



File: A075/19

Applicant: Roybridge Holdings Ltd.

Address: 6100 Hwy 7 Bldg B Vaughan ON L4H 0R2

Agent: KLM Planning Partners Inc.

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	Condition(s)
	<input checked="" type="checkbox"/> Negative Comment	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
Committee of Adjustment	<input checked="" type="checkbox"/>	<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	<input checked="" type="checkbox"/>	
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)	<input checked="" type="checkbox"/>	

Adjournment History: N/A

Background History: To be confirmed.



**Minor Variance
Application**

A075/19

Agenda Item: 9

Ward: 2

Staff Report Prepared By: Lenore Providence, Assistant Secretary Treasurer

Date of Hearing: Thursday, June 27, 2019

Applicant: Roybridge Holdings Ltd.

Agent: Ryan Virtanen - KLM Planning Partners Inc.

Property: **6100-6260 Highway 7, Woodbridge.**

Zoning: The subject lands are zoned C7 Service Commercial, and subject to the provisions of Exception No. 9(1137) under By-law 1-88 as amended.

OP Designation: Vaughan Official Plan ('VOP 2010'): Employment Commercial Mixed-Use, Prestige Employment & General Employment

Related Files: Consent Applications: B004/19, B005/19, B006/19 and B007/19

Purpose: Relief is being requested to vary the definition of a lot in By-law 1-88 to include the lands described in PINs 03317-0719, 03317-0131, 03317-0126, PIN 03317-0187 further described as including all of Blocks 44, 45 and 46 and Part of Blocks 38, 39, 42 & 43, Registered Plan 65M-3627 and Part of Lot 6, Concession 9 in the City of Vaughan, Regional Municipality of York, to be considered one lot for zoning purposes.

For additional clarity, the subject lands as described above shall be deemed to be one lot regardless of the creation of a new lot by way of, condominium, part-lot control, consent or any easements, or other rights or registrations given or made for zoning purposes only.

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

By-law Requirement	Proposal
The definition of a "LOT" shall be complied with.	For the purposes of zoning conformity, the subject lands as shown on the attached sketch shall be deemed to be one lot regardless of the creation of a new lot by way of condominium, part-lot control, consent or any easements, or other rights or registrations given or made.

Background (previous applications approved by the Committee on the subject land): To be confirmed.

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 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.

Committee of Adjustment:

Public notice was mailed on June 12, 2019

Applicant confirmed posting of signage on June 19, 2019.

Property Information	
Existing Structures	Year Constructed
Buildings	Existing buildings have been built at various times

Applicant has advised that they cannot comply with By-law for the following reason(s): The lands subject to the consent applications would not comply with the provisions of the zoning by-law unless the subject lands are treated as one lot.

Recommended conditions of approval:

That Consent Applications B004/19, B005/19, B006/19 and B007/19 receive final certification from the Secretary Treasurer and be registered on title. A copy of the registered transfer confirming registration of the Certificate of Official must be provided to the Secretary Treasurer to satisfy this condition.

Building Standards (Zoning Review):

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

Building Inspections (Septic):

No comments or concerns

Development Planning:

Vaughan Official Plan ('VOP 2010'): Employment Commercial Mixed-Use, Prestige Employment & General Employment

The purpose of the minor variance is to facilitate consent applications B004/19, B005/19, B006/19 and B007/19. The subject lands contain a variety of commercial and employment uses, including an event space, hotels and eating establishments and have been reviewed and developed as a master planned site. The proposed definition of a "lot" would have the effect of treating the subject lands as one parcel for the purposes of zoning by-law compliance. Final approval for the consent applications will be issued in the form of an unstipulated consent, which does not require subsequent *Planning Act* consent for future conveyances (similar to a new lot severance). To accommodate the consent applications and mitigate potential issues in the future, varying the definition of a "lot" is appropriate given the historical context of the development and represents good planning.

Accordingly, the Development Planning Department is of the opinion that the proposed variance 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.

As a condition of the consent applications, the Development Planning Department recommends the registration of a Section 118 Restriction on the above noted lands that will restrict any future conveyances or transfers in part. Accordingly, the Development Planning Department has no objection to the consent applications as they are for mortgage purposes only, and is satisfied that they maintain the intent of VOP 2010 and the consent criteria stipulated in Section 51(24) of the *Planning Act, R.S.O. 1990, c. P.13*.

The Development Planning Department recommends approval of the applications, subject to the condition below:

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

1. That Minor Variance A075/19 be approved and the decision be Final and Binding.
2. The Owner shall register a Section 118 Restriction on title to the lands known municipally as 6100, 6110, 6120, 6130, 6140, 6150, 6170, 6200, 6210, 6220, 6230, 6240, 6250 and 6260 Highway 7 whereby no transfer or charge shall be registered without the consent of the City of Vaughan.

Cultural Heritage (Urban Design):

The Cultural Heritage Division does not object to this Variance Application. The subject parcel of land lies in an area identified as a being of high archaeological potential in the City's database of archaeological resources. As such, the applicant should be advised that the following standard clauses apply:

- I. Should archaeological resources be found on the property during construction activities, all work must cease and both the Ontario Ministry of Tourism, Culture and Sport and the City of Vaughan's Development Planning Department, Urban Design and Cultural Heritage Department shall be notified immediately.
- II. In the event that human remains are encountered during construction activities, the proponent must immediately cease all construction activities. The proponent shall contact the York Regional Police Department, the Regional Coroner and the Registrar of the Cemeteries Regulation Unit of the Ministry of Consumer and Business Services.
- III. In the event of a future development application that involves further soil disturbance an archaeological assessment by a professional licensed archaeologist may be required and conditions of approval may apply.

Development Engineering:

The Development Engineering (DE) Department does not object to variance application A075/19.

Parks Development:

No comments or concerns.

By-Law and Compliance, Licensing and Permit Services:
No comments or concerns.

Financial Planning and Development Finance:
No comment no concerns

Fire Department:
No Response.

Schedule A – Plans & Sketches

Schedule B – Public Correspondence
KLM Planning Partners – Cover letter

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)

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	Committee of Adjustment Christine Vigneault 905-832-8585 x 8332 christine.vigneault@vaughan.ca	That Consent Applications B004/19, B005/19, B006/19 and B007/19 receive final certification from the Secretary Treasurer and be registered on title. A copy of the registered transfer confirming registration of the Certificate of Official must be provided to the Secretary Treasurer to satisfy this condition.

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.

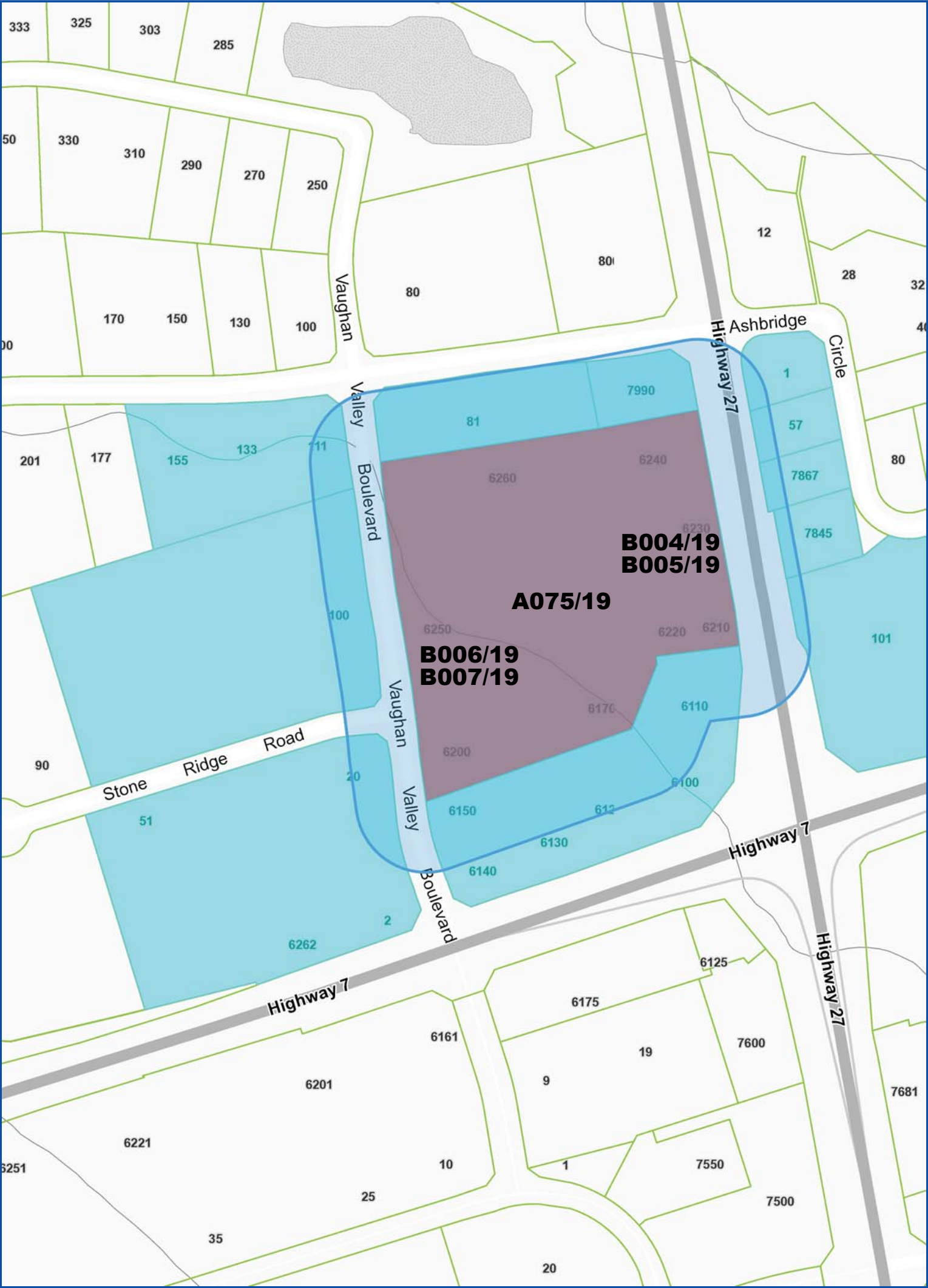
For further information please contact the City of Vaughan, Committee of Adjustment

T 905 832 8585 Extension 8394
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



Map Information:



Title:

6170 TO 6260 HIGHWAY #27

NOTIFICATION MAP - B004/19, B005/19, B006/19, B007/19 & A075/19

Disclaimer:

Every reasonable effort has been made to ensure that the information appearing on this map is accurate and current. We believe the information to be reliable, however the City of Vaughan assumes no responsibility or liability due to errors or omissions. Please report any discrepancies to Infrastructure Programming.



Scale: 1:4,514
0 0.07 km



Created By:
Infrastructure Delivery
Department
March 6, 2019 5:59 PM

Projection:
NAD 83
UTM Zone
17N

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.

KLM Planning Partners – Cover letter

Revised

May 29, 2019

B006/19



64 Jardin Drive, Unit 1B
Concord, Ontario
L4K 3P3
T. 905.669.4055
F. 905.669.0097
klmplanning.com

File: P-3035

May 27, 2019

City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1T1

**Attention: Ms. Christine Vigneault
Secretary Treasurer**

**Re: Roybridge Holdings Limited
Applications for Consent (Hotel Lands)
6100, 6110, 6120, 6130, 6140, 6150, 6170, 6200, 6210, 6220, 6230, 6240, 6250,
6260 Regional Road 7
Parts 1,2 and 3 on enclosed Draft Reference Plan 65R-
City of Vaughan, Regional Municipality of York**

Dear Ms. Vigneault,

On behalf of our clients, Roybridge Holdings Limited, owners of the above noted lands, we are pleased to submit two applications for Consent as they relate to the above noted lands:

1. One (1) Consent application for Partial Discharge to discharge an existing mortgage from a portion of the subject lands, and
2. One (1) Consent application for a new Charge to apply to the portion of the subject lands that are subject to the aforementioned Partial Discharge application (herby referred to as the "Hotel Lands").

The subject parcel of land is located at the northwest quadrant of Regional Road 7 and Highway 27, and are municipally known as 6100, 6110, 6120, 6130, 6140, 6150, 6200, 6220, 6230, 6240, 6250, 6260 Regional Road 7. The subject lands are legally described as: "All of Blocks 44, 45 and 46, and Parts of Blocks 38, 39, 42, and 43, Registered Plan 65M-3627, and Part of Lot 6, Concession 9 (Geographic Township of Vaughan), in the City of Vaughan, Regional Municipality of York". The Hotel Lands, which are proposed to be removed from the existing mortgage, are described as Parts 1,2, and 3 on the enclosed Draft Reference Plan 65R- prepared by Schaeffer Dzaldov Bennett Ltd.

Planning • Design • Development

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

Schedule D: Previous Approvals (Notice of Decision)

To be confirmed.