

<b>ITEM: 6.13</b>	<b>COMMITTEE OF ADJUSTMENT REPORT SUMMARY MINOR VARIANCE APPLICATION FILE NUMBER A159/23 4535 HIGHWAY 7 VAUGHAN</b>
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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 type="checkbox"/>	<input type="checkbox"/>	Application Under Review
Development Engineering	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Recommend Approval w/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 checked="" type="checkbox"/>	<input type="checkbox"/>	No Comments or Concerns
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 checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
Ministry of Transportation (MTO)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
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 checked="" type="checkbox"/>	<input type="checkbox"/>	No Comments Received to Date
YRDSB	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
YCDSB	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
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			09/18/2023	Cover Letter

**PREVIOUS COA DECISIONS ON THE SUBJECT LAND**

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

<b>File Number</b>	<b>Date of Decision</b> MM/DD/YYYY	<b>Decision Outcome</b>
None		

**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  
A159/23  
4535 HIGHWAY 7 VAUGHAN**

<b>ITEM NUMBER: 6.13</b>	<b>CITY WARD #: 2</b>
<b>APPLICANT:</b>	Pineway Properties
<b>AGENT:</b>	Arcadis
<b>PROPERTY:</b>	4535 Highway 7, Vaughan
<b>ZONING DESIGNATION:</b>	See below.
<b>VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:</b>	Vaughan Official Plan 2010 ('VOP 2010'): "Mid-Rise Mixed-Use"
<b>RELATED DEVELOPMENT APPLICATIONS:</b>	DA.22.034
<b>PURPOSE OF APPLICATION:</b>	Relief from the Zoning By-law is being requested to permit the expansion of the existing single-lane drive thru into a dual-lane drive thru. Relief is also required to facilitate related Site Plan Application DA.22.034.

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

The subject lands are zoned **GMU – General Mixed Use zone under Zoning By-law 001-2021, as amended.**

#	Zoning By-law 001-2021	Variance requested
1	None	

The subject lands are zoned **C1 Restricted Commercial Zone and subject to the provisions of Exception 9(323) under Zoning By-law 1-88, as amended.**

	Zoning By-law 1-88	Variance requested
2	The minimum required stacking space width is 3.5m. Section 5.1.7.	To permit a minimum stacking space width of 3.35m.
3	The minimum number of required parking spaces for a shopping centre with a gross floor area of 4426 square metres is 266. Exception 9(323)	To permit a minimum of 253 parking spaces.

**HEARING INFORMATION**

**DATE OF MEETING:** Thursday, November 16, 2023  
**TIME:** 6:00 p.m.  
**MEETING LOCATION:** Vaughan City Hall, Woodbridge Room (2<sup>nd</sup> Floor), 2141 Major Mackenzie Drive  
**LIVE STREAM LINK:** [Vaughan.ca/LiveCouncil](http://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](mailto: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](mailto: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](mailto:cofa@vaughan.ca) no later than NOON on the last business day before the meeting.

## HEARING INFORMATION

**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

<b>Date Public Notice Mailed:</b>	November 2, 2023
<b>Date Applicant Confirmed Posting of Sign:</b>	October 27, 2023
<b>Applicant Justification for Variances:</b> <small>*As provided by Applicant in Application Form</small>	According to by-law 1-88 (What we were informed we are subject to), the total required stalls would be 262, and the existing stalls on site are already below that at 260 stalls. The loss of 7 stalls would be required for the space of the drive-thru lane.
<b>Adjournment Requests (from staff):</b> <small>*Adjournment requests provided to applicant prior to issuance of public notice</small>	None
<b>Was a Zoning Review Waiver (ZRW) Form submitted by Applicant:</b>  <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
<b>Adjournment Fees:</b> 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 <b>after</b> the issuance of public notice.	
<b>Committee of Adjustment Comments:</b>	None
<b>Committee of Adjustment Recommended Conditions of Approval:</b>	None

## BUILDING STANDARDS (ZONING) COMMENTS

\*\*See Schedule B for Building Standards (Zoning) Comments

<b>Building Standards Recommended Conditions of Approval:</b>	None
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## DEVELOPMENT PLANNING COMMENTS

\*\*See Schedule B for Development Planning Comments. Application under review

<b>Development Planning Recommended Conditions of Approval:</b>	TBD
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## DEVELOPMENT ENGINEERING COMMENTS

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

Development Engineering Department has reviewed Minor Variance application A159/23 and has no concerns with the proposed parking (907 spaces), as the application meets the parking requirements in By-law 001-2021 and can be supported by the walking distance to the Vaughan Mills terminal. Applicant should rearrange the proposed parking breakdown to ensure inclusion of all required visitor spaces: 0.2 spaces per unit visitor rate, and 2 spaces/100 m<sup>2</sup> retail GFA visitor rate.

The Development Engineering Department does not object to the Minor Variance application A159/23 subject to the following condition(s).

<b>Development Engineering Recommended Conditions of Approval:</b>	The Owner/Applicant shall obtain approval for the related Site Development Application (DA.22.034) from the Development Engineering (DE) Department.
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## PARKS, FORESTRY & HORTICULTURE (PFH) COMMENTS

Forestry: Forestry has no comment at this time

<b>PFH Recommended Conditions of Approval:</b>	None
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## DEVELOPMENT FINANCE COMMENTS

No comment no concerns

<b>Development Finance Recommended Conditions of Approval:</b>	None
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## BY-LAW AND COMPLIANCE, LICENSING AND PERMIT SERVICES COMMENTS

No comment no concerns

<b>BCLPS Recommended Conditions of Approval:</b>	None
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## BUILDING INSPECTION (SEPTIC) COMMENTS

No comments received to date

<b>Building Inspection Recommended Conditions of Approval:</b>	None
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## FIRE DEPARTMENT COMMENTS

No comments received to date

<b>Fire Department Recommended Conditions of Approval:</b>	None
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## SCHEDULES TO STAFF REPORT

\*See Schedule for list of correspondence

<b>Schedule A</b>	Drawings & Plans Submitted with the Application
<b>Schedule B</b>	Staff & Agency Comments
<b>Schedule C</b> (if required)	Correspondence (Received from Public & Applicant)
<b>Schedule D</b> (if required)	Previous COA Decisions on the Subject Land

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

## SUMMARY OF RECOMMENDED CONDITIONS OF APPROVAL

All conditions of approval, unless otherwise stated, are considered to be incorporated into the approval “if required”. If a condition is no longer required after an approval is final and binding, the condition may be waived by the respective department or agency requesting conditional approval. A condition cannot be waived without written consent from the respective department or agency.

#	DEPARTMENT / AGENCY	CONDITION(S) DESCRIPTION
1	Development Engineering <a href="mailto:Rex.bondad@vaughan.ca">Rex.bondad@vaughan.ca</a>	The Owner/Applicant shall obtain approval for the related Site Development Application (DA.22.034) from the Development Engineering (DE) Department.
2	Development Planning <a href="mailto:Joshua.cipolletta@vaughan.ca">Joshua.cipolletta@vaughan.ca</a>	TBD

## 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.

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.

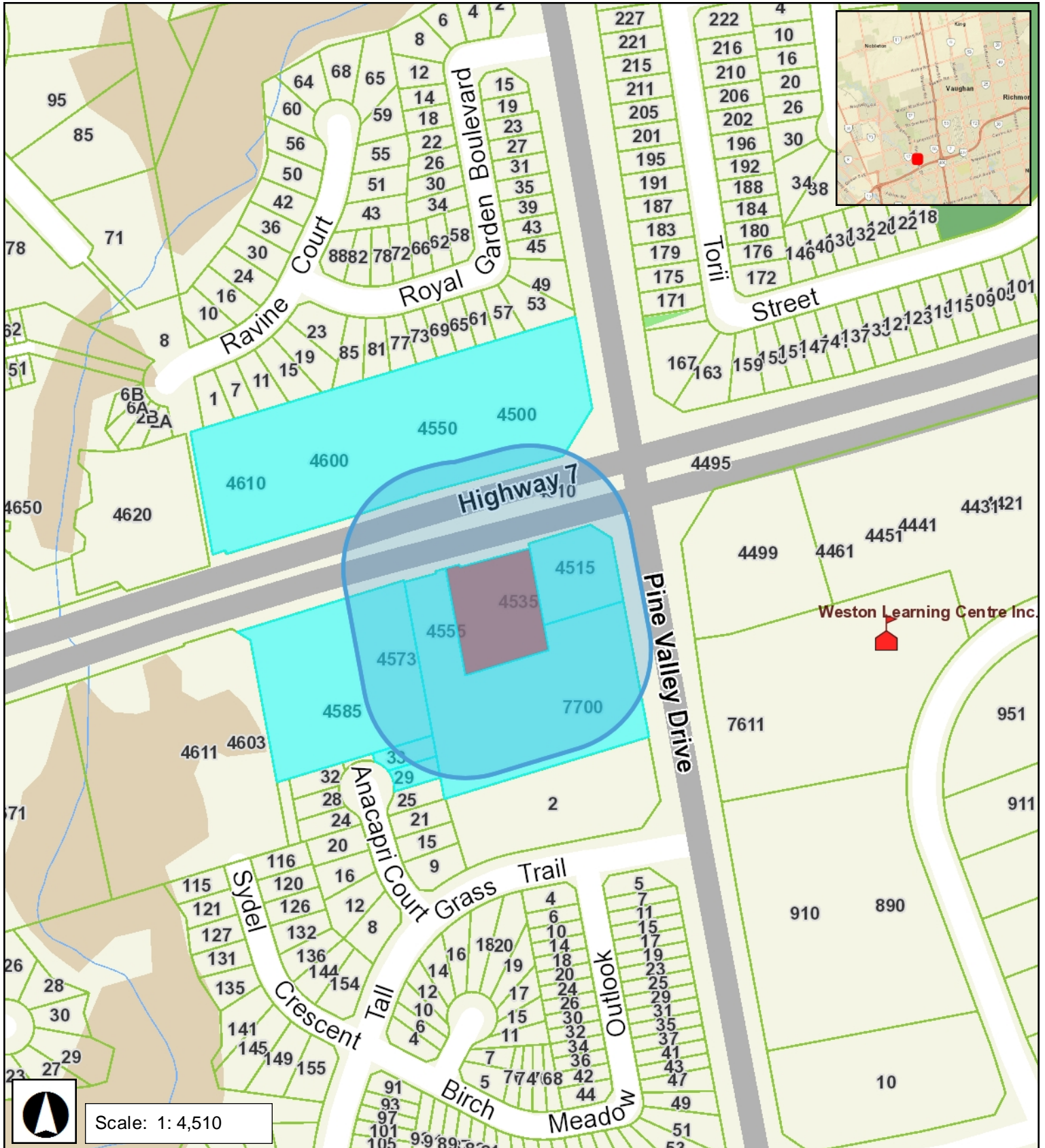
That the payment of the Education Development Charge if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the Boards of Education By-laws in effect at the time of payment

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.

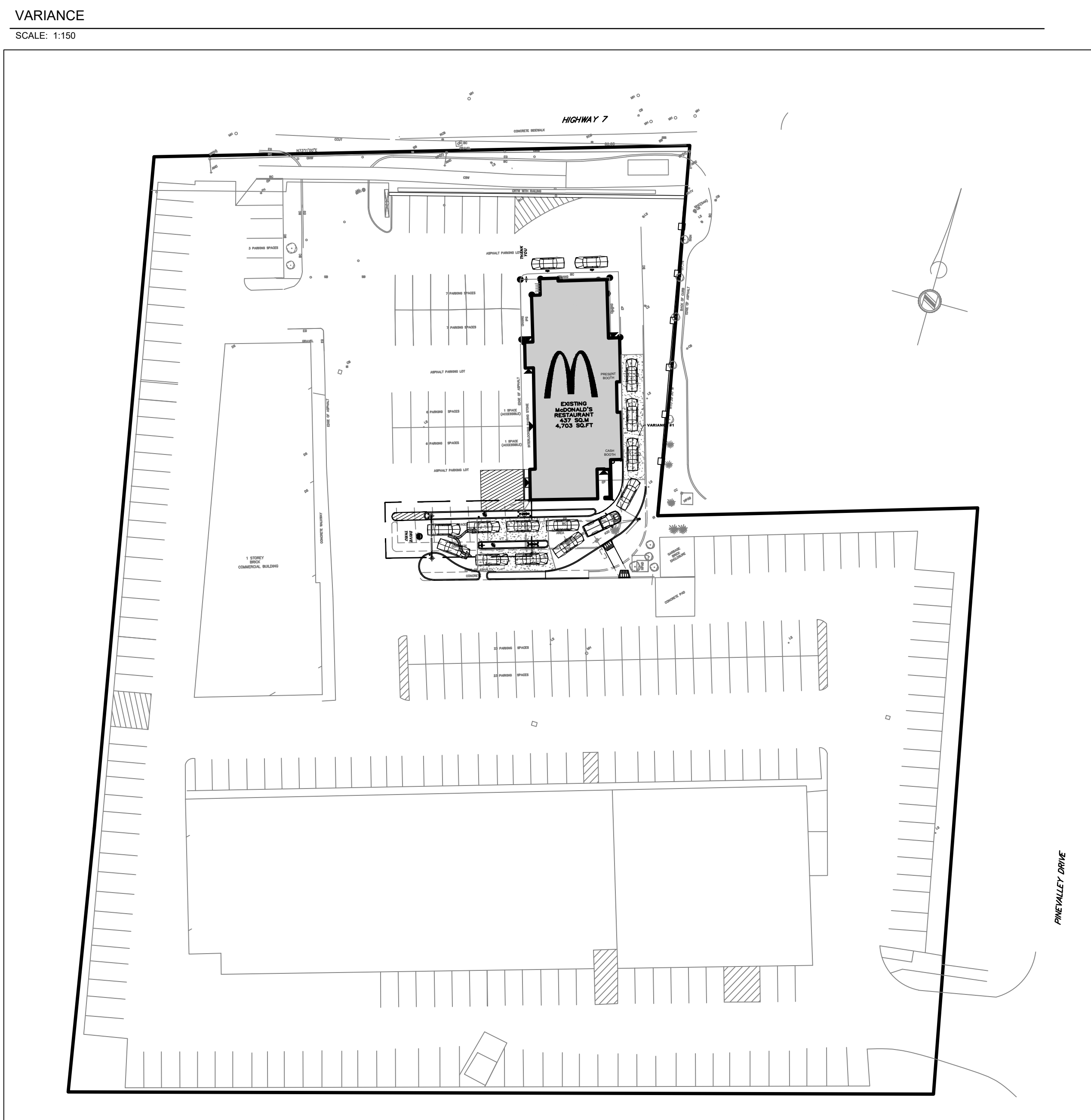
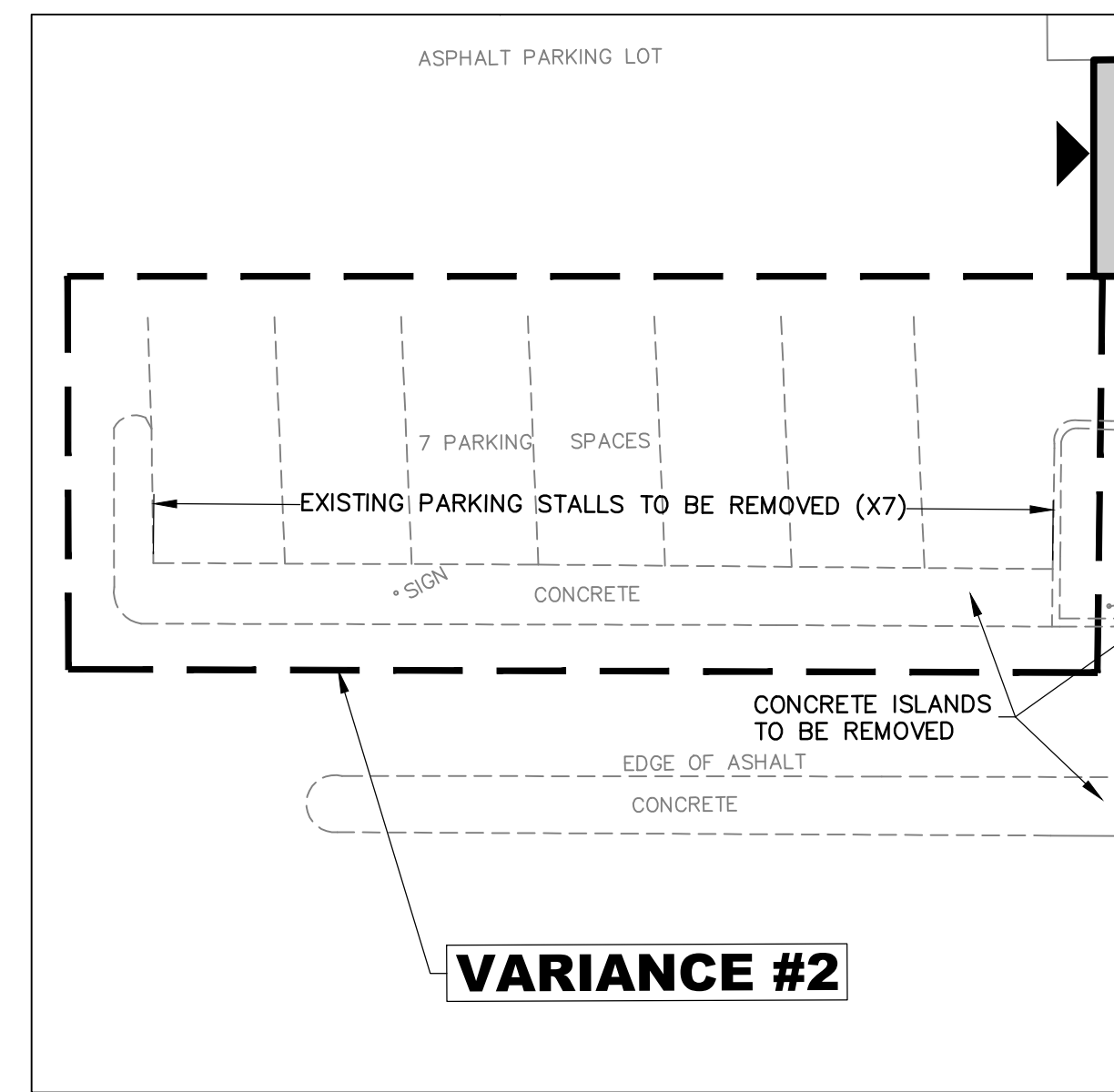
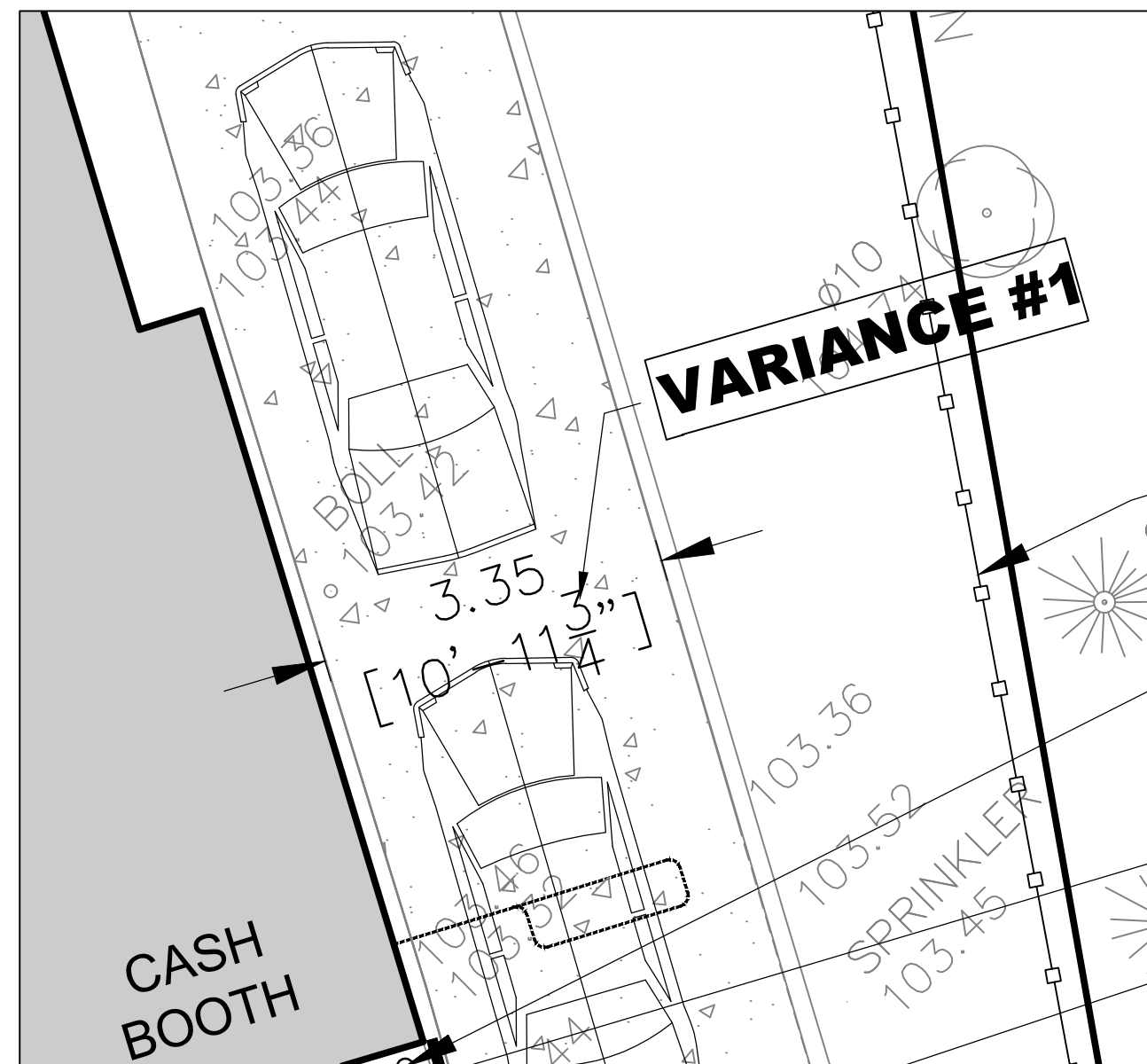
**NOTICE OF DECISION:** If you wish to be notified of the decision in respect to this application or a related Ontario Land Tribunal (OLT) hearing you must complete a Request for Decision form and submit to the Secretary Treasurer (ask staff for details). In the absence of a written request to be notified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

**SCHEDULE A: DRAWINGS & PLANS**

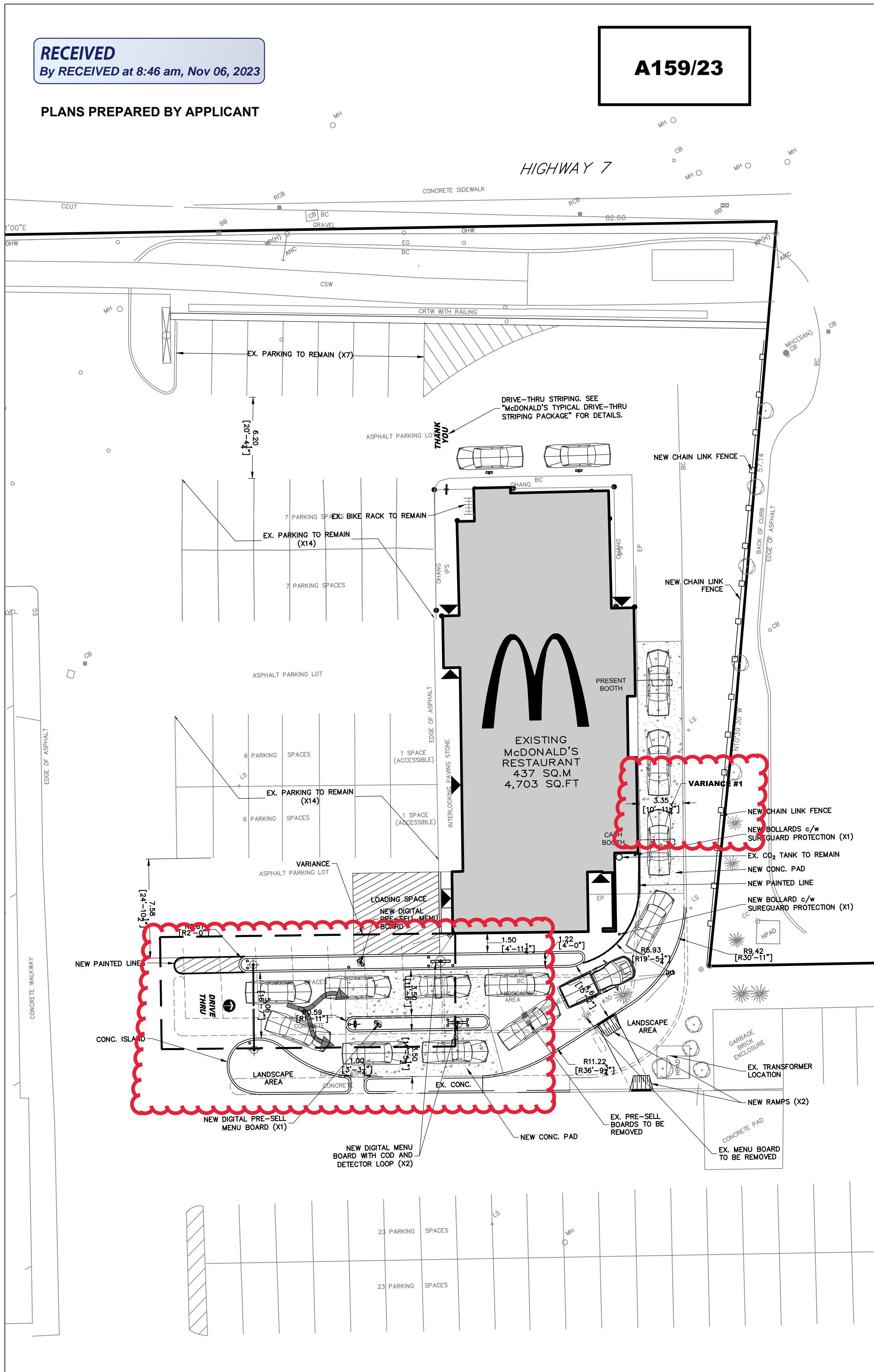
4535 Hwy 7, Vaughan







OVERALL SITE PLAN  
SCALE: 1:500

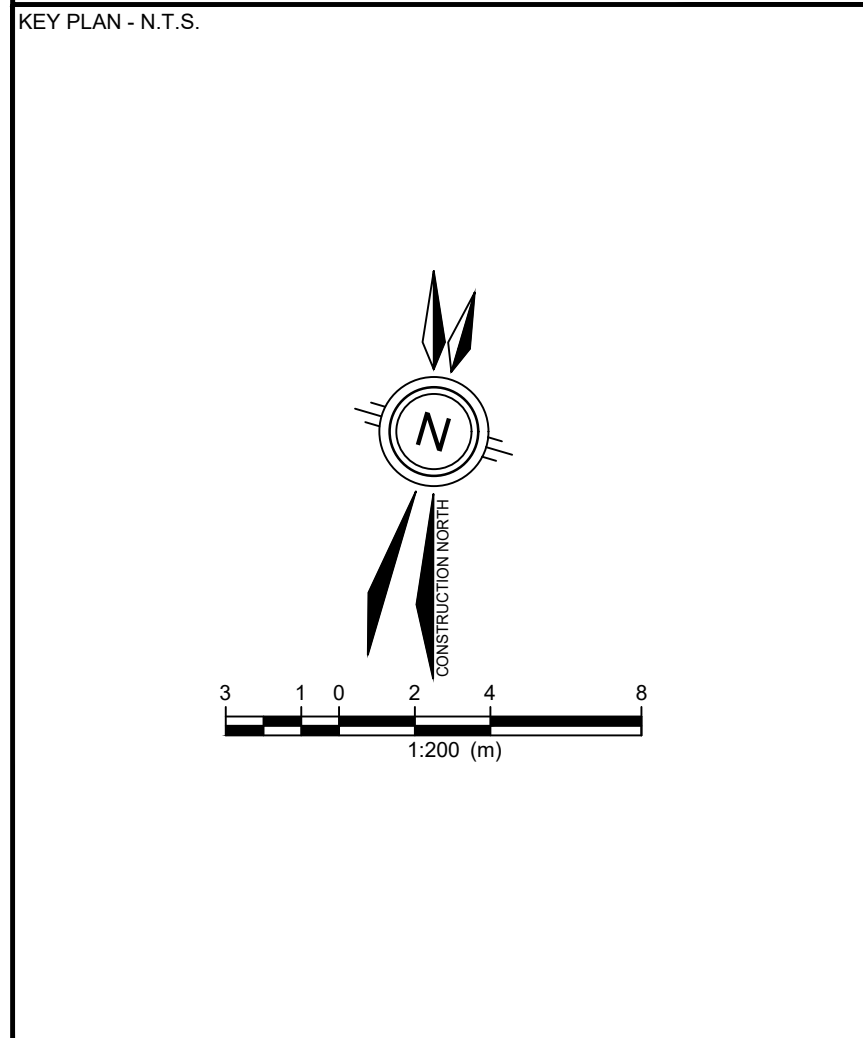
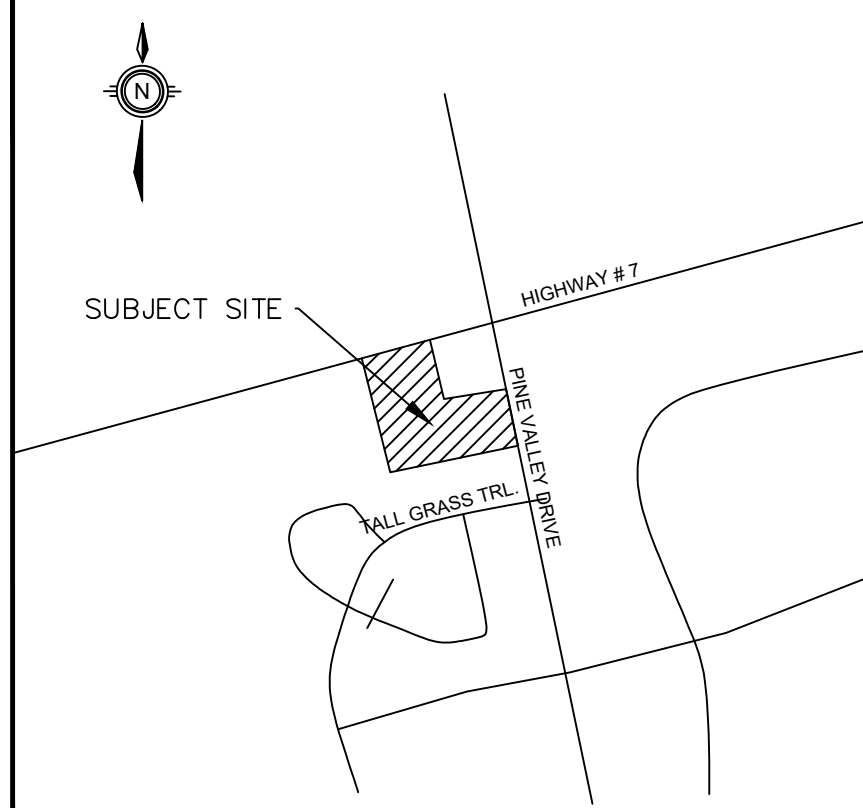


SITE PLAN  
SCALE: 1:200

RECEIVED  
By RECEIVED at 8:46 am, Nov 06, 2023

PLANS PREPARED BY APPLICANT

A159/23



DETAILS OF DEVELOPMENT

ZONING	DATA	REQUIRED	PROPOSED
SETBACK	FY	9.0m	12.49m (EX)
	RY	15.0m	18.16m (EX)
	INT. SY	9.0m	6.70m (EX)
	SY	N/A	N/A
LOT AREA	16,385.42sq.m		
RESTAURANT AREA	437sq.m		
TOTAL BUILDING AREA	4,426.2sq.m (27.05%)		
GARBAGE ENCLOSURE	DETACHED (EX.)		
# OF LOADING SPACES	3		
LANDSCAPE AREA	--		
DT STACKING	15		
PARKING REQUIRED	266 SPACES		
PARKING PROVIDED	253 SPACES		

VARIANCE #2  
253 PARKING SPACES

- NOTES
- ALL SITE FEATURES ARE EXISTING UNLESS OTHERWISE NOTED.
  - THESE DRAWINGS ARE COMPILED FROM INFORMATION SUPPLIED BY McDONALD'S AND SHALL BE SITE VERIFIED BY CONTRACTOR AT BID TIME.
  - GC. TO COORDINATE AND PROVIDE SERVICING LOCATES TO ARCADIS PRIOR TO CONSTRUCTION START TO CONFIRM THERE ARE NO CONFLICTS WITH PROPOSED.
  - CONTRACTOR SHALL VERIFY ALL SITE CONDITIONS PERTINENT TO WORK BEING PERFORMED, PRIOR TO STARTING CONSTRUCTION, AND REPORT ANY DISCREPANCIES OR VARIANCES TO PROJECT MANAGER.
  - CONTRACTOR SHALL VERIFY ALL DIMENSIONS PRIOR TO CONSTRUCTION AND BE RESPONSIBLE FOR SAME.
  - ALL WORK SHALL CONFORM TO THE REQUIREMENTS OF LOCAL CODES.
  - AS PER BYLAW 1-88, THE REQUIRED PARKING ON SITE IS 266. THE EXISTING NUMBER IS BELOW THIS AT A TOTAL OF 260. WE ARE SEEKING RELIEF FOR 7 EXISTING STALLS FOR A TOTAL OF 253, REDUCING THE PARKING MINIMUM FROM 266 TO 253.

LEGAL DESCRIPTION  
PART OF LOTS 9, 10, 11 AND 12, REGISTERED PLAN 4319 CITY OF VAUGHAN, REGIONAL MUNICIPALITY OF YORK.



COPYRIGHT  
Any reproduction or distribution for any purpose other than authorized by Arcadis is forbidden. Written dimensions shall have precedence over scaled dimensions. Contractors shall verify and be responsible for all dimensions and conditions on the job and Arcadis shall be informed of any variations from the dimensions and conditions shown on the drawing. Shop drawings shall be submitted to Arcadis for approval before proceeding with fabrication.

© COPYRIGHT © 2023  
ARCADIS PROFESSIONAL SERVICES (CANADA) INC.

KEY PLAN - N.T.S.

NO.	DATE	BY	DESCRIPTION
6	2023-09-12	NI	ISSUED FOR MINOR VARIANCE
5	2022-12-07	NI	REVISED FOR SITE PLAN SUBMISSION
4	2020-11-19	NI	REVISION FOR SITE PLAN SUBMISSION
3	2019-12-22	NI	AS PER UPDATES TO SURVEY PLAN AND COMMENTS FROM CLIENT
2	2019-08-26	NI	AS PER COMMENTS FROM CLIENT
1	2019-08-12	NI	ISSUED FOR CLIENT REVIEW
7	DATE	BY	DESCRIPTION

DRAWING ISSUE RECORD

DETAILS OF DEVELOPMENT

ZONING	DATA	REQUIRED	PROPOSED
SETBACK	FY	9.0m	12.49m (EX)
	RY	15.0m	18.16m (EX)
	INT. SY	9.0m	6.70m (EX)
	SY	N/A	N/A
LOT AREA	16,385.42sq.m		
RESTAURANT AREA	437sq.m		
TOTAL BUILDING AREA	4,426.2sq.m (27.05%)		
GARBAGE ENCLOSURE	DETACHED (EX.)		
# OF LOADING SPACES	3		
LANDSCAPE AREA	--		
DT STACKING	15		
PARKING REQUIRED	266 SPACES		
PARKING PROVIDED	253 SPACES		

VARIANCE #2  
253 PARKING SPACES

NOTES

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- CONTRACTOR SHALL VERIFY ALL SITE CONDITIONS PERTINENT TO WORK BEING PERFORMED, PRIOR TO STARTING CONSTRUCTION, AND REPORT ANY DISCREPANCIES OR VARIANCES TO PROJECT MANAGER.
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LEGAL DESCRIPTION  
PART OF LOTS 9, 10, 11 AND 12, REGISTERED PLAN 4319 CITY OF VAUGHAN, REGIONAL MUNICIPALITY OF YORK.

SITE PLAN  
SP1.0  
SHEET 1 OF 1

<b>SCHEDULE B: STAFF &amp; AGENCY COMMENTS</b>				
<b>DEPT/AGENCY</b>	<b>Circulated</b>	<b>Comments Received</b>	<b>Conditions</b>	<b>Nature of Comments</b>
TRCA	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
Ministry of Transportation (MTO)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
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 checked="" type="checkbox"/>	<input type="checkbox"/>	No Comments Received to Date
YRDSB	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
YCDSB	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
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"/>	
Development Planning	<input checked="" type="checkbox"/>			Application under review
Building Standards (Zoning)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		General Comments

**Date:** October 26<sup>th</sup> 2023

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

**RE:** Request for Comments

**File No.:** **A159-23**

**Related Files:**

**Applicant** Arcadis

**Location** 4535 Hwy 7



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:

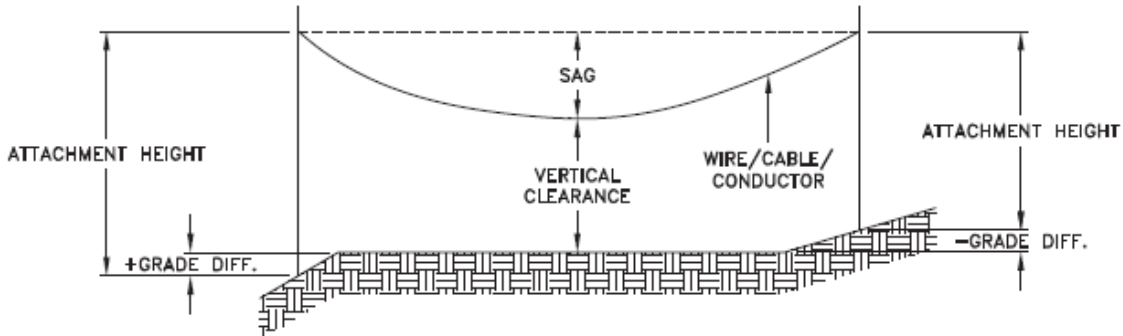
Mr. Stephen Cranley, C.E.T  
Supervisor, Distribution Design, ICI & Layouts (North)  
**Phone:** 1-877-963-6900 ext. 31297

**E-mail:** [stephen.cranley@alectrautilities.com](mailto:stephen.cranley@alectrautilities.com)

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

**Email:** [Mitchell.Penner@alectrautilities.com](mailto:Mitchell.Penner@alectrautilities.com)

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"

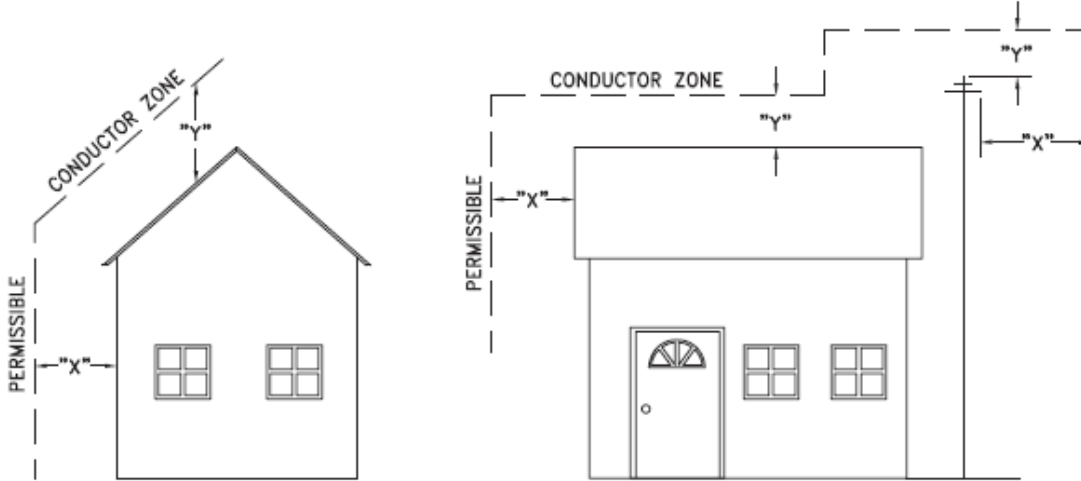
**REFERENCES**

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:** Bernd Paessler, Building Standards Department  
**Date:** November 3, 2023  
**Applicant:** Arcadis  
**Location:** 4535 Hwy 7  
 PLAN RP4319 Part of Lot 11  
 PLAN RP4319 Part of Lot 10  
**File No.(s):** A159/23

**Zoning Classification:**

The subject lands are zoned GMU – General Mixed Use zone under Zoning By-law 001-2021, as amended.

#	Zoning By-law 001-2021	Variance requested
1	None	

The subject lands are zoned C1 Restricted Commercial Zone and subject to the provisions of Exception 9(323) under Zoning By-law 1-88, as amended.

#	Zoning By-law 1-88	Variance requested
2	The minimum required stacking space width is 3.5m. Section 5.1.7.	To permit a minimum stacking space width of 3.35m.
3	The minimum number of required parking spaces for a shopping centre with a gross floor area of 4426 square metres is 266. Exception 9(323)	To permit a minimum of 253 parking spaces.

**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. 23-109773 for Eating Establishment - Interior Unit Alteration, Issue Date: Sep 13, 2023

**Other Comments:**

General Comments	
1	The applicant shall be advised that additional variances may be required upon review of detailed drawing for building permit/site plan approval.
2	This property is subject to transition clause 1.6.2 6. The requirements of Bylaw 001-2021 do not apply to a lot where an amendment to Zoning By-law 1-88 was finally approved and in effect on or after January 1, 2010, and such amendment has not been included in Section 14 herein.

**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.

**From:** [Mulrenin, Colin \(MTO\)](#)  
**To:** [Christine Vigneault](#)  
**Subject:** [External] RE: A159/23 (4535 Hwy 7) - REQUEST FOR COMMENTS, CITY OF VAUGHAN  
**Date:** Tuesday, October 31, 2023 10:07:16 AM

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Good morning,

As the property is outside MTO permit control, MTO has no comments.

**Colin Mulrenin | Corridor Management Officer (East)**

Highway Corridor Management Section | Central Operations | Ministry of Transportation

159 Sir William Hearst Avenue, 7<sup>th</sup> Floor, Toronto, ON. M3M 0B7

Telephone: 437-533-9427 | Email: [colin.mulrenin@ontario.ca](mailto:colin.mulrenin@ontario.ca)



## Lenore Providence

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**Subject:** FW: [External] RE: A159/23 (4535 Hwy 7) - REQUEST FOR COMMENTS, CITY OF VAUGHAN

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**From:** Kristen Regier <Kristen.Regier@trca.ca>

**Sent:** October-24-23 3:31 PM

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

**Cc:** Christine Vigneault <Christine.Vigneault@vaughan.ca>

**Subject:** [External] RE: A159/23 (4535 Hwy 7) - REQUEST FOR COMMENTS, CITY OF VAUGHAN

Hello,

The subject property at 4535 Hwy 7, Vaughan is not located within TRCA's Regulated Area. TRCA's Planning and Regulatory policy interests are not impacted.

As such, TRCA has no comments on the application.

Best,

**Kristen Regier, MA (she / her)**

Planner I

Development Planning and Permits | Development and Engineering Services

Toronto and Region Conservation Authority (TRCA)

T: [437-880-2129](tel:437-880-2129)

E: [kristen.regier@trca.ca](mailto:kristen.regier@trca.ca)

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



## Pravina Attwala

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**Subject:** FW: [External] Re: A159/23 (4535 Hwy 7) - REQUEST FOR COMMENTS, CITY OF VAUGHAN

---

**From:** Monika Sadler <monika.sadler@ycdsb.ca>

**Sent:** October-25-23 9:01 AM

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

**Subject:** [External] Re: A159/23 (4535 Hwy 7) - REQUEST FOR COMMENTS, CITY OF VAUGHAN

Hello,

Thank you for the opportunity to review the above referenced Minor Variance application. YCDSB staff have reviewed the material provided and have no comments or objections to their approval.

Thank you,

Monika Sadler  
Planner and Project Analyst, Planning Services  
York Catholic District School Board  
T. 905.713.1211 ext. 12377  
[monika.sadler@ycdsb.ca](mailto:monika.sadler@ycdsb.ca)

## Pravina Attwala

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**Subject:** FW: [External] RE: A159/23 (4535 Hwy 7) - REQUEST FOR COMMENTS, CITY OF VAUGHAN

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**From:** Development Services <developmentsservices@york.ca>  
**Sent:** November-01-23 5:29 PM  
**To:** Christine Vigneault <Christine.Vigneault@vaughan.ca>  
**Cc:** Committee of Adjustment <CofA@vaughan.ca>  
**Subject:** [External] RE: A159/23 (4535 Hwy 7) - REQUEST FOR COMMENTS, CITY OF VAUGHAN

Hi Christine,

The Regional Municipality of York has completed its review of the minor variance application – A159/23 (4535 Highway 7) and has no comment.

Please note regional comments will continue to be submitted through the associated Site Plans (SP.22.V.0194 – DA.22.034).

Please provide us with a copy of the notice of decision for our records.

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

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The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1  
1-877-464-9675 ext. 71521 | [niranjan.rajevan@york.ca](mailto:niranjan.rajevan@york.ca) | [www.york.ca](http://www.york.ca)

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**SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE**

<b>Correspondence Type</b>	<b>Name</b>	<b>Address</b>	<b>Date Received (mm/dd/yyyy)</b>	<b>Summary</b>
Applicant			09/18/2023	Cover Letter



**ARCADIS**  
 200 East Wing–  
 360 James Street North  
 Hamilton ON L8L 1H5 Canada  
 tel 905 546 1010

September 18<sup>th</sup>, 2023

File: 116260

**Lenore Providence**

Development Services Administrative Coordinator  
 City of Vaughan  
 2141 Major Mackenzie Dr.,  
 Vaughan, ON L6A 1T1

Dear Ms. Lenore Providence,

**4535 HIGHWAY 7, MCDONALD’S, VAUGHAN ON  
 MINOR VARIANCE APPLICATION**

We are acting as agents for McDonalds Restaurants of Canada Ltd., owners of the subject lands located on 4535 Highway 7, Vaughan ON. On behalf of our client, we are pleased to submit, for your review, an application for Minor Variance Approval.

**Proposal:**

McDonald’s Restaurants of Canada Ltd. has submitted a proposal to convert the existing single-lane drive thru into a dual-lane drive thru through the Minor Variance Process. As part of this conversion, it is necessary to remove 7 stalls for a total of 253 spaces on site to further accommodate the building expansion and garbage conversion. We had received a formal notice from a City of Vaughan Zoning Examiner that our site must comply with by law 1-88’s minimum parking standards for shopping centres, of 6.0 spaces per 100m<sup>2</sup> of gross floor area. Accordingly, please find enclosed the following digital materials in support of our Minor Variance application for the reduction of 7 spaces:

**Zoning Matrix**

The subject site is zoned “GMU – General Mixed Use”, in Zoning By-law 001-2021 and C1, Restricted Commercial subject to Exception 9(323) under By-law 1-88 as amended. Below is a zoning matrix identifying what provisions in the by-law the proposal does not conform to.

<b>Provision</b>	<b>Required</b>	<b>Existing Spaces on Site</b>	<b>Proposed</b>
<i>As per By-law 1-88, the number of lawful parking spaces for a shopping centre is 6.0 per 100m<sup>2</sup> of Gross Floor Area.</i>	As per By-law 1-88, which the site of 4535 Highway 7 is subject to according to a City of Vaughan Zoning Examiner and notice, the required number of parking spaces amounts to: <b>266</b>	The current number of existing spaces are currently in a deficit for the required amount of 266. The total existing spaces on site amounts to <b>260</b>	McDonald’s Restaurants of Canada Ltd., proposes a reduction of 7 existing stalls, and 13 total stalls, with a total amount of: <b>253 Spaces</b>

**1.0 SITE LOCATION AND CONTEXT**

The subject lands are municipally known as 4535 Highway 7 (the 'development site'). Situated within the City of Vaughan, within the Regional Municipality of York. The subject lands are presently occupied by Pine Valley Plaza. This retail plaza serves as a hub for various retail businesses and restaurants. The site is adjacent to the Pine Valley road and Highway 7's signalized intersection, the development site can be accessed primarily through both Pine Valley Drive and Highway 7.

## **2.0 PROPOSED DEVELOPMENT**

Arcadis, retained by McDonald's Canada (referred to as the 'Client'), is to evaluate the advantages and implications of converting the existing single lane drive-thru into a dual lane drive-thru. This assessment encompasses a review of the parking availability to ascertain whether the proposed modifications to the existing site will still comply with the zoning requirements outlined in the City of Vaughan's By-Law 001-2021 and By-law 1-88.

## **3.0 REQUESTED VARIANCES**

The variances being sought in support of the proposal are as follows:

1. *As per By-law 1-88, the number of lawful parking spaces for a shopping centre must comply with a minimum of 6.0 spaces per 100m<sup>2</sup>*

That the minimum number of parking spaces to be provided and maintained shall be reduced by 13 (seven existing stalls) to a total of 253 parking spaces.

## **4.0 PLANNING ANALYSIS:**

1. *Maintain the general intent and purpose of the Official Plan.*

The subject Site is designated Community Areas within the Vaughan Official Plan. A restaurant and drive through facility, among others, are permitted uses within the land designation. As such, the proposal seeks to expand a permitted use within the Official Plan while permitting a deficit of 13 stalls (7 existing), leaving a total number of 253 parking stalls. It is our opinion that the proposal maintains the general intent and purpose of the Official Plan.

2. *Maintain the general intent and purpose of the Zoning By-law.*

The subject site is zoned GMU – General Mixed Use in Zoning Bylaw 001-2021, and C1 – Restricted Commercial under by law 1-88. The applicable zoning for the subject site according to the latest by-law (001-2021) would only require a total of 87 stalls. As noted in the attached zoning letter, this site requires parking on behalf of the former by-law (1-88), with a total minimum amount of 266. The general intent and purpose of this provision is to allow for adequate parking available. The proposed reduction in parking stalls, according to the latest by-law would be sufficient and meet the standard. However, as this site is also subject to by law 1-88, the reduction is only for a small portion of the lot, with a total reduction of 7 parking stalls. It is our opinion that the lot containing a total of 253 parking stalls is sufficient and that the general intent and purpose of the By-law is being maintained as adequate parking is provided, while expanding on the efficiency of the restaurant function.

3. *The variance is desirable and appropriate for the development of the land.*

In our opinion, the variance being requested is desirable and appropriate for the development of the land as it will allow for the subject site to continue to accommodate a use that is permitted for it, as provided within the Official Plan policy framework and the applicable Zoning By-law. Furthermore, the reduction of permitted parking spaces will allow for the drive-thru conversion of the existing restaurant, which will allow for the existing parking lot to operate in an efficient and effective manner.

*4. The variance is minor in nature.*

In our opinion, the variances being requested are minor in both a quantitative and qualitative nature. Minor in nature can not only be determined through a numerical perspective, but also whether there are any negative impacts to the subject site or surrounding area. In our opinion, the variance requested is minor in a quantitative nature as the reduction of parking spaces is only by 7 existing stalls. This would amount to 2% of the lot. Furthermore, the variance being requested is, in our opinion, minor in a qualitative nature as no negative impact to the subject site or surrounding area is anticipated. You may find enclosed the following materials in support of our minor variance application:

As part of a complete submission, electronic copies of the following will be provided via email to you as discussed to address comments provided above. If further hard copies are required, please advise:

- 7565-Pinevalley-Authorization-Letter-2023-09-18
- 7565-Pinevalley-Authorizing-Statements-2023-09-18
- 7565-Pinevalley-Building-Standards-2023-09-18
- 7565-Pinevalley-SP1.0-2023-09-18
- 7565-Pinevalley-Sworn Declaration-2023-09-18
- 7565-Pinevalley-Tree-Declaration-2023-09-18
- 7565-Pinevalley-Zoning-Notice-2023-09-18

We trust the above noted information and electronic submission addresses all concerns raised by City staff. If you have any questions or concerns, do not hesitate to contact the undersigned.

Yours truly,

**ARCADIS**



Zara Altakawee,  
Project Coordinator

**SCHEDULE D: PREVIOUS COA DECISIONS ON THE SUBJECT LAND**

None