

ITEM #: 6.2

COMMITTEE OF ADJUSTMENT REPORT

MINOR VARIANCE APPLICATION

A142/22

9591 Weston Road, Unit 5, Bldg C., Woodbridge

COA REPORT SUMMARY

THIS REPORT CONTAINS COMMENTS FROM THE FOLLOWING DEPARTMENTS & AGENCIES:

\*Please see **Schedule B** of this report for a copy of Staff 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	X	X		General Comments
Building Standards -Zoning Review *Schedule B	X	X		General Comments
Building Inspection (Septic)	X			No Comments Recieved to Date
Development Planning *Schedule B	X	X		Recommend Approval/No Conditions
Development Engineering	X	X		Recommend Approval w/Conditions
Parks, Forestry and Horticulture Operations	X	X		No Comments or Concerns
By-law & Compliance, Licensing & Permits	X			No Comments Recieved to Date
Development Finance	X			No Comments or Concerns
Real Estate				
Fire Department	X			No Comments Recieved to Date
AGENCIES	Circulated	Comments Received	Conditions	Nature of Comments
TRCA *Schedule B	X	X		General Comments
Ministry of Transportation (MTO) *Schedule B				
Region of York *Schedule B	X	X		General Comments
Alectra *Schedule B	X	X		General Comments
Bell Canada *Schedule B	X	X		General Comments
YRDSB *Schedule B				
YCDSB *Schedule B				
CN Rail *Schedule B				
CP Rail *Schedule B				
TransCanada Pipeline *Schedule B	X			No Comments Recieved to Date
Metrolinx *Schedule B				
Propane Operator *Schedule B				

PUBLIC & APPLICANT CORRESPONDENCE				
*Please see <b>Schedule C</b> of this report for a copy of the public & applicant correspondence listed below.				
The deadline to submit public comments is <b>noon on the last business day prior to the scheduled hearing date.</b>				
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
None				

PREVIOUS COA DECISIONS ON THE SUBJECT LAND		
*Please see <b>Schedule D</b> for a copy of the Decisions listed below		
File Number	Date of Decision MM/DD/YYYY	Decision Outcome
A150/05	06/23/2005	Approved

ADJOURNMENT HISTORY	
* Previous hearing dates where this application was adjourned by the Committee and public notice issued.	
June 16, 2022	Adjourned to accommodate statutory public notice



**COMMITTEE OF ADJUSTMENT REPORT  
MINOR VARIANCE APPLICATION  
A142/22  
9591 Weston Rd Bldg C Vaughan**

**FILE MANAGER:** Lenore Providence, Administrative Coordinator - Committee of Adjustment

<b>ITEM NUMBER: 6.26</b>	<b>CITY WARD #: 3</b>
<b>APPLICANT:</b>	Roybridge Holdings Ltd.
<b>AGENT:</b>	George Barry-Kays and Loveta Kays
<b>PROPERTY:</b>	9591 Weston Road, Unit 5, Bldg C, Woodbridge
<b>ZONING DESIGNATION:</b>	See below.
<b>VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:</b>	Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Mixed-Use"
<b>RELATED DEVELOPMENT APPLICATIONS:</b>	None
<b>PURPOSE OF APPLICATION:</b>	Relief from the Zoning By-law is being requested to permit a proposed eating establishment (Bubble Tea Cafe) within Unit #5.

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

The subject lands are zoned NC – Neighbourhood Commercial Zone and subject to the provisions of Exception 14.690 under Zoning By-law 001-2021, as amended.

The subject lands are zoned C3 – Local Commercial Zone and subject to the provisions of Exception 9(1019) under Zoning By-law 1-88, as amended.

Zoning By-law 1-88		Variance requested
2	The following additional uses shall be permitted within Building 'C' as identified on Schedule "E-1114E": <ul style="list-style-type: none"><li>- One Eating Establishment; or</li><li>- One Eating Establishment, Convenience; or</li><li>- One Eating Establishment, Take-Out</li><li>- Patios shall not be permitted as accessory to any Eating Establishment uses.</li></ul> [Exception 9 (1019) ki) a. xv]	To permit a third eating establishment within Building C unit#5.

**HEARING INFORMATION**

**DATE OF MEETING:** Thursday, June 16, 2022

**TIME:** 6:00 p.m.

**MEETING LOCATION:** Vaughan City Hall, Council Chamber, 2141 Major Mackenzie Drive, Vaughan

**LIVE STREAM LINK:** [Vaughan.ca/LiveCouncil](https://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](mailto: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](mailto:cofa@vaughan.ca)

**Mail:** City of Vaughan, Office of the City Clerk, Committee of Adjustment, 2141 Major Mackenzie Drive, Vaughan, ON, L6A 1T1

**THE DEADLINE TO REGISTER TO SPEAK OR SUBMIT WRITTEN COMMENTS ON THE ABOVE NOTED FILE(S) IS NOON ON THE LAST BUSINESS DAY BEFORE THE MEETING.**

INTRODUCTION	
<p>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.</p> <p>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:</p> <p>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.</p> <p>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.</p>	

COMMITTEE OF ADJUSTMENT COMMENTS		
Date Public Notice Mailed:	June 10, 2022	
Date Applicant Confirmed Posting of Sign:	TBD	
Applicant Justification for Variances: <small>*As provided by Applicant in Application Form</small>	Not permitted	
Adjournment Requests (from staff): <small>*Adjournment requests provided to applicant prior to issuance of public notice</small>	None	
Was a Zoning Review Waiver (ZRW) Form submitted by Applicant:  *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.		No
<b>Adjournment Fees:</b> 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 <b>after</b> the issuance of public notice.		
Committee of Adjustment Comments:	None	
Committee of Adjustment Recommended Conditions of Approval:	None	

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

DEVELOPMENT PLANNING COMMENTS	
**See Schedule B for Development Planning Comments.	
Development Planning Recommended Conditions of Approval:	None

DEVELOPMENT ENGINEERING COMMENTS	
<a href="#">Link to Grading Permit</a> <a href="#">Link to Pool Permit</a> <a href="#">Link to Curb Curt Permit</a> <a href="#">Link Culvert Installation</a>	
Transportation Engineering requires the applicant to provide 3 short-term bicycle parking spaces prior to the final approval of A142/22 (condition attached)  The Development Engineering (DE) Department does not object to variance application A142/22 subject to the following condition(s):	



DEVELOPMENT ENGINEERING COMMENTS	
<a href="#">Link to Grading Permit</a> <a href="#">Link to Pool Permit</a> <a href="#">Link to Curb Curt Permit</a> <a href="#">Link Culvert Installation</a>	
Development Engineering Recommended Conditions of Approval:	The Owner/applicant shall provide 3 short-term bicycle parking spaces near the building’s main entrance. They can be in form of outdoor bike racks.

PARKS, FORESTRY & HORTICULTURE (PFH) COMMENTS	
Forestry: Forestry has no comment.	
PFH Recommended Conditions of Approval:	None

DEVELOPMENT FINANCE COMMENTS	
That the payment of the City Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and City-wide Development Charge By-law in effect at time of payment.	
That the payment of Region of York Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and Regional Development Charges By-laws in effect at time of payment.	
That the payment of Education Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Education Act and York Region District School Board and York Catholic District School Board Development Charges By-laws in effect at time of payment.	
That the payment of applicable 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.	
Development Finance Recommended Conditions of Approval:	None

BY-LAW AND COMPLIANCE, LICENSING AND PERMIT SERVICES COMMENTS	
No comments received to date	
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 comments received to date	
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	Staff & 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:

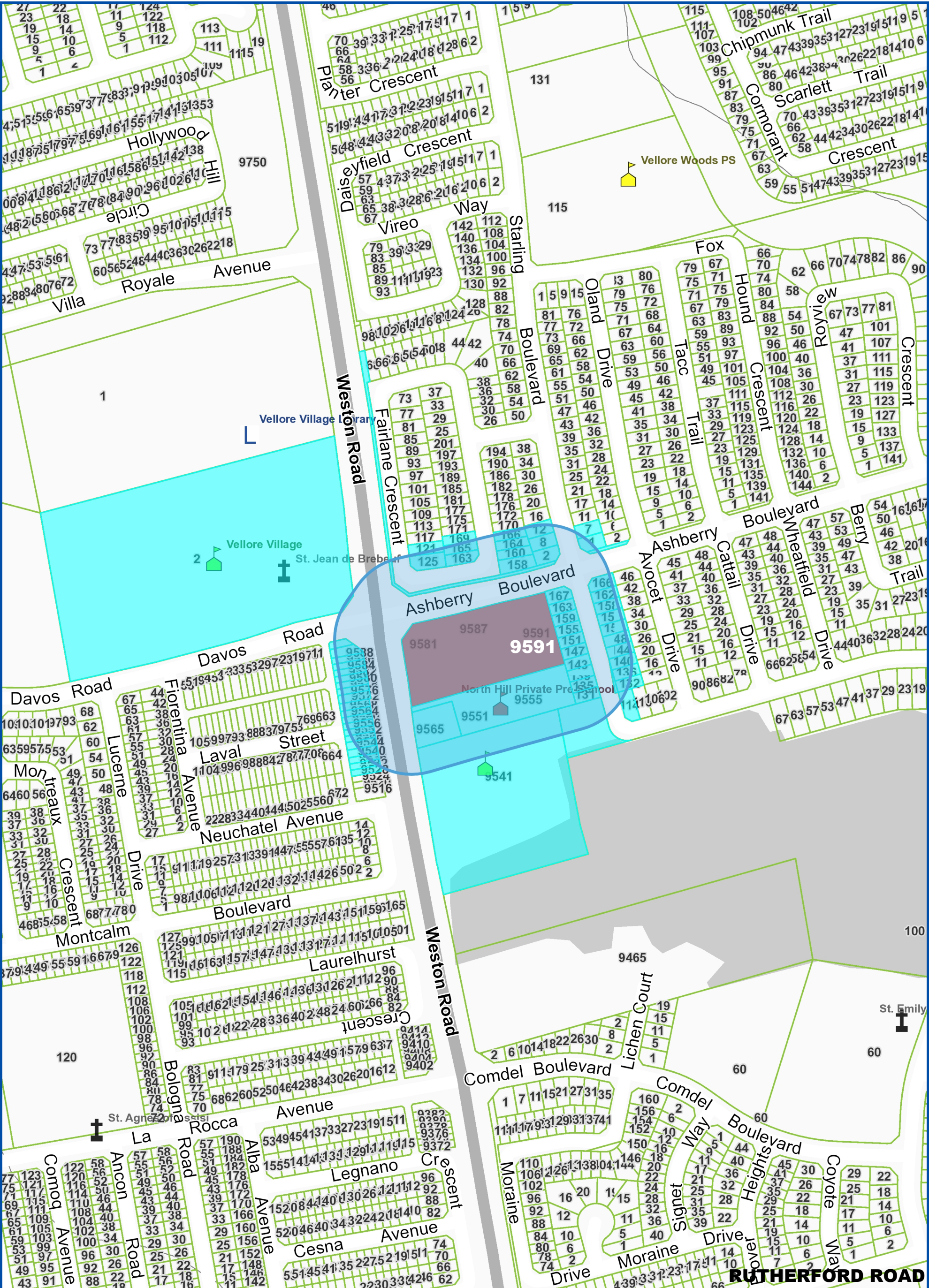
SUMMARY OF RECOMMENDED CONDITIONS OF APPROVAL		
All conditions of approval, unless otherwise stated, are considered to be incorporated into the approval “if required”. If a condition is no longer required after an approval is final and binding, the condition may be waived by the respective department or agency requesting conditional approval. A condition cannot be waived without written consent from the respective department or agency.		
#	DEPARTMENT / AGENCY	CONDITION(S) DESCRIPTION

SUMMARY OF RECOMMENDED CONDITIONS OF APPROVAL		
1	Development Engineering <a href="mailto:farzana.khan@vaughan.ca">farzana.khan@vaughan.ca</a>	The Owner/applicant shall provide 3 short-term bicycle parking spaces near the building's main entrance. They can be in form of outdoor bike racks.

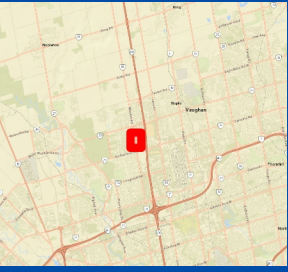
IMPORTANT INFORMATION – PLEASE READ		
<p><b>CONDITIONS:</b> It is the responsibility of the owner/applicant and/or authorized agent to obtain and provide a clearance letter from respective department and/or agency (<b>see condition chart above for contact</b>). This letter must be provided to the Secretary-Treasurer to be finalized. All conditions must be cleared prior to the issuance of a Building Permit.</p>		
<p><b>APPROVALS:</b> Making any changes to your proposal after a decision has been made may impact the validity of the Committee's decision.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p>		
<p><b>DEVELOPMENT CHARGES:</b> 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.</p> <p>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.</p> <p>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</p> <p>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.</p>		
<p><b>NOTICE OF DECISION:</b> 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 <b>not</b> receive notice.</p>		

**SCHEDULE A: DRAWINGS & PLANS**





Map Information:



Title:

# #5 - 9591 WESTON ROAD, WOODBRIDGE

## NOTIFICATION MAP - A142/22

Disclaimer:

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



Scale: 1: 4,748

0 0.07 km



Created By:

Infrastructure Delivery  
Department  
May 24, 2022 11:54 PM

Projection:  
NAD 83  
UTM Zone  
17N



**A142/22**

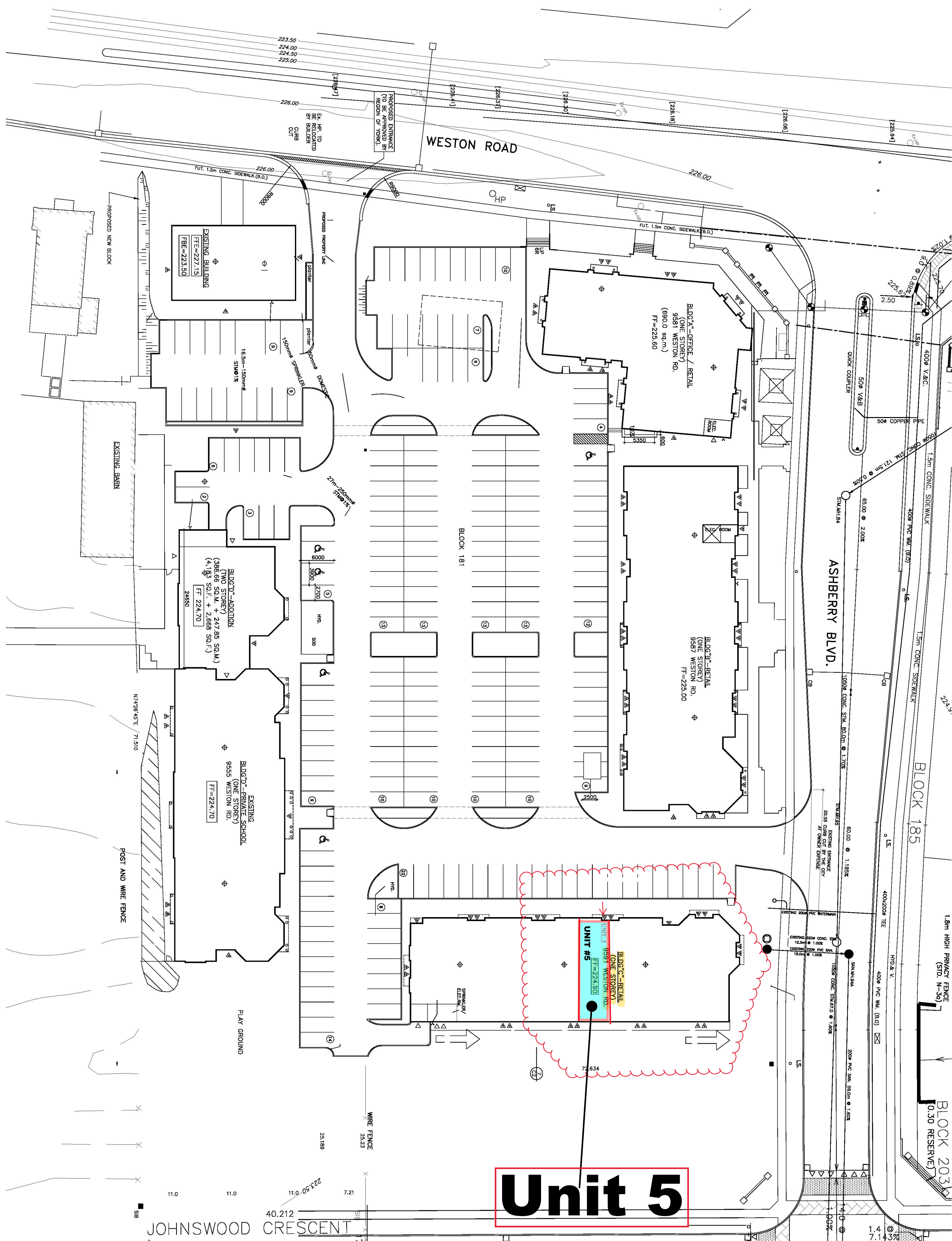
**# Zoning By-law 01-2021**  
**Variance requested**

None

## Zoning By-law 1-88

### Variance requested

1	To permit a third eating establishment within Building C unit#5.
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# Unit 5

**LEGAL DESCRIPTION**

PART OF LOT 18 CONC 5  
BEING PART 2, 3, 4 OF  
PLAN 65R 22672  
AND BLOCK 185 ON REG.

CITY OF VAUGHAN  
REGIONAL MUNICIPALITY OF  
(GEOGRAPHIC TOWNSHIP OF VAUGHAN  
COUNTRY OF YORK)  
VLADIMIR KRCMAR LTD.

ONTARIO LAND SURVEYORS  
1137 CENTRE STREET THORNHILL, ONTARIO, L4J 3M6  
TEL.(905) 738-0053  
FAX (905) 738-9221  
DWC NAME: 9783M5RV JOB No. 9783M5RV  
PLT DATE APRIL 8, 1999

BENCH MARK No. 32-1  
CONCRETE BRIDGE CARRYING MAJOR WACKENZIE  
DROVE OVER HIGHWAY #400 LABEL IS SET HORIZONTALLY  
IN EAST FACE OF WEST CONCRETE ABUTMENT  
BEING 2.98m NORTH OF SOUTHEAST CORNER, 0.60m  
ABOVE GROUND LEVEL AND 16.58m WEST OF CENTRELINE  
OF HIGHWAY #400 (N.T.C. BM 60-68)  
ELEVATION 230.220

**NOTE**  
FOR CITY STANDARD NOTES,  
GRADING & SERVICING NOTES  
AND SITE DETAILS SEE DRAWING C2

TOP OF WATER LEVEL = 224.50 - (SEE REPORT)

ZONING DATA			
ZONING CATEGORY = 16,21,26 sq. m 17,55,31 sq. ft.			
LOT COVERAGE			
PROPOSED TOTAL FLOOR AREA COVERAGE	4,399 sqm.	27.39 sq. ft.	
PROPOSED SECOND FLOOR AREA COVERAGE	4,464.85 sqm.	28.82 sq. ft.	
SETBACKS			
FRONT YARD	6.70 m		
REAR YARD	6.00 m		
C/SIDE, S/SIDE AND SIDE WALK	6.00 m		
BUILDING AREA			
BUILD 'A' (RETM)	1,267.1 sqm.	8,193.7 sq. ft.	
BUILD 'B' (RETM)	1,007.8 sqm.	6,810.9 sq. ft.	
BUILD 'C' (RETM)	1,061 sqm.	11,421 sq. ft.	
BUILD 'D' (ONCANCER):			
GROUND FLOOR	1,385.1 sqm.	14,737.2 sq. ft.	
SECOND FLOOR	247.85 sqm.	2,667.9 sq. ft.	
TOTAL BUILD 'D' AREA	1,632.95 sqm.	17,405.1 sq. ft.	
TOTAL GROUND FL. AREA	4,399 sqm.	47,352 sq. ft.	
TOTAL GROSS FL. AREA	4,646.85 sqm.	50,020 sq. ft.	
PARKING	REQUIRED	PROVIDED	
BUILD 'A', 'B', 'C':			
FORMULA 6 @ 100 sqm. GFA	182	182	
BUILD 'D' (ONCANCER)	24	24	
TOTAL PARKING SPACES (2,766.00)	206	209	
INCLUDES 'H/C SPACES (2,964.00)	-	6	
LOADING SPACES			
PARKING SPACES (3,694.00)	REQUIRED	PROVIDED	
	1		
LANDSCAPED AREA	5,213.44 sq. m	56,117.76 sq. ft.	
% OF TOTAL LOT AREA	32.55%		
PAVED AREA	6,508.82 sq. m	70,063.0 sq. ft.	
% OF TOTAL LOT AREA	40.37 %		
ADJACENT PROPERTY			
PROPOSED LOT AREA = 1,502.24 sq. m	18,749.50 sq. ft.		
PROPOSED LOT AREA = 235.71 sq. m	3,181.0 sq. ft.		
PROPOSED SECOND FLOOR = 235.71 sq. m	3,181.0 sq. ft.		
PROPOSED PAVED AREA = 506.10 sq. m	5,397.42 sq. ft.		
PROPOSED PAVED AREA = 506.10 sq. m	5,397.42 sq. ft.		
ADJACENT PROPERTY TO BE INCORPORATED INTO ADJACENT MANAGEMENT CONTROL ONLY			

ONTARIO BUILDING CODE DATA									
ITEM		OBC REFERENCE							
		W/E/W	EX/INT	1	2	3	4	5	6
1	PROJECT DESCRIPTION	W/E/W	EX/INT	1	2	3	4	5	6
2	MAJOR OCCUPANCY GROUP F2 / JUNIOR OCCUPANCY GROUP D	3,2,2,7,0	9,1,0,2	1,1,3,2	1,1,3,2	1,1,3,2	2,1,1,3	2,1,1,3	2,1,1,3
3	BUILDING AREA (m2)	EXISTING 0	NEW 2,627.1	TOTAL 2,627.1	1,1,3,2	1,1,3,2	2,1,1,3	2,1,1,3	2,1,1,3
4	GROSS AREA (m2)	EXISTING 0	NEW 2,691.4	TOTAL 2,691.4	1,1,3,2	1,1,3,2	2,1,1,3	2,1,1,3	2,1,1,3
5	NUMBER OF STORES ABOVE GRADE	1	W/ MEZZ.	BELOW GRADE 0	1,1,3,2	1,1,3,2	2,1,1,3	2,1,1,3	2,1,1,3
6	HIGH OF BUILDING (m)	8.65 m			1,1,3,2	1,1,3,2	2,1,1,3	2,1,1,3	2,1,1,3
7	NUMBER OF STAIRS/ACCESS ROUTES	1			1,1,3,2	1,1,3,2	2,1,1,3	2,1,1,3	2,1,1,3
8	BUILDING CLASSIFICATION	GROUP F2			1,1,3,2	1,1,3,2	2,1,1,3	2,1,1,3	2,1,1,3
9	SPRINKLER SYSTEM PROPOSED	W/INTINE BUILDING			1,1,3,2	1,1,3,2	2,1,1,3	2,1,1,3	2,1,1,3
10	STAIRWELL REQUIRED	W/INTINE BUILDING			1,1,3,2	1,1,3,2	2,1,1,3	2,1,1,3	2,1,1,3
11	FIRE ALARM REQUIRED	W/INTINE BUILDING			1,1,3,2	1,1,3,2	2,1,1,3	2,1,1,3	2,1,1,3
12	WATER SUPPLY/SEWER IS ASSURE	W/INTINE BUILDING			1,1,3,2	1,1,3,2	2,1,1,3	2,1,1,3	2,1,1,3
13	HIGH BUILDING	W/INTINE BUILDING			1,1,3,2	1,1,3,2	2,1,1,3	2,1,1,3	2,1,1,3
14	PERMITTED CONSTRUCTION	DISMANTLEABLE CHRONOCOMMUNICABLE			1,1,3,2	1,1,3,2	2,1,1,3	2,1,1,3	2,1,1,3
15	ACTUAL CONSTRUCTION	DISMANTLEABLE CHRONOCOMMUNICABLE			1,1,3,2	1,1,3,2	2,1,1,3	2,1,1,3	2,1,1,3
16	OCCUPANT LOAD BASED ON W/INTINE BUILDING	313 sq. m.			1,1,3,2	1,1,3,2	2,1,1,3	2,1,1,3	2,1,1,3
17	BARRETT - FREE DESIGN	W/INTINE BUILDING			1,1,3,2	1,1,3,2	2,1,1,3	2,1,1,3	2,1,1,3
18	HAZARDOUS SUBSTANCES	DYES			1,1,3,2	1,1,3,2	2,1,1,3	2,1,1,3	2,1,1,3
19	REQUIRED	HORIZONTAL ASSIGMENTS			1,1,3,2	1,1,3,2	2,1,1,3	2,1,1,3	2,1,1,3
20	RESISTANCE	FLOOR 45 MINUTES			1,1,3,2	1,1,3,2	2,1,1,3	2,1,1,3	2,1,1,3
21	RAILING	ROOF 0 HOURS			1,1,3,2	1,1,3,2	2,1,1,3	2,1,1,3	2,1,1,3
22	RAILING (F90)	RAILING OF SUPPORTING MEMBERS			1,1,3,2	1,1,3,2	2,1,1,3	2,1,1,3	2,1,1,3
23	FLOOR 0	N/A			1,1,3,2	1,1,3,2	2,1,1,3	2,1,1,3	2,1,1,3
24	ROOF 0	ROOF 0 HOURS SPRINKLED			1,1,3,2	1,1,3,2	2,1,1,3	2,1,1,3	2,1,1,3
25	SPATIAL SEPARATION - CONSTRUCTION OF EXTERIOR WALLS SPRINKLED				1,1,3,2	1,1,3,2	2,1,1,3	2,1,1,3	2,1,1,3
26	WALL AREA OF L.D. (m2)	PERMITTED AREA			1,1,3,2	1,1,3,2	2,1,1,3	2,1,1,3	2,1,1,3
27	SOUTH	N/A			1,1,3,2	1,1,3,2	2,1,1,3	2,1,1,3	2,1,1,3
28	NORTH	N/A			1,1,3,2	1,1,3,2	2,1,1,3	2,1,1,3	2,1,1,3
29	WEST	N/A			1,1,3,2	1,1,3,2	2,1,1,3	2,1,1,3	2,1,1,3
30	EAST	N/A			1,1,3,2	1,1,3,2	2,1,1,3	2,1,1,3	2,1,1,3

[illegible]



SCHEDULE B: STAFF & AGENCY COMMENTS				
DEPT/AGENCY	Circulated	Comments Received	Conditions	Nature of Comments
TRCA *Schedule B	X	X		General Comments
Ministry of Transportation (MTO) *Schedule B				
Region of York *Schedule B	X	X		General Comments
Alectra *Schedule B	X	X		General Comments
Bell Canada *Schedule B	X	X		General Comments
YRDSB *Schedule B				
YCDSB *Schedule B				
CN Rail *Schedule B				
CP Rail *Schedule B				
TransCanada Pipeline *Schedule B	X			No Comments Recieved to Date
Metrolinx *Schedule B				
Propane Operator *Schedule B				
Development Planning	X	X		Recommend Approval/no conditions
Building Standards (Zoning)	X	X		General Comments

**To:** Committee of Adjustment

**From:** Punya Marahatta, Building Standards Department

**Date:** June 1, 2022

**Applicant:** ROYBRIDGE HOLDINGS LTD

**Location:** PLAN 65M3391 Block 181  
PLAN 65R22672 Part 2,3  
PLAN 65R22672 Part 4 municipally known as 9591 Weston Road,  
Unit 5

**File No.(s):** A142/22

**Zoning Classification:**

The subject lands are zoned NC – Neighbourhood Commercial Zone and subject to the provisions of Exception 14.690 under Zoning By-law 001-2021, as amended.

#	Zoning By-law 01-2021	Variance requested
1	--	--

The subject lands are zoned C3 – Local Commercial Zone and subject to the provisions of Exception 9(1019) under Zoning By-law 1-88, as amended.

	Zoning By-law 1-88	Variance requested
2	<p>The following additional uses shall be permitted within Building 'C' as identified on Schedule "E-1114E":</p> <ul style="list-style-type: none"> <li>- One Eating Establishment; or</li> <li>- One Eating Establishment, Convenience; or</li> <li>- One Eating Establishment, Take-Out</li> </ul> <p>- Patios shall not be permitted as accessory to any Eating Establishment uses.  [Exception 9 (1019) ki) a. xv]</p>	To permit a third eating establishment within Building C unit#5.

**Staff Comments:**

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

There are no outstanding Orders on file

**Building Permit(s) Issued:**

Building Permit No. 17-000508 for Professional Services Unit - Interior Unit Alteration, Issue Date: Aug 30, 2017  
Building Permit No. 10-002247 for Business and Prof. Office Unit - Alteration, Issue Date: Jun 09, 2010  
Building Permit No. 21-131990 for Eating Establishment - Interior Unit Alteration, Issue Date: (Not Yet Issued)  
Building Permit No. 04-000649 for Retail Store Unit - Alteration, Issue Date: Apr 15, 2004

**Other Comments:**

General Comments	
1	The applicant shall be advised that additional variances may be required upon review of detailed drawing for building permit/site plan approval.
2	A previous minor variance (A150/05) was granted to permit a second eating establishment with accessory take out within Building C, Unit#10.

**Conditions of Approval:**

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

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



**To:** Christine Vigneault, Committee of Adjustment Secretary Treasurer

**From:** Nancy Tuckett, Director of Development Planning

**Date:** June 8, 2022

**Name of Owner:** Roybridge Holdings Limited

**Location:** 9591 Weston Road, Unit 5

**File No.(s):** A142/22

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**Proposed Variance(s) (By-law 1-88):**

1. To permit a third eating establishment within Building C, Unit 5.

**By-Law Requirement(s) (By-law 1-88):**

1. The following additional uses shall be permitted within Building 'C' as identified on Schedule "E-1114E":
  - One Eating Establishment; or
  - One Eating Establishment, Convenience; or
  - One Eating Establishment, Take-Out
  - Patios shall not be permitted as accessory to any Eating Establishment uses.

**Official Plan:**

City of Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Mixed-Use"

**Comments:**

The Owner is requesting to permit an Eating Establishment within Unit 5 of the existing multi-unit retail building with the above noted variance. The building is part of the Shops of Vellore shopping plaza.

The subject lands are designated "Low-Rise Mixed-Use" by the Vaughan Official Plan (VOP) 2010, which permits Eating Establishment uses. The proposed Eating Establishment use also complies with Zoning By-law 001-2021, which was enacted by Vaughan Council on October 20, 2021, but has been appealed to the Ontario Land Tribunal and is not in-effect.

Given that the proposed Eating Establishment use does not cause a deficiency in parking, remains compatible with the existing uses in the neighbourhood and shopping plaza, is permitted by the VOP 2010, and is permitted within By-law 001-2021, which represents Council's intended direction for the area's future use, the Development Planning Department has no objection to the variance.

Accordingly, the Development 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 Planning Department recommends approval of the application.

**Conditions of Approval:**

If the Committee finds merit in the application, the following conditions of approval are recommended:

None

**Comments Prepared by:**

Joshua Cipolletta, Planner I  
David Harding, Senior Planner

**Date:** May 25<sup>th</sup> , 2022

**Attention:** **Christine Vigneault**

**RE:** Request for Comments

**File No.:** **A142-22**

**Related Files:**

**Applicant** Roybridge Holdings Limited

**Location** 9591 Weston Road Unit 5

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](mailto:stephen.cranley@alectrautilities.com)

Mitchell Penner  
Supervisor, Distribution Design-Subdivisions  
**Phone:** 416-302-6215  
  
**Email:** [Mitchell.Penner@alectrautilities.com](mailto:Mitchell.Penner@alectrautilities.com)

**Lenore Providence**

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**Subject:** FW: [External] RE: A142/22 - REQUEST FOR COMMENTS, CITY OF VAUGHAN

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

**Sent:** May-31-22 9:04 AM

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

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

**Subject:** [External] RE: A142/22 - REQUEST FOR COMMENTS, CITY OF VAUGHAN

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

*Gabrielle*

**Gabrielle Hurst MCIP, RPP** | Programs and Process Improvement| Planning and Economic Development | The Regional Municipality of York | 1-877 464 9675 ext 71538 | [gabrielle.hurst@york.ca](mailto:gabrielle.hurst@york.ca) | [www.york.ca](http://www.york.ca)

## Lenore Providence

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**Subject:** FW: [External] RE: A142/22 - REQUEST FOR COMMENTS, CITY OF VAUGHAN

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**From:** Hamedeh Razavi <Hamedeh.Razavi@trca.ca>

**Sent:** May-31-22 11:56 AM

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

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

**Subject:** [External] RE: A142/22 - REQUEST FOR COMMENTS, CITY OF VAUGHAN

Hi Lenore,

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 and TRCA's Planning and Regulatory policy interests are not impacted.

TRCA has no comments and no objection to the application.

Regards,

**Hamedeh Razavi** MURP

Planner I

Development Planning and Permits | Development and Engineering Services

T: [\(416\) 661-6600](tel:(416)661-6600) ext. 5256

E: [Hamedeh.Razavi@trca.ca](mailto:Hamedeh.Razavi@trca.ca)

A: [101 Exchange Avenue, Vaughan, ON, L4K 5R6](https://www.trca.ca/101-Exchange-Avenue-Vaughan-ON-L4K-5R6) | [trca.ca](https://www.trca.ca)



*TRCA's Offices are closed to visitors. The plan input and review function continues during the Coronavirus pandemic. In order to reduce the potential of transmission, TRCA requests that all development planning and permit applications and materials be submitted digitally in PDF format only. Paper submissions are discouraged and may result in extended timeframes for review. All documents should be submitted via an on-line file sharing service (e.g. OneDrive, Dropbox or corporate file sharing services) or via email in PDF format. Documents can be submitted directly to me at [Hamedeh.Razavi@trca.ca](mailto:Hamedeh.Razavi@trca.ca) We thank you for your cooperation as we respond to the current situation.*

**Lenore Providence**

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**Subject:** FW: [External] RE: A142/22 - REQUEST FOR COMMENTS, CITY OF VAUGHAN

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**From:** Gordon, Carrie <carrie.gordon@bell.ca>

**Sent:** May-25-22 8:03 AM

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

**Subject:** [External] RE: A142/22 - REQUEST FOR COMMENTS, CITY OF VAUGHAN

Hello Lenore,

Bell Canada has no comments for this minor variance.

Kind regards,

Carrie Gordon

*Carrie Gordon*

	<div>Associate, External Liaison</div> <div>Right of Way Control Centre</div> <div>140 Bayfield St, Fl 2</div> <div>Barrie ON, L4M 3B1</div> <div>T: 705-722-2244/844-857-7942</div> <div>F :705-726-4600</div>
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SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE

Correspondence Type	Name	Address	Date Received (mm/dd/yyyy)	Summary
None				



SCHEDULE D: PREVIOUS COA DECISIONS ON THE SUBJECT LAND

PREVIOUS COA DECISIONS ON THE SUBJECT LAND		
*Please see <b>Schedule D</b> for a copy of the Decisions listed below		
File Number	Date of Decision MM/DD/YYYY	Decision Outcome
A150/05	06/23/2005	Approved

# NOTICE OF DECISION

FILE NO: A150/05

IN THE MATTER OF Subsection 45 of the Planning Act.

IN THE MATTER OF an application by **ROYBRIDGE HOLDINGS LIMITED**, with respect to Part of Lot 18, Concession 5, (Lot 181, Registered Plan No. 65M-3391, Parts 1, 3, 8 & 18, Plan 65R-26299, municipally known as 9591 Weston Road (**Unit 10, of Building "C"**) Woodbridge).

The subject lands are zoned C3, Local Commercial under By-Law 1-88 as amended and further subject to Exception 9(1019).

The applicant is requesting a variance to permit the continued construction of an eating establishment, take-out (Ice cream parlour) in Unit 10 of Building "C", as follows:

**Proposal:**

A second eating establishment with accessory take-out.

**By-Law Requirements:**

One eating establishment is permitted.

Sketches are attached illustrating the request.

Other Planning Act Applications:

The land which is the subject in this application is/was also the subject of an application under the Planning Act for:

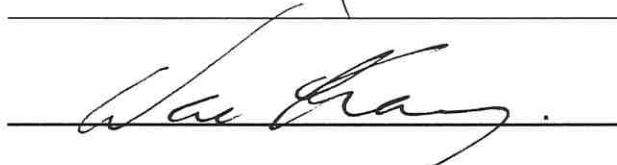
Consent File Nos. B38/03 & B39/03 (9565 Weston Rd) – Approved June 12/03  
– Certificates issued Nov 3/03.

By-law 16-2005 (Enacted)  
By-law 334-2003 (Enacted)  
DA.02.038 (Amendment – Current)

Moved by:



Seconded by:



THAT the Committee is of the opinion that the variance sought can be considered minor and is desirable for the appropriate development and use of the land. The general intent and purpose of the By-law and the Official Plan will be maintained.

AND THAT Application No. A150/05 – ROYBRIDGE HOLDINGS LIMITED, be **APPROVED**, in accordance with the sketches attached.

THIS MINOR VARIANCE DECISION IS NOT A BUILDING PERMIT AUTHORIZING CONSTRUCTION UNDER THE BUILDING CODE ACT, R.S.O. 1990, AS AMENDED. A BUILDING PERMIT MAY BE REQUIRED. PLEASE CONTACT THE BUILDING STANDARDS DEPARTMENT IN THE EVENT THAT YOU REQUIRE FURTHER CLARIFICATION.

CARRIED.

DATE: JUNE 23, 2005

CHAIR: May Mauti

Signed by all members present who concur in this decision:

May Mauti  
M. Mauti,  
Chair,

T. DeCicco  
T. DeCicco  
Vice Chair,

L. Fluxgold  
L. Fluxgold,  
Member,

D. H. Kang  
D. H. Kang,  
Member,

M. S. Papadali  
M. S. Papadali,  
Member,

**ABSENT**

#### CERTIFICATION

I hereby certify this to be a true copy of the decision of the Committee of Adjustment, and this decision was concurred in by a majority of the members who heard this application.

Dianne E. L. Grout  
Dianne E. L. Grout, A.M.C.T.,  
Manager of Development Services and  
Secretary-Treasurer to Committee of  
Adjustment  
City of Vaughan

DATE OF HEARING:

JUNE 23, 2005

LAST DATE OF APPEAL:

JULY 13, 2005

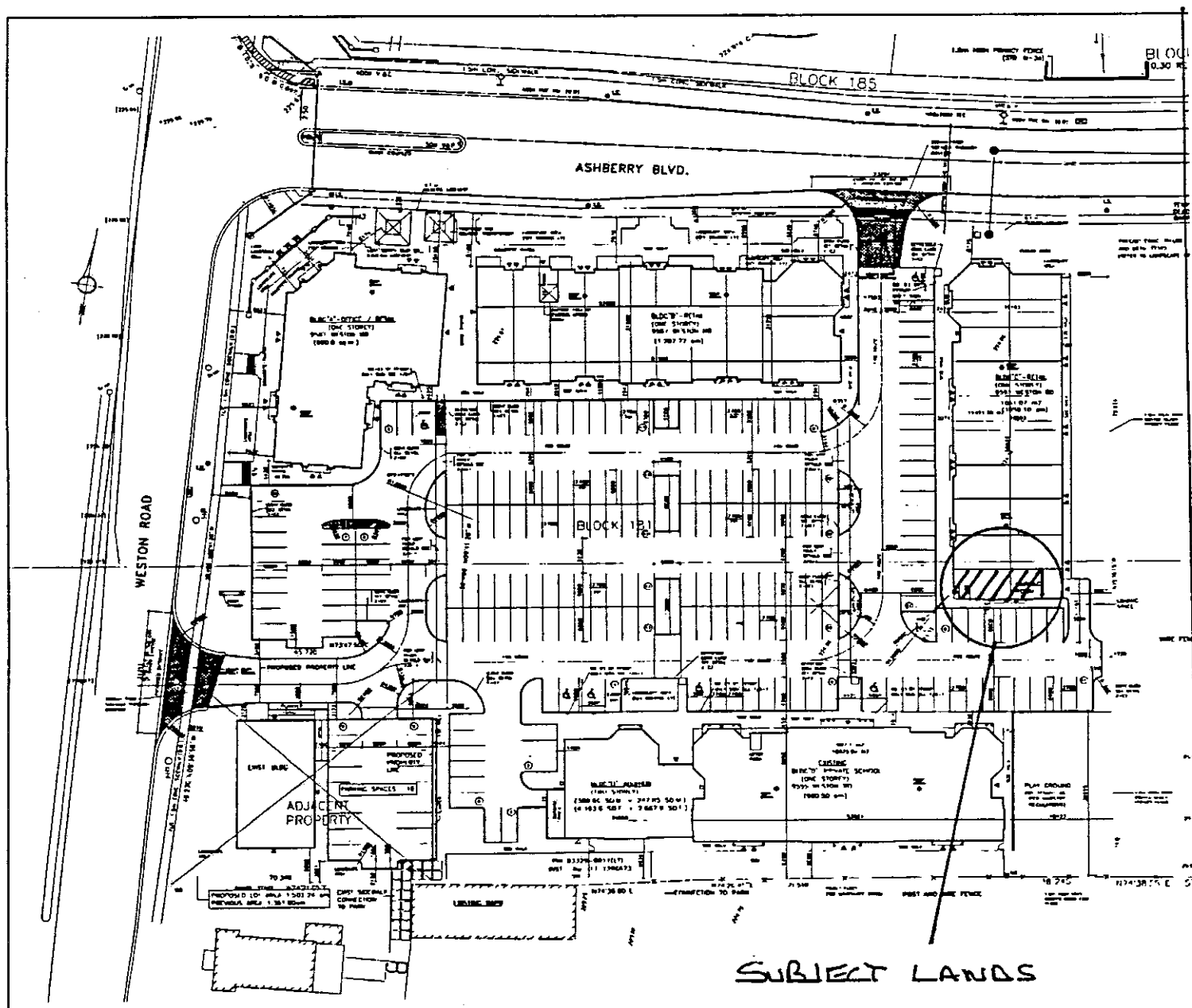
**APPEALS MUST BE RECEIVED BY THIS OFFICE NO LATER THAN 4:30 P.M. ON JULY 13, 2005.**

**NOTE:** The Planning Act provides for appeals to be filed by "persons". As groups or associations, such as residents or ratepayers groups which do not have incorporated status, may not be considered "persons" for the purposes of the Act, groups wishing to appeal this decision should do so in the name of individual group members, and not in the name of the group.

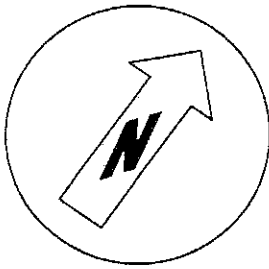
**NOTE: IF ANY CONDITIONS ARE IMPOSED ON THIS APPLICATION,  
THE FINAL DATE FOR FULFILLING THEM IS:**


**\*\*\* JULY 13, 2006 \*\*\***

A150/05



# COMMITTEE OF ADJUSTMENT



File No.:	A150/05
Applicant:	Roybridge Holdings Inc.
	9591 Weston Road, Woodbridge Subject Area

