



**File:** A037/19

**Applicant:** Willowdale Holdings Limited

**Address:** 9796 Keele Street, Maple ON

**Agent:** Charles Vallance

Please note that comments received after the preparation of this Staff Report (up until 12:00 p.m. on the scheduled hearing date) will be provided as an addendum.

Commenting Department	<input checked="" type="checkbox"/> Positive Comment <input checked="" type="checkbox"/> Negative Comment	Condition(s) <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
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"/>	<input checked="" type="checkbox"/>
Urban Design	<input checked="" type="checkbox"/>	
Development Engineering	<input checked="" type="checkbox"/>	
Parks Department		
By-law & Compliance		
Financial Planning & Development	<input checked="" type="checkbox"/>	
Fire Department	<input checked="" type="checkbox"/>	
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)		

Adjournment History: None.

Background History: None.



Minor Variance  
Application

Agenda Item: 17

A037/19

Ward: 1

Staff Report Prepared By: Lenore Providence, Assistant Secretary Treasurer

**Date of Hearing:** Thursday, April 18, 2019

**Applicant:** Willowdale Holdings Limited

**Agent:** Charles Vallance

**Property:** 9796 Keele Street, Maple

**Zoning:** The subject lands are zoned R1, Residential under By-law 1-88 as amended.

**OP Designation:** VOP 2010: "Low-Rise Residential" and within the "Village of Maple Heritage Conservation District"

**Related Files:** None

**Purpose:** Relief from the by-law is being requested to permit a temporary sales office to be located further than 100 metres from the lands to be developed.

The lands to be developed are located at 9560-9570 Keele Street and are subject to Site Plan Application DA.16.166.

The existing dwelling located on the subject lands is to be used as the temporary sales office.

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

By-law Requirement	Proposal
1. A temporary sales office shall not be located further away from the lands to be developed than 100 metres.	1. To permit a temporary sales office to be located further than 100 metres from the lands to be developed.

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

Adjournment History: N/A

Staff & Agency Comments

Please note that comments received after the preparation of this Staff Report (up until 12:00 p.m. on the scheduled hearing date) will be provided as an addendum.

Committee of Adjustment:  
Public notice was mailed on April 3, 2019

Applicant confirmed posting of signage on March 29, 2019

Property Information	
Existing Structures	Year Constructed
Dwelling	1934

Applicant has advised that they cannot comply with By-law for the following reason(s): The City of Vaughan Zoning By-law 1-88 permits temporary sales office for residential units in the immediate vicinity and shall not be located further than 100 metres from the lands that are to be developed. The proposed site for the temporary sales office is located more than 100 metres from the lands that are to be developed, as such will require relief from the Zoning By-law 1-88.

Building Standards (Zoning Review):  
Stop Work Order(s) and Order(s) to Comply: N/A

The Applicant shall contact the Building Standards Department at (905) 832-8510 to establish building permit requirements.

The 62 m2 Attic has not been considered for calculation of parking requirements for the proposed use of a Temporary Sales Trailer, as the Applicant has confirmed in writing that it will not be used for the proposed use, and will be blocked from entry. Drawings submitted for building permit must reflect this.

The Applicant shall be advised that signage for the Van Accessible Parking Space will identify the space as Van Accessible.

For your information, the lands to be developed are located at 9560 and 9570 Keele Street (Development Application File No. 16.116).

The subject lands may be subject to Ontario Regulation 166/06 (TRCA - Toronto and Region Conservation Authority).

This property may be located within the Maple Heritage Conservation District.

The applicant shall be advised that additional variances may be required upon review of detailed drawing for building permit.

**Building Inspections (Septic):**

No comments or concerns

**Development Planning:**

VOP 2010: "Low-Rise Residential" and "Natural Areas". The Subject Lands are within the "Village of Maple Heritage Conservation District"

The Owner is requesting permission to locate a temporary sales office further than 100 m from the lands to be developed, being 9560 and 9570 Keele Street, which is approximately 575 m from the subject lands. Zoning By-law 1-88 permits a temporary sales office if the Official Plan is in place and permits the proposed development. Related Official Plan Amendment File OP.15.008, Zoning By-law Amendment File Z.15.034 and Draft Plan of Subdivision File 19T-15V014 for the lands to be developed are subject to the Local Planning Appeal Tribunal (LPAT), which issued an order approving the Official Plan Amendment instrument.

Site Development File DA.16.116 for the lands to be developed propose 8 semi-detached units and 9 townhouse units.

The Subject Lands are located within the Village of Maple Heritage Conservation District and designated under Part V of the Ontario Heritage Act. As such, a Heritage Permit shall be required for all signage and external alterations to the existing dwelling on the Subject Lands.

The Subject Lands are partially located within the Toronto and Region Conservation Authority's (TRCA) Regulated Area of the Don River Watershed. The TRCA has reviewed the application and offers no objection given that no new development is proposed on the Subject Lands.

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 the condition below:

That the Owner shall obtain a Heritage Permit, if required, to the satisfaction of the Development Planning Department.

**Urban Design:**

The subject property is designated under Part V of the Ontario Heritage Act, as part of the Maple Heritage Conservation District. All exterior changes such as signage and alterations require a Heritage Permit. At this time, the applicants have not approached Cultural Heritage staff about the proposed use and potential exterior changes. As the property is currently vacant and there may be required work (exterior and interior) prior to opening the Sales Office, a complete list of the proposed works is requested to determine any works that require a Heritage Permit.

**Development Engineering:**

Development Engineering has reviewed minor variance application A037/19 for a sales office at 9697 Keele Street and has no objections.

**Parks Development:**

No Response.

**By-Law and Compliance, Licensing and Permit Services:**

No Response.

**Financial Planning and Development Finance:**  
No comment no concerns

**Fire Department:**  
No comment no concerns

**Schedule A – Plans & Sketches**

**Schedule B – Public Correspondence**  
None

**Schedule C - Agency Comments**  
Alectra (Formerly PowerStream) – No concerns or objections  
Region of York – No concerns or objections  
TRCA – comments with conditions

**Schedule D - Previous Approvals (Notice of Decision)**  
None.

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

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

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

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

	Department/Agency	Condition
1	Development Planning Christopher Cosentino  905-832-8585 x 8215 <a href="mailto:christopher.cosentino@vaughan.ca">christopher.cosentino@vaughan.ca</a>	That the Owner shall obtain a Heritage Permit, if required, to the satisfaction of the Development Planning Department.
2	TRCA Anthony Syhlonyk  416-661-6600 x 5272 <a href="mailto:asyhlonyk@trca.on.ca">asyhlonyk@trca.on.ca</a>	That the applicant provides the required \$1100.00 review fee for Minor Variance Application A037/19.

**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.

**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.

## 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

**WRITTEN SUBMISSIONS:** 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, which must be delivered no later than **12:00 p.m.** on the scheduled public hearing date.

Written submissions can be mailed and/or emailed to:

City of Vaughan  
Committee of Adjustment  
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1  
[CofA@vaughan.ca](mailto:CofA@vaughan.ca)

**ORAL SUBMISSIONS:** If you wish to attend the meeting you will be given an opportunity to make an oral submission. Presentations to the Committee are generally limited to 5 minutes in length. Please note that Committee of Adjustment meetings are audio 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**

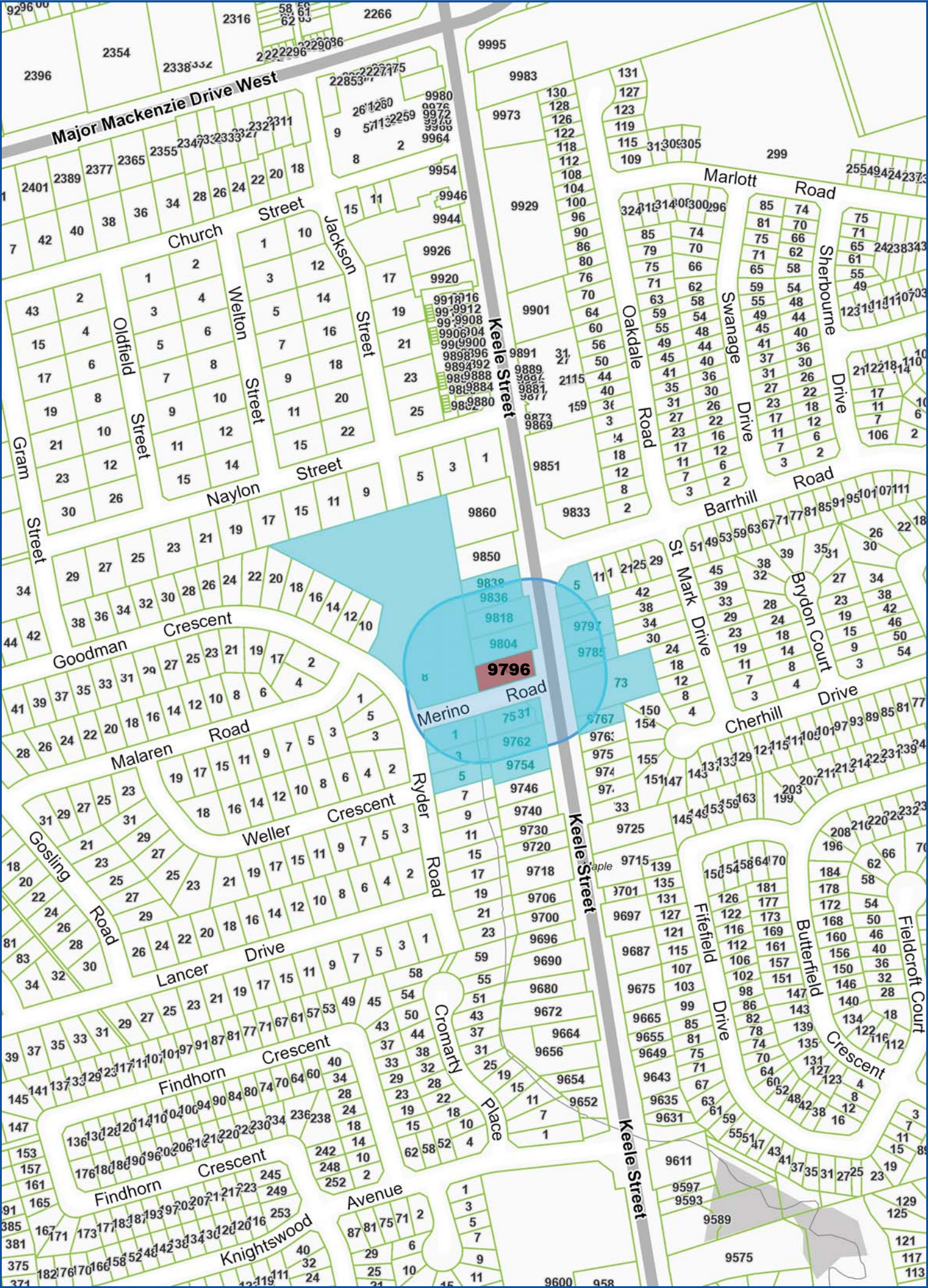
T 905 832 8585 Extension 8394  
E [CofA@vaughan.ca](mailto:CofA@vaughan.ca)

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. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

Location Map  
Sketches





Map Information:



Title:

## NOTIFICATION MAP - A037/19

### 9796 KEELE STREET, MAPLE

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  
March 21, 2019 5:09 PM

Projection:  
NAD 83  
UTM Zone  
17N



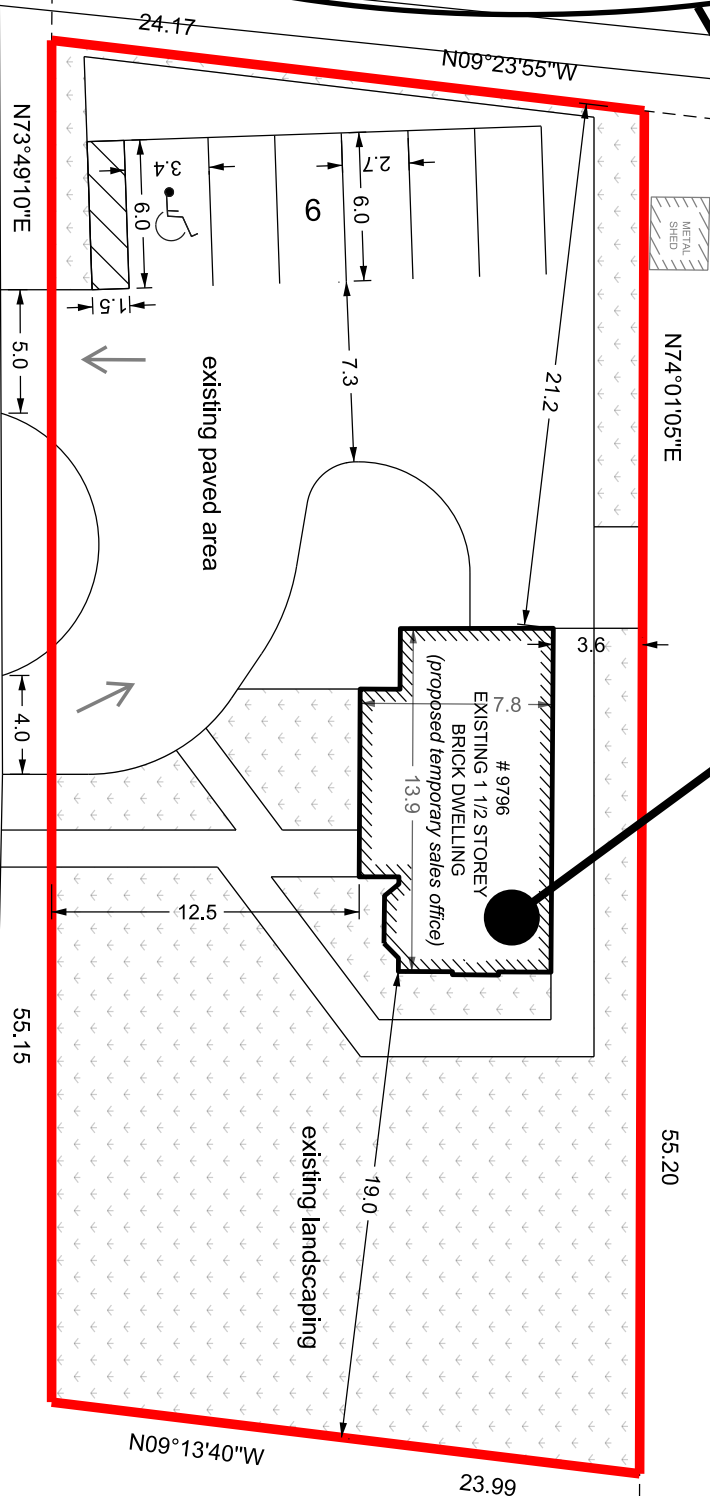
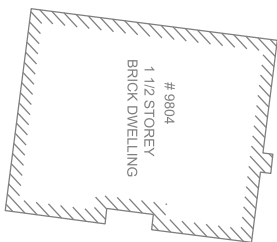
A037/19

Committee of Adjustment File #A037/19

To permit a temporary sales office to be located further than 100 metres from the lands to be developed.

MERINO ROAD

KEELE STREET



MINOR VARIANCE SKETCH

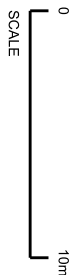
9796 KEELE STREET  
PT LT 19 CON 4  
CITY OF VAUGHAN  
REGIONAL MUNICIPALITY OF YORK



DRAFT  
FOR DISCUSSION  
PURPOSES ONLY

DEVELOPMENT STATISTICS:

Site Area:	1,319 m <sup>2</sup>
Building Footprint:	100 m <sup>2</sup>
Coverage:	7.6%
FSI:	0.12
Total GFA (existing 1 & 1/2 storey building):	161 m <sup>2</sup>
Ground Floor (proposed temporary sales office)	100 m <sup>2</sup>
Attic	61 m <sup>2</sup>
Required Parking: ZBL 1-88	4.5 spaces
Real Estate Office @ 4.5 spaces/100m <sup>2</sup>	4.5 spaces
Parking Provided:	6 spaces
Surface:	6 spaces



Notes:

- Property Boundaries and building footprint referenced from boundary survey by KRCMAR Surveyors Ltd, dated: April 10, 2013.
- Existing paved area, landscaped area, and sidewalks digitized from air photography and are approximate.
- Attic GFA is a estimated measurement and is approximate.
- 3.4m x 6.0m accessible parking space will include signage indicating space is van accessible.
- Air photo from First Base Solutions Inc., 2018 Image.



planning + urban design

Vaughan: 416-314-1234  
Toronto: 416-496-4466  
T. 905-738-8880 F. 905-738-8837  
200 Beaver St. M4A 2V5  
T. 416-540-5817 F. 905-738-8837

DRAWN / REVISED

20 MAR 19	Revise
01 MAR 19	First Draft

File Number: 6728-1  
Drawn by: SD  
Planner: RIG  
Scale: see scale bar  
CAD: 6728-1 (conceptual variance sketch).dgn



REVISED  
MARCH 20, 2019

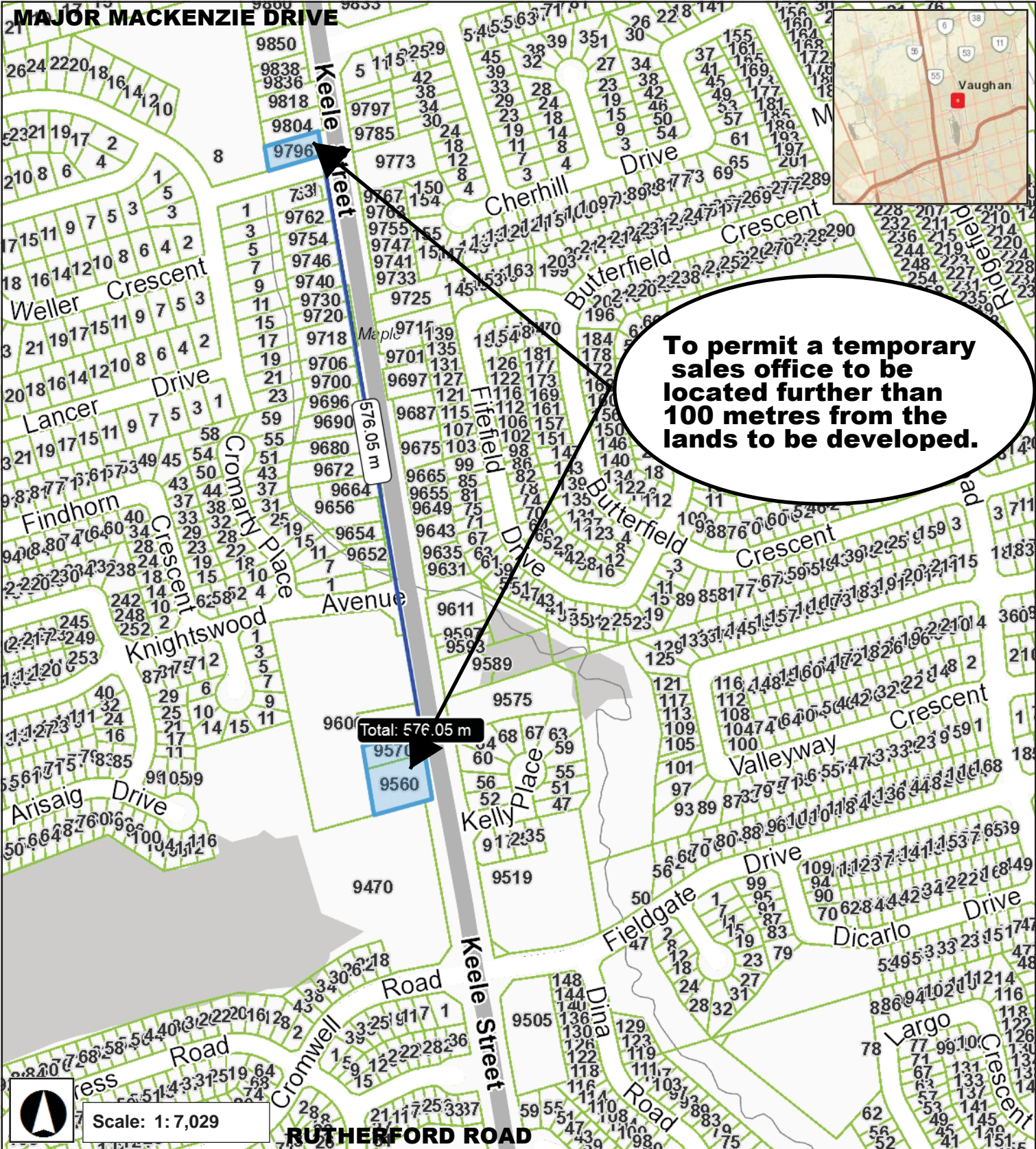




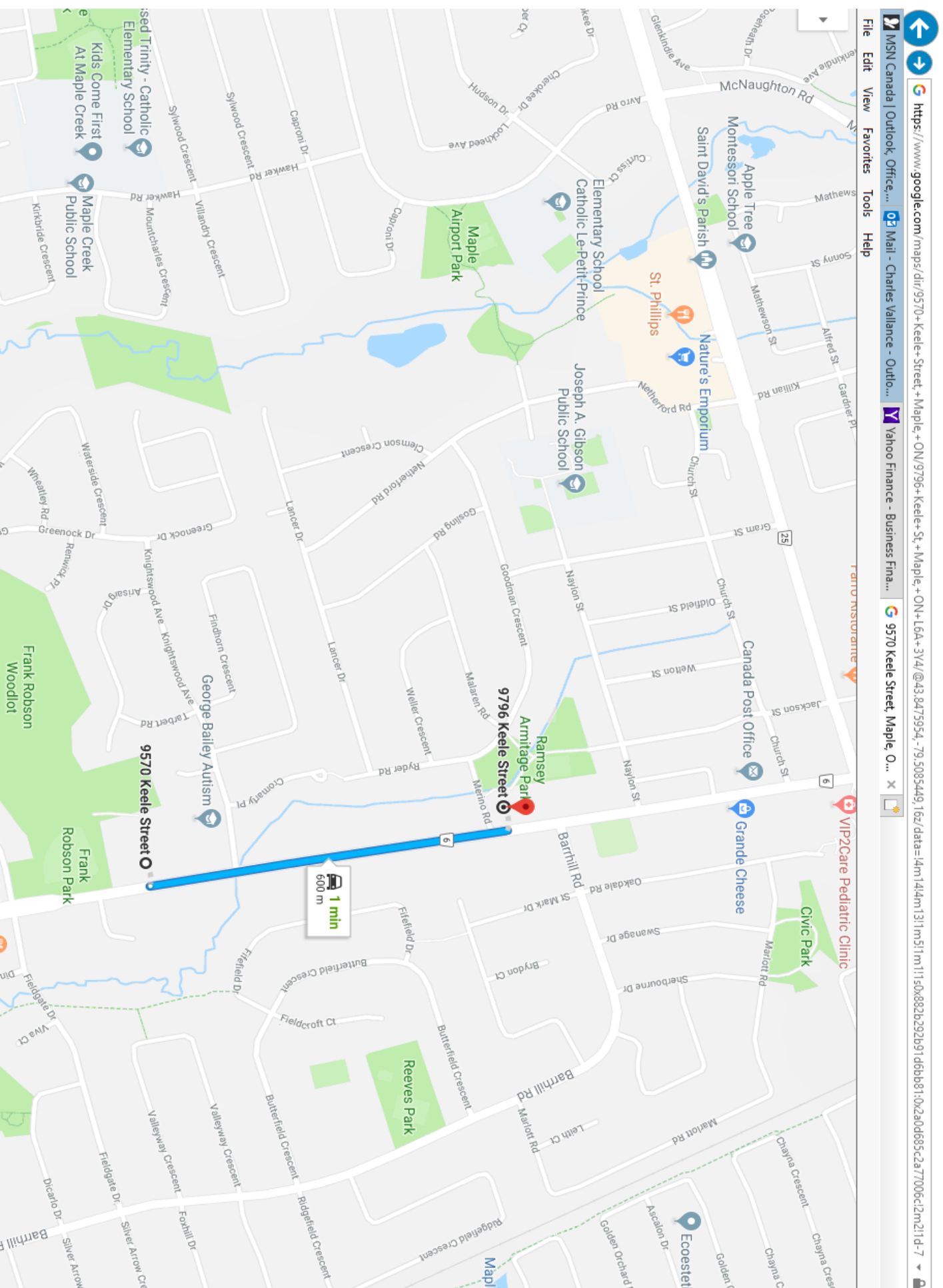
Distance between Sales trailer and Development >100m

9796 Keele Street (Location of sales trailer)  
9560-9570 Keele Street (Location of development)

A037/19



Willowgate Holdings Limited : C of A Application AO37/19 9796 Keele St



**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. Written submissions from the public will only be accepted / processed until 12:00 p.m. on the date of the scheduled hearing.

**None.**



**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. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

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

March 28, 2019

CFN: 60819.07

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

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

Dear Christine:

**Re: Minor Variance Application A037/19**  
**9796 Keele Street**  
**Part Lot 19, Concession 4**  
**City of Vaughan**  
**Owner: Willowdale Holdings Limited**  
**Agent: Charles Vallance**

This letter acknowledges receipt of the above noted application, received by Toronto and Region Conservation Authority (TRCA) on March 21, 2019. TRCA staff has reviewed the application and offers the following comments:

**Background**

It is our understanding that the purpose of Application A037/19 is to request the following:

1. To permit a temporary sales office to be located further than 100m from the lands to be developed.

It is TRCA's understanding that the purpose of the above variance is to permit the continued operation of an existing sales centre currently operating in this location.

**Applicable TRCA Policies and Regulations**

**Living City Policies (LCP):**

The Living City 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.

**Ontario Regulation 166/06:**

The subject lands are located partially within the TRCA's Regulated Area of the Don River Watershed due to the presence of a nearby watercourse with portions of its associated flood plain present on the western half of the lot. In accordance with the *Ontario Regulation 166/06 (Regulation of Development, interference with Wetlands and Alterations to Shorelines and Watercourses)*, 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.

**Application-Specific Comments**

TRCA has reviewed the submitted materials and notes that all structures on the property are existing and that no further development on the property is required to facilitate the use as a temporary sales office. Please note that portions of the current parking area are within the flood plain and may be subject to flooding in the future. Should any exterior development be proposed on the property, a permit under Ontario Regulation 166/06 may be required.

**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 \$1100.00 Variance – Industrial/Commercial/Subdivision/Institutional – Minor review fee. The applicant is responsible for fee payment and should forward the application fee to this office as soon as possible.

**Recommendations**

Given the existing development on the property and the proposed use TRCA has **no objection** to the approval of Minor Variance A037/19 subject to the following condition:

- 1) That the applicant provides the required \$1100.00 review fee for Minor Variance Application A037/19.

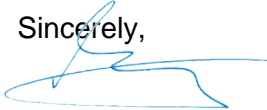
Please note that if exterior modifications to the property are proposed a permit under Ontario Regulation 166/06 may be required. Please contact the undersigned for more information on TRCA's permit process.

**Conclusion**

We thank you for the opportunity to review the subject application and provide our comments as per our commenting and regulatory role. Further, we trust these comments are of assistance.

TRCA will continue to work closely with the City of Vaughan, the applicant, and their consultants to ensure that TRCA's expectations for meeting comments are met. Should you have any additional questions or comments, please do not hesitate to contact the undersigned.

Sincerely,



Anthony Syhlonyk  
Planner I  
Planning and Development  
Extension 5272

AS/cb





**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](mailto: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](mailto:tony.donofrio@alectrautilities.com)

## Providence, Lenore

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**Subject:** FW: A037-19 - REQUEST FOR COMMENTS (Vaughan - Committee of Adjustment)

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

**Sent:** March-28-19 9:28 AM

**To:** Providence, Lenore <Lenore.Providence@vaughan.ca>; MacPherson, Adriana <Adriana.MacPherson@vaughan.ca>; Attwala, Pravina <Pravina.Attwala@vaughan.ca>

**Subject:** RE: A037-19 - REQUEST FOR COMMENTS (Vaughan - Committee of Adjustment)

Good Morning Lenore,

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

Regards,  
Gabrielle

*Gabrielle Hurst, BAA MCIP, RPP, C. Tech*

Community Planning and Development Services | Planning and Economic Development Branch | Corporate Services

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

O 1-877-464-9675 ext. 71538 | [gabrielle.hurst@york.ca](mailto:gabrielle.hurst@york.ca) | Our Values: Integrity, Commitment, Accountability, Respect, Excellence