

	COMMITTEE OF ADJUSTMENT REPORT SUMMARY MINOR VARIANCE APPLICATION FILE NUMBER A038/22
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AGENDA ITEM NUMBER: 15	CITY WARD #: 1
APPLICANT:	Ruland Properties Inc.
AGENT:	Eric Del Favero
PROPERTY:	2563 Major Mackenzie Dr Vaughan
ZONING DESIGNATION:	See below.
VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:	Vaughan Official Plan 2010 ('VOP2010'): "Low-Rise Mixed-Use"
RELATED DEVELOPMENT APPLICATIONS: <small>*May include related applications for minor variance, consent, site plan, zoning amendments etc.</small>	None
PURPOSE OF APPLICATION:	Relief from the Zoning By-law is being requested to permit medical clinic uses within the complex.

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 Recieved 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"/>	No Comments or Concerns
By-law & Compliance, Licensing & Permits	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No Comments or Concerns
Development Finance	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No Comments or Concerns
Real Estate	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Fire Department	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No Comments or Concerns
AGENCIES	Circulated	Comments Received	Conditions	Nature of Comments
TRCA	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No Comments or Concerns
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"/>	No Comments or Concerns
Alectra	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No Comments or Concerns
Bell Canada	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Comments Recieved 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
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
None				

PREVIOUS COA DECISIONS ON THE SUBJECT LAND		
*Please see Schedule D for a copy of the Decisions listed below		
File Number	Date of Decision MM/DD/YYYY	Decision Outcome
None		

ADJOURNMENT HISTORY	
* Previous hearing dates where this application was adjourned by the Committee and public notice issued.	
None	



COMMITTEE OF ADJUSTMENT REPORT MINOR VARIANCE APPLICATION A038/22

FILE MANAGER: Pravina Attwala, Administrative Coordinator - Committee of Adjustment

AGENDA ITEM NUMBER: 15	CITY WARD #: 1
APPLICANT:	Ruland Properties Inc.
AGENT:	Eric Del Favero
PROPERTY:	2563 Major Mackenzie Dr Vaughan
ZONING DESIGNATION:	See below.
VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:	Vaughan Official Plan 2010 ('VOP2010'): "Low-Rise Mixed-Use"
RELATED DEVELOPMENT APPLICATIONS: <small>*May include related applications for minor variance, consent, site plan, zoning amendments etc.</small>	None
PURPOSE OF APPLICATION:	Relief from the Zoning By-law is being requested to permit medical clinic uses within the complex.

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

The subject lands are zoned NC, Neighbourhood Commercial Zone and subject to the provisions of Exception 14.551 under Zoning By-law 01-2021.

#	Zoning By-law 01-2021	Variance requested
1	A clinic is not permitted (Table 9-2).	To permit a clinic use on the subject lands.

The subject lands are zoned C4, Neighbourhood Commercial Zone, and subject to the provisions of Exception 9(862) under Zoning By-law 1-88, as amended.

HEARING INFORMATION

DATE & TIME OF HEARING: Thursday , April 14, 2022 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.

PUBLIC PARTICIPATION

You can watch a live stream of the hearing at [Vaughan.ca/LiveCouncil](https://vaughan.ca/LiveCouncil)

If you wish to speak to the Committee of Adjustment on an application please complete and submit a [Request to Speak Form](#) to cofa@vaughan.ca by **noon** on the last business day prior to the hearing.

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 must be submitted by **noon** on the last business day **prior** to the day of the scheduled hearing. Written submissions can be emailed to cofa@vaughan.ca

[For more information, please visit the City of Vaughan website.](#)

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.

INTRODUCTION	
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:	March 29, 2022
Date Applicant Confirmed Posting of Sign:	March 29, 2022
Applicant Justification for Variances: <small>*As provided by Applicant in Application Form</small>	Existing and future clinics do not comply under new Zoning By-law 01-2021
Adjournment Requests (from staff): <small>*Adjournment requests provided to applicant prior to issuance of public notice</small>	None
Was a Zoning Review Waiver (ZRW) Form submitted by Applicant: *ZRW Form may be used by applicant in instances where a revised submission is made, and zoning staff do not have an opportunity to review and confirm variances prior to the issuance of public notice. *A revised submission may be required to address staff / agency comments received as part of the application review process. *Where a zoning review has not been completed on a revised submission, an opportunity is provided to the applicant to adjourn the proposal prior to the issuance of public notice.	No
Adjournment Fees: In accordance with Procedural By-law 069-2019, an Adjournment Fee is applicable to reschedule an application after the issuance of public notice where a request for adjournment has been provided to the applicant prior to the issuance of public notice. An Adjournment Fee can only be waived in instances where adjournment of an application is requested by the Committee or staff after the issuance of public notice.	
Committee of Adjustment Comments:	None
Committee of Adjustment Recommended Conditions of Approval:	None

BUILDING STANDARDS (ZONING) COMMENTS	
Stop work orders and orders to comply: There are no outstanding Orders on file Building Permit(s) Issued: Building Permit No. 22-100759 for Retail Store Unit - Interior Unit Alteration, Issue Date: (Not Yet Issued) The applicant shall be advised that additional variances may be required upon review of detailed drawing for building permit/site plan approval. The subject lands may be subject to Ontario Regulation 166/06 (TRCA - Toronto and Region Conservation Authority).	
Building Standards Recommended Conditions of Approval:	None

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

DEVELOPMENT ENGINEERING COMMENTS	
The Development Engineering (DE) Department does not object to variance application A038/22.	
Development Engineering Recommended Conditions of Approval:	None

PARKS, FORESTRY & HORTICULTURE (PFH) COMMENTS	
Forestry: Forestry has no comments at this time	

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

DEVELOPMENT FINANCE COMMENTS	
No comment no concerns	
Development Finance Recommended Conditions of Approval:	None

BY-LAW AND COMPLIANCE, LICENSING AND PERMIT SERVICES COMMENTS	
No comment no concerns	
BCLPS Recommended Conditions of Approval:	None

BUILDING INSPECTION (SEPTIC) COMMENTS	
No comments received to date	
Building Inspection Recommended Conditions of Approval:	None

FIRE DEPARTMENT COMMENTS	
No comment no concerns	
Fire Department Recommended Conditions of Approval:	None

SCHEDULES TO STAFF REPORT	
*See Schedule for list of correspondence	
Schedule A	Drawings & Plans Submitted with the Application
Schedule B	Development Planning & 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: 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.
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.

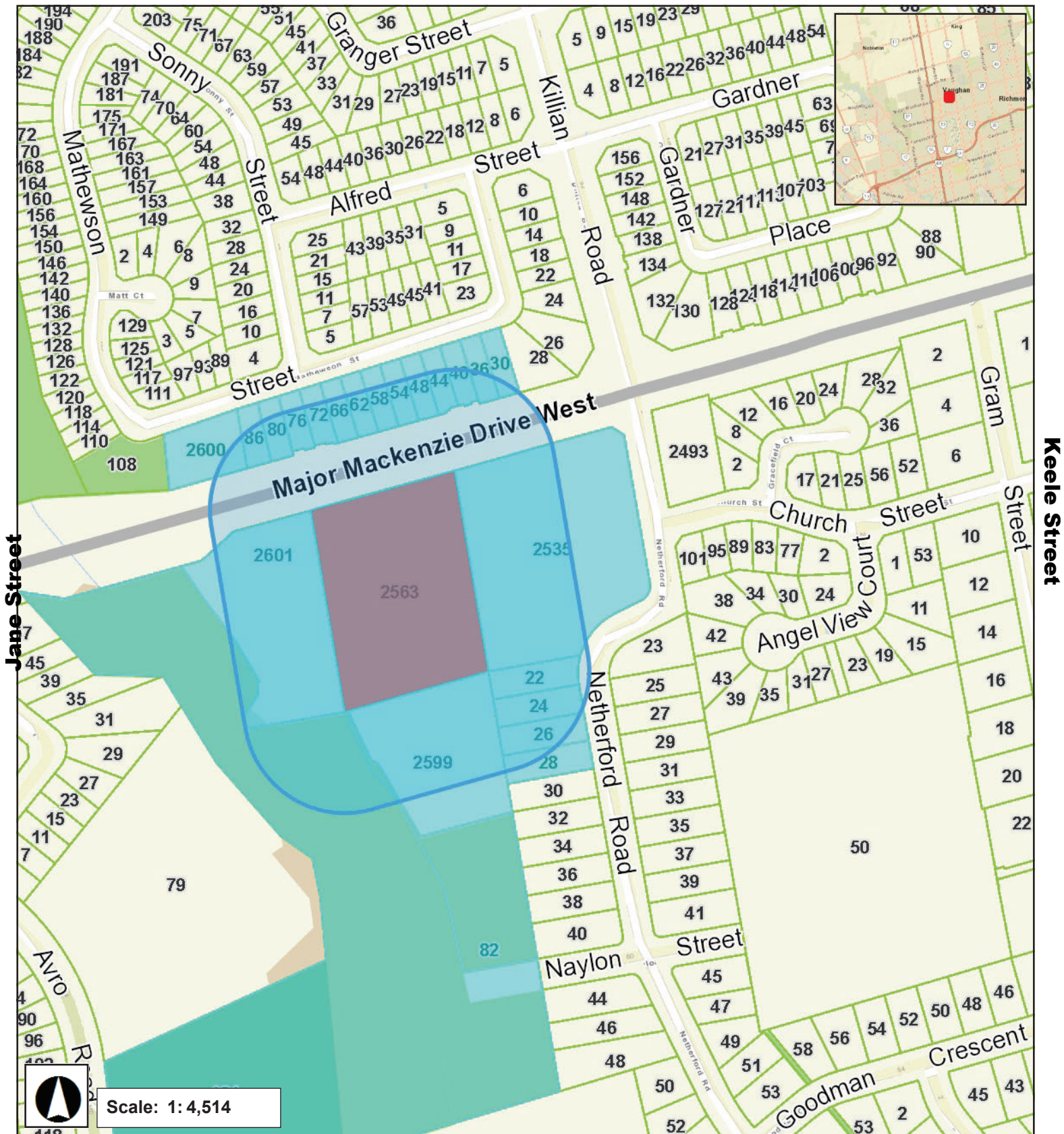
IMPORTANT INFORMATION – PLEASE READ
<p>That the payment of the City Development Charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the City's Development Charges By-law in effect at the time of payment.</p> <p>That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

SCHEDULE A: DRAWINGS & PLANS



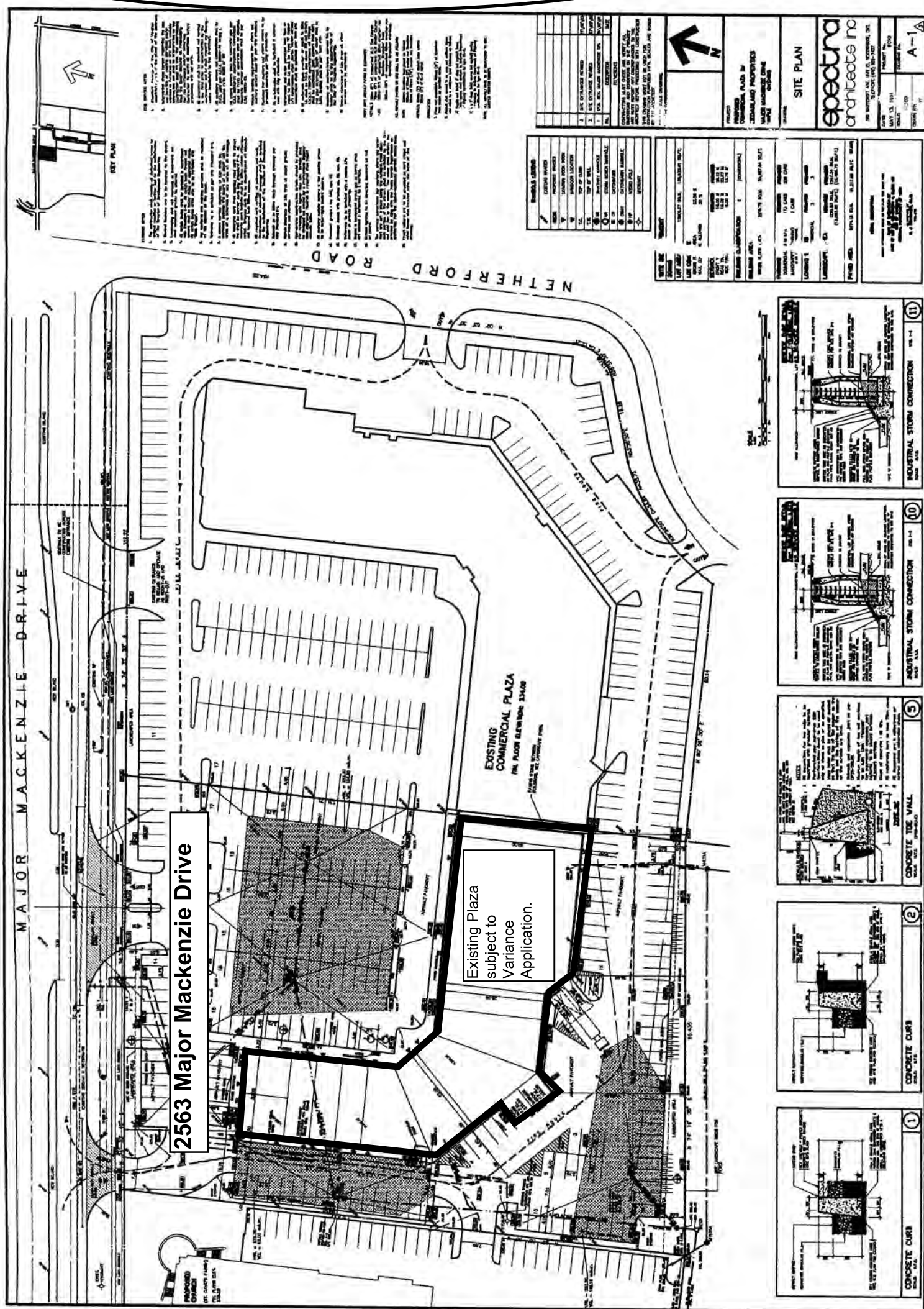
LOCATION MAP - A038/22

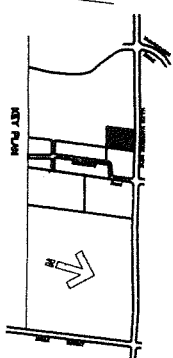
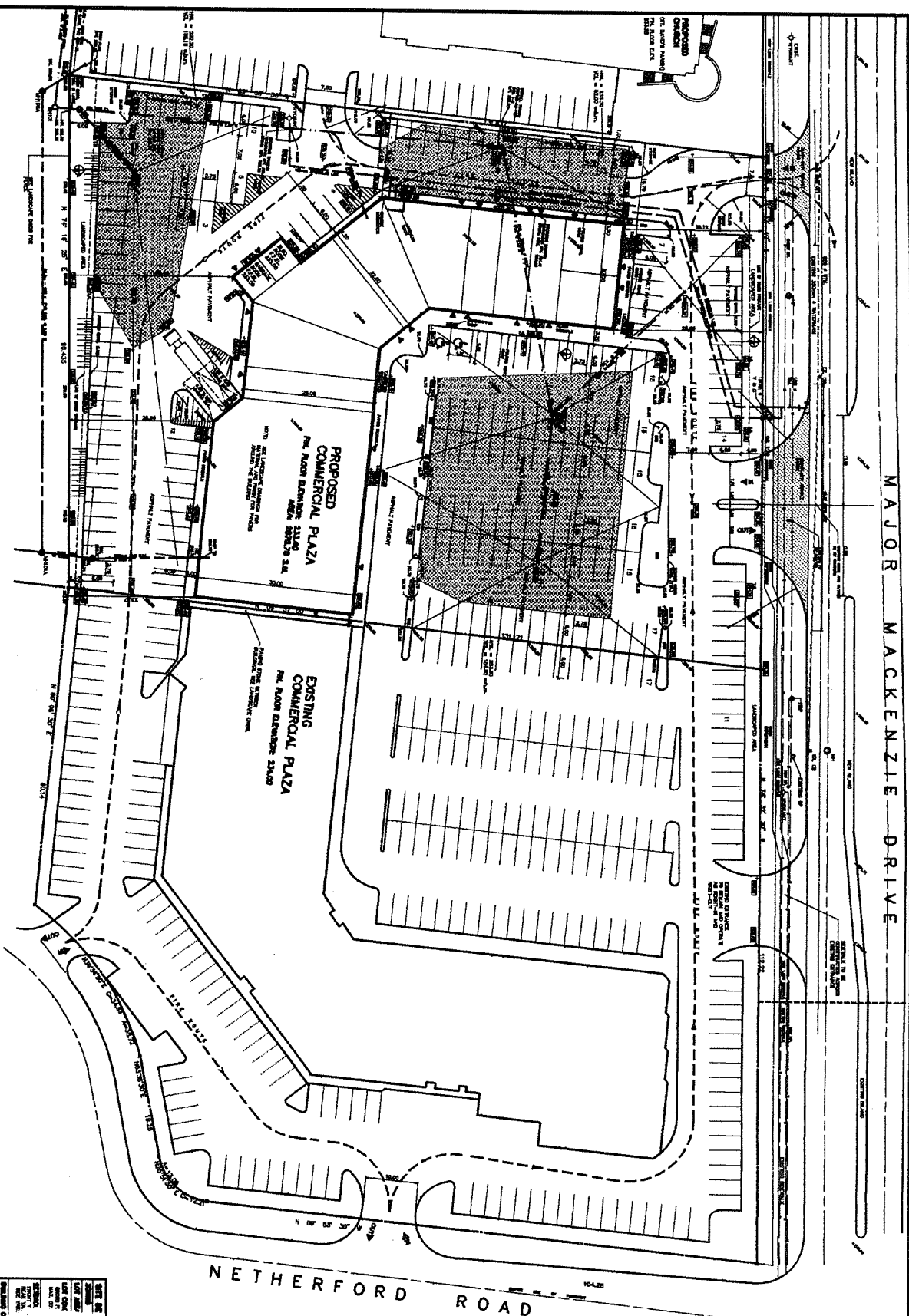
2563 MAJOR MACKENZIE DRIVE, VAUGHAN



Rutherford Road










March 17, 2022 12:53 PM





17. The following information was obtained from the records of the Department of Health and Human Services:
18. The following information was obtained from the records of the Department of Health and Human Services:
19. The following information was obtained from the records of the Department of Health and Human Services:
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23. The following information was obtained from the records of the Department of Health and Human Services:
24. The following information was obtained from the records of the Department of Health and Human Services:
25. The following information was obtained from the records of the Department of Health and Human Services:

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Special Listing	
	DESIGN WAIVER
	REUSE PREVIOUS WAIVER
	LOADING DOCK DOOR
	BARCODE LOCATION
U.S.	TYPE OF MAIL
T.R.	TYPE OF SEAL
	SHIRTLESS MANNEQUIN
	STING BEES, WASPES
IN CO.	OUTSTANDING
	CASH OUTSTANDING MANNEQUIN
	HYDRO PULP
	BRIGHT

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Product	Quantity	Price
COMMERCIAL	600 EA	175 CASH
WARRANTY	2 CASH	200 CASH

[illegible]

APPROVED	APPROVED BY	DATE

[illegible]

三

SITE PLAN

spectra
architects inc

7810 BARNETT AVE. UNIT 2, WOODBRIDGE, ONT.
7812741201 (416) 897-7437

DATE MAY 13, 1991	PROJECT No. 8070
SCALE	OFFICIAL No.

1:300
DATE: 11/1/77
A-1

11	22
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[illegible][illegible]

ROOF

TANK

CONNECTION

VALVE

PIPE

FLANGE

SEE DRAWING FOR CONNECTION

[illegible]

DATE MAY 13, 1981		PROJECT NO. B100	DRAWING NO. A-1
SHEET NO. 1-100			
DRAWN BY DATE NO. APPROVED BY DATE TITLE SITE PLAN			

SCHEDULE B: DEVELOPMENT PLANNING & AGENCY COMMENTS

AGENCIES	Circulated	Comments Received	Conditions	Nature of Comments
Development Planning	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Recommend Approval/No Conditions
TRCA	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No Comments or Concerns
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"/>	No Comments or Concerns
Alectra	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No Comments or Concerns
Bell Canada	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Comments Recieved 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Metrolinx	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Propane Operator	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

To: Christine Vigneault, Committee of Adjustment Secretary Treasurer

From: Nancy Tuckett, Director of Development Planning

Date: April 14, 2021

Name of Owner: Ruland Properties Inc.

Location: 2563 Major Mackenzie Drive

File No.(s): A038/22

Proposed Variance(s) (By-law 01-2021):

1. To permit a clinic use on the Subject Lands.

By-Law Requirement(s) (By-law 01-2021):

1. A clinic is not permitted. (Table 9-2)

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

None

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

The proposal complies with the By-law.

Official Plan:

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

Comments:

The Owner is requesting permission to operate a clinic within a multi-unit building with the above noted variance.

Historically, the Subject Lands have operated clinics which through the still in-effect By-law are defined as Business and Professional Offices (incl. health regulated professional) and permitted as-of-right. The Development Planning Department acknowledges the Subject Lands abut a major arterial road and are within a 'Primary Intensification Corridor', where the focus is to encourage and support a range of retail uses with the intent of servicing the residents of the surrounding communities.

The Development Planning Department has no objection to the variance, as the proposed clinic does not cause a deficiency in parking and remains compatible with existing uses on-site. In this instance, it is appropriate to allow a clinic to reside within the multi-unit building since it will not inhibit the functionality (i.e., access and servicing) of the site nor impact the existing streetscape.

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.

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:

Roberto Simbana, Planner I

Chris Cosentino, Senior Planner

Date: March 2nd , 2022

Attention: **Christine Vigneault**

RE: Request for Comments

File No.: **A038-22**

Related Files:

Applicant Ruland Properties Inc.

Location 2563 Major Mackenzie Drive

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

Pravina Attwala

Subject: FW: [External] RE: City of Vaughan Request for Comments: A/038/22 (2563 Major Mackenzie Drive)

From: York Plan <yorkplan@trca.ca>

Sent: March-03-22 8:25 AM

To: Pravina Attwala <Pravina.Attwala@vaughan.ca>

Cc: Hamedeh Razavi <Hamedeh.Razavi@trca.ca>

Subject: [External] RE: City of Vaughan Request for Comments: A/038/22 (2563 Major Mackenzie Drive)

TRCA wishes to confirm that it has **no interests or concerns with the above noted application.**

It is our understanding that the application is to recognizing a historical medical use within an existing building.

Based on a review of our available mapping, the subject property is not within TRCA's Regulated Area. As such, a permit from TRCA pursuant to Ontario Regulation 166/06 would not be required for any development or site alteration on the property.

Although the site is located within the Well Head Protection Area for Quantity control (WHPA-Q2) per the Source Protection Plan, no water balance would be required recognizing this requirement would have been addressed through the subdivision approvals process.

Should further clarification be required, please contact the undersigned at your convenience.

Mark Howard, BES, MLA, MCIP, RPP

Senior Planner – Vaughan Review Area

Development Planning and Permits | Development and Engineering Services

Toronto and Region Conservation Authority (TRCA)

T: [\(416\) 661-6600](tel:4166616600) ext 5269

E: mark.howard@trca.ca

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



Pravina Attwala

Subject: FW: [External] RE: City of Vaughan Request for Comments: A/038/22 (2563 Major Mackenzie Drive)

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

Sent: March-14-22 1:46 PM

To: Pravina Attwala <Pravina.Attwala@vaughan.ca>

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

Subject: [External] RE: City of Vaughan Request for Comments: A/038/22 (2563 Major Mackenzie Drive)

Good afternoon Pravina,

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

Gabrielle

Gabrielle Hurst mcip rpp | Community Planning and Development Services | The Regional Municipality of York | 1-877 464 9675 ext 71538 | gabrielle.hurst@york.ca | www.york.ca

SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE

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