

ITEM: 6.11	COMMITTEE OF ADJUSTMENT REPORT SUMMARY MINOR VARIANCE APPLICATION FILE NUMBER A078/23 1600 STEELES AVE, VAUGHAN
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**THIS REPORT CONTAINS COMMENTS FROM THE FOLLOWING
DEPARTMENTS & AGENCIES:**

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

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

DEPARTMENTS	Circulated	Comments Received	Conditions	Nature of Comments
Committee of Adjustment	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
Building Standards (Zoning Review)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
Building Inspection (Septic)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Comments Received to Date
Development Planning	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Recommend Approval/No Conditions
Development Engineering	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Recommend Approval/No Conditions
Parks, Forestry and Horticulture Operations	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
By-law & Compliance, Licensing & Permits	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Comments Received to Date
Development Finance	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
Real Estate	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Fire Department	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Comments Received to Date
AGENCIES	Circulated	Comments Received	Conditions	Nature of Comments
TRCA	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Comments Received to Date
Ministry of Transportation (MTO)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Region of York	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
Alectra	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
Bell Canada	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Comments Received to Date
YRDSB	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
YCDSB	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
CN Rail	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
CP Rail	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
TransCanada Pipeline	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Comments Received to Date
Metrolinx	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Propane Operator	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PUBLIC & APPLICANT CORRESPONDENCE

*Please see **Schedule C** of this report for a copy of the public & applicant correspondence listed below.

The deadline to submit public comments is **noon on the last business day prior to the scheduled hearing date.**

Comments and written public submissions received after the publication of this Staff Report will be processed as an addendum and posted on the City's Website.

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

Correspondence Type	Name	Address	Date Received (mm/dd/yyyy)	Summary
Applicant				Application Cover Letter

PREVIOUS COA DECISIONS ON THE SUBJECT LAND

*Please see **Schedule D** for a copy of the Decisions listed below

File Number	Date of Decision	Decision Outcome

PREVIOUS COA DECISIONS ON THE SUBJECT LAND

*Please see **Schedule D** for a copy of the Decisions listed below

	MM/DD/YYYY	
A016/19	03/21/2019	APPROVED; COA

ADJOURNMENT HISTORY

* Previous hearing dates where this application was adjourned by the Committee and public notice issued.

None	
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**COMMITTEE OF ADJUSTMENT REPORT
MINOR VARIANCE APPLICATION
A078/23
1600 STEELES AVE, VAUGHAN**

ITEM NUMBER: 6.11	CITY WARD #: 5
APPLICANT:	Saulberg Investments Company Ltd.
AGENT:	Humphries Planning Group Inc.
PROPERTY:	1600 Steeles Ave, Vaughan
ZONING DESIGNATION:	See Below
VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:	City of Vaughan Official Plan 2010 ('VOP 2010'): "Employment Commercial Mixed-Use"
RELATED DEVELOPMENT APPLICATIONS:	None
PURPOSE OF APPLICATION:	Relief from the Zoning By-law is being requested to permit the use of a "Clinic" and "Massage Establishment" on the subject lands.

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

The subject lands are zoned EMU – Employment Commercial Mixed-Use Zone and subject to the provisions of Exception 14.147 under Zoning By-law 001-2021, as amended.

#	Zoning By-law 001-2021	Variance requested
1	The use of a "Clinic" as defined is not permitted. [14.147] Clinic: Means premises used for the examination, diagnosis and/or treatment of outpatients by regulated health professionals, and may include accessory uses such as associated laboratories, facilities and equipment, drug and optical dispensing, and the sale of medical supplies and equipment.	To permit the use of a "Clinic" as defined.
2	The use of a "Massage Establishment" is not permitted. [14.147]	To permit the use of a "Massage Establishment".

HEARING INFORMATION

DATE OF MEETING: Thursday, June 22, 2023
TIME: 6:00 p.m.
MEETING LOCATION: Vaughan City Hall, Woodbridge Room (2nd Floor), 2141 Major Mackenzie Drive
LIVE STREAM LINK: Vaughan.ca/LiveCouncil

PUBLIC PARTICIPATION

If you would like to speak to the Committee of Adjustment at the meeting, either remotely or in person, please complete the [Request to Speak Form](#) and submit to cofa@vaughan.ca

If you would like to submit written comments, please quote file number above and submit by mail or email to:

Email: cofa@vaughan.ca

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

To speak electronically, pre-registration is required by completing the [Request to Speak Form](#) on-line and submitting it to cofa@vaughan.ca no later than NOON on the last business day before the meeting.

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

INTRODUCTION

Staff and Agencies act as advisory bodies to the Committee of Adjustment. The comments contained in this report are presented as recommendations to the Committee.

Section 45(1) of the Planning Act sets the criteria for authorizing minor variances to the City of Vaughan's Zoning By-law. Accordingly, review of the application may consider the following:

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

Public written and oral submissions relating to this application are taken into consideration by the Committee of Adjustment as part of its deliberations and final decision on this matter.

COMMITTEE OF ADJUSTMENT COMMENTS

Date Public Notice Mailed:	June 8, 2023	
Date Applicant Confirmed Posting of Sign:	June 1, 2023	
Applicant Justification for Variances: <small>*As provided by Applicant in Application Form</small>	Per Exception 147 to By-law 001-2021, the proposed Clinic use is not permitted under the current zoning designation of the property as well as being previously permitted on the site under By-law 1-88. Further, though Massage Establishment has its own definition in the by-law, the use is currently not permitted in any zones per communications with staff. As with the Clinic, this was previously permitted on the site under By-law 1-88.	
Adjournment Requests (from staff): <small>*Adjournment requests provided to applicant prior to issuance of public notice</small>	None	
Was a Zoning Review Waiver (ZRW) Form submitted by Applicant: <small>*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.</small>	No	
Adjournment Fees: <small>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.</small>		
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
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DEVELOPMENT PLANNING COMMENTS

****See Schedule B for Development Planning Comments.**

Development Planning Recommended Conditions of Approval:	None
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DEVELOPMENT ENGINEERING COMMENTS

[Link to Grading Permit](#) [Link to Pool Permit](#) [Link to Curb Curt Permit](#) [Link Culvert Installation](#)

The Development Engineering (DE) Department does not object to variance application A078/23.

DEVELOPMENT ENGINEERING COMMENTS

[Link to Grading Permit](#)
 [Link to Pool Permit](#)
 [Link to Curb Curt Permit](#)
 [Link Culvert Installation](#)

Development Engineering Recommended Conditions of Approval:	None
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PARKS, FORESTRY & HORTICULTURE (PFH) COMMENTS

Forestry has no comment at this time

PFH Recommended Conditions of Approval:	None
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DEVELOPMENT FINANCE COMMENTS

No comment no concerns

Development Finance Recommended Conditions of Approval:	None
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BY-LAW AND COMPLIANCE, LICENSING AND PERMIT SERVICES COMMENTS

No comments received to date.

BCLPS Recommended Conditions of Approval:	None
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BUILDING INSPECTION (SEPTIC) COMMENTS

No comments received to date.

Building Inspection Recommended Conditions of Approval:	None
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FIRE DEPARTMENT COMMENTS

No comments received to date.

Fire Department Recommended Conditions of Approval:	None
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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
	None	

IMPORTANT INFORMATION – PLEASE READ

CONDITIONS: It is the responsibility of the owner/applicant and/or authorized agent to obtain and provide a clearance letter from respective department and/or agency (**see condition chart above for contact**). This letter must be provided to the Secretary-Treasurer to be finalized. All conditions must be cleared prior to the issuance of a Building Permit.

IMPORTANT INFORMATION – PLEASE READ

APPROVALS: Making any changes to your proposal after a decision has been made may impact the validity of the Committee's decision.

An approval obtained from the Committee of Adjustment, where applicable, is tied to the building envelope shown on the plans and drawings submitted with the application and subject to the variance approval.

A building envelope is defined by the setbacks of the buildings and/or structures shown on the plans and drawings submitted with the application, as required by Ontario Regulation 200/96. Future development outside of an approved building envelope, where a minor variance was obtained, must comply with the provisions of the City's Zoning By-law.

Elevation drawings are provided to reflect the style of roof (i.e. flat, mansard, gable etc.) to which a building height variance has been applied. Where a height variance is approved, building height is applied to the style of roof (as defined in the City's Zoning By-law) shown on the elevation plans submitted with the application.

Architectural design features that are not regulated by the City's Zoning By-law are not to be considered part of an approval unless specified in the Committee's decision.

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

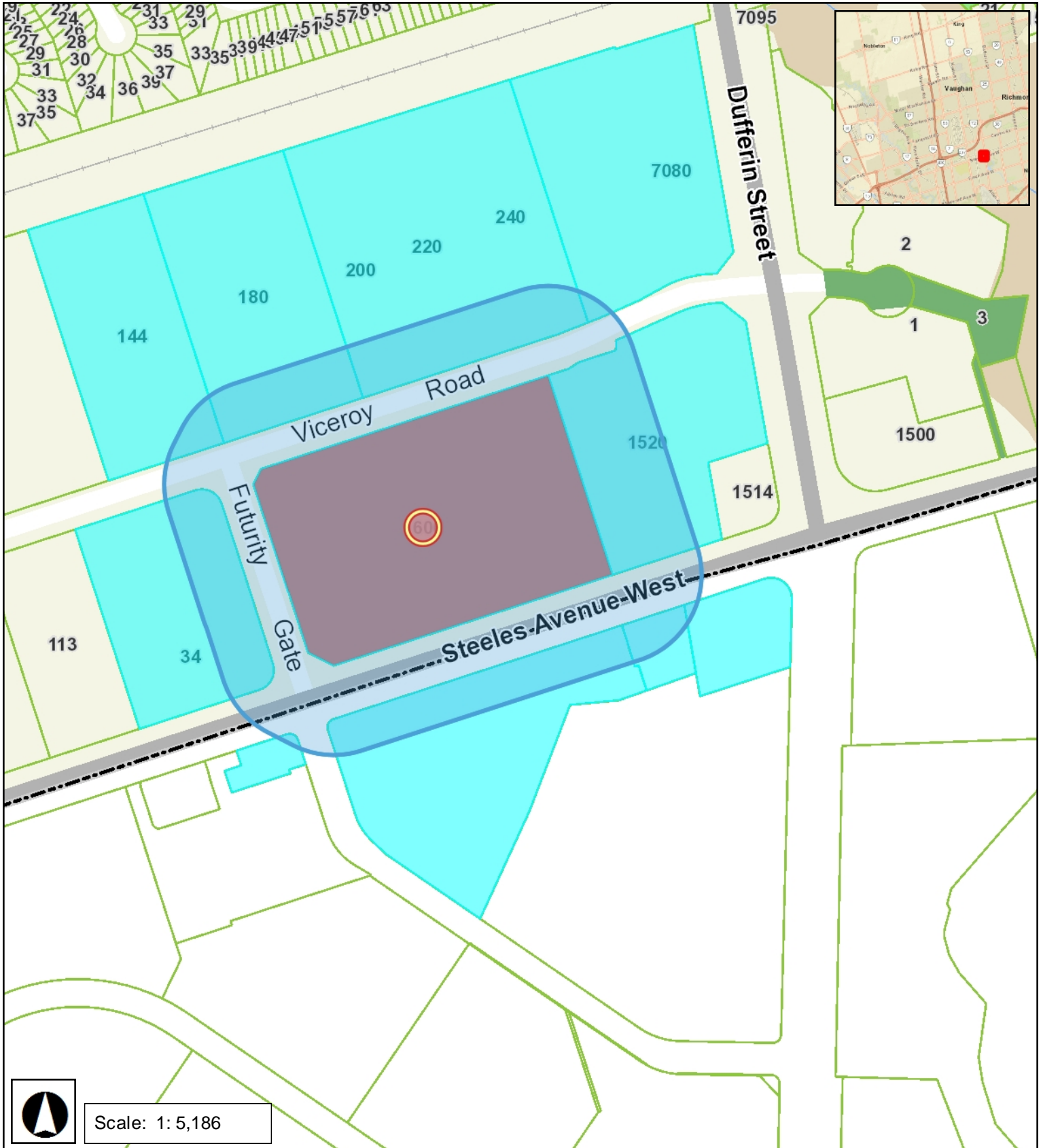
That the payment of the City Development Charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the City's Development Charges By-law in effect at the time of payment.

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

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

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

SCHEDULE A: DRAWINGS & PLANS

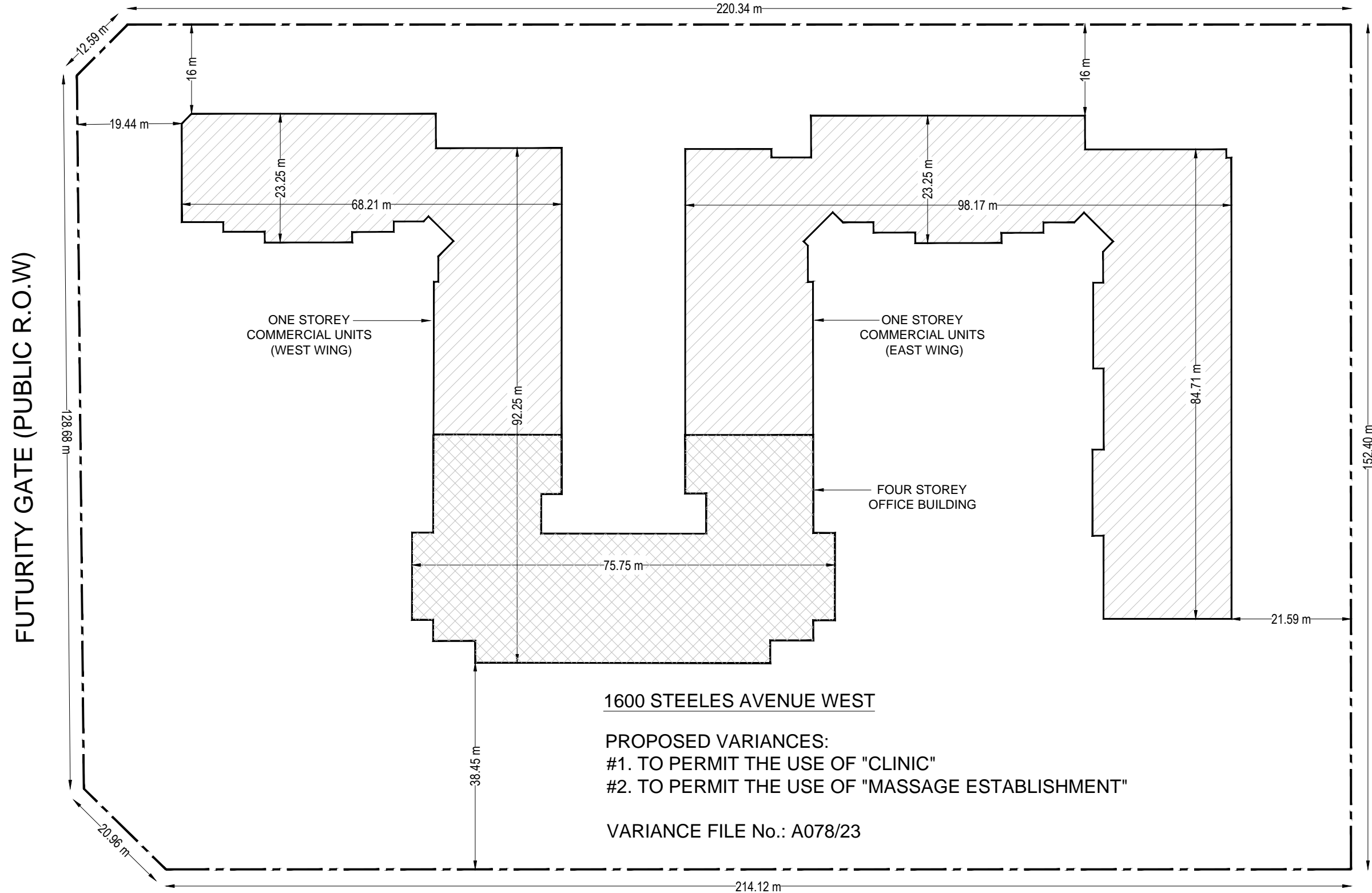


Scale: 1: 5,186

RECEIVED

By Christine Vigneault at 5:29 pm, May 30, 2023

VICEROY ROAD (PUBLIC R.O.W)



STEELES AVENUE WEST (PUBLIC R.O.W)

SITE PLAN

N.T.S.



SCHEDULE B: STAFF & AGENCY COMMENTS

DEPT/AGENCY	Circulated	Comments Received	Conditions	Nature of Comments
TRCA *Schedule B	X			No Comments Received to Date
Ministry of Transportation (MTO) *Schedule B				No Comments Received 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 Received to Date
YRDSB *Schedule B				
YCDSB *Schedule B				
CN Rail *Schedule B				
CP Rail *Schedule B				
TransCanada Pipeline *Schedule B	X			No Comments Received to Date
Metrolinx *Schedule B				
Propane Operator *Schedule B				
Development Planning	X	X		Recommend Approval/no conditions
Building Standards (Zoning)	X	X		General Comments

Date: May 29th 2023

Attention: **Christine Vigneault**

RE: Request for Comments

File No.: **A078-23**

Related Files:

Applicant Humphries Planning Group Inc.

Location 1600 Steeles Avenue



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:

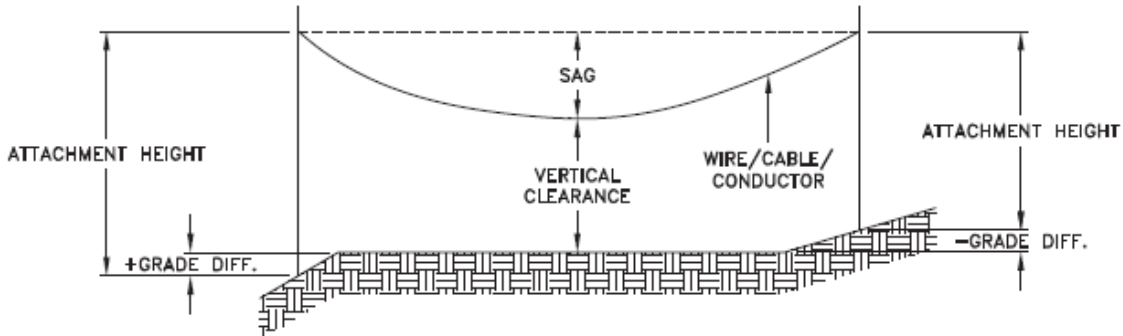
Mr. Stephen Cranley, C.E.T
Supervisor, Distribution Design, ICI & Layouts (North)
Phone: 1-877-963-6900 ext. 31297

E-mail: stephen.cranley@alectrautilities.com

Mitchell Penner
Supervisor, Distribution Design-Subdivisions
Phone: 416-302-6215

Email: Mitchell.Penner@alectrautilities.com

LOCATION OF WIRES, CABLES OR CONDUCTORS	SYSTEM VOLTAGE			
	SPAN GUYS AND COMMUNICATIONS WIRES	UP TO 600V AND NEUTRAL	4.16/2.4kV TO 27.6/16kV (SEE NOTE 1)	44kV
MINIMUM VERTICAL CLEARANCES (SEE NOTE 2)				
OVER OR ALONGSIDE ROADS, DRIVEWAYS OR LANDS ACCESSIBLE TO <u>VEHICLES</u>	442cm	442cm	480cm	520cm
OVER GROUND ACCESSIBLE TO <u>PEDESTRIANS AND BICYCLES ONLY</u>	250cm	310cm	340cm	370cm
ABOVE TOP OF RAIL AT <u>RAILWAY CROSSINGS</u>	730cm	730cm	760cm	810cm



MINIMUM ATTACHMENT HEIGHT = MAXIMUM SAG
 + MINIMUM VERTICAL CLEARANCE (FROM ABOVE TABLE)
 ± GRADE DIFFERENCE
 + 0.3m (VEHICLE OR RAILWAY LOCATION)
 + SNOW DEPTH (PEDESTRIAN LOCATION, SEE NOTE 3)

NOTES:

1. THE MULTIGROUNDED SYSTEM NEUTRAL HAS THE SAME CLEARANCE AS THE 600V SYSTEM.
2. THE VERTICAL CLEARANCES IN THE ABOVE TABLE ARE UNDER MAXIMUM SAG CONDITIONS.
3. REFER TO CSA STANDARD C22.3 No.1, ANNEX D FOR LOCAL SNOW DEPTH VALUES.
4. ALL CLEARANCES ARE IN ACCORDANCE TO CSA STANDARD C22.3.

CONVERSION TABLE

METRIC	IMPERIAL (APPROX)
810cm	27'-0"
760cm	25'-4"
730cm	24'-4"
520cm	17'-4"
480cm	16'-0"
442cm	15'-5"
370cm	12'-4"
340cm	11'-4"
310cm	10'-4"
250cm	8'-4"

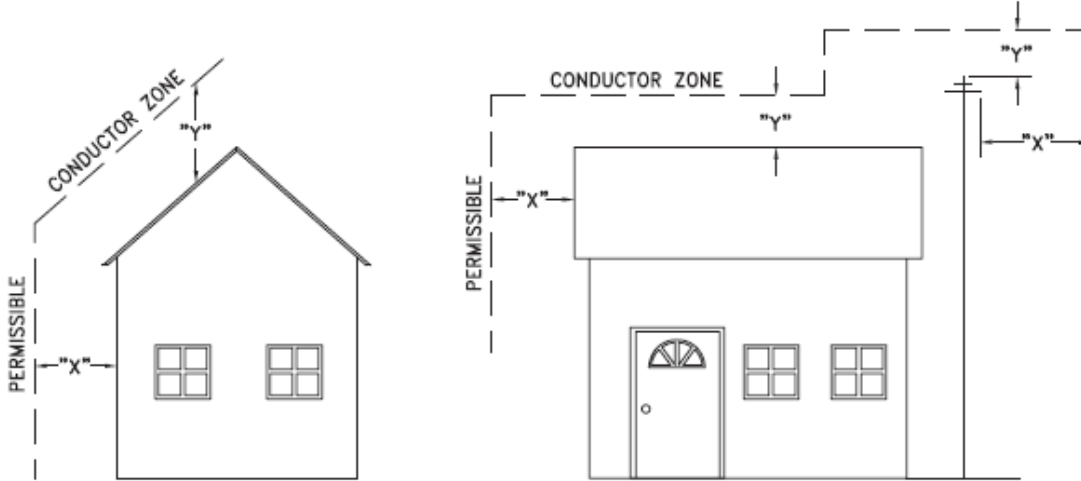
REFERENCES

SAGS AND TENSIONS | SECTION 02

MINIMUM VERTICAL CLEARANCES OF WIRES, CABLES AND CONDUCTORS ABOVE GROUND OR RAILS

ORIGINAL ISSUE DATE: 2010-DEC-24 REVISION NO: R1 REVISION DATE: 2012-JAN-09

Certificate of Approval	
This construction Standard meets the safety requirements of Section 4 of Regulation 22/04	
Joe Crozier, P.Eng.	2012-JAN-09
Name	Date
P.Eng. Approval By:	Joe Crozier



VOLTAGE	MINIMUM HORIZONTAL CLEARANCE UNDER MAXIMUM SWING CONDITIONS DIMENSION "X" (SEE NOTES 1, 3 & 4)	MINIMUM VERTICAL CLEARANCE UNDER MAXIMUM DESIGN SAG CONDITIONS DIMENSION "Y" (SEE NOTES 1, 2, 4 & 5)
0-600V AND NEUTRAL	100cm	250cm
4.16/2.4 TO 44kV	300cm	480cm

NOTES

1. UNDER NO CIRCUMSTANCES SHALL A CONDUCTOR BE PERMITTED TO PENETRATE THE ENVELOPE SHOWN BY THE DOTTED LINE.
2. THE VERTICAL CLEARANCES ARE UNDER CONDITIONS OF MAXIMUM DESIGN SAG.
3. THE HORIZONTAL CLEARANCES ARE UNDER CONDITIONS OF MAXIMUM SWING. WHERE THE CONDUCTOR SWING IS NOT KNOWN A HORIZONTAL CLEARANCE OF 480CM SHALL BE USED.
4. BUILDINGS THAT EXCEED 3 STOREYS OR 15M IN HEIGHT, THE MINIMUM HORIZONTAL CLEARANCE OF THE SECONDARY CONDUCTORS SHOULD BE INCREASED TO 300cm WHERE IT IS NECESSARY TO ALLOW FOR THE RAISING OF LADDERS BY LOCAL FIRE DEPARTMENTS.
5. IN SITUATIONS SUCH AS MULTI-LEVEL GARAGES, WHERE ROOFS ARE NORMALLY USED BY PERSONS AND VEHICLES, THE VERTICAL CLEARANCES OF POWERSTREAM STANDARD 03-1 SHALL APPLY.
6. DISTRIBUTION LINES CONSTRUCTED NEAR BUILDINGS SHALL BE BUILT TO AVOID OVERHANG WHEREVER POSSIBLE. WHERE LINES MUST BE CONSTRUCTED OVER OR ADJACENT TO BUILDINGS THE APPLICABLE HORIZONTAL AND VERTICAL CLEARANCES SHALL BE AT CONDITIONS OF MAXIMUM CONDUCTOR SWING AND MAXIMUM SAG. THE ABOVE CLEARANCES ARE DESIGNED TO PREVENT PERSONS ON OR IN BUILDINGS AS WELL AS EXTERNAL MACHINERY USED IN CONJUNCTION WITH A BUILDING TO COME IN CONTACT WITH CONDUCTORS. EFFORTS SHOULD BE MADE TO INCREASE THESE CLEARANCES WHERE POSSIBLE.
7. ALL CLEARANCES ARE IN ACCORDANCE TO CSA C22.3 NO.1-06 (TABLE-9).

METRIC	IMPERIAL (APPROX)
480cm	16'-0"
300cm	10'-0"
250cm	8'-4"
100cm	3'-4"

MINIMUM VERTICAL & HORIZONTAL CLEARANCES OF CONDUCTORS FROM BUILDINGS OR OTHER PERMANENT STRUCTURES (CONDUCTORS NOT ATTACHED TO BUILDINGS)

Certificate of Approval
This construction Standard meets the safety requirements of Section 4 of Regulation 22/04
Debbie Dadwani, P.Eng. 2010-MAY-05
Name Date
P. Eng. Approval By: *D. Dadwani*

ORIGINAL ISSUE DATE: 2010-MAY-05 REVISION NO: REVISION DATE:
PS:\System Planning and Standards\Standard Design\PowerStream Standards\PowerStream Standards working files\Section 3-1-02\WG 03-4 R0 May 5, 2010.dwg, 5/5/2010 10:22:02 AM, Adobe PDF

To: Committee of Adjustment
From: Faegheh Gholami, Building Standards Department
Date: May 29, 2023
Applicant: Humphries Planning Group Inc
Location: 1600 Steeles Avenue
 PLAN 65R5980 Part 1
 PLAN 65M2085 Part of Block 1
File No.(s): A078/23

Zoning Classification:

The subject lands are zoned EMU – Employment Commercial Mixed-Use Zone and subject to the provisions of Exception 14.147 under Zoning By-law 001-2021, as amended.

#	Zoning By-law 001-2021	Variance requested
1	The use of a “Clinic” as defined is not permitted. [14.147] Clinic: Means premises used for the examination, diagnosis and/or treatment of outpatients by regulated health professionals, and may include accessory uses such as associated laboratories, facilities and equipment, drug and optical dispensing, and the sale of medical supplies and equipment.	To permit the use of a “Clinic” as defined.
2	The use of a “Massage Establishment” is not permitted. [14.147]	To permit the use of a “Massage Establishment”.

Staff Comments:

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

There are no outstanding Orders on file

Building Permit(s) Issued:

Building Permit No. 22-138868 for Office Building – Interior Unit Alteration, Issue Date: Feb 23, 2023
 Building Permit No. 08-004079 for Business and Prof. Office Unit - New, Issue Date: Aug 28, 2008
 Building Permit No. 02-005893 for Business and Prof. Office Unit – Alteration, Issue Date: Nov 21, 2002
 Building Permit No. 21-103616 for Business and Prof. Office Unit – Alteration, Issue Date: Apr 26, 2021
 Building Permit No. 08-003862 for Business and Prof. Office Unit – Interior Unit Alteration, Issue Date: Aug 28, 2008
 Building Permit No. 19-001721 for Eating Establishment – Interior Unit Alteration, Issue Date: Nov 25, 2019

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.

Conditions of Approval:

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

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

To: Christine Vigneault, Committee of Adjustment Secretary Treasurer
From: Nancy Tuckett, Director of Development Planning
Date: June 22, 2023
Name of Owner: Saulberg Investments Company Limited (Janice Feldberg)
Location: 1600 Steeles Avenue
File No.(s): A078/23

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

1. To permit the use of a “Clinic” as defined.

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

1. The use of a “Clinic” as defined is not permitted.

Clinic: Means premises used for the examination, diagnosis and/or treatment of outpatients by regulated health professionals, and may include accessory uses such as associated laboratories, facilities and equipment, drug and optical dispensing, and the sale of medical supplies and equipment.

Official Plan:

City of Vaughan Official Plan 2010 (‘VOP 2010’): “Employment Commercial Mixed-Use”

Comments:

The Owner is proposing to open a registered massage therapist practice. The proposed use is defined as a “Clinic” under Zoning By-law 001-2021, as it is a “premises used for the examination, diagnosis and/or treatment of outpatients by regulated health professionals, and may include accessory uses such as associated laboratories, facilities and equipment, drug and optical dispensing, and the sale of medical supplies and equipment”. A Registered Massage Therapist is classified as a “Clinic” as it is the only definition under By-law 001-2021 that speaks to regulated health professionals. As a result, the Owner is requesting relief to add a Clinic use to the list of permitted uses for the Subject Lands.

Under Zoning By-law 1-88, a “Business or Professional Office” and “Personal Service Shop” is permitted in the underlying “EM1 – Prestige Employment Zone. Exception 9(286) facilitated the creation of the building envelope as shown on Schedule E-290A, and sets provisions related to the permitted uses on the lands zoned EM1 Prestige Employment Zone on Schedule E-290A. The massage therapist use was permitted under By-law 1-88 as a Business or Professional Office and/or Personal Service Shop. Under Zoning By-law 001-2021, a “Business or Professional Office” and/or “Clinic” is not permitted within site-specific Exception 14.147 or the underlying “EMU– Employment Commercial Mixed-Use Zone”.

The Development Planning Department has no objection to the proposed variance for the Clinic use. The use is proposed within an existing office building that is part of an established multi-unit commercial plaza. The Clinic use is a like-use compatible with the other office and personal service uses within the plaza. As it is a like-use to other uses on the Subject Lands, its impact is comparable to an expansion of a use permitted under By-law 1-88 rather than the introduction of a new use. Due to the existence of other like-uses on the Subject Lands, a Clinic in this location would also be beneficial to its clients by grouping together like-services its clients may need.

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

Recommendation:

The Development Planning Department recommends approval of the application.

Conditions of Approval:

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

None

Comments Prepared by:

Michelle Perrone, Planner 1
David Harding, Senior Planner

Lenore Providence

From: Development Services <developmentservices@york.ca>
Sent: June-06-23 3:42 PM
To: Christine Vigneault
Cc: Committee of Adjustment
Subject: [External] RE: A078/23 (1600 Steeles Avenue) - REQUEST FOR COMMENTS, CITY OF VAUGHAN

Hi Christine,

Sorry for the delay.

The Regional Municipality of York has completed its review of the above minor variance and has no comment. Please note regional comments will be sent through the Site Plan.

Also, please provide us with the notice of decision.

Many thanks,

Our working hours may be different. Please do not feel obligated to reply outside of your scheduled working hours. Let's work together to help foster healthy work-life boundaries.

Niranjan Rajevan, M.Pl. | Associate Planner, Development Services, Planning and Economic Development, Corporate Services

The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1
1-877-464-9675 ext. 71521 | niranjan.rajevan@york.ca | www.york.ca

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SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE

Correspondence Type	Name	Address	Date Received (mm/dd/yyyy)	Summary
Applicant				Application Cover Letter

May 12, 2023
HPGI File: 19586

Committee of Adjustment

City of Vaughan
2141 Major Mackenzie Dr W
Maple, Ontario
L6A 1T1

**Re: Minor Variance Application
1600 Steeles Avenue West, Vaughan
Saulberg Investments Company Limited**

Humphries Planning Group Inc. ('HPGI') is the planning consultant for Saulberg Investments Company Limited, the legally registered owners of the lands municipally known as 1600 Steeles Avenue West, in the City of Vaughan (the "Subject Site").

A Minor Variance Application is being submitted to permit Clinic and Massage Establishment as additional uses on the Subject Site. The site is currently occupied by a commercial service plaza with a variety of different commercial and employment uses.

The Subject Site is designated "Employment Commercial Mixed-Use", per Schedule 13 – Land Use, of the City of Vaughan Official Plan (2010) where a maximum height of 8-storeys and a density of 2.5 FSI is permitted. According to By-law 01-2021, the site is zoned 'EMU 147 – Employment Commercial Mixed-Use' Zone with site specific exception 147.

Further to the above, Site-Specific Exception 147 provides a list of uses which notes that they shall be the only ones permitted for the Subject Site. Notably, Clinic is not included in the list of permitted uses. Further, By-law 176-22, being a By-law being to amend 01-2021, altered the definition of Clinic, which now reads: '*Means premises used for the examination, diagnosis and/or treatment of outpatients by regulated health professionals, and may include accessory uses such as associated laboratories, facilities and equipment, drug and optical dispensing, and the sale of medical supplies and equipment*'. Previously, the definition included Massage Establishment. However, Massage Establishment was removed from the definition of Clinic with the passing of By-law 176-22 and is now a separately defined use that is notably not permitted within any zones under By-law 01-2021 currently.

This contradicts what was previously permitted under By-law 1-88, wherein the use of a Clinic was permitted on the site and the previous definition of the use described regulated health professionals which included Massage Therapists. Through communication with the City, staff have acknowledged that this is a mistake on their end and have suggested a Minor Variance as an interim relief measure.

In order to permit the proposed uses, relief from the City of Vaughan Zoning By-law 01-2021 is required. The below identifies the variances required for relief for 01-2021.

Variance #1: Per Zoning By-law 01-2021, the Site-Specific Exception 147 does not list Clinic as a permitted use for the site, whereas Clinic is proposed as an additional use for the site. Relief from By-law 01-2021 is required to permit the additional use.

Variance #2: Per Zoning By-law 01-2021, Massage Establishment is currently not permitted in any zones within this By-law, whereas Massage Establishment is proposed as an additional use for the site. Relief from By-law 01-2021 is required to permit the additional use.

In support of the Minor Variance application, Humphries Planning Group Inc. is submitting the following materials:

Deliverable	Consultant	Date
Cover Letter	HPGI	May 12, 2023
Aerial Photograph	HPGI	April 14, 2023
Variances Requested Chart	HPGI	May 4, 2023
Property Setbacks Chart	HPGI	May 4, 2023
Size of Structures Chart	HPGI	May 4, 2023
Site Plan (with variances highlighted)	Spectra Architects Inc.	October 10, 1990
Authorization of Owner Form	Owner	May 11, 2023
Sworn Declaration Form	Owner	May 11, 2023
Authorizing Statements	Owner	May 11, 2023
Tree Declaration Form	Owner	May 11, 2023
Digital Submission	HPGI	Through COA Submission Portal

We trust that the above is in order and constitutes a complete application for Minor Variance. We request that notice of such be issued and that the enclosed materials be circulated for review and a meeting be scheduled with the Committee of Adjustment.

Yours truly,
HUMPHRIES PLANNING GROUP INC.



Rosemarie Humphries BA, MCIP, RPP
President

cc.
Saulberg Investments Company Limited

SCHEDULE D: PREVIOUS COA DECISIONS ON THE SUBJECT LAND		
File Number	Date of Decision MM/DD/YYYY	Decision Outcome
A016/19	03/21/2019	APPROVED; COA

NOTICE OF DECISION
Minor Variance Application A016/19
 Section 45 of the Planning Act, R.S.O, 1990, c.P.13

Date of Hearing: Thursday, March 21, 2019

Applicant: Saulberg Investments Company Ltd

Agent Lakeshore Group

Property: **1600 Steeles Avenue, Unit 10, Vaughan**

Zoning: The subject lands are zoned EM1 , Prestige Employment Area and subject to the provisions of Exception 9(286) under By-law 1-88 as amended

OP Designation: VOP 2010: 'Employment Commercial Mixed-Use' with a maximum permitted height of 8-stories and density of 2.5 FSI.

Related Files: None

Purpose: Relief from the By-Law in being requested to permit an axe throwing facility within Unit 10.

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

By-law Requirement	Proposal
An axe throwing facility is not a permitted use.	To permit the use of a axe throwing facility.

Sketch: A sketch illustrating the request has been attached to the decision.

Having regard to the requirements of Section 45 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, including the written and oral submissions related to the application, it is the decision of the Committee:

THAT Application No. A016/19 on behalf of Saulberg Investments Company Ltd be **APPROVED**, in accordance with the sketch submitted with the application (as required by Ontario Regulation 200/96).

For the following reasons:

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

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.


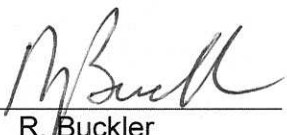

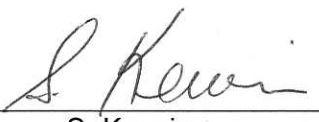

Development outside of the approved building envelope (subject to this application) must comply with the provisions of the City's Zoning By-law or additional variances may be required.

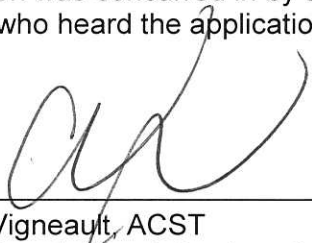
Elevation drawings are provided to reflect the style of roof to which building height has been applied (i.e. flat, mansard, gable etc.) as per By-law 1-88 and the Committee of Adjustment approval. Please note, that architectural design features (i.e. window placement), that do not impact the style of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

Written & oral submissions considered in the making of this decision were received from the following:

Public Written Submissions * Public Correspondence received and considered by the Committee in making this decision	Public Oral Submissions *Please refer to the approved Minutes of the Thursday , March 21, 2019 meeting for submission details.
Name: Address: Nature of Correspondence:	Name: Address:
Name: Address: Nature of Correspondence:	Name: Address:
Name: Address: Nature of Correspondence:	Name: Address:

SIGNED BY ALL MEMBERS PRESENT WHO CONCUR IN THIS DECISION:

 H. Zheng Member	 R. Buckler Chair	 A. Perrella Vice Chair
 S. Kerwin Member		 A. Antinucci Member

DATE OF HEARING:	Thursday, March 21, 2019
DATE OF NOTICE:	March 29, 2019
LAST DAY FOR *APPEAL: *Please note that appeals must be received by this office no later than 4:30 p.m. on the last day of appeal.	April 10, 2019 4:30 p.m.
CERTIFICATION: I hereby certify that this is a true copy of the decision of the City of Vaughan's Committee of Adjustment and this decision was concurred in by a majority of the members who heard the application.  Christine Vigneault, ACST Manager Development Services & Secretary Treasurer to the Committee of Adjustment	

Appealing to The Local Planning Appeal Tribunal
The *Planning Act*, R.S.O. 1990, as amended, Section 45

The applicant, the Minister or any other person or public body who has an interest in the matter may within 20 days of the making of the decision appeal to the Local Planning Appeal Tribunal (LPAT) against the decision of the Committee by filing with the Secretary-Treasurer of the Committee a notice of appeal (A1 Appeal Form) setting out the objection to the decision and the reasons in support of the objection accompanied by payment to the Secretary-Treasurer of the fee prescribed by the Tribunal under the *Local Planning Appeal Tribunal Act*.

Note: A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

When **no appeal is lodged** within twenty days of the date of the making of the decision, the decision becomes final and binding and notice to that effect will be issued by the Secretary-Treasurer.

Appeal Fees & Forms

Local Planning Appeal Tribunal: The LPAT appeal fee is \$300 plus \$25 for each additional consent/variance appeal filed by the same appellant against connected applications. The LPAT Appeal Fee must be paid by certified cheque or money order payable to the "Minister of Finance". Notice of appeal forms (A1 Appeal Form – Minor Variance) can be obtained at www.elto.gov.on.ca or by visiting our office.

City of Vaughan LPAT Processing Fee: \$817.00 per application

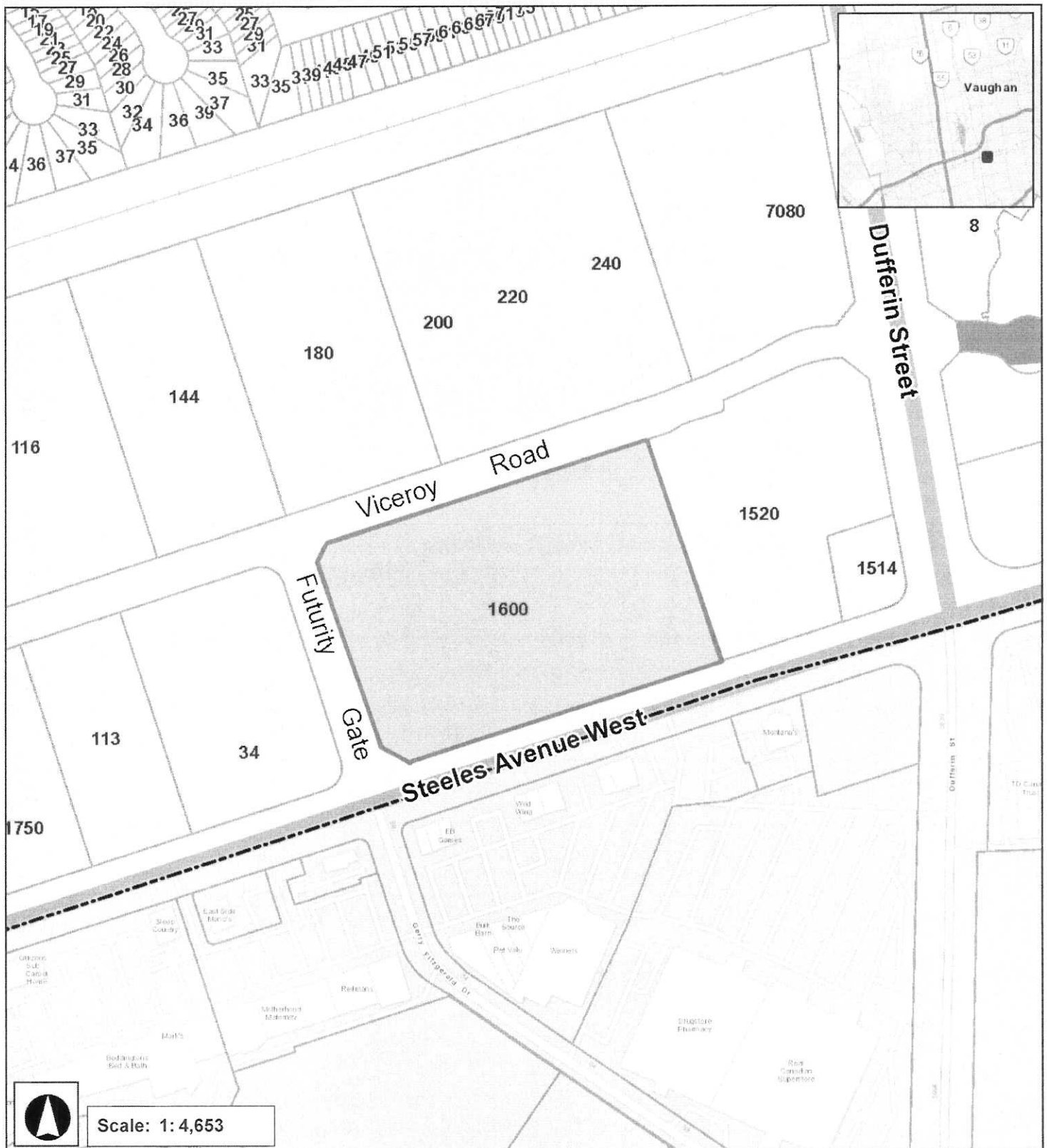
*Please note that all fees are subject to change.

Conditions

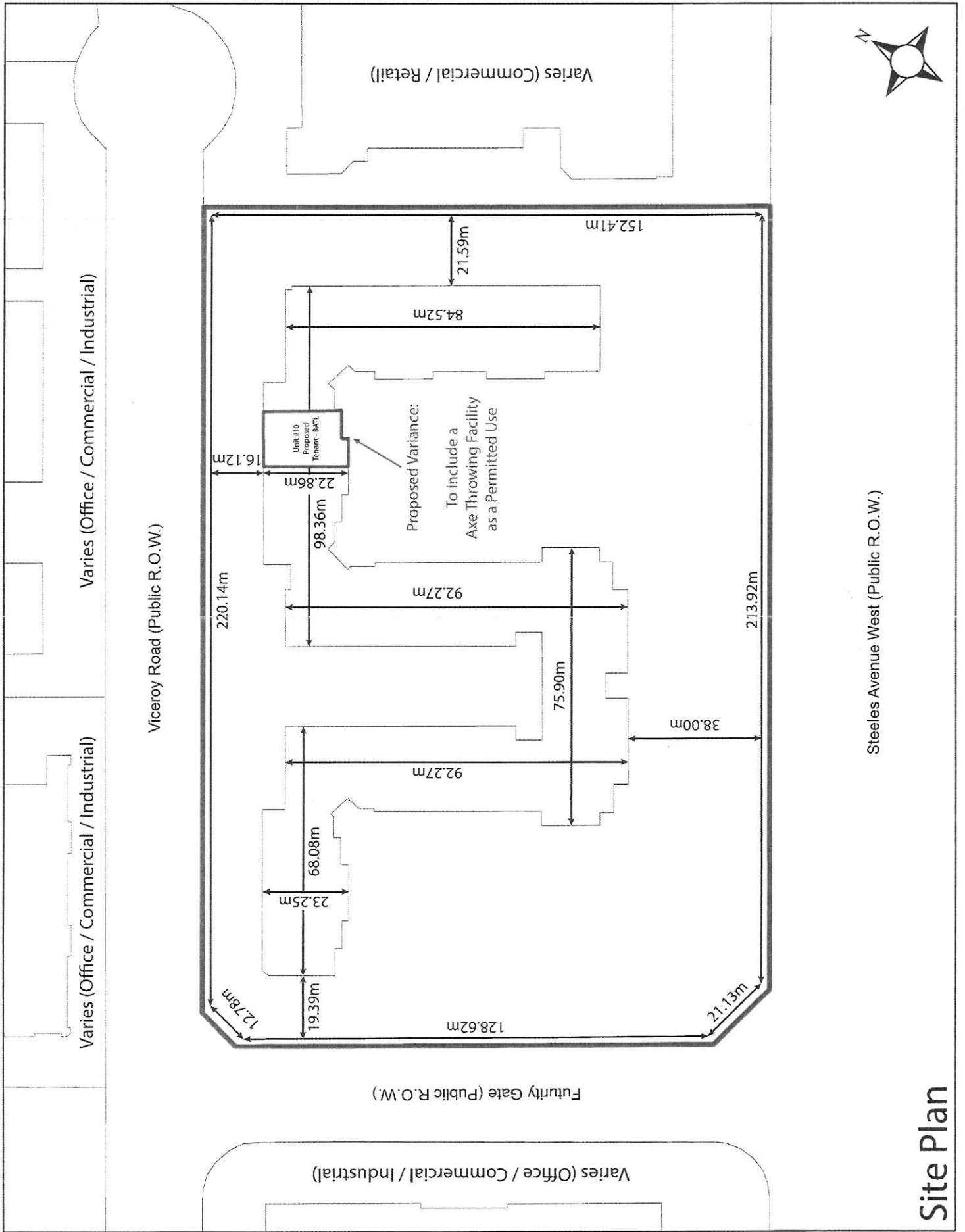
It is the responsibility of the owner/applicant and/or authorized agent to obtain and provide a clearance letter from each respective department and/or agency. This letter must be provided to the Secretary-Treasurer to be finalized. All applicable conditions must be cleared prior to the issuance of a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

VAUGHAN Location Map- A016/19

1600 Steeles Avenue, Thornhill , Unit # 10



A016/19



Site Plan