

<b>ITEM #: 6.12</b>	<b>COMMITTEE OF ADJUSTMENT REPORT MINOR VARIANCE APPLICATION A195/22 21, 25 Doney Cres., 7400 &amp; 7500 Keele St., Concord</b>
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**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	X	Recommend Approval w/Conditions
Development Engineering	X	X		Recommend Approval/No Conditions
Parks, Forestry and Horticulture Operations	X	X		General Comments
By-law & Compliance, Licensing & Permits	X	X		General Comments
Development Finance	X	X		No Comments or Concerns
Real Estate				
Fire Department	X	X		General Comments
AGENCIES	Circulated	Comments Received	Conditions	Nature of Comments
TRCA *Schedule B	X			
Ministry of Transportation (MTO) *Schedule B	X			No Comments Recieved to Date
Region of York *Schedule B	X	X		General Comments
Alectra *Schedule B	X	X		General Comments
Bell Canada *Schedule B	X			
YRDSB *Schedule B				
YCDSB *Schedule B				
CN Rail *Schedule B	X	X		General Comments
CP Rail *Schedule B				
TransCanada Pipeline *Schedule B	X			
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
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  
A195/22  
21, 25 Doney Cres., 7400 & 7500 Keele St.,  
Concord**

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

<b>ITEM NUMBER:</b>	<b>CITY WARD #: 4</b>
<b>APPLICANT:</b>	UPPER KEELE INC
<b>AGENT:</b>	Franco Bellini
<b>PROPERTY:</b>	21, 25 Doney Crescent, 7400 and 7500 Keele Street, Concord
<b>ZONING DESIGNATION:</b>	See Below
<b>VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:</b>	Vaughan Official Plan 2010 ('VOP 2010'): "Prestige Employment"
<b>RELATED DEVELOPMENT APPLICATIONS:</b>	None.
<b>PURPOSE OF APPLICATION:</b>	Relief from the Zoning By-law is being requested to permit a proposed addition to the existing manufacturing facility.

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

**The subject lands are zoned EM1, PRESTIGE EMPLOYMENT ZONE and subject to the provisions of Exception 14.186 under Zoning By-law 001-2021.**

#	Zoning By-law 001-2021	Variance requested
1	The banquet hall shall be constructed in the area labelled as "Banquet Hall" on Figure E-35. [ <b>Exception 14.186</b> ]	To permit a banquet hall outside of the area labelled as "Banquet Hall" on Figure E-351.
2	The banquet hall shall have a maximum gross floor area of 557.0 m2. [ <b>Exception 14.186</b> ]	To permit a banquet hall with a maximum gross floor area of 1082.56 m2.
3	A minimum of 234 parking spaces are required on the subject lands.	To permit a minimum of 215 parking spaces on the subject lands.
4	One Type B loading space is required for the proposed addition. [Tables 6-16 and 6-18]	To permit zero (0) Type B loading spaces for the proposed addition.
5	A landscape strip width of 3 m is required abutting a street line. [Table 11-3]	To permit a minimum landscape strip width of 0.14 m in width abutting a street line. (abutting Keele Street).

**The subject lands are zoned EM1, PRESTIGE EMPLOYMENT AREA and subject to the provisions of Exception 9(339) under Zoning By-law 1-88, as amended.**

	Zoning By-law 1-88	Variance requested
6	One banquet hall, not exceeding five hundred & fifty-seven (557) square metres in Gross Floor Area may be established and maintained on that portion of the lands shown as "Banquet Hall" on Schedule E-351. [Exception 9(336)].	To permit a banquet hall with a maximum gross floor area of 1082.56 m2.
7	A minimum of 306 parking spaces are required on the subject lands.	To permit a minimum of 215 parking spaces on the subject lands.
8	A strip of land not less than 9.0 metres in width along a lot line abutting a provincial highway or arterial road, and shall be used for no other purpose than landscaping (abutting Keele Street). [6.1.6 b]	To permit a minimum landscape strip width of 0.14 m in width along a lot line abutting a provincial highway or arterial road, to be used for no other purpose than landscaping (abutting Keele Street).

HEARING INFORMATION	
<b>DATE OF MEETING:</b> Thursday, August 18, 2022 <b>TIME:</b> 6:00 p.m. <b>MEETING LOCATION:</b> Vaughan City Hall, Council Chamber, 2141 Major Mackenzie Drive, Vaughan <b>LIVE STREAM LINK:</b> <a href="https://vaughan.ca/LiveCouncil">Vaughan.ca/LiveCouncil</a>	
PUBLIC PARTICIPATION	
<p>If you would like to speak to the Committee of Adjustment at the meeting, either remotely or in person, please complete the <a href="#">Request to Speak Form</a> and submit to <a href="mailto:cofa@vaughan.ca">cofa@vaughan.ca</a></p> <p>If you would like to submit written comments, please quote file number above and submit by mail or email to:</p> <p><b>Email:</b> <a href="mailto:cofa@vaughan.ca">cofa@vaughan.ca</a></p> <p><b>Mail:</b> City of Vaughan, Office of the City Clerk, Committee of Adjustment, 2141 Major Mackenzie Drive, Vaughan, ON, L6A 1T1</p>	
<p><b>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.</b></p>	

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:	August 3, 2022	
Date Applicant Confirmed Posting of Sign:	August 4, 2022	
Applicant Justification for Variances: *As provided by Applicant in Application Form	Existing use and parking conditions as well as existing reduced landscape buffer next to expropriated highway 407 on ramp.	
Adjournment Requests (from staff): *Adjournment requests provided to applicant prior to issuance of public notice	No	
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:	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:	<p>If the Committee finds merit in the application, the following conditions of approval are recommended:</p> <p>1. That all comments on Site Development Application DA.16.031 be addressed to the satisfaction of the Development Planning Department.</p>

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>	
<p>Transportation Department has no comments, please note a parking study in support of proposed parking ratio was already approved from this section under file # DA.16.031.</p> <p>The Development Engineering (DE) Department does not object to variance application A195/22.</p>	
Development Engineering Recommended Conditions of Approval:	None

PARKS, FORESTRY & HORTICULTURE (PFH) COMMENTS	
<p>Parks:</p> <p>Forestry: Forestry provided clearance to the applicant through Development planning.</p> <p>Horticulture:</p>	
PFH Recommended Conditions of Approval:	None

DEVELOPMENT FINANCE COMMENTS	
<p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p>	
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 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	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:

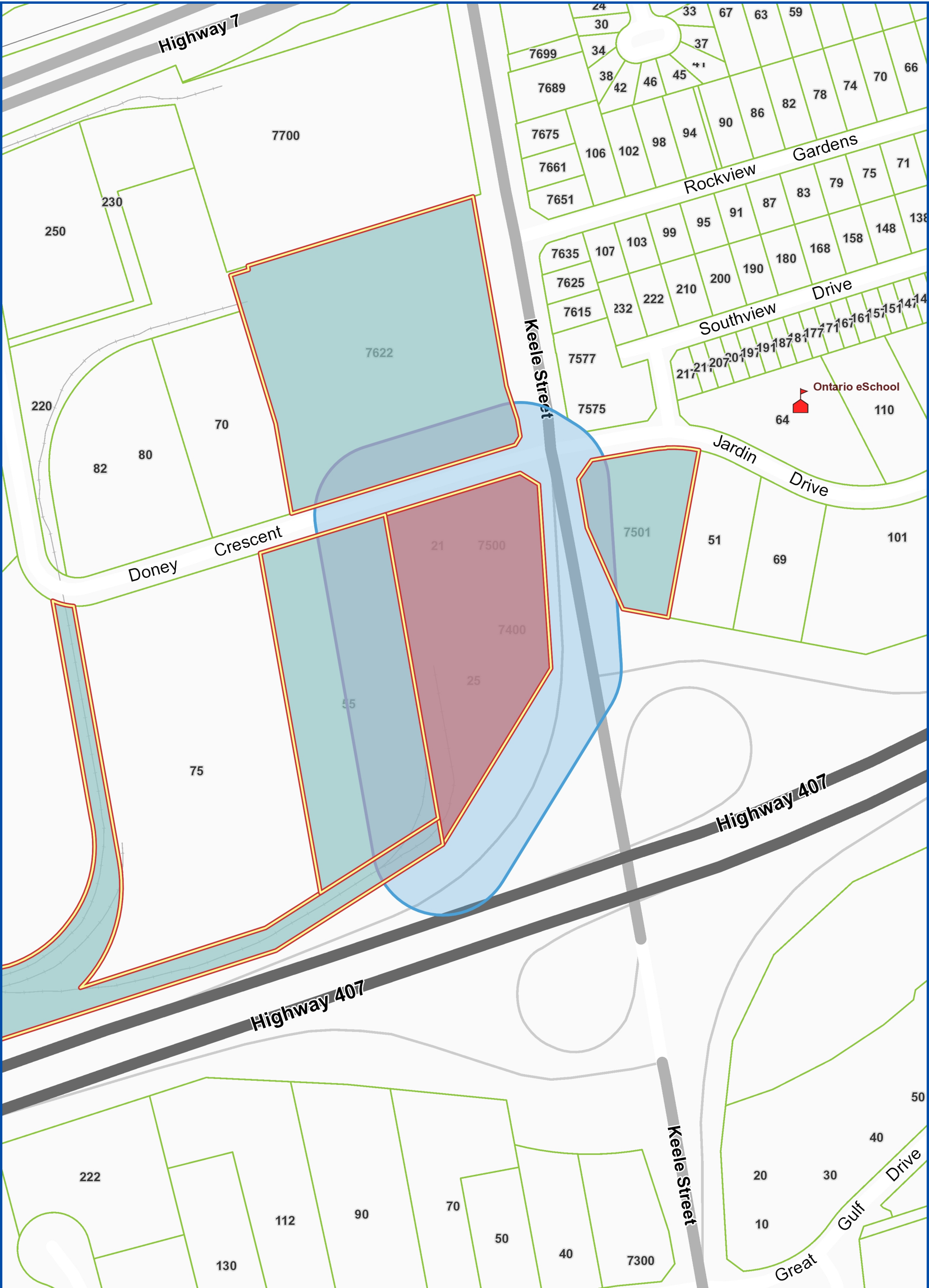
SUMMARY OF RECOMMENDED CONDITIONS OF APPROVAL		
All conditions of approval, unless otherwise stated, are considered to be incorporated into the approval “if required”. If a condition is no longer required after an approval is final and binding, the condition may be waived by the respective department or agency requesting conditional approval. A condition cannot be waived without written consent from the respective department or agency.		
#	DEPARTMENT / AGENCY	CONDITION(S) DESCRIPTION
1	Development Planning <a href="mailto:michelle.perrone@vaughan.ca">michelle.perrone@vaughan.ca</a>	That all comments on Site Development Application DA.16.031 be addressed to the satisfaction of the Development Planning Department.

IMPORTANT INFORMATION – PLEASE READ
<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.
<b>APPROVALS:</b> 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.
<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.
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.

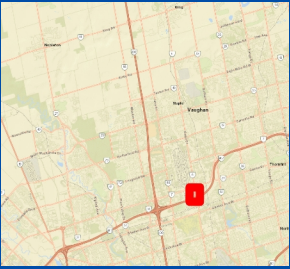
IMPORTANT INFORMATION – PLEASE READ
That the payment of the Education Development Charge if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the Boards of Education By-laws in effect at the time of payment
That the payment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

**SCHEDULE A: DRAWINGS & PLANS**





Map Information:



Title:

# NOTIFICATION MAP - A195/22

25 DONEY CRESCENT, 7400 & 7500 KEELE STREET, CONCORD

Disclaimer:

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



Scale: 1:4,514

0 0.07 km

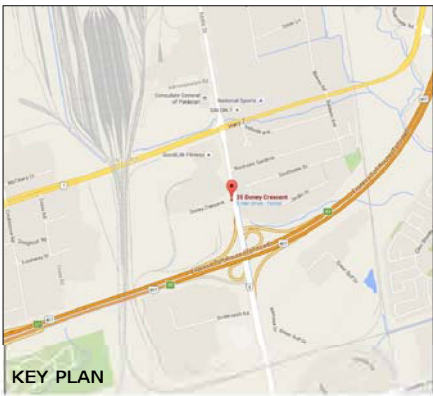
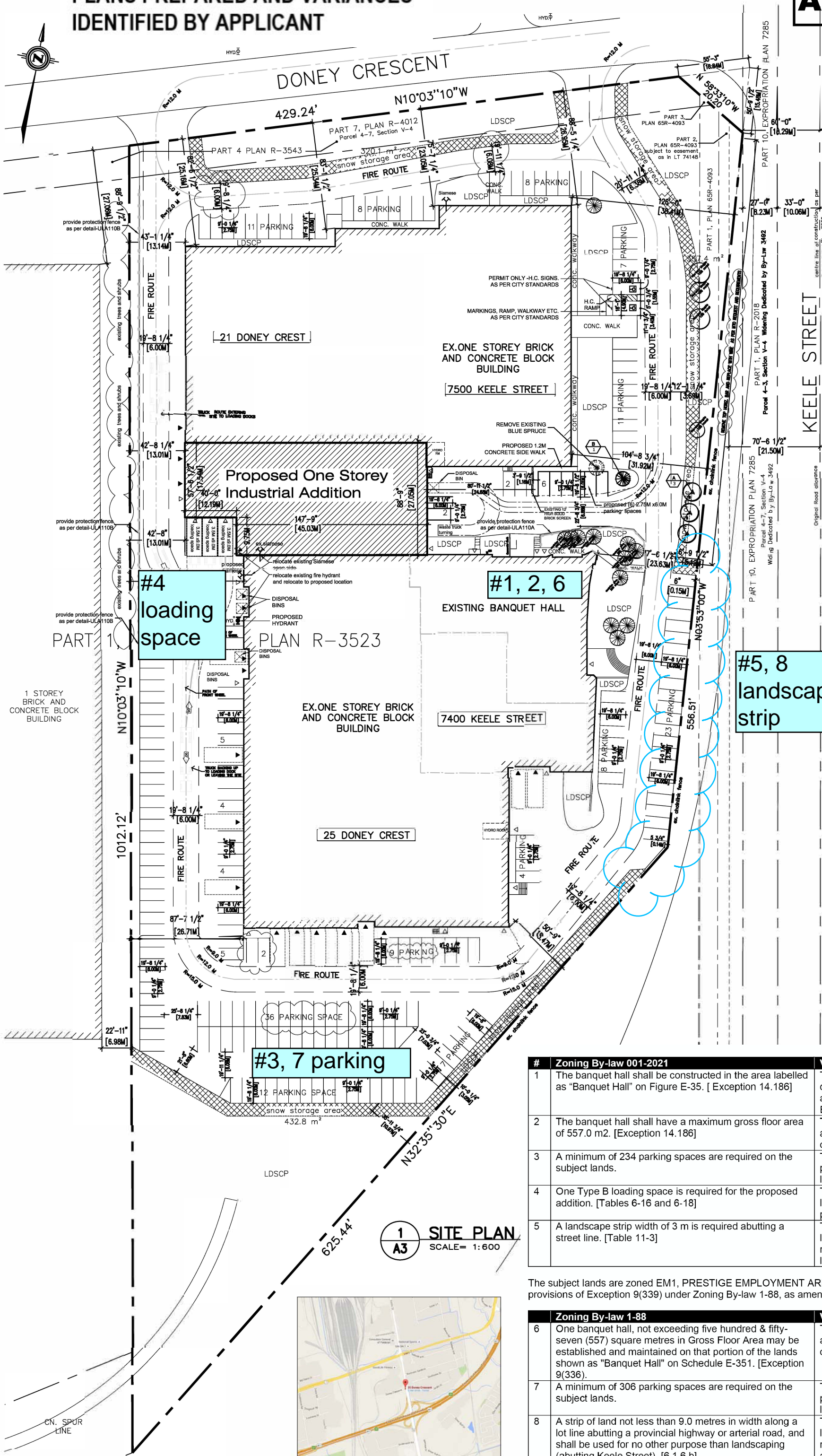


Created By:  
Infrastructure Delivery  
Department  
August 3, 2022 10:02 AM

Projection:  
NAD 83  
UTM Zone  
17N



PLANS PREPARED AND VARIANCES IDENTIFIED BY APPLICANT



#	Zoning By-law 001-2021	Variance requested
1	The banquet hall shall be constructed in the area labelled as "Banquet Hall" on Figure E-35. [Exception 14.186]	To permit a banquet hall outside of the area labelled as "Banquet Hall" on Figure E-351.
2	The banquet hall shall have a maximum gross floor area of 557.0 m2. [Exception 14.186]	To permit a banquet hall with a maximum gross floor area of 1082.56 m2.
3	A minimum of 234 parking spaces are required on the subject lands.	To permit a minimum of 215 parking spaces on the subject lands.
4	One Type B loading space is required for the proposed addition. [Tables 6-16 and 6-18]	To permit zero (0) Type B loading spaces for the proposed addition.
5	A landscape strip width of 3 m is required abutting a street line. [Table 11-3]	To permit a minimum landscape strip width of 0.14 m in width abutting a street line. (abutting Keele Street).

The subject lands are zoned EM1, PRESTIGE EMPLOYMENT AREA and subject to the provisions of Exception 9(339) under Zoning By-law 1-88, as amended.

#	Zoning By-law 1-88	Variance requested
6	One banquet hall, not exceeding five hundred & fifty-seven (557) square metres in Gross Floor Area may be established and maintained on that portion of the lands shown as "Banquet Hall" on Schedule E-351. [Exception 9(336).	To permit a banquet hall with a maximum gross floor area of 1082.56 m2.
7	A minimum of 306 parking spaces are required on the subject lands.	To permit a minimum of 215 parking spaces on the subject lands.
8	A strip of land not less than 9.0 metres in width along a lot line abutting a provincial highway or arterial road, and shall be used for no other purpose than landscaping (abutting Keele Street). [6.1.6 b]	To permit a minimum landscape strip width of 0.14 m in width along a lot line abutting a provincial highway or arterial road, to be used for no other purpose than landscaping (abutting Keele Street).

SCHEDULE B: STAFF & AGENCY COMMENTS				
DEPT/AGENCY	Circulated	Comments Received	Conditions	Nature of Comments
TRCA *Schedule B	X			No Comments Recieved to Date
Ministry of Transportation (MTO) *Schedule B	X			No Comments Recieved to Date
Region of York *Schedule B	X	X		General Comments
Alectra *Schedule B	X	X		General Comments
Bell Canada *Schedule B	X			No Comments Recieved to Date
YRDSB *Schedule B				
YCDSB *Schedule B				
CN Rail *Schedule B	X	X		General Comments
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	X	Recommend Approval w/Conditions
Building Standards (Zoning)	X	X		General Comments

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

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

**Date:** August 4, 2022

**Name of Owner:** Itay Bailty - Upper Keele Inc.

**Location:** 7400 Keele Street and 7500 Keele Street

**File No.(s):** A195/21

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**Proposed Variance(s) (By-law 001-2021):**

1. To permit an existing banquet hall not to be constructed in the area labelled "Banquet Hall" on Figure E-351.
2. To permit one existing banquet hall with a maximum gross floor area of 1082.56 m<sup>2</sup>.
3. To permit a total of 215 parking spaces on the subject lands.
4. To permit that zero (0) Type B loading spaces be required for the proposed 1433.02 m<sup>2</sup> addition.
5. To permit a minimum landscape strip width of 0.14 m in width along a lot line abutting a provincial highway or arterial road, to be used for no other purpose than landscaping (abutting Keele Street).

**By-Law Requirement(s) (By-law 001-2021):**

1. The banquet hall shall be constructed in the area labelled "Banquet Hall" on Figure E-35.
2. The banquet hall shall have a maximum gross floor area of 557.0 m<sup>2</sup>.
3. A minimum of 234 parking spaces are required on the subject lands.
4. One Type B loading space, measuring a minimum 3.5 m width x 11 metres length with a vertical clearance of 4 metres is required for the proposed 1433.02 m<sup>2</sup> addition.
5. A landscape strip width of 3 m is required abutting a street line.

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

6. To permit one existing banquet hall with a maximum gross floor area of 1082.56 m<sup>2</sup> not to be established and maintained on that portion of the lands shown as "Banquet Hall" on Schedule E-351.
7. To permit a total of 215 parking spaces on the subject lands.
8. To permit a minimum landscape strip width of 0.14 m in width along a lot line abutting a provincial highway or arterial road, to be used for no other purpose than landscaping (abutting Keele Street).

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

6. One banquet hall, not exceeding five hundred & fifty-seven (557) square metres in Gross Floor Area may be established and maintained on that portion of the lands shown as "Banquet Hall" on Schedule E-351.
7. A minimum of 306 parking spaces are required on the subject lands.
8. A strip of land not less than 9.0 metres in width along a lot line abutting a provincial highway or arterial road, and shall be used for no other purpose than landscaping (abutting Keele Street).

**Official Plan:**

City of Vaughan Official Plan 2010 ('VOP 2010'): "Prestige Employment".

**Comments:**

The Owner is requesting the above noted variances to facilitate the development of a one-storey industrial addition with the above noted variances and permit the expansion of the banquet hall use, known as Fontana Gardens Banquet Halls. All existing and proposed built form is a single storey. The banquet hall use is confined to the northeast of the building addressed as 25 Doney Crescent and 7400 Keele Street. The addition will link the building addressed as 25 Doney Crescent and 7400 Keele Street with the building addressed as 21 Doney Crescent and 7500 Keele Street.



Related Site Development Application DA.16.031 was submitted to facilitate the proposed development. In order to bring the existing and proposed site features of the Site Development Application into compliance with both By-laws, relief is required.

The Development Planning Department has no objection to Variance 1 as all setbacks and height requirements are maintained, the use is expanding upon the previously authorized footprint, and banquet hall uses are permitted within the “Prestige Employment” designation.

The Development Planning Department has no objection to Variances 2 and 6. The intent of the site-specific exception is to ensure the banquet hall use is a secondary use on the property by permitting only one banquet hall use and limiting its GFA. The subject property proposes a lot coverage of 39.32%. The enlarged banquet hall use would have a lot coverage of 3.3%, ensuring it continues to remain secondary to the other employment uses on site. As the existing banquet hall is not the primary use on the site, the intent of the by-law is maintained.

The Development Planning Department has no objection to Variances 5 and 8 for the 0.14 m landscape strip width. The landscape strip reduction applies to a portion of the parking lot abutting the on-ramp to Highway 407. The on-ramp is bordered by guardrail and concrete barriers. A pedestrian pathway is present for a small portion where the reduction is proposed. The on-ramp function and barrier the road safety infrastructure forms between the road and subject property does not make it a desirable area to develop streetscape enhancements nor provide for utilitarian functions such as road snow storage.

The Development Planning Department has no objection to Variances 3, 4 and 7, for the proposed parking and loading reductions. The Owners submitted a Parking Study prepared by LEA Consulting Ltd., last updated December 22, 2021 in support of the application. The Development Engineering Department advises that the site contains uses such as a banquet hall, office, and warehouse. The Parking Study concludes that the proposed parking supply of 215 parking spaces (207 existing + 8 new spaces) would be sufficient for the proposed one-storey industrial addition. The Development Engineering Department has advised that the Parking Study’s proposed parking is consistent with the parking requirements identified in the IBI Study prepared for the City of Vaughan. The Development Engineering Department has no objection to the requested variances.

Accordingly, the Development Planning Department can support the requested variances 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-laws, and is desirable for the appropriate development of the land.

**Recommendation:**

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

**Conditions of Approval:**

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

1. That all comments on Site Development Application DA.16.031 be addressed to the satisfaction of the Development Planning Department.

**Comments Prepared by:**

Michelle Perrone, Planner 1  
David Harding, Senior Planner

**To:** Committee of Adjustment

**From:** Catherine Saluri, Building Standards Department

**Date:** July 27, 2022

**Applicant:** Itay Bailty, Upper Keele Inc.

**Location:** 25 Doney Crescent, 7400 Keele Street and 7500 Keele Street  
Conc 4 Part of Lot 4

**File No.(s):** A195/22

**Zoning Classification:**

The subject lands are zoned EM1, PRESTIGE EMPLOYMENT ZONE and subject to the provisions of Exception 14.186 under Zoning By-law 001-2021.

#	Zoning By-law 001-2021	Variance requested
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**Staff Comments:****Stop Work Order(s) and Order(s) to Comply:**

There are no outstanding Orders on file.

**Building Permit(s) Issued:**

A building permit is required for the proposed addition. Please consult with the Building Standards Department for building permit requirements.

**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	The subject lands are currently under review of Development Application No. DA.16.031.

**Conditions of Approval:**

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

None

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



## NON-RESIDENTIAL DEVELOPMENT ADJACENT TO THE RAILWAY RIGHT-OF-WAY (Main Lines)

CN recommends the following protective measures for non-residential uses adjacent Main Lines (note some are requirements):

- A minimum 30 metre building setback, from the railway right-of-way, in conjunction with a 2.5 metre high earthen berm or 2.0 metres for a secondary main line, is recommended for institutional, commercial (ie. office, retail, hotel, restaurants, shopping centres, warehouse retail outlets, and other places of public assembly) and recreational facilities (i.e. parks, outdoor assembly, sports area).
- A minimum 15 metre building setback, from the railway right-of-way, is recommended for heavy industrial, warehouse, manufacturing and repair use (i.e. factories, workshops, automobile repair and service shops).
- A minimum 30 metre setback is **required** for vehicular property access points from at-grade railway crossings. If not feasible, restricted directional access designed to prevent traffic congestion from fouling the crossing may be a suitable alternative.
- A chain link fence of minimum 1.83 metre height is **required** to be installed and maintained along the mutual property line. With respect to schools and other community facilities, parks and trails, CN has experienced trespass problems with these uses located adjacent to the railway right-of-way and therefore increased safety/security measures must be considered along the mutual property line, beyond the minimum 1.83 m high chain link fence.
- Any proposed alterations to the existing drainage pattern affecting Railway property **require** prior concurrence from the Railway and be substantiated by a drainage report to the satisfaction of the Railway.
- While CN has no noise and vibration guidelines that are applicable to non-residential uses, it is recommended the proponent assess whether railway noise and vibration could adversely impact the future use being contemplated (hotel, laboratory, precision manufacturing). It may be desirable to retain a qualified acoustic consultant to undertake an analysis of noise and vibration, and make recommendations for mitigation to reduce the potential for any adverse impact on future use of the property.
- For sensitive land uses such as schools, daycares, hotels etc, the application of CN's residential development criteria is **required**.
- There are no applicable noise, vibration and safety measures for unoccupied buildings, but chain link fencing, access and drainage requirements would still apply.



**Date:** July 28<sup>th</sup> , 2022

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

**RE:** Request for Comments

**File No.:** **A195-22**

**Related Files:**

**Applicant** Itay Bailty, Upper Keele Inc.

**Location** 25 Doney Crescent, 7400 Keele Street and 7500 Keele Street  
Conc 4 Part of Lot 4

**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] FW: A195/22 - REQUEST FOR COMMENTS, CITY OF VAUGHAN (25 Doney Crescent, Concord)  
**Attachments:** APPCIRC\_A195\_22.pdf

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**From:** Development Services <developmentservices@york.ca>  
**Sent:** August-02-22 10:47 AM  
**To:** Committee of Adjustment <CofA@vaughan.ca>  
**Subject:** [External] FW: A195/22 - REQUEST FOR COMMENTS, CITY OF VAUGHAN (25 Doney Crescent, Concord)

Hello,

The Regional Municipality of York has completed its review of the minor variance application – 195/22 and has no comment.

Thank you,

**Maryam Ahmed, B.U.R.PL.** | Associate Planner, Programs and Process Improvement, Planning and Economic Development, Corporate Services

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The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1  
1-877-464-9675 x74528 | [maryam.ahmed@york.ca](mailto:maryam.ahmed@york.ca) | [www.york.ca](http://www.york.ca)

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SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE

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None.				