



File: A012/20

Applicant: Market Lane Holdings Inc.

Address: 166 Woodbridge Ave, Unit A,
Woodbridge

Agent: Leonidas Woodbridge Inc

Please note that comments and written public submissions received after the preparation of this Staff Report (up until noon on the last business day prior to the day of 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"/>	
Cultural Heritage (Urban Design)	<input checked="" type="checkbox"/>	
Development Engineering	<input checked="" type="checkbox"/>	
Parks, Forestry and Horticulture Operations		
By-law & Compliance		
Financial Planning & Development	<input checked="" type="checkbox"/>	
Fire Department		
TRCA	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
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: None

Background History: None



Minor Variance
Application

Agenda Item: 24

A012/20

Ward: 2

Staff Report Prepared By: Adriana MacPherson, Assistant Secretary Treasurer

Date & Time of Live Stream Hearing: Thursday, June 11, 2020 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.

A live stream of the meeting is available at [Vaughan.ca/LiveCouncil](https://vaughan.ca/LiveCouncil)

Please submit written comments by mail or email to:

City of Vaughan
Office of the City Clerk – Committee of Adjustment
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1
cofa@vaughan.ca

To make an electronic deputation at the meeting please contact the Committee of Adjustment at cofa@vaughan.ca or 905-832-8504. Ext. 8332

Written comments or requests to make a deputation must be received by noon on the last business day before the meeting.

- Applicant:** Market Lane Holdings Inc.
- Agent:** Leonidas Woodbridge Inc
- Zoning:** The subject lands are zoned RA2 9(1201) and subject to the provisions of Exception under By-law 1-88 as amended.
- OP Designation:** Vaughan Official Plan 2010 ('VOP 2010'): "Low Rise Mixed-Use", Volume 2, Section 11.11 Woodbridge Centre Secondary Plan
- Related Files:** None
- Purpose:** Relief from the By-law is being requested to permit an eating establishment within Unit A.

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

By-law Requirement	Proposal
In an RA2 Zone, an Easting Establishment is not a permitted use.	To permit the use of an Eating Establishment in Unit A.

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

Application No.:	Description:	Status of Approval: Approved/Refused/Withdrawn/ OMB/Concurrent
A228/05	124 - 166 Woodbridge Avenue (parking and lot area)	Approved (Decision Provided in Schedule D)
A343/06	166 Woodbridge Avenue (parking space sizes)	Approved (Minute Extracts Provided in Schedule D)

Adjournment History:

Hearing Date:	Members Absent from Hearing:	Status of Adjournment: (i.e. date/sine die)	Reason for Adjournment:
May 28, 2020	None.	June 11, 2020	To accommodate posting of revised public notice sign.

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 **noon** on the last business day **prior** to the day of the scheduled Meeting.

Committee of Adjustment:
Public notice was mailed on May 27, 2020

Applicant confirmed posting of signage on May 29, 2020.

Property Information	
Existing Structures	Year Constructed
Building	2006

Applicant has advised that they cannot comply with By-law for the following reason(s): Eating establishment use currently not permitted zoning by-law 1-88

Adjournment Request: None

Building Standards (Zoning Review):
Stop Work Order(s) and Order(s) to Comply: There are no outstanding Orders on file.

Building Permit No. 93-000567 for Retail Store Unit - ALTERATION (Wang), Issue Date: (Not Yet Issued)

The applicant shall be advised that additional variances may be required upon review of detailed drawing for building permit. The subject lands may be subject to Ontario Regulation 166/06 (TRCA - Toronto and Region Conservation Authority).

Building Inspections (Septic):
No comments or concerns

Development Planning:
Vaughan Official Plan 2010 ('VOP 2010'): "Low Rise Mixed-Use", Volume 2, Section 11.11 Woodbridge Centre Secondary Plan

The Owner is requesting permission to operate an eating establishment (café) within Unit A with the above-noted variance. The application would permit an eating establishment with a maximum gross floor area ('GFA') of 55.74m2, whereas an eating establishment is currently not permitted under the site-specific zoning by-law.

The property is zoned "RA2 Apartment Residential Zone" by Zoning By-law 1-88, subject to site specific exception 9(1201) which permits a maximum GFA of 578m2 of ground floor commercial space to be used for business and professional offices, a bank and/or financial institution, personal service shops and retail stores. Previously, Unit A was occupied by a retail store. Minor Variance File A082/08 was previously approved by the Committee of Adjustment, increasing the maximum GFA of ground floor commercial space to 700m2 through a conversion of two residential units.

The property is designated "Low-Rise Mixed-Use" within the Woodbridge Centre Secondary Plan of Vaughan Official Plan 2010 (VOP 2010, Section 11.11, Volume 2), which permits restaurants provided that they are located at grade level. The proposed eating establishment is located on the ground floor of the existing building. The proposed eating establishment use conforms to VOP 2010 and the City's draft comprehensive zoning by-law, which is intended to implement the policies of VOP 2010.

Accordingly, the Development Planning Department has no objection to permitting an eating establishment within Unit A as the proposed GFA is within the permitted maximum GFA of 700 m2, no additional parking is required, and the existing zoning permits a variety of other commercial uses on the ground floor. An eating establishment at grade level will activate the street and would be compatible with the broad range and mix of commercial uses currently existing along Woodbridge Avenue.

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, subject to a maximum GFA of 55.74 m2 as shown on the sketch provided.

Cultural Heritage (Urban Design):
No Response.

Development Engineering:
The Development Engineering (DE) Department does not object to variance application A012/20.

Parks, Forestry and Horticulture Operations: Forestry has no comments at this time, there is no significant vegetation within subject property.

By-Law and Compliance, Licensing and Permit Services:
No Response.

Financial Planning and Development Finance:
That the payment of the City Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and City-wide Development Charge By-law in effect at time of payment.

That the payment of Region of York Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and Regional Development Charges By-laws in effect at time of payment.

That the payment of Education Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Education Act and York Region District School Board and York Catholic District School Board Development Charges By-laws in effect at time of payment

That the payment of applicable Special Area Development Charges are payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and Special Area Development Charge By-laws in effect at time of payment.

Fire Department:
No Response.

Schedule A – Plans & Sketches

Schedule B – Public Correspondence

- Application Cover Letter
- Public Correspondence (Letter of Opposition) – 160 Woodbridge Avenue, Unit 510
- Public Correspondence (Letter of Opposition) – Addie Mattiace (Inkerman House)
- Public Correspondence (Letter of Opposition) - 160 Woodbridge Avenue (Di Biase)
- Public Correspondence (Letter of Opposition) - 160 Woodbridge Avenue, Unit 4
- Public (Applicant) Correspondence - 166 Woodbridge Avenue, Unit A
- Public Correspondence (Letter of Opposition) - 160 Woodbridge Avenue, Unit 504
- Public Correspondence (Letter of Opposition) - 160 Woodbridge Avenue (Mirabelli)
- Public Correspondence & Petition in Objection, Letters in Objection - YRCC 1105 – 160 Woodbridge Avenue

Schedule C - Agency Comments

- Alectra (Formerly PowerStream) – No concerns or objections
- Region of York – No concerns or objections
- TRCA – comments with conditions

Schedule D – Previous Approvals

- A228/05 (Decision)
- A343/06 (Minute Extracts)

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	TRCA Hamedeh Razavi 416-661-6600 x 5256 hamedeh.razavi@trca.ca	That the applicant provides the required fee amount of \$1,100.00 payable to the Toronto and Region Conservation Authority.

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.

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.

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

PLEASE NOTE: As a result of COVID-19, Vaughan City Hall and all other City facilities are closed to the public at this time.

PUBLIC CONSULTATION DURING OFFICE CLOSURE: 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 shall only be received until **noon** on the last business day **prior** to the day of the scheduled hearing. Written submissions can be mailed and/or emailed to:

City of Vaughan
Office of the City Clerk – Committee of Adjustment
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1
cofa@vaughan.ca

ELECTRONIC PARTICIPATION: During the COVID-19 emergency, residents can view a live stream of the meeting at vaughan.ca/LiveCouncil To make an electronic deputation, residents must contact the Committee of Adjustment no later than **noon** on the last business prior to the day of the scheduled hearing (see above for contact details).

Presentations to the Committee are generally limited to 5 minutes in length. Please note that Committee of Adjustment meetings may be audio/video 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

Adriana MacPherson

T 905 832 8585 Extension 8360

E CofA@vaughan.ca

Schedule A: Plans & Sketches

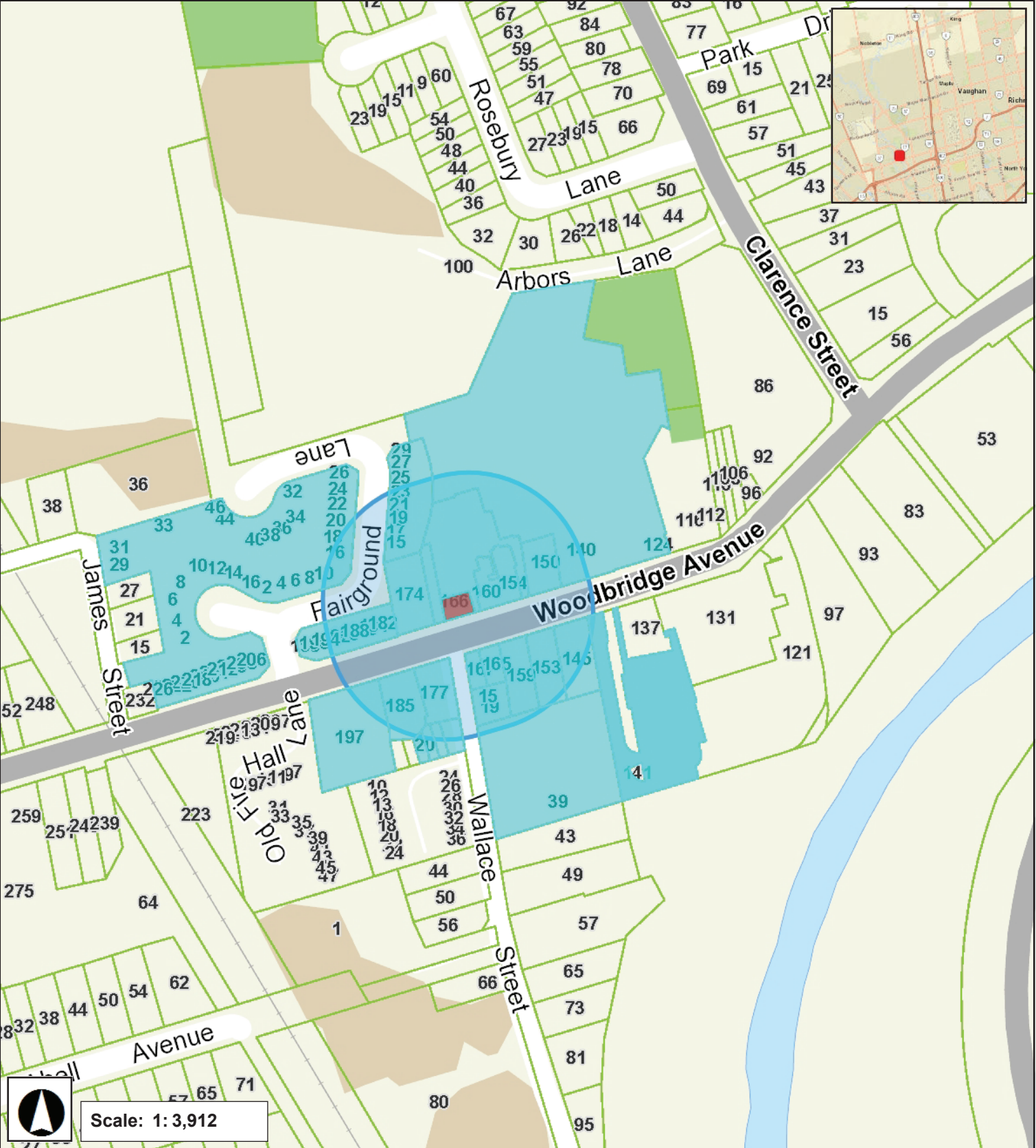
Please note that the correspondence listed in Schedule A is not comprehensive. Plans & sketches received after the preparation of this staff report will be provided as an addendum.

Location Map
Plans & Sketches



A012/20 - Notification Map

166 Woodbridge Avenue, Unit A, Woodbridge



Scale: 1: 3,912

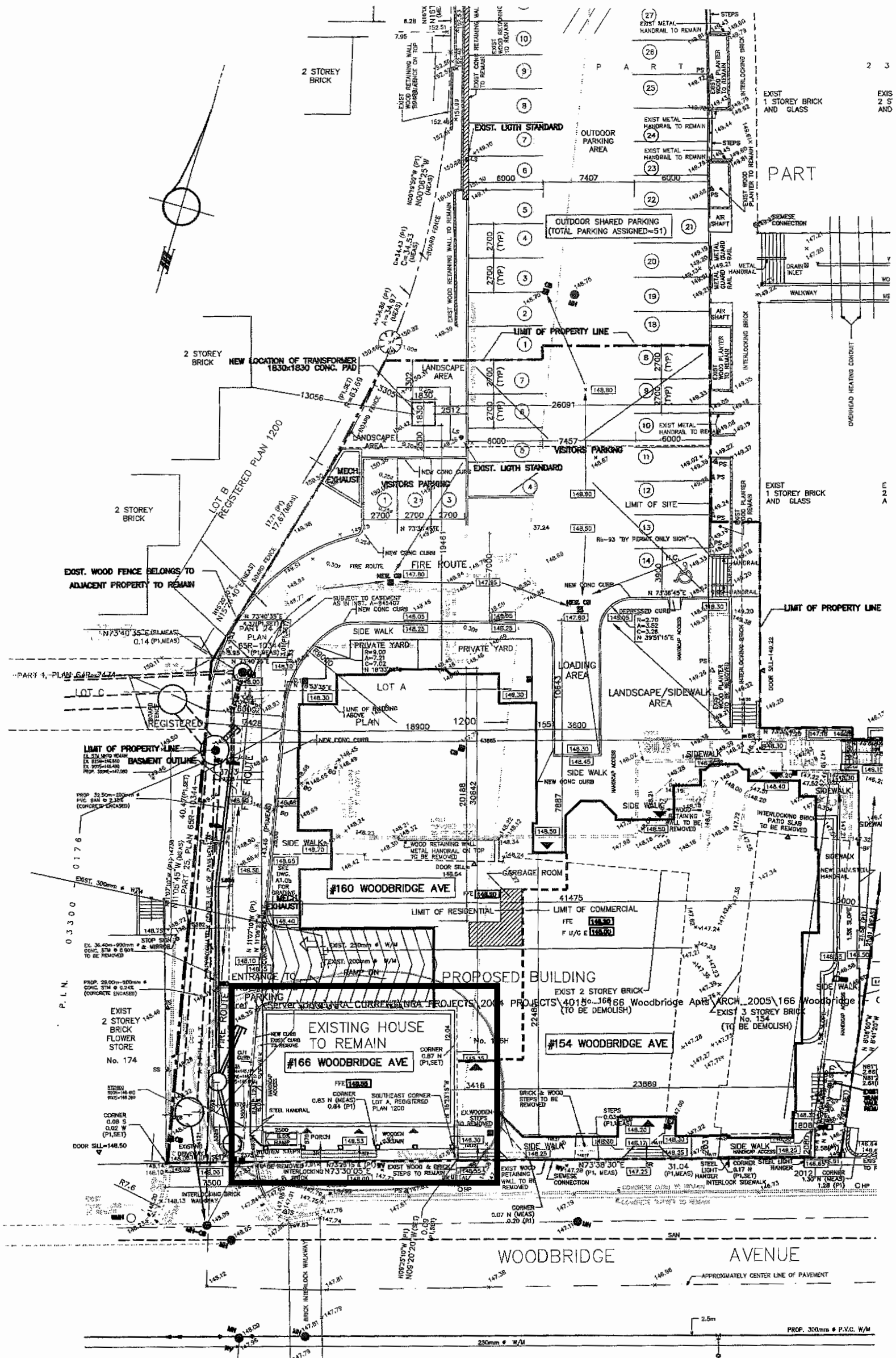
Highway 7

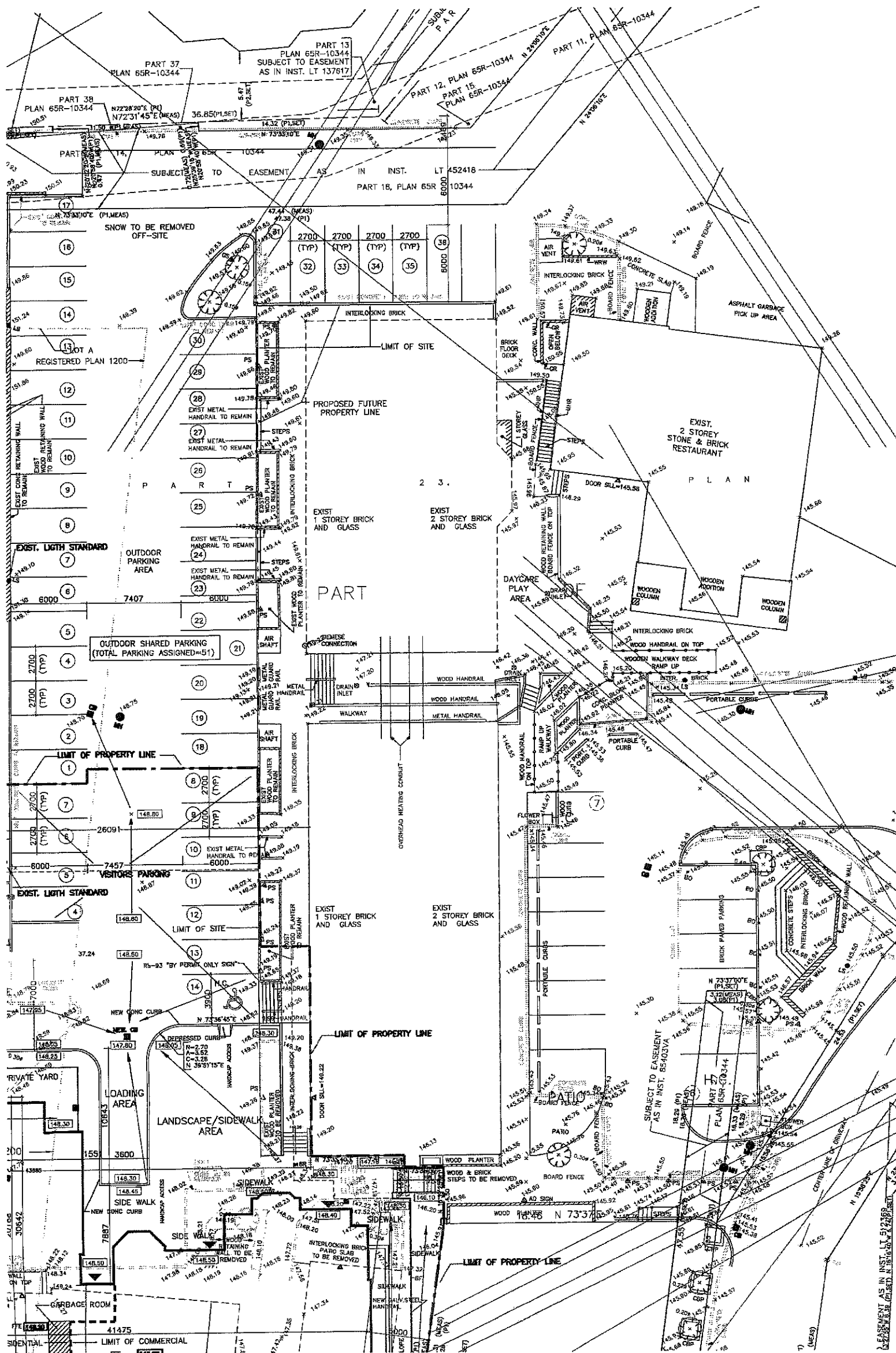
March 3, 2020 11:00 AM

Proposal:

To permit the use of an Eating Establishment in Unit A.

A012/20

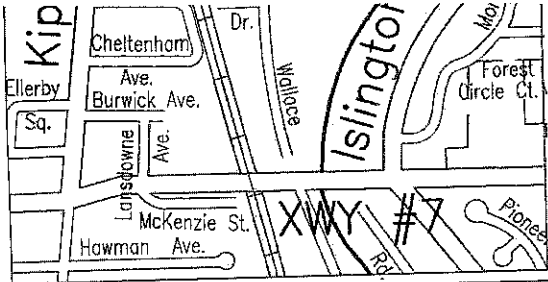




DESCRIPTION

SURVEY OF
B AND C
1200

PALITY OF YORK
IE VILLAGE OF WOODBRIDGE,
Q)



SITE DATA			
LOT AREA	2,977.35 SM	32,047.9 SF	
TOTAL BLDG. AREA COVERAGE	1,153.22 SM	38 %	
TOTAL GROSS FL. AREA COVERAGE	6,653.02 SM	225 %	
BUILDING AREA			
	EXIST	PROPOSED	TOTAL
GROUND FLOOR	144 SM	1,040.22 SM (INCLUDING 570.36 SM BANK)	1,184.22 SM
SECOND FLOOR	144 SM	1,085.43 SM	1,229.43 SM
THIRD FLOOR	0	1,083.77 SM	1,083.77 SM
FOURTH FLOOR	0	1,086.90 SM	1,086.90 SM
FIFTH FLOOR	0	1,084.25 SM	1,084.25 SM
SIXTH FLOOR	0	1,051.30 SM	1,051.30 SM
TOTAL AREA	288 SM	6,431.87 SM	6,719.87 SM
(TOTAL AREA WITHOUT BANK = 5,861.51 SM)			
PROPOSED			
GROUND FLOOR		570.36 SM	570.36 SM
BANK (GROUPE D)			
UNDERGROUND PARKING (SPRINKLER)		2,291.12 SM	
RESIDENTIAL UNITS			
BLDG.	1 BED.	2 BED.	TOTAL
GROUND FL.	0	2	2
2ND FLOOR	7	4	11
3RD FLOOR	7	5	11
4TH FLOOR	7	4	11
5TH FLOOR	7	4	11
6TH FLOOR	6	4	10
TOTAL UNITS	33	23	56 UNITS
RESIDENTIAL DENSITY			
UNITS / ha	188	UNITS / acre	76
PARKING:			
PARKING REQUIRED (AS PER BY-LAW 1-88)			
RESIDENTIAL PARKING (1.75 PER UNIT)			98
COMMERCIAL PARKING (6 @ 100SQM.)			35
TOTAL PARKING REQUIRED			133
PARKING PROVIDED (AS PER BY-LAW # 221-2004)			
SURFACE STALLS ON PROPOSED PROPERTY			14
SURFACE STALLS OFF SITE PROPOSED PROPERTY (MUST BE RESERVED FOR PROPOSED DEVELOPMENT)			36
PROPOSED UNDER GROUND PARKING			57
TOTAL PARKING PROVIDED			107
PAVED AREA			933.8 SM
LANDSCAPE AREA			890.33 SM
LOADING SPACES			
RESIDENTIAL	REQUIRED	PROVIDED	
COMMERCIAL	1	1	
	0	0	
AMENITY AREA:			
GROUND FLOOR:			
LANDSCAPE AREA (INCLUDING 2 PRIVATE YARD, 52.20 SQM.)			890.33 SQ.M
RECREATION ROOM AT GRD. FLR.			72.0 SQ.M
SUBTOTAL GRD. FLR.			962.33 SQ.M
SECOND FLOOR:			
BALCONIES			92.65 SQ.M
THIRD FLOOR:			
BALCONIES			122.05 SQ.M
FOURTH FLOOR:			
BALCONIES			97.90 SQ.M
FIFTH FLOOR:			
BALCONIES			103.75 SQ.M
SIXTH FLOOR:			
BALCONIES			142.62 SQ.M
ROOF:			
GARDENING AT ROOF			198.40 SQ.M

CONTRACTORS MUST CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS ON THE PROJECT AND MUST REPORT ANY DISCREPANCIES TO THE ARCHITECT BEFORE COMMENCING WITH CONSTRUCTION.

THIS DRAWING MUST NOT BE USED FOR CONSTRUCTION UNTIL SIGNED "APPROVED FOR CONSTRUCTION" BY THE ARCHITECT.

DO NOT SCALE DRAWINGS.

ALL DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY OF NINO RICO INC. ARCHITECT AND SHALL NOT BE USED FOR ANY PURPOSE WITHOUT APPROVAL BY THE ARCHITECT.

YORK REGION STANDARD
CONDOMINIUM PLAN NO. _____
PART 3
SHEET 1 OF 17 SHEETS

16 OCT. 19, 09 AS-BUILT DWG's
15 OCT. 23, 06 REVISED SITE DATA RE UNITS
14 OCT. 11, 06 REVISED SITE DATA RE UNITS
13 JULY 20, 06 RE-ISSUED FOR SITE PLAN APPR.
12 JUNE 23 06 3RD ISSUE FOR TENDER
11 JUNE 06 06 2ND ISSUE FOR TENDER
10 JUNE 02, 06 REVISED BSMT. OUTLINE
9 MAY 15, 06 ISSUED FOR BUILDING PERMIT
8 APR 11 06 RE-SUBMIT SITE PLAN APPROVAL
7 FEB 24 06 FIRST ISSUE FOR TENDER
6 FEB 07 06 RE-SUBMIT SITE PLAN APPROVAL
5 JAN 20 06 REVISED BLDG OUTLINE
4 DEC 21 05 REVISED BASED ON CITY COMMENTS
3 DEC 07 05 REVISED BASED ON CITY COMMENTS
2 OCT 05 05 ISSUED FOR SITE PLAN APPROVAL
1 FEB 07 05 ISSUED FOR SITE PLAN APPROVAL

NO. DATE ISSUE OR REVISION

CLIENT:

MARKET
LANE
HOLDINGS
LIMITED

Drawing Approved For: Client Review



Permit

Construction

BCDN 3181

PROJECT NAME :

THE
GRAND MANOR
BY MARKET LANE
AS-BUILT

154-160-166 WOODBRIDGE AVE
VAUGHAN, ONTARIO

SCALE: 1 : 250

DRAWING TITLE :

ED GRADE
S OR PLANTING
(SEE SITE PLAN)

AREA

2

ENDED

NTED 150mm DIA.
EEL PIPE CONC. FILLED

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.

- Application Cover Letter**
- Public Correspondence (Letter of Opposition) – 160 Woodbridge Avenue, Unit 510**
- Public Correspondence (Letter of Opposition) – Addie Mattiace (Inkerman House)**
- Public Correspondence (Letter of Opposition) - 160 Woodbridge Avenue (Di Biase)**
- Public Correspondence (Letter of Opposition) - 160 Woodbridge Avenue, Unit 4**
- Public (Applicant) Correspondence - 166 Woodbridge Avenue, Unit A**
- Public Correspondence (Letter of Opposition) - 160 Woodbridge Avenue, Unit 504**
- Public Correspondence (Letter of Opposition) - 160 Woodbridge Avenue (Mirabelli)**
- Public Correspondence & Petition in Objection, Letters in Objection - YRCC 1105 – 160 Woodbridge Avenue**

Ap12/20

January 20, 2020

HAND DELIVERED

Christine Vigneault
Secretary-Treasurer
City of Vaughan Committee of Adjustment
2141 Major MacKenzie Drive
Vaughan, ON L6A 1T1

Dear Ms. Vigneault:

**Re: Minor Variance Application
166 Woodbridge Avenue, Unit A, City of Vaughan**

Leonidas Woodbridge Inc. ("**Leonidas**") has entered into a lease agreement, in respect of Unit A, with Market Lane Holdings Inc., the owner of lands municipally referred to as 166 Woodbridge Avenue (the "**subject site**"), in the City of Vaughan (the "**City**"). The subject site is legally referred to Part of Lot 7, Concession 7. Unit "A" is approximately 600 (55.74 square metres) and Leonidas is proposing to use this unit for an eating establishment.

The subject site, formerly locally known as the Inkerman Hotel, was subject to a redevelopment application approved by the City in 2006. The subject site was part of a larger redevelopment parcel which included the surrounding lands. On February 13, 2006, City Council approved Site-specific Zoning By-law 48-2006, resulting in the site's current zoning permission of RA2 (Apartment Residential), under Zoning By-law 1-88, subject to Exception Number 9(1201).

Leonidas applied for a Zoning Search For Municipal License Clearance (the "**Zoning Search**"), on November 7, 2019 and was advised that the intended use is not permitted (copy of the Zoning Search is attached). As such, we are submitting an application for minor variance (the "**Minor Variance Application**") seeking a minor variance to permit the "eating establishment", which is defined by the City's Zoning By-law 1-88 to mean:

" a building or place where food and drink are prepared and offered for sale and served at the same table or counter where the food and drink are ordered and are to be consumed. Such establishment may include an outdoor patio as an accessory use thereto and may offer limited take-out and delivery services. Accessory billiard tables shall not be permitted within 300 metres of a public or private school."

In this particular instance, while the Minor Variance Application is seeking permission for an eating establishment (as determined by the Zoning Search), there will be no cooking facilities on the premises. Rather, the eating establishment, while containing 4 tables accommodating

upwards to 16 patrons, will offer limited foods confined to chocolates, ice cream and coffee, functioning in a traditional European style cafe. Other than internal tenant improvements, no external building changes are necessary.

Based on the existing zoning, one parking space is required for every 4 persons comprised in the designated maximum capacity or 16.0 parking spaces per 100 square metres of gross floor area, whichever is greater. In this particular layout, a minim of 4 parking spaces to a maximum of approximately 8-9 parking spaces will be required.

OFFICIAL PLAN AND ZONING

The subject site is designated Low Rise Mixed-Use within the Woodbridge Centre Secondary Plan. Restaurants are permitted under the existing in-force Secondary Plan.

As mentioned above, the subject site is zoned RA2 (Apartment Residential), under Zoning By-law 1-88, subject to Exception Number 9(1201), copy attached. Beyond permitting the existing 6-storey building with the ground floor commercial, Exception 9(1201) limits the commercial uses of the subject site to business and professional offices, bank and/or financial institution, personal service shop and retail stores.

Of further significance is Section (ai) of Exception 9(1201) which provides the following:

“a minimum of 106 parking spaces shall be required, of which implement the Official Plan and accurately reflect the intent of policy direction under one consolidated, streamlined Zoning By-law shown as “Other Lands Owned by the Applicant” (Market Lane on Schedule “E”-1327”.

These off-site parking spaces were subsequent secured, for the permanent benefit of the subject lands, through the condominium approval process and registered agreements, with the approval and support of the City.

Finally, the City of Vaughan is undertaking a City-wide comprehensive review of its Zoning By-law that aims to create a progressive By-law with updated, contemporary uses and standards. This review, as reported on the City's website states:

“The City's Official Plan is in place to help shape the future of Vaughan and guide its continued transformation into a vibrant and sustainable city of the future. The new Zoning By-law will implement the Official Plan and accurately reflect the intent of policy direction under one consolidated, streamlined Zoning By-law”.

Under the emerging zoning, the site is proposed to be WMS (Main Street Mixed Use – Woodbridge) where a restaurant will be a permitted use. The new proposed Zoning By-law requires a minimum of 2.7 to a maximum of 10 parking spaces for a restaurant use.

This Minor Variance Application meets the four tests for minor variances established in Section 45(1) of the *Planning Act*, and specifically:

Maintains the general intent and purpose of the Official Plan

The subject site is located in the built-up area of the City where a wide-range of commercial uses exists to serve the residents and commuting public. Moreover, the Low Rise Mixed-Use within the Woodbridge Centre Secondary Plan permits a restaurant use. The intent of the Minor Variance Application is to capture and implement the vision of the existing Official Plan.

As such, the proposed minor variance meets the general intent and purpose of the Official Plan.

Maintains the general intent and purpose of the Zoning By-law

As indicated above, while the proposed use is not permitted under the existing zoning, it will become a recognized as-of-right use under the emerging zoning, which as stated by the City will *“implement the Official Plan and accurately reflect the intent of policy direction under one consolidated, streamlined Zoning By-law”*

In terms of parking, based on both the existing and emerging zoning, a supply in the range of a minimum of 2.7 to a maximum of 10 parking spaces are required. As provided in Exception Number 9(1201), the 36 secured off-site parking spaces on the Market Lane lands are more than sufficient for the intended use, including for all other existing uses on the subject lands.

In our opinion, the minor variance to permit an eating establishment continues to meet the general intent of the Zoning By-law.

Is desirable for the appropriate development of the subject lands

The proposed eating establishment will become a permitted by the new proposed Zoning By-law and will comply with all zoning requirements, including parking. These types of uses currently exist within the Woodbridge area and offer a small town urban feeling experience. The eating establishment of the nature proposed (chocolate/ice cream store and cafe) represents a compatible and complimentary use in respect of surrounding and committed land use without any negative off-site impacts both in terms of parking, vehicular and pedestrian access.

As such, it is our opinion that Minor Variance Application represents a desirable and appropriate development of the subject site.

Is minor in nature

It our submission, the requested minor variance is minor in nature for much of the same reasons cited above. The existing in-force Zoning By-law permits a variety of commercial uses (business and professional offices, bank and/or financial institution, personal service shop and retains stores) which generate similar traffic and parking demands. To the extent the Zoning By-law does not permit an eating establishment, the new emerging zoning will provide for that and bring the zoning into conformity with the Official Plan. Nevertheless, the Committee is being provided the opportunity to assess the request on the basis of the specifics related to the subject site. It is our belief that the permission sought herein has no on or off-site associated impacts. The existing site layout will not require any alterations and the parking supply will meet or exceed that which is required for zoning purposes. In our view, the requested variance is therefore minor in nature.

SUBMISSION REQUIREMENTS

In accordance with the Town's submission requirements listed in the application form, the following materials are submitted in support of the Minor Variance Application herein:

1. One (1) original copy of the completed and signed application form;
2. Application fee in the amount of \$3,460.00, payable to the Treasurer, City of Vaughan,
3. One (1) copy of the existing site plan;
4. One (1) copy of the survey;
5. One (1) copy of Zoning Search; and,
6. One (1) copy of Exception Number 9(1201).

We trust that the enclosed documentation is sufficient for the Committee to proceed with this Minor Variance Application. If you have any comments or concerns, please do not hesitate to contact the undersigned.

Yours truly,



Sasa Petkovic (Leonidas Woodbridge Inc)

Encl.

MacPherson, Adriana

Subject: FW: Restaurant at 166 Woodbridge Ave - A012/20

-----Original Message-----

From: Sabrina D <[REDACTED]>

Sent: Tuesday, March 24, 2020 9:25 PM

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

Subject: [External] Restaurant at 166 Woodbridge Ave

To whom it may concern,

I am writing as a concerned homeowner of 160 Woodbridge Ave. I have heard that there may be plans of opening up a restaurant in a tiny adjacent space at 166 Woodbridge Ave. I strongly object to this as it is a safety hazard and will disrupt our quality of life with unwanted odours, noise, volume of people, limited parking, and of course fire hazards. I do not see how it can be a suitable space for such a hectic type of business. Please take this into consideration, as there are many elderly who live in the building as well.

Sincerely,

Sabrina Di Biase

MacPherson, Adriana

Subject: FW: [External] Fwd: 166 Woodbridge Avenue (Inkerman House) Minor Variance Application A012/20

From: Addie Mattiace Real Estate <[REDACTED]>
Sent: March-17-20 4:44 PM
To: Committee of Adjustment <CofA@vaughan.ca>
Cc: Addie Mattiace <[REDACTED]>
Subject: [External] Fwd: 166 Woodbridge Avenue (Inkerman House) Minor Variance Application A012/20

Hello,

My family and I live in the adjacent property at 166 Woodbridge Avenue (Inkerman House) and have objections with regards to a restaurant being opened there due to the risk of fire, the odours, noise levels, increase in garbage and increase in demand for parking which is already a significant problem.

Kind regards,

Adelaide (Addie) Mattiace, BCom
[REDACTED]

----- Forwarded message -----

From: Addie Mattiace Real Estate <[REDACTED]>
Date: Tue., Mar. 17, 2020, 4:24 p.m.
Subject: 166 Woodbridge Avenue (Inkerman House) Minor Variance Application A012/20
To: <CoA@vaughan.ca>

Hello,

My family and I live adjacent to the above property and wish to express my concern with their request to open a restaurant in that space. Our concerns are the risk of fire, the noise levels, garbage and the odours commonly associated with restaurants.

Kind regards,

Adelaide (Addie) Mattiace, BCom
[REDACTED]

Attwala, Pravina

Subject: FW: [External] 166 Woodbridge Ave. restaurant proposal

From: ENNIO & JUDY PESCHIUTTA

Sent: Friday, March 13, 2020 4:08 PM

To: Committee of Adjustment <CofA@vaughan.ca>; David Pal

Subject: [External] 166 Woodbridge Ave. restaurant proposal

To whom it may concern,

Please note that we in unit 510, 160 Woodbridge ave. do not want a restaurant attached to our condo building. We feel it is neither sanitary nor should it be permitted.

Please accept this submission of concern.

Thank you for your time and consideration;
Judy and Ennio Peschiutta

MacPherson, Adriana

Subject: FW: [External] Fwd: New Date for Hearing Re: 166 Woodbridge Ave. Variance to allow restaurant May 28, 2020
Attachments: image001.jpg; ATT00001.htm; image002.jpg; ATT00002.htm; YRCC 1105 Notice of Hearing Revised Date re Variance for restaurant 166 Woodbridge Ave.pdf; ATT00003.htm

From: Mike Panno <[REDACTED]>
Sent: May-22-20 4:17 PM
To: Committee of Adjustment <CofA@vaughan.ca>
Subject: [External] Fwd: New Date for Hearing Re: 166 Woodbridge Ave. Variance to allow restaurant May 28, 2020

We are writing today to express our concern with allowing a restaurant on the subject location

The building in question is mainly inhabited by seniors who are very protective of their surroundings and their personal security. Allowing a restaurant that may be open to the public late in the evening will very much pose an issue of inconvenience (loud noise/smell) as well as compromise the buildings security.

My name is Angela Panno, unit 401, and I very much apose any addition of a restaurant within our building.

Thank you

Sent from my iPhone

MacPherson, Adriana

Subject: FW: A012/20 - Letters of Objection Received

From: Aleksandra Babic [REDACTED]
Sent: May-27-20 8:36 AM
To: MacPherson, Adriana <Adriana.MacPherson@vaughan.ca>; [REDACTED]
[REDACTED]
Cc: Vigneault, Christine <Christine.Vigneault@vaughan.ca>
Subject: [External] Re: A012/20 - Letters of Objection Received

Hello Adriana,

Thank you for forwarding these to our attention. Please see our response below and let me know if you need anything else.

166 Woodbridge Avenue - Application A012/20

We have reviewed all the circulation comments and public submissions and wish to make a short submission.

In respect of the agency circulation comments, we are pleased to have their full support for the minor variance. In particular, we note the very positive planning comments from Development Planning where they indicate the proposed use "will activate the street and would be compatible with the broad range and mix of uses currently existing along Woodbridge Avenue". The comments conclude that the application satisfies all of the four test. We also accept the suggested condition that the approval be subject to a maximum GFA of 55.74 square metres".

In respect of the Schedule B: Public Correspondence Received, the concerns appear to be similar in that the submissions are objecting to the minor variance on the fear that the proposed eating establishment (restaurant) will increase the risk of fire, cause odours, noise, litter and parking.

We wish to reiterate to the Committee what we clearly set out in our covering letter accompanying the application. The use label (eating establishment) was established by the City's Zoning Examiner. Despite this, in our covering letter we indicated that there will never no cooking facilities on the premises. Rather, the raging establishment, while containing 4 tables accommodating upwards to 16 patrons, will offer limited foods confined to chocolates, ice cream and coffee, functioning in a traditional European style cafe.

On the issue of parking, as indicated in our covering letter, there are 36 available parking spaces of which at most 10 will be required for this cafe.

We trust the above response will assist the Committee in its deliberations of our application.

Thank you.

Sasa Petkovic (Leonidas Woodbridge Inc)

Subject: FW: Minor Variance Application A012/20

From: Sam Folino <[REDACTED]>
Sent: May-25-20 1:46 PM
To: Committee of Adjustment <CofA@vaughan.ca>
Subject: [External] Minor Variance Application A012/20

Re: Application to permit Restaurant at 166 Woodbridge Ave (Inkerman House)

Minor Variance Application - A012/20 – section 45 of the planning Act R.S.O, 1990, c.P. 13

My name is Saverio Folino married to Carolyn Folino with 3 lovely kids Antonia 23, Filippo 21 and Salvatore 14. We live on Modesto Gardens since we got married 25 years ago. My family and my Parents have been residence in Woodbridge sine 1981. I am writing on behalf of my parents and myself. My parents Filippo (84)and Anna Folino (83) decided 13 years ago to retire and settle at The Grand Manor 160 Woodbridge Ave unit 504.

They have enjoyed living in this community and having the convience at you're the doorstep with essential services and stores. Over the years they have seen more traffic and noise with the new Condos being built.

Today there is Minor variance to permit a restaurant beside their main entrance of their Condo. Not only will this bring more traffic and noise but will also take away the calm and quite around the Complex. The concern of patrons gathering on the porch of the property until late lights and possible under r the influence of alcohol. Then you will have staff until late evening outside in the back parking after their shift. The smell from the kitchen that will rise above to the balconies that may be difficult to enjoy the balconies. My Parents are very concerned about the parking as it is very limited. Where will the staff park and Patrons? Where will we park? The parking on the Woodbridge Ave in the front of Grand Manor will always be full.

I ask all council to be honest and open to yourself for the community. No discussions or decisions behind closed doors. Be transparent to your community.

I ask that this matter be a priority concern

Thank-you for your attention to this issue that means so much to us,

Sam Folino



MacPherson, Adriana

**ADDENDUM
AGENDA ITEM**

15

COMMITTEE OF ADJUSTMENT

From: Anna Tasciotti <[REDACTED]>
Sent: May-25-20 8:53 PM
To: Committee of Adjustment
Subject: [External] Concern regarding permit restaurant at 166 Woodbridge Ave

Dear City of Vaughan Committee of Adjustments,

I am writing this email on behalf of my mother Teresa Mirabelli who resides in a condo on 160 Woodbridge Ave. She received a letter from Zoran Properties Inc, regarding the Application to permit restaurant at 166 Woodbridge Ave. The letter specified that she could submit this email to you if she disapproved of the permit. This email is her submission that she **disapproves** of the restaurant. I (her daughter) am sending you this email to **voice her objection of the project**. Please let me know if you require any further information.

Regards,

Anna Tasciotti



SHIBLEY RIGHTON LLP
Barristers and Solicitors

Evan Holt
Direct Line 416-214-5213
Direct Fax 416-214-5413
eholt@shibleyrighton.com

TORONTO OFFICE:
250 University Avenue, Suite
Main 416-214-5200 Toll free
Facsimile 416-214-5400

WINDSOR OFFICE:
2510 Ouellette Avenue, Suite
Main 519-969-9844 Toll free
Facsimile 519-969-8045

HAMILTON AREA:
4145 North Service Road, 2nd Floor, Burlington, Ontario, L7L 6A3
Main 905-769-0409 Toll free 1-877-214-5200
Facsimile 905-769-0410

www.shibleyrighton.com

Please reply to the TORONTO OFFICE

ADDENDUM
AGENDA ITEM
15
COMMITTEE OF ADJUSTMENT

May 26, 2020

File No. 2200555

BY E-MAIL

City of Vaughan
Committee of Adjustment
2141 Major MacKenzie Drive
Vaughan, Ontario
L6A 1T1

Dear Ms. Christine Vigneault:

**RE: York Region Condominium Corporation No. 1105 (the "Corporation")
Minor Variance Application File No. A012/20 (the "Application")
Market Lane Holdings Inc. (the "Applicant")
166 Woodbridge Avenue, Unit A, City of Vaughan (the "Property")**

We are the lawyers of the Corporation.

The Corporation manages a residential building located at 160 Woodbridge Avenue, Vaughan, Ontario. The Corporation strongly opposes the proposed variance and asks that the Committee of Adjustment not to approve the Application. In the alternative, the Corporation requests that:

- the Application be deferred until sufficient noise, odour, traffic and parking studies can be completed; or
- if the Application is to be approved, that the approval include conditions to adequately address the concerns of the Corporation as set out in greater detail below.

Background

The Applicant is requesting permission to operate an eating establishment (a café) within the Property which is currently not permitted under the site-specific zoning by-law. The property is zoned "RA2 Apartment Residential Zone" by Zoning By-law 1-88, subject to site specific exception

9(1201) which permits the ground floor commercial space to be used for business and professional offices, a bank and/or financial institution, personal service shops and retail stores.

The Property is designated “Low-Rise Mixed-Use” within the Woodbridge Centre Secondary Plan of Vaughan Official Plan 2010, which permits eating establishments provided that they are located at grade level.

Site Specific Use

As set out above, the site specific zoning by-law permits only a very specific list of uses that may be permitted within the Property. While the Corporation has no knowledge of the specific considerations that caused the Property to be subject to such limited uses, it is clear that the City of Vaughan turned its mind to the most appropriate use of the Property at the time the site specific exemption was put in place. Had the City of Vaughan intended to permit an eating establishment within the Property, the City of Vaughan could have included the use in the site specific exemption.

The Corporation submits that the use of the Property as an eating establishment would not be appropriate for the following reasons.

Traffic

There are presently very serious vehicular traffic flow concerns in light of the location of ingress and egress points and parking areas within the Corporation's property. Woodbridge Avenue is already a very busy road with a 4 way stop in front of the Property. Pedestrian traffic congestion remains very high in this area (in part because of the an abundance of pedestrian traffic created by an adjacent development) and will intensify significantly if an eating establishment is permitted within the Property.

Parking

The Corporation currently has difficulty providing sufficient visitor parking for the guests of its residents because patrons the commercial establishments within 166 Woodbridge Avenue make use of a portion of the Corporation's visitor parking. Permitting any portion of 166 Woodbridge Avenue to be used as a restaurant would only further reduce the availability of parking for the guests of the Corporation's residents.

Noise and Odour

The Corporation's residents are concerned with noise that may be created if an eating establishment is permitted within the Property. Further, residents of units on the east side of the building are currently affected by odours omitted from existing eating establishments in an adjacent development. While the Corporation understands that there is no required minimum separation between residential land and other land uses, it is clear that the limited distance between these uses can cause a nuisance and disturb the use and enjoyment of the building by the Corporation's residents. The Corporation notes that it is not uncommon for a municipality to require there to be a minimum separation distance between residential land and other land uses in light of the competing

nature of various land uses. For example, the City of Mississauga requires that an eating establishment be separated at least 60m from residential land.

Requested Relief

The Property is not a suitable location for an eating establishment. It would be unfair to subject the Corporation's residents to nuisances that will arise from permitting an eating establishment within the Property.


In light of the foregoing, the Corporation request that the Application not be approved. In the alternative, the Corporation requests that the Application be deferred until sufficient noise, odour and parking studies can be completed, or if approved, that the approval be subject to certain conditions providing that:

- (a) the Applicant complete and submit of noise, odour, traffic and parking studies to the satisfaction of the Committee of Adjustment;
- (b) the Applicant complete and submit a parking plan illustrating how the parking needs of the Property will be satisfied;
- (c) no line may be formed that extends beyond the boundary of the Property;
- (d) no more than of ten (10) persons (including staff) may be permitted within the Property at any one (1) time;
- (e) the eating establishment close each day no later than 9:00p.m.;
- (f) the eating establishment be prohibited from selling or serving alcohol; and
- (g) the eating establishment not include any warming, heating, cooking, and/or preparatory facilities whatsoever.

While the Corporation recognizes that development must continue, the Corporation insists that good planning includes the consideration of adjacent existing uses. To that end, enclosed with this letter is a petition circulated amongst adjacent property owners and owners of units in the Corporation as well as the specific concerns of certain individuals that oppose permitting an eating establishment within the Property.

Yours truly

SHIBLEY RIGHTON LLP

A handwritten signature in black ink, appearing to read "Evan Holt", with a stylized flourish extending from the end.

Evan Holt
Enclosures

City of Vaughan
Committee of Adjustment
2141 Major Mackenzie Drive
Vaughan, ON L6A 1T1

Dear Committee Members,


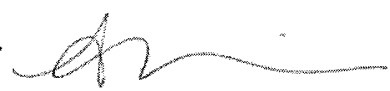
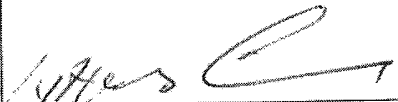


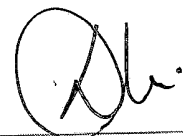

Re: Minor Variance Application A012/20
166 Woodbridge Ave. Unit A, Woodbridge ON
Relief from By-law to permit Restaurant

We the undersigned strongly object to the variance application noted above to allow a Restaurant for the following reasons and ask that you consider the interests of the community members impacted by this proposed relief from the existing by-law:

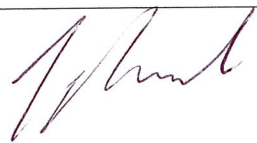

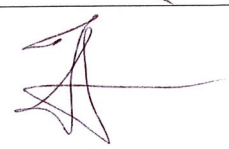



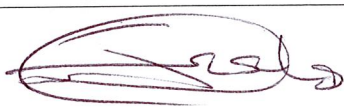

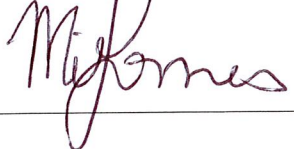
- 1. 166 Woodbridge Ave. is built into a residential condominium building at 160 Woodbridge Ave. which will be impacted by carbon monoxide and smoke from the required exhaust fans of a restaurant.**
- 2. 166 Woodbridge Ave.'s water supply and sanitary services are connected to 160 Woodbridge Ave and are not designed to handle the additional demands of a restaurant.**
- 3. 166 Woodbridge Ave. does not have land for the storage or removal of grease and waste/recycling.**
- 4. 166 Woodbridge Ave. does not have a loading area or site parking for the delivery of supplies.**
- 5. 166 Woodbridge Ave. does not have any parking spaces for employees or patrons other than limited street parking on Woodbridge Ave.**
- 6. 166 Woodbridge Ave. does not have barrier free access.**
- 7. 166 Woodbridge Ave. is a historical building constructed of combustible materials and would be an irreplaceable loss as well as posing a hazard to adjacent properties.**

Thank you for your consideration and respect for the community,

By Signing this Petition, I acknowledge having read and understood the objections to permitting a restaurant at 166 Woodbridge Ave. listed on page 1 of this petition and consent to being contacted by the City of Vaughan Committee of Adjustments or other City of Vaughan Representatives.

NAME	ADDRESS	SIGNATURE
SUSAN MARCHESI	160 WOODBRIDGE AVE STE. 300.	
Sabrina Di Biase	160 Woodbridge Ave. Ste 306.	
GIUSEPPINA PAOLUCCI	160 Woodbridge Ave #11	Giuseppina Paolucci
LAURETTA	166 Woodbridge Ave A10	
MASSIMO M.	160 WOODBRIDGE AVE #66	
MARCHI, OTAVIO	160 Woodbridge Ave / Apt #602	
TONY ANADIO	160 WOODBRIDGE AVE 606	
CARMELA ANADIO	160 Woodbridge Ave #PH6	

By Signing this Petition, I acknowledge having read and understood the objections to permitting a restaurant at 166 Woodbridge Ave. listed on page 1 of this petition and consent to being contacted by the City of Vaughan Committee of Adjustments or other City of Vaughan Representatives.

NAME	ADDRESS	SIGNATURE
John Pizzoli	50 clarence st	
Sofia Voudouri	84 Clarencest	
Frank Staro	94 Clarene	
	130 Clarence	
Matt Fragale	117 Clarence	
Selvana Taur	93 Clarencest	
PAOLA Zagana	26 Park Dr	
Mike Gomes	30 Park Dr	

Clarence | Park - 16, 26, 30
 50, 78, 84, 126, 117, 93




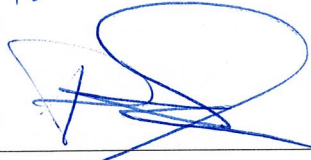
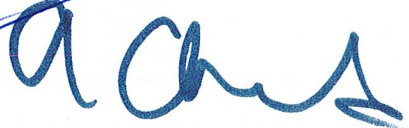
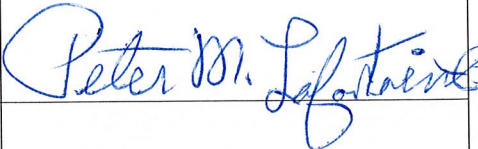


By Signing this Petition, I acknowledge having read and understood the objections to permitting a restaurant at 166 Woodbridge Ave. listed on page 1 of this petition and consent to being contacted by the City of Vaughan Committee of Adjustments or other City of Vaughan Representatives.

NAME	ADDRESS	SIGNATURE
A. Steede	20 Fairground Lane	A. Steede
A Voronin	22 Fairground Lane	AV
Fay	24 Fairground Lane	F
Laura Della Roca	25 Fairground Lane	LD
A. JANSSENS	20 WALLACE ST #5	AJ
M. Brown	20 WALLACE ST. # 3	MB
M. Pascente	20 Wallace #1	MP
William Ford	#1 12 William Ford Lane	WF
William Ford	20 William Ford Lane	WF

20 Wallace St - 5, 3, 1, 11
 201

William Ford
 22, 12

By Signing this Petition, I acknowledge having read and understood the objections to permitting a restaurant at 166 Woodbridge Ave. listed on page 1 of this petition and consent to being contacted by the City of Vaughan Committee of Adjustments or other City of Vaughan Representatives.

NAME	ADDRESS	SIGNATURE
TONIA NARDI	35 OLD FIREHALL LANE	
Gianfranco Sarnone	35 Old Firehall Lane	
IGIA SHAWAB	211 Woodbridge Ave	
Joe Taverre	213 Woodbridge Ave	
P. Sacco	12 Amos Maynard	
A Choralambas	4 Amos Maynard	
Peter M. Lafontaine		
Peter M. Lafontaine	18 Fairground Lane	
DEREK STEESE	20 FAIRGROUND LANE	
MARIA MASTRACCHIO	18 FAIRGROUND LANE	

17, 19, 35, 11, 17

Firehall

Woodbridge Ave
190

Amos Maynard

12, 4

Fairground Lane

25, 10, 18, 20, 29
23, 24, 22

By Signing this Petition, I acknowledge having read and understood the objections to permitting a restaurant at 166 Woodbridge Ave. listed on page 1 of this petition and consent to being contacted by the City of Vaughan Committee of Adjustments or other City of Vaughan Representatives.

NAME	ADDRESS	SIGNATURE
JAMES DeAngelis	46 PARK PL	JAMES DeAngelis
Joe Rodhe	55 PARK DRIVE	Joe Rodhe
MICHAEL TONPERA	45 PARK DRIVE	Michael Tonpera
MIRANDA SILVESTRI	41 PARK DR.	M.S.
Saeed Jaghola	69 Clarence ST	St.

Park - 46, 48, 55, 53, 47, 41

Clarence, 69



By Signing this Petition, I acknowledge having read and understood the objections to permitting a restaurant at 166 Woodbridge Ave. listed on page 1 of this petition and consent to being contacted by the City of Vaughan Committee of Adjustments or other City of Vaughan Representatives.

NAME	ADDRESS	SIGNATURE
THOMAS ARGET	140 ROSEBURY LANE	Thomas Arget
Debbie Gerace	146 Rosebury Lane	D Gerace
Adele McLaughlin	121 Rosebury Lane	Adele
Patti Marshall	105 Rosebury Lane	Patti Marshall
Flavia Parejo	101 Rosebury	Flavia Parejo
Susan + Kevin	63 Rosebury Lane	Susan + Kevin
Angelo Pot Kids + Fam	27 Rosebury Lane	Angelo
R. Bazzio	23 Rosebury Lane	R. Bazzio

Rosebury Lane

140, 146, 101, 195, 123
121, 105, 81, 63, 159, 127

By Signing this Petition, I acknowledge having read and understood the objections to permitting a restaurant at 166 Woodbridge Ave. listed on page 1 of this petition and consent to being contacted by the City of Vaughan Committee of Adjustments or other City of Vaughan Representatives.

NAME	ADDRESS	SIGNATURE
Estherina Scilia	140 Andy Cres	
Paula Alonzi	26 Wallace St	P. Alonzi
N. Palombo	26 Rosebury	n. Palombo
J. Jazzi	40 Rosebury	Terese Jazzi
Jean Balda	44 Rosebury	J. Balda
V. MUSAIB-ALI	15 ROSEWOOD CRT	blu
Tania Deighan	19 Rosewood Court.	Tania Deighan
Anna Levalier	88 Rosebury	Anna Levalier
	34 Rosebury	

Walke 32
 Rosewood 15, 19
 Rosebury 32, 26, 40, 44, 134

4

David Pal

From: connie raso [REDACTED]
Sent: Tuesday, March 10, 2020 5:17 PM
To: David Pal
Subject: RE: 166 Woodbridge Ave. Variance to allow restaurant

Hello David,

I am writing on behalf of Maria De Lio 160 Woodbridge Ave, apt 303.

We are in receipt of your e-mail, regarding the opening of a restaurant at #166 Woodbridge Ave. I am not able to attend the meeting, at the same time I would vote to NO, we have already several restaurants in the area, and yes, the noise, smell, and parking impact, might become overwhelming, as the square is not exactly a large one.

Thank you,

I would appreciate some feedback on this situation

Mrs. Maria De Lio Apt 303

Sent from my Samsung Galaxy smartphone.

Wednesday, March 11, 2020

City of Vaughan
Committee of Adjustment
2141 Major Mackenzie Drive
Vaughan, ON L6A 1T1

Via Email To: CofA@vaughan.ca

Dear: Madam/Sir,

RE: Minor Variance Application - 166 Woodbridge Ave., Unit A

I am writing in opposition to the proposed amendment for the above-noted. My dwelling unit is situated in the direct vicinity of where the proposed restaurant would potentially be located. Allowing an establishment such as an eatery will personally affect my everyday lifestyle.

The odours emitting from such an establishment will prohibit me from being able to freely open my windows and balcony doors.

I fear that the noise level will increase which will hinder my ability to sleep. This will affect my livelihood as I work as early as 5:00am at times.

Lastly, parking is already scarce in my neighbourhood. It is inevitable that the car traffic will increase which will definitely be an issue in my community.

I appreciate your consideration with this matter.

Sincerely,

Michelina Mastrandrea
Unit Owner
160 Woodbridge Avenue

David Pal

From: Mike Panno [REDACTED]
Sent: Friday, May 22, 2020 4:11 PM
To: CoA@vaughan.ca
Cc: David Pal
Subject: 160 Woodbridge Ave, Variance to all a restaurant

We are writing today to express our concern with allowing a restaurant on the subject location

The building in question is mainly inhabited by seniors who are very protective of their surroundings and their personal security. Allowing a restaurant that may be open to the public late in the evening will very much pose an issue of inconvenience (loud noise/smell) as well as compromise the buildings security.

My name is Angela Panno, unit 401, and I very much apose any addition of a restaurant within our building.

Thank you

Sent from my iPhone

David Pal

From: Carlo Ruso [REDACTED]
Sent: Sunday, March 15, 2020 9:25 PM
To: David Pal
Subject: Fwd: City of Vaughan Committee of Adjustments

Sent from my iPad

Begin forwarded message:

From: Carlo Ruso <[REDACTED]>
Date: March 15, 2020 at 9:17:12 PM EDT
To: CofA@vaughan.ca
Subject: City of Vaughan Committee of Adjustments

Re: Application to permit restaurant at 166 Woodbridge Ave., (Inkerman House)

We are owners and residents at 160 Woodbridge Ave., we feel that changing the zoning by-law to allow a restaurant to be attached to our building will have a negative impact on our condo building and the neighborhood.

1. The value of our homes will decrease.
2. Increased noise levels.
3. Increased loitering and smoking in front of our building entrance.
4. Increased traffic to an already congested Woodbridge Avenue.
5. There is a shortage of parking spaces available.
6. Already an abundance of restaurants in the area.

The majority of residents in this area are seniors who enjoy a quiet and orderly neighborhood.

Changing of zoning would cause a negative impact on this area.

We ask you to please consider the wishes the resident tax payers and not just the developers.

Carlo and Adele Ruso
Apt. 403, 160 Woodbridge Ave.,
Woodbridge, Ontario L4L 0B8

David Pal

From: ENNIO & JUDY PESCHIUTTA [REDACTED]
Sent: Friday, March 13, 2020 4:08 PM
To: CofA@vaughan.ca; David Pal
Subject: 166 Woodbridge Ave. restaurant proposal

To whom it may concern,

Please note that we in unit 510, 160 Woodbridge ave. do not want a restaurant attached to our condo building. We feel it is neither sanitary nor should it be permitted.

Please accept this submission of concern.

Thank you for your time and consideration;
Judy and Ennio Peschiutta

David Pal

From: Addie Mattiace Real Estate <[REDACTED]>
Sent: Tuesday, March 17, 2020 4:44 PM
To: CofA@vaughan.ca
Cc: Addie Mattiace
Subject: Fwd: 166 Woodbridge Avenue (Inkerman House) Minor Variance Application A012/20

Hello,

My family and I live in the adjacent property at 166 Woodbridge Avenue (Inkerman House) and have objections with regards to a restaurant being opened there due to the risk of fire, the odours, noise levels, increase in garbage and increase in demand for parking which is already a significant problem.

Kind regards,

Adelaide (Addie) Mattiace, BCom
[REDACTED]

----- Forwarded message -----

From: Addie Mattiace Real Estate <[REDACTED]>
Date: Tue., Mar. 17, 2020, 4:24 p.m.
Subject: 166 Woodbridge Avenue (Inkerman House) Minor Variance Application A012/20
To: <CofA@vaughan.ca>

Hello,

My family and I live adjacent to the above property and wish to express my concern with their request to open a restaurant in that space. Our concerns are the risk of fire, the noise levels, garbage and the odours commonly associated with restaurants.

Kind regards,

Adelaide (Addie) Mattiace, BCom
[REDACTED]

David Pal

From: carmela amadio <[REDACTED]>
Sent: Thursday, May 21, 2020 3:32 PM
To: coa@vaughan.ca
Cc: Tony Amadio; David Pal
Subject: Hearing for 166 Woodbridge Ave. Variance to allow restaurant

Dear Committee members:

We live at 160 Woodbridge Avenue and we are absolutely opposed to having a restaurant at 166 Woodbridge Avenue.

Please take into consideration the following:

- 1) The smell from the cooking will directly affect us
- 2) The parking situation at our building is already very stressed without adding a restaurant clientele
- 3) There will be increases traffic in the area and Woodbridge Avenue and Wallace Avenue is already a high traffic area with frequent accidents, so adding more vehicles is a bad idea

The location of **166 Woodbridge Avenue is directly attached to our building at 160 Woodbridge Avenue.** We the owners at 160 Woodbridge Avenue are extremely concerned should a restaurant be allowed as this will be detrimental to the value of our building, and we respectfully urge the committee to deny the request for a restaurant.

Thank you,

Tony and Carmela Amadio

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.-

- Alectra (Formerly PowerStream) – No concerns or objections
- Region of York – No concerns or objections
- TRCA – comments with conditions

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

MacPherson, Adriana

Subject: FW: A012/20 - Request for Comments

From: Guida, Diana <Diana.Guida@york.ca>
Sent: February-25-20 2:05 PM
To: MacPherson, Adriana <Adriana.MacPherson@vaughan.ca>
Cc: Providence, Lenore <Lenore.Providence@vaughan.ca>
Subject: [External] RE: A012/20 - Request for Comments

Hi Adriana,

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

Thank you,

Diana Guida | Planning Assistant

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. 71550 | diana.guida@york.ca | www.york.ca

Our Mission: **Working together to serve our thriving communities – today and tomorrow**
Please consider the environment before printing this email.

March 4, 2020

CFN 62574.06

BY E-MAIL: Christine.Vigneault@vaughan.ca

Christine Vigneault
Secretary Treasurer
Committee of Adjustment
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario L6A 1T1

Dear Christine:

**Re: Minor Variance Application A012/20
166 Woodbridge Avenue, Unit A
Part of Lot 7 Concession 7
City of Vaughan
Applicant: Market Lane Holding Inc.**

This letter will acknowledge receipt of the above noted application on February 19, 2020. Toronto and Region Conservation Authority (TRCA) staff reviewed the application and offer the following comments.

Background

It is our understanding that the purpose of the above-noted application is to request the following variance:

1. To permit the use of an Eating Establishment in Unit A.

Applicable Policies and Regulations

Ontario Regulation 166/06:

The subject property is located within TRCA's Regulated Area of the Humber River Watershed, and is located within the valley corridor associated with the Main Humber River. Under Ontario Regulation 166/06, development, interference or alteration may be permitted in the Regulated Area where it can be demonstrated to TRCA's satisfaction that the control of flooding, erosion, dynamic beaches, pollution, or the conservation of land will not be affected. In this regard, TRCA must be contacted prior to any works taking place in the Regulated Area.

Living City Policies (LCP):

The Living Policies for Planning and Development in the Watersheds of the Toronto and Region Conservation Authority (LCP) describes a 'Natural System' made up of natural features and areas, water resources, natural hazards, potential natural cover and/or buffers. The LCP recommends that development not be permitted within the Natural System and that it be conveyed into public ownership for its long-term protection and enhancement. The LCP also provides policies for developing adjacent to, and in, the Natural System (where permitted), while meeting natural hazard management requirements, and maintaining and enhancing the functions of the protected Natural System. These policies also seek to integrate the natural and built environments, maximizing opportunities for ecosystem services from across the entire landscape. It is these policies that guide TRCA's review of the subject application, along with those found in other Provincial and municipal plans, documents and guidelines.

Application Specific Comments

As noted above, the subject property is located within TRCA's Regulated Area, since it is located within the valley corridor associated with the Main Humber River. The subject property is not located within the hazardous area. As such, the current proposal will not impact any natural features or associated hazards and TRCA's policy interests are not affected; therefore, TRCA staff have no concern regarding the proposed variance.

Fees

By copy of this letter, the applicant is advised that the TRCA has implemented a fee schedule for our planning application review services. This application is subject to a \$1,100.00 (Variance-Commercial-Minor) review fee. The applicant is responsible for fee payment and should forward the application fee to this office as soon as possible.

Recommendations

Based on the comments noted above, TRCA has **no objection** to the approval of Minor Variance Application A012/20 subject to the following condition:

1. That the applicant provides the required fee amount of \$1,100.00 payable to the Toronto and Region Conservation Authority.

We trust these comments are of assistance. Should you have any questions, please contact me at extension 5256 or at Hamedeh.Razavi@trca.ca

Sincerely,



Hamedeh Razavi

Planner I

Development Planning and Permits

HR/jb

Cc: MacPherson, Adriana <Adriana.MacPherson@vaughan.ca>

Di Febo, Michael <Michael.DiFebo@vaughan.ca>

Schedule D: Previous Approvals (Notice of Decision)

A228/05(Decision)
A343/06 (Minute Extracts)

NOTICE OF DECISION

FILE NO: A228/05

IN THE MATTER OF Subsection 45 of the Planning Act.

IN THE MATTER OF an application by **MARKET LANE HOLDINGS INC.**, with respect to Part of Lot 7, Part of Lots A, B, C, Concession 7, (Plan No. M-1200, municipally known as 124 - 166 Woodbridge Ave., Woodbridge.)

The subject lands are zoned RA2(H), Apartment Residential (Holding) under By-Law 1-88 as amended and further subject to Exception 9(1201).

The applicant is requesting a variance to facilitate the severance of the total lands (**Consent Application B036/05 SUBJECT LAND – creation of a new lot for commercial purposes**), and to permit the construction of a six storey 56 unit apartment building, as follows:

Proposal:

1. A lot area of 2459m² with a ratio of 43.91m² per unit based on 56 units.
2. Parking shall be located within the abutting lands to the north.

By-Law Requirements:

1. The required lot area is 4480m² at a ratio of 80m² per unit based on 56 units.
2. Parking shall be provided and maintained on the lot as per section 3.8a.

Sketches are attached illustrating the request.

Previously adjourned from the September 8, 2005 meeting.

Other Planning act Applications

The land which is the subject in this application is also the subject of an application under the Planning act for:

Consent Application	File No. B036/05,	To be heard in conjunction with this application for the creation of a new lot, for mixed uses commercial/residential purposes.
Permission Application	File No. A119/03(P) -	APPROVED , May 15, 2003, for a detached outdoor patio.
Official Plan Amendment/Zoning		
By-law Amendment	File No OP 02.019/Z.02.068 (REVISED)	APPROVED , by Council May 25, 2004,
Development Agreement	DA.05.010 PENDING	(as per applicant.).

Moved by: _____

Seconded by: _____

THAT the Committee is of the opinion that the variances sought can be considered minor and are 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. **A228/05, MARKET LANE HOLDINGS INC.**, be **APPROVED**, in accordance with the attached sketch and subject to the following conditions:

1. That the Owner shall provide the City with a copy of an agreement stating the owner of the severed parcel agrees to provide and reserve a minimum of 54 parking spaces for the exclusive use of the proposed development on the retained lands, if required, to the satisfaction of the Engineering Department;
2. That Consent Application B036/05 be approved;

3. That if the conditions listed above are not fulfilled and the Building Permit is not applied for within twelve (12) months of the date this decision becomes final and binding, the said decision shall expire and shall be deemed to have been annulled and rescinded by the Committee.

(PLEASE NOTE THAT THIS TIME PERIOD CANNOT BE EXTENDED IN ANY WAY, FAILURE TO MEET THIS DEADLINE WILL RESULT IN REQUIRING A NEW APPLICATION AND FEE.)

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: _____

Signed by all members present who concur in this decision:

M. Mauti,
Chair,

T. DeCicco
Vice Chair,

L. Fluxgold,
Member,

D. H. Kang,
Member,

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.

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: **SEPTEMBER 29, 2005**
LAST DATE OF APPEAL: **OCTOBER 19, 2005**

APPEALS MUST BE RECEIVED BY THIS OFFICE NO LATER THAN 4:30P.M . ON OCTOBER 19, 2005.

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:
* * * OCTOBER 19, 2006 * * ***

MINOR VARIANCES PUBLIC HEARING:

Cont'd....

6. **FILE NO.: A343/06**
MARKET LANE HOLDINGS INC.

LAPSED - SEPT 20, 2007

LOCATION

Part of Lot 7, Part of Lots A, B, C, Concession 7, (Plan No. M-1200, municipally known as 166 Woodbridge Ave., Woodbridge.)

PROPOSAL

The subject lands are zoned RA2, Apartment Residential under By-Law 1-88 as amended and further subject to Exception 9(1201).

The purpose of this application is to request variances to permit the construction of a six storey mixed use residential / commercial building, notwithstanding, the proposed changes to the existing By-law & current By-law requirements are as follows:

Proposal:

- 1) Three parking spaces with the minimum dimensions of 2.7m wide by 5.6m, 5.3m and 5.1m depth respectfully.

By-Law Requirements:

- 1) A parking space is to have the minimum dimension of 2.7m wide by 6m deep.

Other Planning Act Applications:

Consent Application B036/05 – Approved Sept. 29, 2005, Certificates issued March 15, 2006.

(To create a new lot for commercial purposes, to permit the construction of a six storey building.)

Minor Variance Application A228/05 – Approved Sept. 29, 2005./05. (Lot area & Parking)

Site Plan Application DA.05.010 – Approved

Nino Rico, the agent, appeared on behalf of the applicant.

There was no one in attendance either in support of or in opposition to the request.

There were no objections from any Departments or Agencies and any conditions requested are listed below.

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.

MOVED by M. S. Panicali

Seconded by D. H. Kang

THAT Application No. **A343/06 – MARKET LANE HOLDINGS INC, be APPROVED**, in accordance with the sketches attached, subject to the following conditions:

1. That a warning clause shall be included in all agreements of purchase and sale or lease to notify a prospective purchaser that the parking stalls cannot be utilized as standard parking spaces as the dimensions are smaller than minimum required size, if required, to the satisfaction of the Development Planning Department;
2. That if the condition(s) listed above is/are not fulfilled and the Building Permit is not applied for within twelve (12) months of the date this decision becomes final and binding, the said decision shall expire and shall be deemed to have been annulled and rescinded by the Committee. **(PLEASE NOTE THAT THIS TIME PERIOD CANNOT BE EXTENDED IN ANY WAY, FAILURE TO MEET THIS DEADLINE WILL RESULT IN REQUIRING A NEW APPLICATION AND FEE.)**

CARRIED.