



File: A012/20

Applicant: Market Lane Holdings Inc.

Address: 166 Woodbridge Ave, Unit A,
Woodbridge

Agent: Leonidas Woodbridge Inc

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

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

Adjournment History: None

Background History: None

Staff Report Prepared By: Adriana MacPherson
Hearing Date: Thursday, May 28, 2020



**Minor Variance
Application**

Agenda Item: 15

A012/20

Ward: 2

Staff Report Prepared By: Adriana MacPherson, Assistant Secretary Treasurer

Date & Time of Live Stream Hearing: Thursday, May 28, 2020 at 6:00 p.m.

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

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

Please submit written comments by mail or email to:

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

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

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

- Agent:** Leonidas Woodbridge Inc
- Property:** **166 Woodbridge Ave, Unit A, Woodbridge**
- Zoning:** The subject lands are zoned RA2 9(1201) and subject to the provisions of Exception under By-law 1-88 as amended.
- OP Designation:** Vaughan Official Plan 2010 ('VOP 2010'): "Low Rise Mixed-Use", Volume 2, Section 11.11 Woodbridge Centre Secondary Plan
- Related Files:** None
- Purpose:** Relief from the By-law is being requested to permit an eating establishment within Unit A.

The following variances are being requested from By-Law 1-88, as amended, to accommodate the above proposal:

By-law Requirement	Proposal
In an RA2 Zone, an Eating Establishment is not a permitted use.	To permit the use of an Eating Establishment in Unit A.

Background (previous applications approved by the Committee on the subject land): None

For information on the previous approvals listed above please visit www.vaughan.ca. To search for a file number, enter it using quotes around it. For example, "A001/17".

To search property address, enter street number and street name using quotes. For example, "2141 Major Mackenzie". Do not include street type (i.e. drive).

Adjournment History: None

Staff & Agency Comments

Please note that staff/agency comments received after the preparation of this Report will be provided as an addendum item to the Committee. Addendum items will shall only be received by the Secretary Treasurer until **noon** on the last business day **prior** to the day of the scheduled Meeting.

Committee of Adjustment:
Public notice was mailed on May 13, 2020

Applicant confirmed posting of signage on May 7, 2020.

Property Information	
Existing Structures	Year Constructed
Building	2006

Applicant has advised that they cannot comply with By-law for the following reason(s): Eating establishment use currently not permitted zoning by-law 1-88

Adjournment Request: None

Building Standards (Zoning Review):

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

Building Permit No. 93-000567 for Retail Store Unit - ALTERATION (Wang), Issue Date: (Not Yet Issued)

The applicant shall be advised that additional variances may be required upon review of detailed drawing for building permit. The subject lands may be subject to Ontario Regulation 166/06 (TRCA - Toronto and Region Conservation Authority).

Building Inspections (Septic):

No comments or concerns

Development Planning:

Vaughan Official Plan 2010 ('VOP 2010'): "Low Rise Mixed-Use", Volume 2, Section 11.11 Woodbridge Centre Secondary Plan

The Owner is requesting permission to operate an eating establishment (café) within Unit A with the above-noted variance. The application would permit an eating establishment with a maximum gross floor area ('GFA') of 55.74m², whereas an eating establishment is currently not permitted under the site-specific zoning by-law.

The property is zoned "RA2 Apartment Residential Zone" by Zoning By-law 1-88, subject to site specific exception 9(1201) which permits a maximum GFA of 578m² of ground floor commercial space to be used for business and professional offices, a bank and/or financial institution, personal service shops and retail stores. Previously, Unit A was occupied by a retail store. Minor Variance File A082/08 was previously approved by the Committee of Adjustment, increasing the maximum GFA of ground floor commercial space to 700m² through a conversion of two residential units.

The property is designated "Low-Rise Mixed-Use" within the Woodbridge Centre Secondary Plan of Vaughan Official Plan 2010 (VOP 2010, Section 11.11, Volume 2), which permits restaurants provided that they are located at grade level. The proposed eating establishment is located on the ground floor of the existing building. The proposed eating establishment use conforms to VOP 2010 and the City's draft comprehensive zoning by-law, which is intended to implement the policies of VOP 2010.

Accordingly, the Development Planning Department has no objection to permitting an eating establishment within Unit A as the proposed GFA is within the permitted maximum GFA of 700 m², no additional parking is required, and the existing zoning permits a variety of other commercial uses on the ground floor. An eating establishment at grade level will activate the street and would be compatible with the broad range and mix of commercial uses currently existing along Woodbridge Avenue.

The Development Planning Department is of the opinion that the proposal is minor in nature, maintains the general intent and purpose of the Official Plan and Zoning By-law, and is desirable for the appropriate development of the land.

The Development Planning Department recommends approval of the application, subject to a maximum GFA of 55.74 m² as shown on the sketch provided.

Cultural Heritage (Urban Design):

No Response.

Development Engineering:

The Development Engineering (DE) Department does not object to variance application A012/20.

Parks, Forestry and Horticulture Operations: Prepared by: Patrick Courchesne

Forestry has no comments at this time, there is no significant vegetation within subject property.

By-Law and Compliance, Licensing and Permit Services:

No Response.

Financial Planning and Development Finance:

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 Special Area Development Charges are payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and Special Area Development Charge By-laws in effect at time of payment.

Fire Department:

No Response.

Schedule A – Plans & Sketches

Schedule B – Public Correspondence

Application Cover Letter

Public Correspondence (Letter of Opposition) – 160 Woodbridge Avenue, Unit 510

Public Correspondence (Letter of Opposition) – Addie Mattiace (Inkerman House)

Public Correspondence (Letter of Opposition) - 160 Woodbridge Avenue

Schedule C - Agency Comments

Alectra (Formerly PowerStream) – No concerns or objections

Region of York – No concerns or objections

MTO – Located outside of MTO permit control area

TRCA – comments with conditions

Staff Recommendations:

Staff and outside agencies (i.e. TRCA) act as advisory bodies to the Committee of Adjustment. Comments received are provided in the form of recommendations to assist the Committee.

The Planning Act sets the criteria for authorizing minor variances to the City of Vaughan’s Zoning By-law. Accordingly, review of the application considers the following:

- ✓ That the general intent and purpose of the by-law will be maintained.
- ✓ That the general intent and purpose of the official plan will be maintained.
- ✓ That the requested variance(s) is/are acceptable for the appropriate development of the subject lands.
- ✓ That the requested variance(s) is/are minor in nature.

Should the Committee find it appropriate to approve this application in accordance with request and the sketch submitted with the application as required by Ontario Regulation 200/96, the following conditions have been recommended:

	Department/Agency	Condition
1	TRCA Hamedeh Razavi 416-661-6600 x 5256 hamedeh.razavi@trca.ca	That the applicant provides the required fee amount of \$1,100.00 payable to the Toronto and Region Conservation Authority.

Conditions

It is the responsibility of the owner/applicant and/or authorized agent to obtain and provide a clearance letter from respective department and/or agency. This letter must be provided to the Secretary-Treasurer to be finalized. All conditions must be cleared prior to the issuance of a Building Permit.

Please Note:

Relief granted from the City's Zoning By-law is determined to be the building envelope considered and approved by the Committee of Adjustment.

Development outside of the approved building envelope (subject to this application) must comply with the provisions of the City's Zoning By-law or additional variances may be required.

Elevation drawings are provided to reflect the style of roof to which building height has been applied (i.e. flat, mansard, gable etc.) as per By-law 1-88 and the Committee of Adjustment approval. Please note, that architectural design features (i.e. window placement), that do not impact the style of roof approved by the Committee, are not regulated by this decision.

Notice to the Applicant – Development Charges

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

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

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

That the payment of Special Area Development charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and The City's Development Charge By-law in effect at the time of Building permit issuance to the satisfaction of the Reserves/Capital Department;

Notice to Public

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

PUBLIC CONSULTATION DURING OFFICE CLOSURE: Any person who supports or opposes this application, but is unable to attend the hearing, may make a written submission, together with reasons for support or opposition. Written submissions on an Application shall only be received until **noon** on the last business day **prior** to the day of the scheduled hearing. Written submissions can be mailed and/or emailed to:

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

ELECTRONIC PARTICIPATION: During the COVID-19 emergency, residents can view a live stream of the meeting at vaughan.ca/LiveCouncil To make an electronic deputation, residents must contact the Committee of Adjustment no later than **noon** on the last business prior to the day of the scheduled hearing (see above for contact details).

Presentations to the Committee are generally limited to 5 minutes in length. Please note that Committee of Adjustment meetings may be audio/video recorded. Your name, address comments and any other personal information will form part of the public record pertaining to this application.

PUBLIC RECORD: Personal information is collected under the authority of the Municipal Act, the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), the Planning Act and all other relevant legislation, and will be used to assist in deciding on this matter. All personal information (as defined by MFIPPA), including (but not limited to) names, addresses, opinions and comments collected will become property of the City of Vaughan, will be made available for public disclosure (including being posted on the internet) and will be used to assist the Committee of Adjustment and staff to process this application.

NOTICE OF DECISION: If you wish to be notified of the decision in respect to this application or a related Local Planning Appeal Tribunal (LPAT) hearing you must complete a Request for Decision form and submit to the Secretary Treasurer (ask staff for details). In the absence of a written request to be notified of the Committee's decision you will **not** receive notice.

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

Adriana MacPherson

T 905 832 8585 Extension 8360

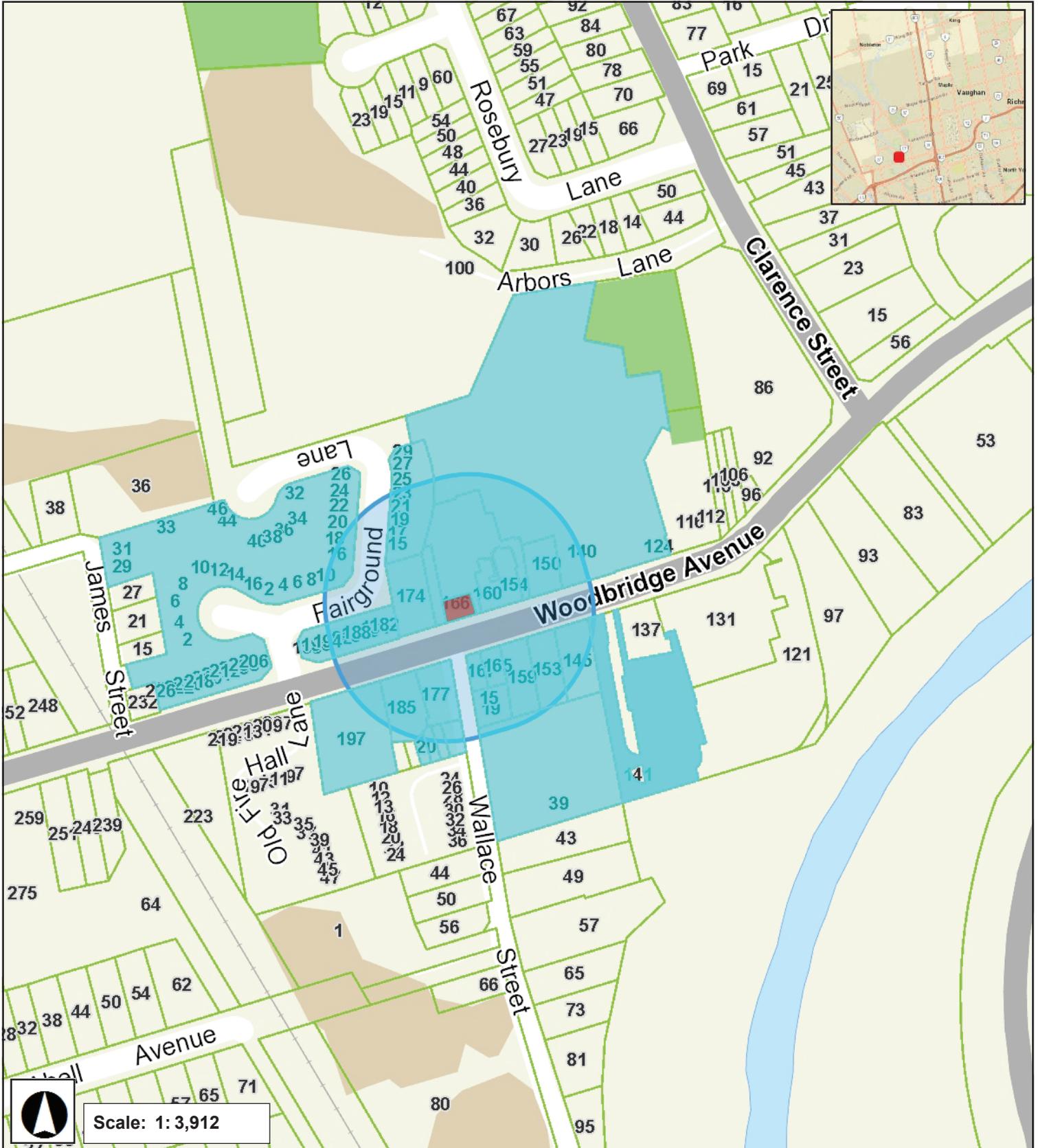
E CofA@vaughan.ca

Schedule A: Plans & Sketches

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

Location Map
Plans & Sketches

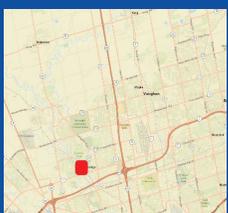
166 Woodbridge Avenue, Unit A, Woodbridge



March 3, 2020 11:00 AM



Map Information:



Title:

166 WOODBRIDGE AVENUE, WOODBRIDGE

LOCATION MAP - A012/20

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: 1:3,386

0 0.05 km



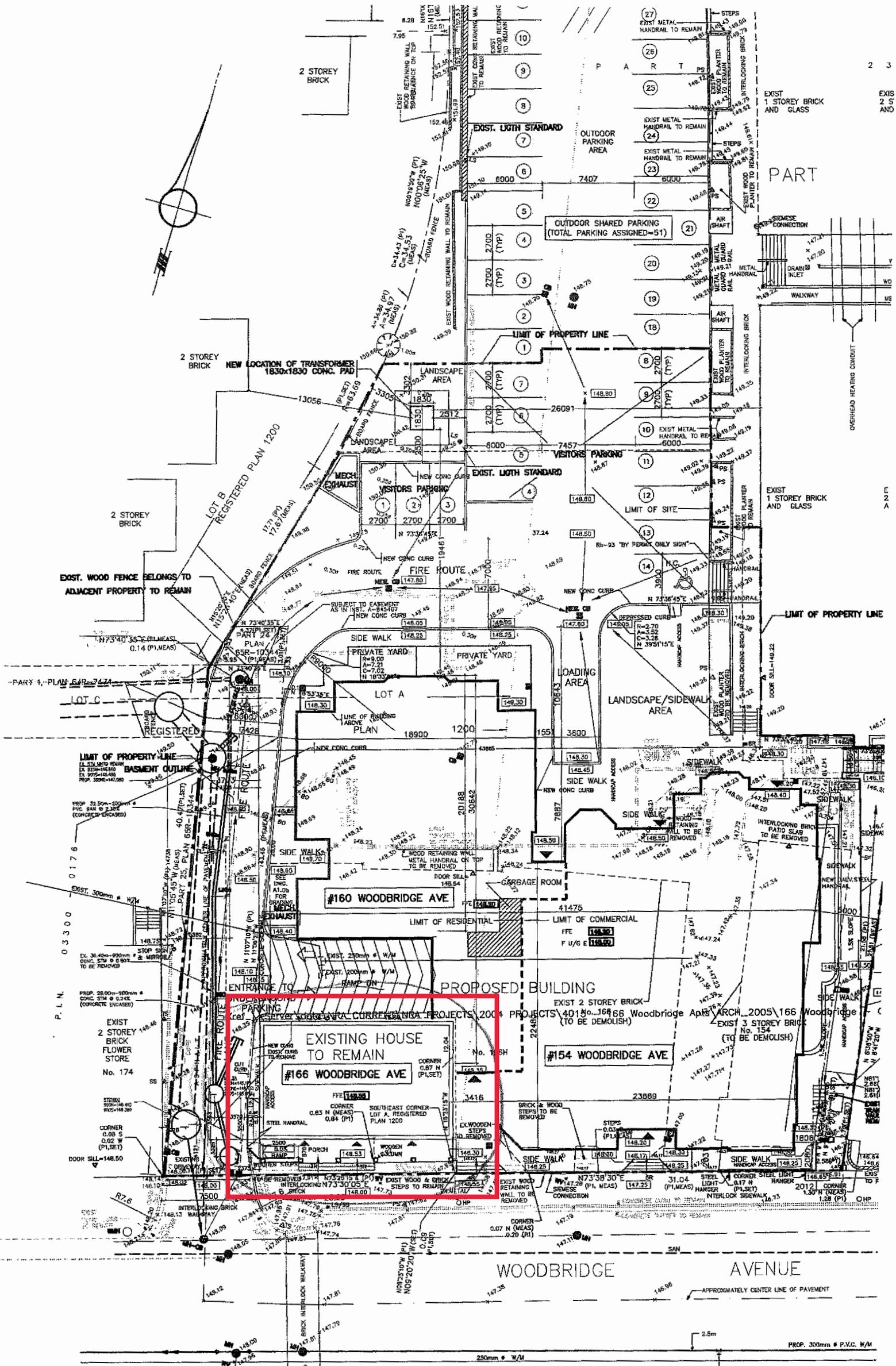
Created By:

Infrastructure Delivery
Department
May 12, 2020 1:01 PM

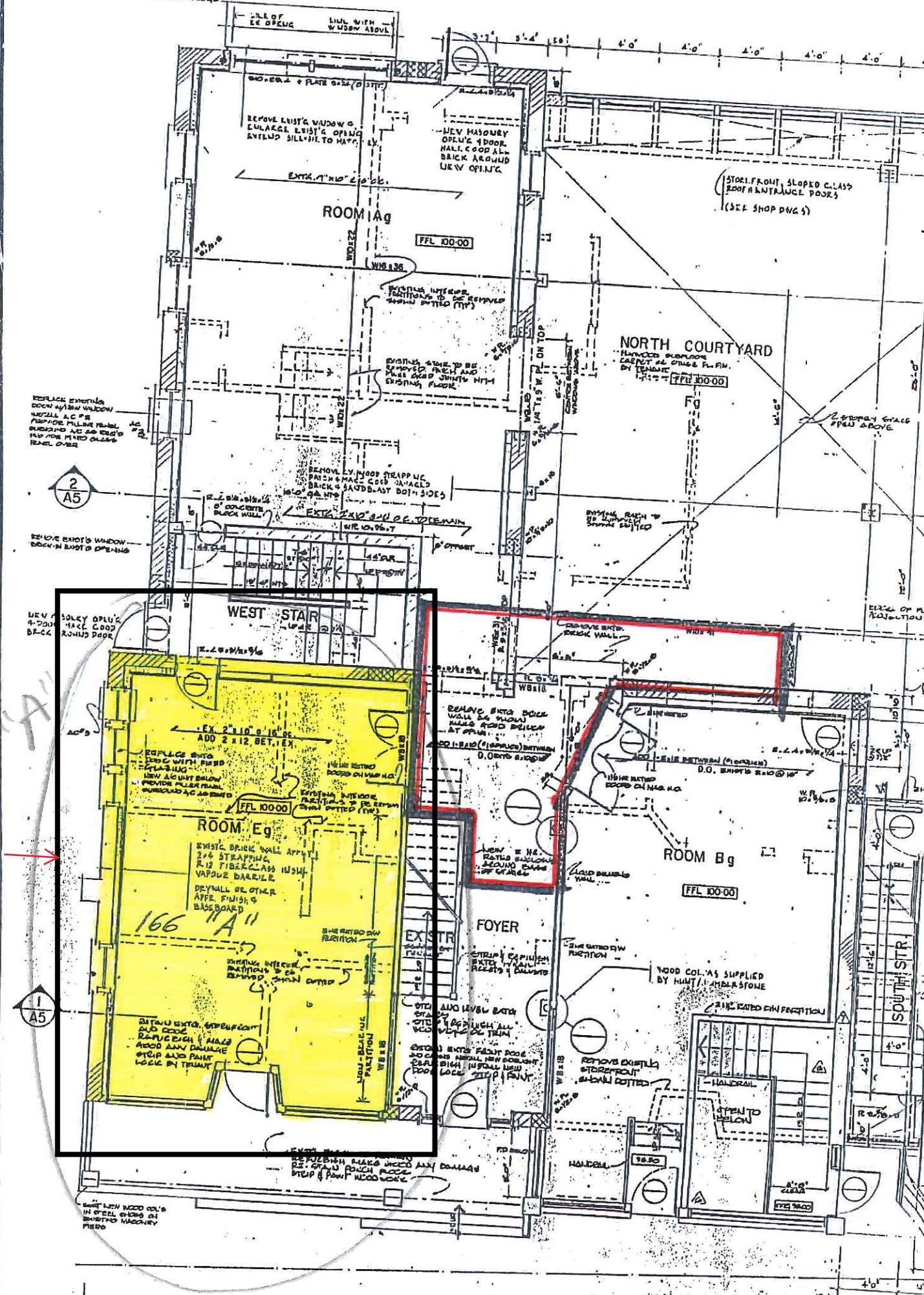
Projection:
NAD 83
UTM Zone
17N

Proposal:
To permit the use of an Eating Establishment in Unit A.

A012/20



NO. 216 1/2
 1/2" CAP. PLATE
 2" x 2" x 1/2"
 2" x 2" x 1/2"



Unit A →

166 WOODBRIDGE AVE.

To permit the use of an Eating Establishment in Unit A.

GROUND FLOOR PLAN
 SCALE 1/4" = 1'-0"
 GROSS FLOOR AREA

DESCRIPTION

SURVEY OF
B AND C
1200

MUNICIPALITY OF YORK
VILLAGE OF WOODBRIDGE,



SITE DATA

LOT AREA	2,977.35 SM	32,047.9 SF	
TOTAL BLDG. AREA COVERAGE	1,153.22 SM	38 %	
TOTAL GROSS FL. AREA COVERAGE	6,653.02 SM	225 %	
BUILDING AREA	EXIST	PROPOSED	TOTAL
GROUND FLOOR	144 SM	1,040.22 SM (INCLUDING 570.36 SM BANK)	1,184.22 SM
SECOND FLOOR	144 SM	1,085.43 SM	1,229.43 SM
THIRD FLOOR	0	1,083.77 SM	1,083.77 SM
FOURTH FLOOR	0	1,086.90 SM	1,086.90 SM
FIFTH FLOOR	0	1,084.25 SM	1,084.25 SM
SIXTH FLOOR	0	1,051.30 SM	1,051.30 SM
TOTAL AREA	288 SM	6,431.87 SM	6,719.87 SM
(TOTAL AREA WITHOUT BANK = 5,861.51 SM)			
GROUND FLOOR BANK (GROUPE D)		PROPOSED 570.36 SM	TOTAL 570.36 SM
UNDERGROUND PARKING (SPRINKLER)		2,291.12 SM	
RESIDENTIAL UNITS			
BLDG.	1 BED.	2 BED.	TOTAL
GROUND FL.	0	2	2
2ND FLOOR	7	4	11
3RD FLOOR	7	5	11
4TH FLOOR	7	4	11
5TH FLOOR	7	4	11
6TH FLOOR	6	4	10
TOTAL UNITS	33	23	56 UNITS
RESIDENTIAL DENSITY			
UNITS / ha	188	UNITS / acre	76
PARKING:			
PARKING REQUIRED (AS PER BY-LAW 1-88)			
RESIDENTIAL PARKING (1.75 PER UNIT)			98
COMMERCIAL PARKING (6 @ 100SQM.)			35
TOTAL PARKING REQUIRED			133
PARKING PROVIDED (AS PER BY-LAW # 221-2004)			
SURFACE STALLS ON PROPOSED PROPERTY			14
SURFACE STALLS OFF SITE PROPOSED PROPERTY (MUST BE RESERVED FOR PROPOSED DEVELOPMENT)			36
PROPOSED UNDER GROUND PARKING			57
TOTAL PARKING PROVIDED			107
PAVED AREA			933.8 SM
LANDSCAPE AREA			890.33 SM
LOADING SPACES	REQUIRED	PROVIDED	
RESIDENTIAL	1	1	
COMMERCIAL	0	0	
AMENITY AREA:			
GROUND FLOOR:			
LANDSCAPE AREA (INCLUDING 2 PRIVATE YARD, 52.20 SQM.)			890.33 SQ.M
RECREATION ROOM AT GRD. FLR.			72.0 SQ.M
SUBTOTAL GRD. FLR.			962.33 SQ.M
SECOND FLOOR:			
BALCONIES			92.65 SQ.M
THIRD FLOOR:			
BALCONIES			122.05 SQ.M
FOURTH FLOOR:			
BALCONIES			97.90 SQ.M
FIFTH FLOOR:			
BALCONIES			103.75 SQ.M
SIXTH FLOOR:			
BALCONIES			142.62 SQ.M
ROOF:			
GARDENING AT ROOF			198.40 SQ.M

CONTRACTORS MUST CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS ON THE PROJECT AND MUST REPORT ANY DISCREPANCIES TO THE ARCHITECT BEFORE COMMENCING WITH CONSTRUCTION.

THIS DRAWING MUST NOT BE USED FOR CONSTRUCTION UNTIL SIGNED "APPROVED FOR CONSTRUCTION" BY THE ARCHITECT.

DO NOT SCALE DRAWINGS.

ALL DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY OF NINO RICO INC. ARCHITECT AND SHALL NOT BE USED FOR ANY PURPOSE WITHOUT APPROVAL BY THE ARCHITECT.

YORK REGION STANDARD
CONDOMINIUM PLAN NO.

PART 3
SHEET 1 OF 17 SHEETS

- 16 OCT. 19, 09 AS-BUILT DWG's
- 15 OCT. 23, 06 REVISED SITE DATA RE UNITS
- 14 OCT. 11, 06 REVISED SITE DATA RE UNITS
- 13 JULY 20, 06 RE-ISSUED FOR SITE PLAN APPR.
- 12 JUNE 23 06 3RD ISSUE FOR TENDER
- 11 JUNE 06 06 2ND ISSUE FOR TENDER
- 10 JUNE 02, 06 REVISED BSMT. OUTLINE
- 9 MAY 15, 06 ISSUED FOR BUILDING PERMIT
- 8 APR 11 06 RE-SUBMIT SITE PLAN APPROVAL
- 7 FEB 24 06 FIRST ISSUE FOR TENDER
- 6 FEB 07 06 RE-SUBMIT SITE PLAN APPROVAL
- 5 JAN 20 06 REVISED BLDG OUTLINE
- 4 DEC 21 05 REVISED BASED ON CITY COMMENTS
- 3 DEC 07 05 REVISED BASED ON CITY COMMENTS
- 2 OCT 05 05 ISSUED FOR SITE PLAN APPROVAL
- 1 FEB 07 05 ISSUED FOR SITE PLAN APPROVAL

NO. DATE ISSUE OR REVISION

CLIENT:

**MARKET
LANE
HOLDINGS
LIMITED**

Drawing Approved For: Client Review



Permit

Construction

BCDN 3181

PROJECT NAME :

**THE
GRAND MANOR
BY MARKET LANE
AS-BUILT**

154-160-166 WOODBRIDGE AVE.
VAUGHAN, ONTARIO

SCALE: 1 : 250

DRAWING TITLE :

PAVED GRADE
FOR PLANTING
(SEE SITE PLAN)

450

AREA

2

UNDE

NOTED 150mm DIA.
EEL PIPE CONC. FILLED

Schedule B: Public Correspondence Received

Please note that the correspondence listed in Schedule B is not comprehensive. Written submissions received after the preparation of this staff report will be provided as an addendum.

Application Cover Letter

Public Correspondence (Letter of Opposition) – 160 Woodbridge Avenue, Unit 510

Public Correspondence (Letter of Opposition) – Addie Mattiace (Inkerman House)

Public Correspondence (Letter of Opposition) - 160 Woodbridge Avenue

A012/20

January 20, 2020

HAND DELIVERED

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

Dear Ms. Vigneault:

**Re: Minor Variance Application
166 Woodbridge Avenue, Unit A, City of Vaughan**

Leonidas Woodbridge Inc. ("**Leonidas**") has entered into a lease agreement, in respect of Unit A, with Market Lane Holdings Inc., the owner of lands municipally referred to as 166 Woodbridge Avenue (the "**subject site**"), in the City of Vaughan (the "**City**"). The subject site is legally referred to Part of Lot 7, Concession 7. Unit "A" is approximately 600 (55.74 square metres) and Leonidas is proposing to use this unit for an eating establishment.

The subject site, formerly locally known as the Inkerman Hotel, was subject to a redevelopment application approved by the City in 2006. The subject site was part of a larger redevelopment parcel which included the surrounding lands. On February 13, 2006, City Council approved Site-specific Zoning By-law 48-2006, resulting in the site's current zoning permission of RA2 (Apartment Residential), under Zoning By-law 1-88, subject to Exception Number 9(1201).

Leonidas applied for a Zoning Search For Municipal License Clearance (the "**Zoning Search**"), on November 7, 2019 and was advised that the intended use is not permitted (copy of the Zoning Search is attached). As such, we are submitting an application for minor variance (the "**Minor Variance Application**") seeking a minor variance to permit the "eating establishment", which is defined by the City's Zoning By-law 1-88 to mean:

" a building or place where food and drink are prepared and offered for sale and served at the same table or counter where the food and drink are ordered and are to be consumed. Such establishment may include an outdoor patio as an accessory use thereto and may offer limited take-out and delivery services. Accessory billiard tables shall not be permitted within 300 metres of a public or private school."

In this particular instance, while the Minor Variance Application is seeking permission for an eating establishment (as determined by the Zoning Search), there will be no cooking facilities on the premises. Rather, the eating establishment, while containing 4 tables accommodating

upwards to 16 patrons, will offer limited foods confined to chocolates, ice cream and coffee, functioning in a traditional European style cafe. Other than internal tenant improvements, no external building changes are necessary.

Based on the existing zoning, one parking space is required for every 4 persons comprised in the designated maximum capacity or 16.0 parking spaces per 100 square metres of gross floor area, whichever is greater. In this particular layout, a minim of 4 parking spaces to a maximum of approximately 8-9 parking spaces will be required.

OFFICIAL PLAN AND ZONING

The subject site is designated Low Rise Mixed-Use within the Woodbridge Centre Secondary Plan. Restaurants are permitted under the existing in-force Secondary Plan.

As mentioned above, the subject site is zoned RA2 (Apartment Residential), under Zoning By-law 1-88, subject to Exception Number 9(1201), copy attached. Beyond permitting the existing 6-storey building with the ground floor commercial, Exception 9(1201) limits the commercial uses of the subject site to business and professional offices, bank and/or financial institution, personal service shop and retail stores.

Of further significance is Section (ai) of Exception 9(1201) which provides the following:

“a minimum of 106 parking spaces shall be required, of which implement the Official Plan and accurately reflect the intent of policy direction under one consolidated, streamlined Zoning By-law shown as “Other Lands Owned by the Applicant” (Market Lane on Schedule “E”-1327”.

These off-site parking spaces were subsequent secured, for the permanent benefit of the subject lands, through the condominium approval process and registered agreements, with the approval and support of the City.

Finally, the City of Vaughan is undertaking a City-wide comprehensive review of its Zoning By-law that aims to create a progressive By-law with updated, contemporary uses and standards. This review, as reported on the City's website states:

“The City's Official Plan is in place to help shape the future of Vaughan and guide its continued transformation into a vibrant and sustainable city of the future. The new Zoning By-law will implement the Official Plan and accurately reflect the intent of policy direction under one consolidated, streamlined Zoning By-law”.

Under the emerging zoning, the site is proposed to be WMS (Main Street Mixed Use – Woodbridge) where a restaurant will be a permitted use. The new proposed Zoning By-law requires a minimum of 2.7 to a maximum of 10 parking spaces for a restaurant use.

This Minor Variance Application meets the four tests for minor variances established in Section 45(1) of the *Planning Act*, and specifically:

Maintains the general intent and purpose of the Official Plan

The subject site is located in the built-up area of the City where a wide-range of commercial uses exists to serve the residents and commuting public. Moreover, the Low Rise Mixed-Use within the Woodbridge Centre Secondary Plan permits a restaurant use. The intent of the Minor Variance Application is to capture and implement the vision of the existing Official Plan.

As such, the proposed minor variance meets the general intent and purpose of the Official Plan.

Maintains the general intent and purpose of the Zoning By-law

As indicated above, while the proposed use is not permitted under the existing zoning, it will become a recognized as-of-right use under the emerging zoning, which as stated by the City will *“implement the Official Plan and accurately reflect the intent of policy direction under one consolidated, streamlined Zoning By-law”*

In terms of parking, based on both the existing and emerging zoning, a supply in the range of a minimum of 2.7 to a maximum of 10 parking spaces are required. As provided in Exception Number 9(1201), the 36 secured off-site parking spaces on the Market Lane lands are more than sufficient for the intended use, including for all other existing uses on the subject lands.

In our opinion, the minor variance to permit an eating establishment continues to meet the general intent of the Zoning By-law.

Is desirable for the appropriate development of the subject lands

The proposed eating establishment will become a permitted by the new proposed Zoning By-law and will comply with all zoning requirements, including parking. These types of uses currently exist within the Woodbridge area and offer a small town urban feeling experience. The eating establishment of the nature proposed (chocolate/ice cream store and cafe) represents a compatible and complimentary use in respect of surrounding and committed land use without any negative off-site impacts both in terms of parking, vehicular and pedestrian access.

As such, it is our opinion that Minor Variance Application represents a desirable and appropriate development of the subject site.

Is minor in nature

It our submission, the requested minor variance is minor in nature for much of the same reasons cited above. The existing in-force Zoning By-law permits a variety of commercial uses (business and professional offices, bank and/or financial institution, personal service shop and retains stores) which generate similar traffic and parking demands. To the extent the Zoning By-law does not permit an eating establishment, the new emerging zoning will provide for that and bring the zoning into conformity with the Official Plan. Nevertheless, the Committee is being provided the opportunity to assess the request on the basis of the specifics related to the subject site. It is our belief that the permission sought herein has no on or off-site associated impacts. The existing site layout will not require any alterations and the parking supply will meet or exceed that which is required for zoning purposes. In our view, the requested variance is therefore minor in nature.

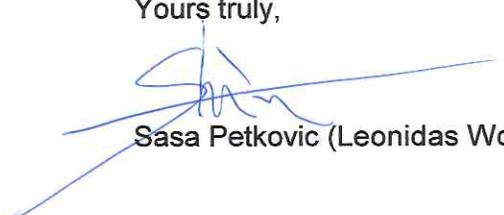
SUBMISSION REQUIREMENTS

In accordance with the Town's submission requirements listed in the application form, the following materials are submitted in support of the Minor Variance Application herein:

1. One (1) original copy of the completed and signed application form;
2. Application fee in the amount of \$3,460.00, payable to the Treasurer, City of Vaughan,
3. One (1) copy of the existing site plan;
4. One (1) copy of the survey;
5. One (1) copy of Zoning Search; and,
6. One (1) copy of Exception Number 9(1201).

We trust that the enclosed documentation is sufficient for the Committee to proceed with this Minor Variance Application. If you have any comments or concerns, please do not hesitate to contact the undersigned.

Yours truly,



Sasa Petkovic (Leonidas Woodbridge Inc)

Encl.

MacPherson, Adriana

Subject: FW: Restaurant at 166 Woodbridge Ave - A012/20

-----Original Message-----

From: Sabrina D <[REDACTED]>

Sent: Tuesday, March 24, 2020 9:25 PM

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

Subject: [External] Restaurant at 166 Woodbridge Ave

To whom it may concern,

I am writing as a concerned homeowner of 160 Woodbridge Ave. I have heard that there may be plans of opening up a restaurant in a tiny adjacent space at 166 Woodbridge Ave. I strongly object to this as it is a safety hazard and will disrupt our quality of life with unwanted odours, noise, volume of people, limited parking, and of course fire hazards. I do not see how it can be a suitable space for such a hectic type of business. Please take this into consideration, as there are many elderly who live in the building as well.

Sincerely,

Sabrina Di Biase

MacPherson, Adriana

Subject: FW: [External] Fwd: 166 Woodbridge Avenue (Inkerman House) Minor Variance Application A012/20

From: Addie Mattiace Real Estate <[REDACTED]>
Sent: March-17-20 4:44 PM
To: Committee of Adjustment <CofA@vaughan.ca>
Cc: Addie Mattiace <[REDACTED]>
Subject: [External] Fwd: 166 Woodbridge Avenue (Inkerman House) Minor Variance Application A012/20

Hello,

My family and I live in the adjacent property at 166 Woodbridge Avenue (Inkerman House) and have objections with regards to a restaurant being opened there due to the risk of fire, the odours, noise levels, increase in garbage and increase in demand for parking which is already a significant problem.

Kind regards,

Adelaide (Addie) Mattiace, BCom
[REDACTED]

----- Forwarded message -----

From: Addie Mattiace Real Estate <[REDACTED]>
Date: Tue., Mar. 17, 2020, 4:24 p.m.
Subject: 166 Woodbridge Avenue (Inkerman House) Minor Variance Application A012/20
To: <CoA@vaughan.ca>

Hello,

My family and I live adjacent to the above property and wish to express my concern with their request to open a restaurant in that space. Our concerns are the risk of fire, the noise levels, garbage and the odours commonly associated with restaurants.

Kind regards,

Adelaide (Addie) Mattiace, BCom
[REDACTED]

Attwala, Pravina

Subject: FW: [External] 166 Woodbridge Ave. restaurant proposal

From: ENNIO & JUDY PESCHIUTTA

Sent: Friday, March 13, 2020 4:08 PM

To: Committee of Adjustment <CofA@vaughan.ca>; David Pal

Subject: [External] 166 Woodbridge Ave. restaurant proposal

To whom it may concern,

Please note that we in unit 510, 160 Woodbridge ave. do not want a restaurant attached to our condo building. We feel it is neither sanitary nor should it be permitted.

Please accept this submission of concern.

Thank you for your time and consideration;
Judy and Ennio Peschiutta

Schedule C: Agency Comments

Please note that the correspondence listed in Schedule C is not comprehensive. Comments received after the preparation of this staff report will be provided as an addendum.-

Alectra (Formerly PowerStream) – No concerns or objections
Region of York – No concerns or objections
TRCA – comments with conditions



Discover the possibilities

COMMENTS:

- We have reviewed the proposed Variance Application and have no comments or objections to its approval.
- We have reviewed the proposed Variance Application and have no objections to its approval, subject to the following comments (attached below).
- We have reviewed the proposed Variance Application and have the following concerns (attached below).

Alectra Utilities (formerly PowerStream) has received and reviewed the proposed Variance Application. This review, however, does not imply any approval of the project or plan.

All proposed billboards, signs, and other structures associated with the project or plan must maintain minimum clearances to the existing overhead or underground electrical distribution system as specified by the applicable standards, codes and acts referenced.

In the event that construction commences, and the clearance between any component of the work/structure and the adjacent existing overhead and underground electrical distribution system violates the Occupational Health and Safety Act, the customer will be responsible for 100% of the costs associated with Alectra making the work area safe. All construction work will be required to stop until the safe limits of approach can be established.

In the event construction is completed, and the clearance between the constructed structure and the adjacent existing overhead and underground electrical distribution system violates the any of applicable standards, acts or codes referenced, the customer will be responsible for 100% of Alectra's cost for any relocation work.

References:

- Ontario Electrical Safety Code, latest edition (Clearance of Conductors from Buildings)
- Ontario Health and Safety Act, latest edition (Construction Protection)
- Ontario Building Code, latest edition (Clearance to Buildings)
- PowerStream (Construction Standard 03-1, 03-4), attached
- Canadian Standards Association, latest edition (Basic Clearances)

If more information is required, please contact either of the following:

Mr. Stephen Cranley, C.E.T
Supervisor, Distribution Design, ICI
Phone: 1-877-963-6900 ext. 31297
Fax: 905-532-4401
E-mail: stephen.cranley@alectrautilities.com

Mr. Tony D'Onofrio
Supervisor, Subdivisions & New Services
Phone: 1-877-963-6900 ext. 24419
Fax: 905-532-4401
Email: tony.donofrio@alectrautilities.com

MacPherson, Adriana

Subject: FW: A012/20 - Request for Comments

From: Guida, Diana <Diana.Guida@york.ca>
Sent: February-25-20 2:05 PM
To: MacPherson, Adriana <Adriana.MacPherson@vaughan.ca>
Cc: Providence, Lenore <Lenore.Providence@vaughan.ca>
Subject: [External] RE: A012/20 - Request for Comments

Hi Adriana,

The Regional Municipality of York has completed its review of the above minor variance application and has no comment.

Thank you,

Diana Guida | Planning Assistant

Planning and Economic Development Branch, Corporate Services Dept.

The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1

O: 1-877-464-9675 ext. 71550 | diana.guida@york.ca | www.york.ca

Our Mission: **Working together to serve our thriving communities – today and tomorrow**

Please consider the environment before printing this email.

March 4, 2020

CFN 62574.06

BY E-MAIL: Christine.Vigneault@vaughan.ca

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

Dear Christine:

**Re: Minor Variance Application A012/20
166 Woodbridge Avenue, Unit A
Part of Lot 7 Concession 7
City of Vaughan
Applicant: Market Lane Holding Inc.**

This letter will acknowledge receipt of the above noted application on February 19, 2020. Toronto and Region Conservation Authority (TRCA) staff reviewed the application and offer the following comments.

Background

It is our understanding that the purpose of the above-noted application is to request the following variance:

1. To permit the use of an Eating Establishment in Unit A.

Applicable Policies and Regulations

Ontario Regulation 166/06:

The subject property is located within TRCA's Regulated Area of the Humber River Watershed, and is located within the valley corridor associated with the Main Humber River. Under Ontario Regulation 166/06, development, interference or alteration may be permitted in the Regulated Area where it can be demonstrated to TRCA's satisfaction that the control of flooding, erosion, dynamic beaches, pollution, or the conservation of land will not be affected. In this regard, TRCA must be contacted prior to any works taking place in the Regulated Area.

Living City Policies (LCP):

The Living Policies for Planning and Development in the Watersheds of the Toronto and Region Conservation Authority (LCP) describes a 'Natural System' made up of natural features and areas, water resources, natural hazards, potential natural cover and/or buffers. The LCP recommends that development not be permitted within the Natural System and that it be conveyed into public ownership for its long-term protection and enhancement. The LCP also provides policies for developing adjacent to, and in, the Natural System (where permitted), while meeting natural hazard management requirements, and maintaining and enhancing the functions of the protected Natural System. These policies also seek to integrate the natural and built environments, maximizing opportunities for ecosystem services from across the entire landscape. It is these policies that guide TRCA's review of the subject application, along with those found in other Provincial and municipal plans, documents and guidelines.

Application Specific Comments

As noted above, the subject property is located within TRCA's Regulated Area, since it is located within the valley corridor associated with the Main Humber River. The subject property is not located within the hazardous area. As such, the current proposal will not impact any natural features or associated hazards and TRCA's policy interests are not affected; therefore, TRCA staff have no concern regarding the proposed variance.

Fees

By copy of this letter, the applicant is advised that the TRCA has implemented a fee schedule for our planning application review services. This application is subject to a \$1,100.00 (Variance-Commercial-Minor) review fee. The applicant is responsible for fee payment and should forward the application fee to this office as soon as possible.

Recommendations

Based on the comments noted above, TRCA has **no objection** to the approval of Minor Variance Application A012/20 subject to the following condition:

1. That the applicant provides the required fee amount of \$1,100.00 payable to the Toronto and Region Conservation Authority.

We trust these comments are of assistance. Should you have any questions, please contact me at extension 5256 or at Hamedeh.Razavi@trca.ca

Sincerely, 

Hamedeh Razavi
Planner I
Development Planning and Permits

HR/jb

Cc: MacPherson, Adriana <Adriana.MacPherson@vaughan.ca>
Di Febo, Michael <Michael.DiFebo@vaughan.ca>