



File: A057/19

Applicant: Arcovit Holdings Inc.

Address: 90 Trowers Rd, Unit B, Woodbridge

Agent: Stass Panagakos

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

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

Adjournment History: N/A

Background History: A386/06 (see next page for details)

Staff Report Prepared By: Pravina Attwala
Hearing Date: Thursday, June 13, 2019



Minor Variance Application

Agenda Item: 6

A057/19

Ward: 3

Staff Report Prepared By: Pravina Attwala, Assistant Secretary Treasurer

Date of Hearing: Thursday, June 13, 2019

Applicant: Arcovit Holdings Inc.

Agent: Stass Panagakos

Property: **90 Trowers Rd, Unit B Woodbridge**

Zoning: The subject lands are zoned EM1, Prestige Employment Area under By-law 1-88 as amended.

OP Designation: Vaughan Official Plan 2010 ('VOP 2010'): General Employment

Related Files: None

Purpose: Relief from the By-law is being requested to permit the use of arcade games in the existing Health Centre located in Unit B.

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

By-law Requirement	Proposal
A Place of Amusement (Arcade) is not a permitted use.	To permit an accessory Place of Amusement (137.16 square metre Arcade) within the existing Health Centre (indoor playground).

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

Application No.:	Description:	Status of Approval: Approved/Refused/Withdrawn/ OMB/Concurrent
A386/06	Landscape strip to be used as Playground Area for Childcare Centre	Approved

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

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

Adjournment History: N/A

Staff & Agency Comments

Please note that staff/agency comments received after the preparation of this Report will be provided as an addendum item to the Committee. Addendum items will only be received by the Secretary Treasurer until **4:00 p.m.** on the last business day **prior** to the day of the scheduled Meeting.

Committee of Adjustment:

Public notice was mailed on May 29, 2019

Applicant confirmed posting of signage on May 25, 2019

Property Information	
Existing Structures	Year Constructed
Building	1989 (purchased 2011)

Applicant has advised that they cannot comply with By-law for the following reason(s):
The zoning does not permit the use of arcade games. However, the arcade games are an accessory to the main use being a health centre/birthday celebration place.

Adjournment Request: N/A

Building Standards (Zoning Review):

Stop Work Order(s) and Order(s) to Comply: None

A Building Permit has not been issued. The Ontario Building Code requires a building permit for structures that exceed 10m2.

It is recommended that the Applicant contact the Finance Department to inquire about any applicable development charges.

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

Building Inspections (Septic):

No comments or concerns

Development Planning:

Vaughan Official Plan 2010 ('VOP 2010'): General Employment

The Owner is requesting permission to establish a Place of Amusement as an accessory use to a Health Centre with the above noted variance. The Place of Amusement use will comprise of arcade machines and occupy 20.31% of the unit.

The proposed Place of Amusement occupies 20.31% of the Health Centre unit and is considered accessory in nature. The Development Planning Department has no objection to the application provided that the proposed accessory use is restricted to a maximum gross floor area (GFA) of 137.16 m2 and is only permitted in association with the primary Health Centre use.

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

The Development Planning Department recommends approval of the application, provided that the proposed accessory use is restricted to a maximum GFA of 137.16 m2 and is only permitted in association with the primary Health Centre use.

The following condition is recommended:

That a copy of the Building Permit drawings be provided to the Development Planning Department, which verify that the accessory use does not exceed 137.16 m2.

Cultural Heritage (Urban Design):

Cultural Heritage Staff have no heritage concerns with this Minor Variance application for 90 Trowers Road.

Development Engineering:

The Development Engineering Department does not object to minor variance application A057/19 for 90 Trowers Road, Unit B.

Parks Development:

No Comments or concerns.

By-Law and Compliance, Licensing and Permit Services:

No Comments or concerns.

Financial Planning and Development Finance:

No Comments or concerns.

Fire Department:

No Response.

Schedule A – Plans & Sketches**Schedule B – Public Correspondence**

None

Schedule C - Agency Comments

Alectra (Formerly PowerStream) – No concerns or objections
Region of York – No concerns or objections

Schedule D - Previous Approvals (Notice of Decision)

A386/06

Staff Recommendations:

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

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

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

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

	Department/Agency	Condition
1	Development Planning Brandon Bell 905-832-8585 x 8112 Brandon.bell@vaughan.ca	That a copy of the Building Permit drawings be provided to the Development Planning Department, which verify that the accessory use does not exceed 137.16 m2.

Please Note:

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

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

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

Conditions

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

Notice to the Applicant – Development Charges

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

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

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

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

Notice to Public

WRITTEN SUBMISSIONS: Any person who supports or opposes this application, but is unable to attend the hearing, may make a written submission, together with reasons for support or opposition. Public written submissions on an Application shall only be received by the Secretary Treasurer until **4:00 p.m.** on the last business day **prior** to the day of the scheduled Meeting.

Written submissions can be mailed and/or emailed to:

City of Vaughan
Committee of Adjustment
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1
CofA@vaughan.ca

ORAL SUBMISSIONS: If you wish to attend the meeting you will be given an opportunity to make an oral submission. Presentations to the Committee are generally limited to 5 minutes in length. Please note that Committee of Adjustment meetings are audio recorded. Your name, address comments and any other personal information will form part of the public record pertaining to this application.

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

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

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

T 905 832 8585 Extension 8002
E CofA@vaughan.ca

Schedule A: Plans & Sketches

Please note that the correspondence listed in Schedule A is not comprehensive. Plans & sketches received after the preparation of this staff report will be provided as an addendum. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

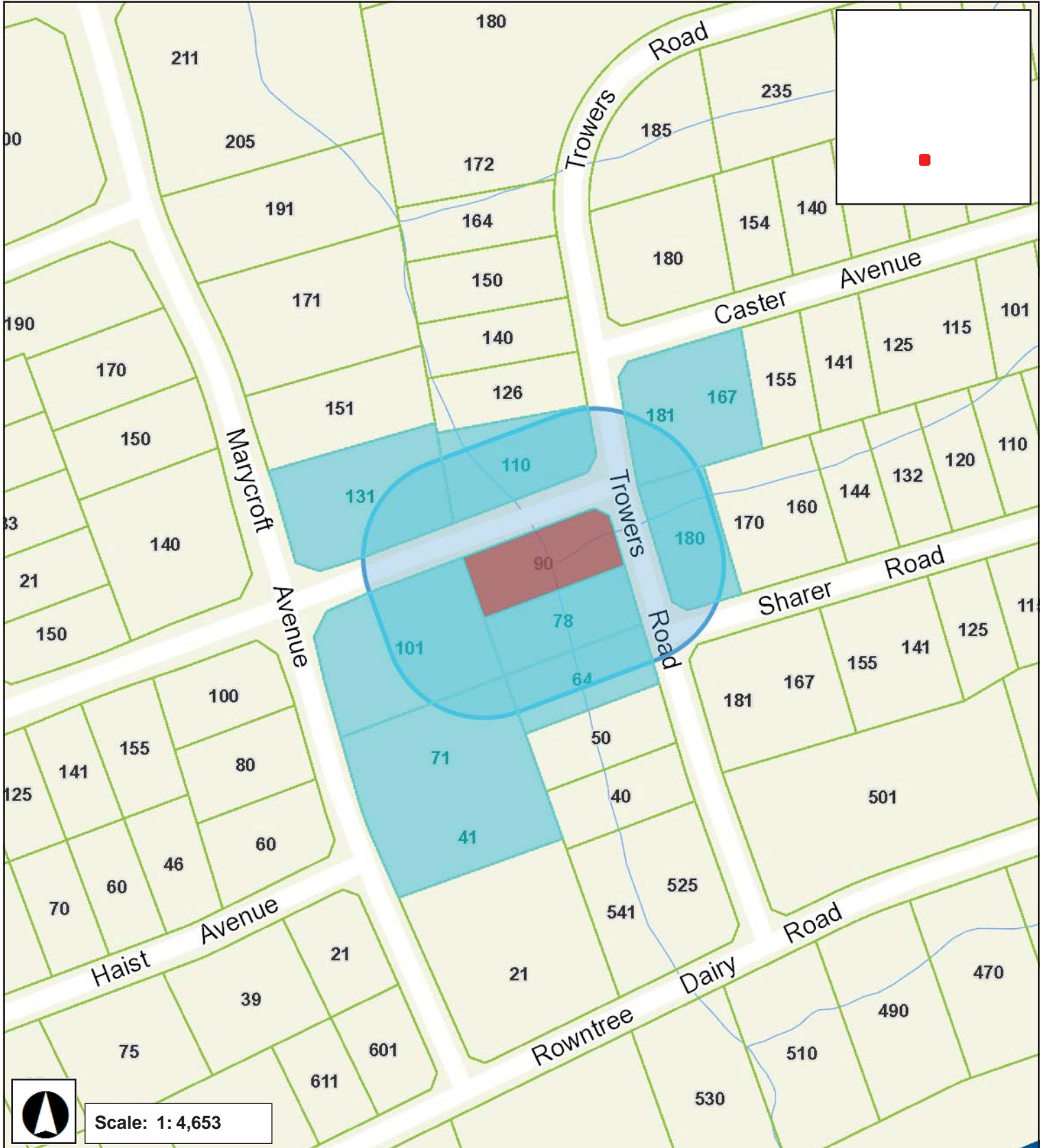
**Location Map
Sketches**



LOCATION MAP - A057/19

90 TROWERS ROAD, WOODBRIDGE

Highway 7



Steeles Avenue West

May 24, 2019 1:00 PM

Trowers Rd

A057/19

44.519 metres

15.24 metres

7.72 metres

Strada Dr

86.395 metres

90 Trowers-Rd

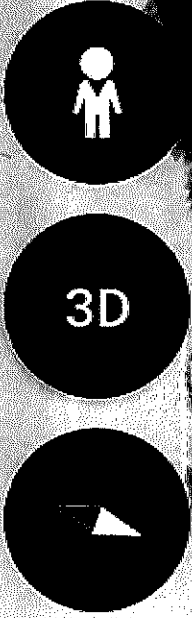
98.039 metres

9.02 metres

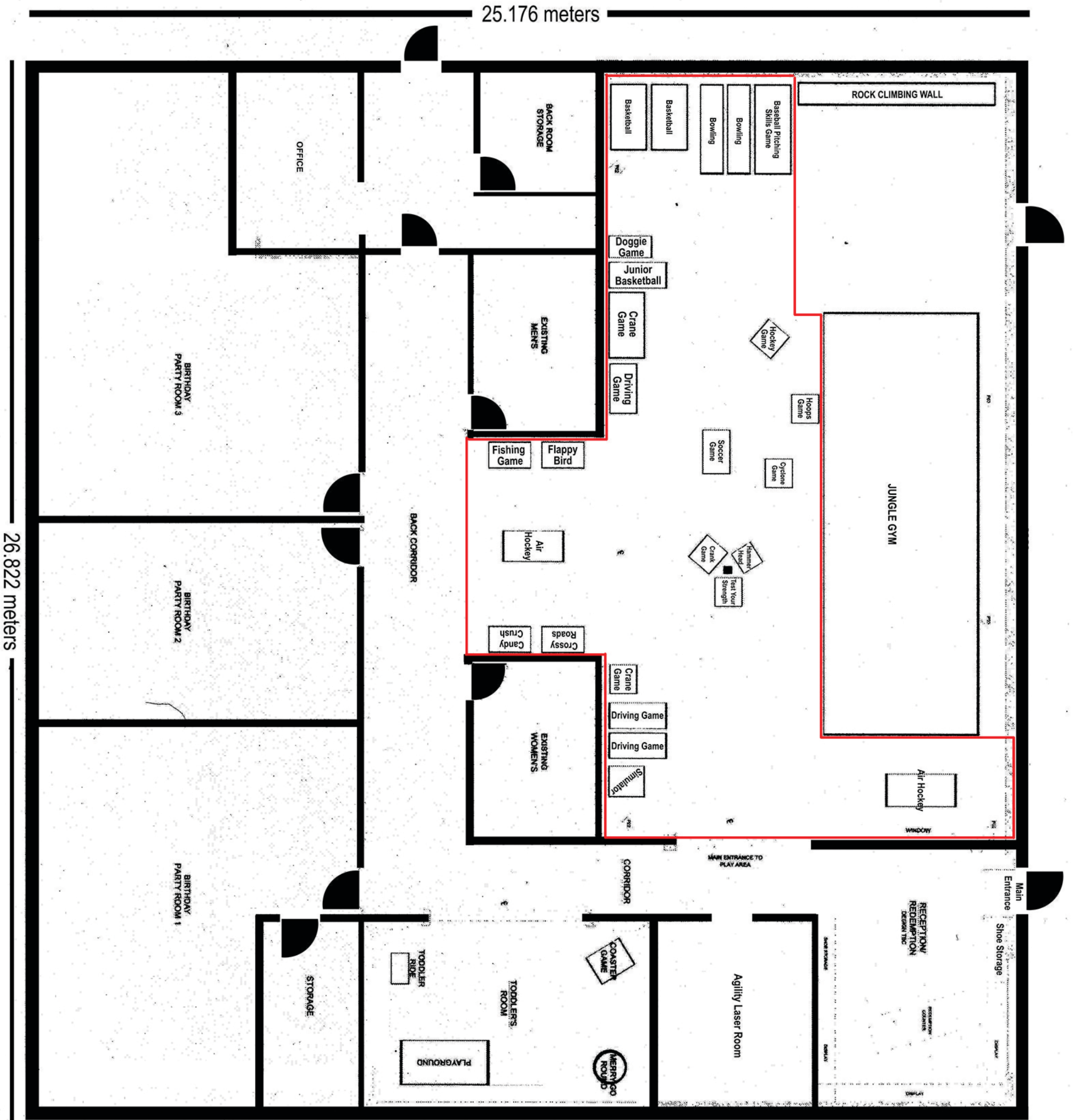
22.55 metres

41.947 metres

Google



To permit an accessory Place of Amusement (137.16m2 Arcade) within the existing Health Centre (indoor playground) (Unit B)



Floor Plan

Legend

- Width 26.822m
- Length 25.176m
- Gross space 675.27 sq m
- Ceiling Height 5.486m
- Gaming Area
- Gross Gaming Area 137.16 sq m

The Wreckroom
 90 Trowers Road Unit B
 Vaughan, ON L4L 7K5

Schedule B: Public Correspondence Received

Please note that the correspondence listed in Schedule B is not comprehensive. Written submissions received after the preparation of this staff report will be provided as an addendum. Written submissions from the public will only be accepted / processed until 12:00 p.m. on the date of the scheduled hearing.

None

Schedule C: Agency Comments

Please note that the correspondence listed in Schedule C is not comprehensive. Comments received after the preparation of this staff report will be provided as an addendum. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

Alectra (Formerly PowerStream) – No concerns or objections
Region of York – No concerns or objections



Date: May 10th , 2019

Attention: **Christine Vigneault**

RE: Request for Comments

File No.: **A057-19**

Related Files:

Applicant: 2485855 Ontario Ltd (o/a The Wreckroom)

Location 90 Trowers Rd, Unit B



COMMENTS:

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

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

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

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

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

References:

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

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

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

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

Attwala, Pravina

Subject: FW: MVAR.19.V.0191 (A057/19) - 2485855 Ontario Ltd (o/a The Wreckroom) - 90 Trowers Road

From: McMackin, Joseph <Joseph.McMackin@york.ca>

Sent: May-22-19 8:51 AM

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

Cc: Providence, Lenore <Lenore.Providence@vaughan.ca>; MacPherson, Adriana <Adriana.MacPherson@vaughan.ca>

Subject: MVAR.19.V.0191 (A057/19) - 2485855 Ontario Ltd (o/a The Wreckroom) - 90 Trowers Road

Hi Adriana,

The Regional Municipality of York has completed its review of the above mentioned Minor Variance Application and has no comment.

Please feel free to contact me if you have any further questions or concerns.

Best,

Joseph McMackin, B.URPI | Associate Planner

Planning and Economic Development Branch, Corporate Services Dept.

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

O: 1-877-464-9675 ext. 71516 | joseph.mcmackin@york.ca | www.york.ca

Our Values: Integrity, Commitment, Accountability, Respect, Excellence

Please consider the environment before printing this email.

Schedule D: Previous Approvals (Notice of Decision)

Minor Variance Application A386/06

COMMITTEE OF ADJUSTMENT
(VARIANCES)

NOTICE OF DECISION

FILE NO: A386/06

IN THE MATTER OF Subsection 45 of the Planning Act.

IN THE MATTER OF an application by **ACUMEN INVESTMENTS LTD.**, with respect to Part of Lot 5, Concession 6, (Lot 44, Registered Plan No. 65M-2333, municipally known as 90 Trowers Road, Woodbridge).

The subject lands are zoned EM1 Prestige Employment Area Zone By-Law 1-88 as amended.

The purpose of this application is to request a variance to permit an institutional use (child care centre) for an existing one storey building as follows:

Proposal:

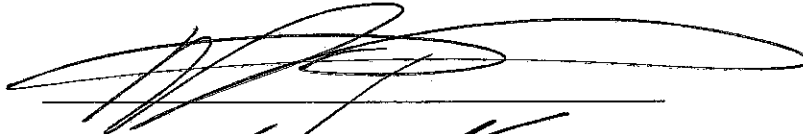
1. Landscape strip to be used as Playground Area for Childcare Centre.

By-Law Requirements:

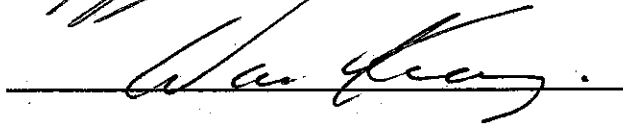
1. Landscape Strip to be used for landscaping only.

Sketches are attached illustrating the request.

Moved by:



Seconded by:



THAT the Committee is of the opinion that the variance sought can be considered minor and is desirable for the appropriate development and use of the land. The general intent and purpose of the By-law and the Official Plan will be maintained.

AND THAT Application No. A386/06 – ACUMEN INVESTMENTS LTD., be **APPROVED**, in accordance with the sketches attached.

THIS MINOR VARIANCE DECISION IS NOT A BUILDING PERMIT AUTHORIZING CONSTRUCTION UNDER THE BUILDING CODE ACT, R.S.O. 1990, AS AMENDED. A BUILDING PERMIT MAY BE REQUIRED. PLEASE CONTACT THE BUILDING STANDARDS DEPARTMENT IN THE EVENT THAT YOU REQUIRE FURTHER CLARIFICATION.

CARRIED.

CHAIR: Mary Mauti

Signed by all members present who concurred in this decision:

Mary Mauti
M. Mauti,
Chair,

~~ABSENT~~

T. DeCicco
Vice Chair,

[Signature]
L. Fluxgold,
Member,

[Signature]
D. H. Kang,
Member,

[Signature]
M. S. Panicali,
Member,

CERTIFICATION

I hereby certify this to be a true copy of the decision of the Committee of Adjustment, and this decision was concurred in by a majority of the members who heard this application.

[Signature]
Dianne E. L. Grout, A.M.C.T.,
Manager of Development Services and
Secretary-Treasurer to Committee of Adjustment
City of Vaughan

DATE OF HEARING: NOVEMBER 23, 2006
LAST DATE OF APPEAL: DECEMBER 13, 2006

APPEALS MUST BE RECEIVED BY THIS OFFICE NO LATER THAN 4:30P.M . ON DECEMBER 13, 2006.
Should you decide to appeal this decision to the Ontario Municipal Board, a copy of an appeal form is available for download in Microsoft Word and Adobe Acrobat versions from the Ontario Municipal Board website at www.omb.gov.on.ca. If you do not have Internet access, these forms can be picked up at the City of Vaughan, Committee of Adjustment offices.

Please fill out Form A1 and follow the instructions as provided by the Ontario Municipal Board and submit your appeal to the City of Vaughan, Committee of Adjustment on or before the date stated above.

NOTE: The Planning Act provides for appeals to be filed by "persons". As groups or associations, such as residents or ratepayers groups which do not have incorporated status, may not be considered "persons" for the purposes of the Act, groups wishing to appeal this decision should do so in the name of individual group members, and not in the name of the group.

NOTE: IF ANY CONDITIONS ARE IMPOSED ON THIS APPLICATION, THE FINAL DATE FOR FULFILLING THEM IS: DECEMBER 13, 2007

TROWER ROAD

PROPERTY LINE

CURB

GRASS

15.26

PARKING SPACES

EXISTING TREES

PROPOSED FENCE FOR PLAYGROUND (6' PRIVACY OR CHAIN LINK)

90 TROWERS RD. SITE FOR CHILD CARE CENTRE

PROPERTY LINE

Russia Skala.

6.03 6.03

GRASS

STRADA DRIVE

5.00 9.04

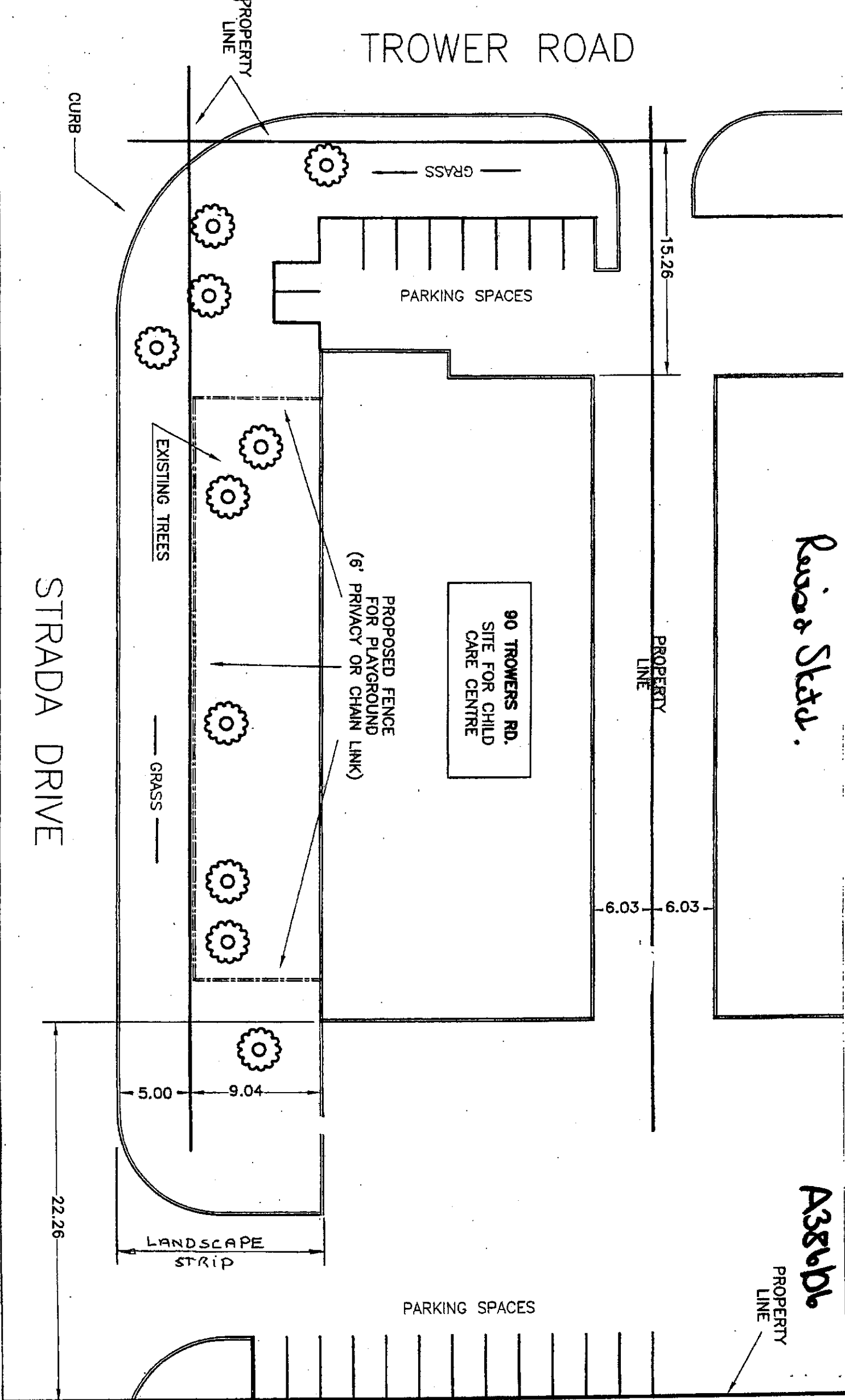
LANDSCAPE STRIP

22.26

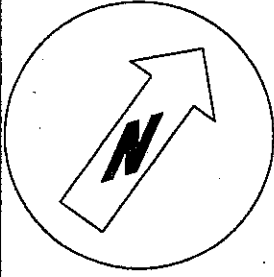
PARKING SPACES


PROPERTY LINE

A38606



COMMITTEE OF ADJUSTMENT



File No.:	A386/06
Applicants:	Acumen Investments Ltd.
	90 Trowers Road, Woodbridge Subject Area

