage Act.

Region of York Official Plan (April 2019, Office Consolidation)

The Region of York Official Plan (the “YROP”) provides consistent overarching Planning and Development Framework within the Region. The Plan designates the Subject Lands as *Urban Area* on Map 1 Regional Structure of the Plan. Generally speaking, the YROP does not prohibit consent applications in the *Urban Area*.

The consent applications will in part implement employment uses on the Subject Lands which are designated but vacant, will help to realize the forecasted employment growth and will make use of the municipal infrastructure and services deployed to support anticipated growth. The implementation of an employment use on employment lands will help the City accommodate the minimum employment growth forecasts required by the Region. Further, the proposed applications, by contributing to the implementation of growth within the Regions’ *Urban Area* will in part help to avoid further urban expansion for employment uses in the Region. The consent applications will provide appropriately sized employment blocks that can be developed with a high quality urban design and meet the various design objectives of the YROP.

The proposed applications conform to the Region of York Official Plan.

City of Vaughan Official Plan (December 2020, Office Consolidation)

The general purpose of the VOP is to establish the policies and the primary objectives to address the City’s land use planning matters and manage future growth. The VOP defines the City’s planned Urban Structure which, as it relates to the proposed applications, is intended to maintain the stability of and support Employment Areas. Further, the VOP intends to support employment uses within employment areas that are on lots that are of sufficient size and configuration to support their intended uses. The Subject Lands are designated *General Employment* and *Prestige Employment* by the VOP under *Land Use Schedule 13*, which permits a wide range of employment uses.

Schedule 1 to the City’s Official Plan identifies the Subject Lands as being within an employment area and accordingly should be a focus for employment development which the proposed consent applications will help to implement. While the Subject Lands are not within an intensification area, the proposed applications represent the appropriate intensification of vacant and underutilized lands within the built-up area of the City.

The proposed applications will create appropriately sized lots that can contribute to the range of building designs available in the employment area and allow for planned and vacant employment lands to be developed and intensified. The Subject Lands have been designated for an employment use which has not materialized and the proposed development would appropriately intensify uses on the Subject Lands as envisioned by the VOP.

Future development on the parcels created by the proposed application can be carefully designed with a high standard of public realm and urban built form and contribute to an emerging urban environment. Strong pedestrian connections and an attractive and activated streetscape could also contribute to a high standard of design through future development applications.

Chapter 10 of the VOP provides policies related to consent to sever applications specifically. These policies explicitly permit the creation of new lots by way of consent to sever land where a plan of subdivision is deemed not necessary. The City has agreed that a plan of subdivision is not necessary and has entered into a development agreement with the Owners to provide for all required land conveyances and municipal services. Further, the lots to be created will allow for an appropriate net developable area on both severed and retained lots to accommodate the future use of the land as permitted by the existing land use designations. The lots created will not extend or promote strip development or implement any uses that are inconsistent with the policies of the VOP.

Further, the proposed consent applications will not disturb any existing pattern of development, perpetuate an undesirable pattern of development or prejudice the layout of future development. The proposed applications will not be a forerunner of other similar applications on the original parcel as the parcels created will be of an appropriate size and configuration to implement future development on the lands. The Subject Lands being relatively isolated and surrounded almost entirely by major roads and highways will not block any future potential access points or further fragmentation of ownership and have already been subject to the block planning process being within the Block 57/58 Block Plan area.

The proposed consent applications would not create a non-conformity with the Official Plan and the approval of the submitted site plan on one of the parcels to be created has been delegated to staff with this approval being forthcoming. The zoning deficiencies that result from the consents are a consequence of a portion of the Subject Lands still being zoned for agricultural uses notwithstanding their inclusion in the City's built boundary and designation for urban uses. Minor variance applications have been submitted to seek relief from the zoning by-law and in our opinion meet the required tests of a minor variance application as prescribed by the Act.

Lastly, the proposed size and shape of the proposed lots are compatible with the local pattern, size and configuration streets and blocks, the size and configuration of existing lots as well as the uses, building types, heights, scale and setbacks on nearby properties. The proposed lots have been reviewed by the appropriate professions to confirm that the lands can be accessed and serviced in a manner acceptable to the City, the details of which are contained in the development agreement noted above.

The proposed applications conform to the Vaughan Official Plan.

I trust that the above is satisfactory for the purpose of processing the submitted consent to sever application. Should you have any questions with respect to the above or require anything further, please do not hesitate to contact the undersigned.

Yours truly,
KLM PLANNING PARTNERS INC.



Robert Lavecchia B.U.R.Pl.
Senior Planner II

cc: Sam Speranza, Zzen Group of Companies

SCHEDULE D: PREVIOUS COA DECISIONS ON THE SUBJECT LAND		
File Number	Date of Decision MM/DD/YYYY	Decision Outcome
None.		