



**File:** A138/20

**Applicant:** Roman Catholic Episcopal Church for the Diocese of Toronto in Canada

**Address:** 92 Steeles Avenue, Thornhill

**Agent:** Milica Zekanovic - Baldassarra Architects 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	Condition(s) <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
	<input checked="" type="checkbox"/> Negative Comment	
Committee of Adjustment	<input checked="" type="checkbox"/>	
Building Standards	<input checked="" type="checkbox"/>	
Building Inspection	<input checked="" type="checkbox"/>	
Development Planning	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Cultural Heritage (Urban Design)	<input checked="" type="checkbox"/>	
Development Engineering	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Parks, Forestry and Horticulture Operations	<input checked="" type="checkbox"/>	
By-law & Compliance	<input checked="" type="checkbox"/>	
Financial Planning & Development	<input checked="" type="checkbox"/>	
Fire Department	<input checked="" type="checkbox"/>	
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: None.

Background History: A302/14, and A007/04 (see next page for details)

Staff Report Prepared By: Lenore Providence  
Hearing Date: Thursday, February 25, 2021

*\*Please note that additional comments may be received after the publication of the Staff Report. These comments will be processed as an addendum (see website for details).*



**Minor Variance  
Application**

Agenda Item: 04

**A138/20**

Ward: 5

**Staff Report Prepared By: Lenore Providence, Assistant Secretary Treasurer**

**Date & Time of Live Stream Hearing:** Thursday, February 25, 2021 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](http://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](mailto:cofa@vaughan.ca)

To make an electronic deputation at the meeting please contact the Committee of Adjustment at [cofa@vaughan.ca](mailto: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:** Roman Catholic Episcopal Church for the Diocese of Toronto in Canada

**Agent:** Milica Zekanovic - Baldassarra Architects Inc.

**Property:** **92 Steeles Avenue, Thornhill**

**Zoning:** The subject lands are zoned M1 and subject to the provisions of Exception under By-law 1-88 as amended.

**OP Designation:** In-effect Official Plan #210: “General Commercial Area” and Vaughan Official Plan 2010, Volume 2, Yonge Steeles Corridor Secondary Plan (YSCSP): “High-Rise Mixed Use” with a maximum building height of 22-storeys and a Floor Space Index (‘FSI’) of 3.5 times the area of the lot.

**Related Files:** DA.20.027

**Purpose:** Relief is being requested to permit the expansion of a legal non-conforming use (existing church) under Section 45(2) of the Planning Act. Relief is required to facilitate related Site Plan Application DA.20.027.

The proposed expansion to the existing structure includes the demolition of the present assembly hall to add a below grade basement where a new assembly hall, kitchen and storage area are proposed. Additionally, the ground floor will be reconstructed with a reconfigured floor plan to accommodate proposed classrooms and a Chapel.

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

By-law Requirement	Proposal
A church is not a permitted use.	To permit the expansion of a legal non-conforming use (church).

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

<b>Application No.:</b>	<b>Description:</b>	<b>Status of Approval: Approved/Refused/Withdrawn/ OMB/Concurrent</b>
A302/14	To permit the construction of an addition to the rectory, as follows: 1. To permit a minimum interior side yard setback of 8.23m. 2. To permit a minimum interior side yard setback of 1.95m to an existing garage (Garage #2). 3. To permit a minimum of 206 parking spaces. 4. To permit the expansion of a legal-non conforming use (church).	Approved – Nov 6/14
A007/04	To permit the construction of a two car detached rear yard garage, (existing garage to be demolished - new garage will rest on the original foundation and will have the original building height), to a two storey church building, notwithstanding, the interior side yard setback will be 2.0m, rather than 15.0m.	Approved – Jan 8/04

For information on the previous approvals listed above please visit [www.vaughan.ca](http://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 **noon** on the last business day **prior** to the day of the scheduled Meeting.

**Committee of Adjustment:**

Public notice was mailed on February 10, 2021

Applicant confirmed posting of signage on February 4, 2021

<b>Property Information</b>	
<b>Existing Structures</b>	<b>Year Constructed</b>
Building	1960

Applicant has advised that they cannot comply with By-law for the following reason(s): St. Paschal Baylon Church has been located on the subject lands for nearly 65 years. The proposed work is to add a below grade basement and reconstruct a re-configured ground floor. No changes are proposed to the existing use.

**Adjournment Request:** None

**Building Standards (Zoning Review):**

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

A Building Permit has not been issued. The Ontario Building Code requires a building permit for structures that exceed 10m<sup>2</sup>.

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

**Building Inspections (Septic):**

No comments or concerns

**Development Planning:**

The subject lands are designated "General Commercial Area" by the in-effect Official Plan Amendment 210 (Thornhill Vaughan Community Plan) and "High-Rise Mixed-Use" by the Vaughan Official Plan 2010 ('VOP 2010'), Volume 2, Yonge Steeles Corridor Secondary Plan ('YSCSP').

The Owner is requesting to permit the expansion of a legal non-conforming use through a proposed addition to the existing church (St. Paschal Baylon Church) in an "M1 Restricted Industrial Zone" whereas, Zoning By-law 1-88 does not permit a church within the M1 Zone.

Related Site Development File DA.20.027 has been submitted to facilitate the proposed alterations and additions to the existing St. Paschal Baylon Church. The proposal includes demolishing the existing assembly hall to build a below grade basement containing a new assembly, washrooms, storage area, kitchen and reconfigure the ground floor area to include classrooms and a chapel. The proposed gross floor area ('GFA') addition to the church will be 687.68 m<sup>2</sup> in size. At the request of the Development Planning Department, the Owner revised the site plan lot area to exclude the area pertaining to a future road conveyance at the rear of the subject lands for a total lot area of 12,605.35 m<sup>2</sup> (3.11 acres).

Development Planning staff note that the Owners have submitted this application under Section 45(2)(a)(i) of the *Planning Act*, R.S.O. 1990, for the enlargement of a legal non-conforming use. The four tests applicable to minor variance applications made under Section 45(1) do not apply to applications made under Section 45(2). The Development Planning Department has no objection to the requested variance, as the expansion proposes a slight increase to the pre-existing ground floor area, supports the primary function of a church and poses a minimal impact on the existing streetscape and adjacent properties.

The Development Planning Department recommends approval of the application, subject to the following condition of approval.

1. That Site Development Application File DA.20.027 be approved to the satisfaction of the Development Planning Department.

**Development Engineering:**

The Development Engineering (DE) Department does not object to variance application A138/20 subject to the following condition(s):

1. The Owner/applicant shall obtain approval for the related Site Development Application (DA.20.027) from the Development Engineering (DE) Department.

**Parks Development - Forestry:**

No comments received to date.

**By-Law and Compliance, Licensing and Permit Services:**

No comments received to date.

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

**Fire Department:**

Provisions for firefighting shall comply with OBC 3.2.5. FYI Update fire safety plan.

**Schedule A – Plans & Sketches**

**Schedule B – Public Correspondence**

Application Cover Letter

Applicant (Solicitor) Correspondence – David Tang, Miller Thomson LLP

**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)**

Minor Variance Application A302/14

Minor Variance Application A007/04

**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:

	<b>Department/Agency</b>	<b>Condition</b>
1	Development Engineering Farzana Khan  905-832-8585 x 3608 <a href="mailto:farzana.khan@vaughan.ca">farzana.khan@vaughan.ca</a>	The Owner/applicant shall obtain approval for the related Site Development Application (DA.20.027) from the Development Engineering (DE) Department.
2	Development Planning Roberto Simbana  905-832-8585 x 8810 <a href="mailto:Roberto.simbana@vaughan.ca">Roberto.simbana@vaughan.ca</a>	That Site Development Application File DA.20.027 be approved to the satisfaction of the Development Planning Department.

**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](mailto:cofa@vaughan.ca)

**ELECTRONIC PARTICIPATION:** During the COVID-19 emergency, residents can view a live stream of the meeting [Vaughan.ca/LiveCouncil](http://Vaughan.ca/LiveCouncil). To make an electronic deputation, residents must complete and submit a [Public Deputation Form](#) no later than **noon** on the last business prior to the scheduled hearing. To obtain a Public Deputation Form please contact our office or visit [www.vaughan.ca](http://www.vaughan.ca)

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**

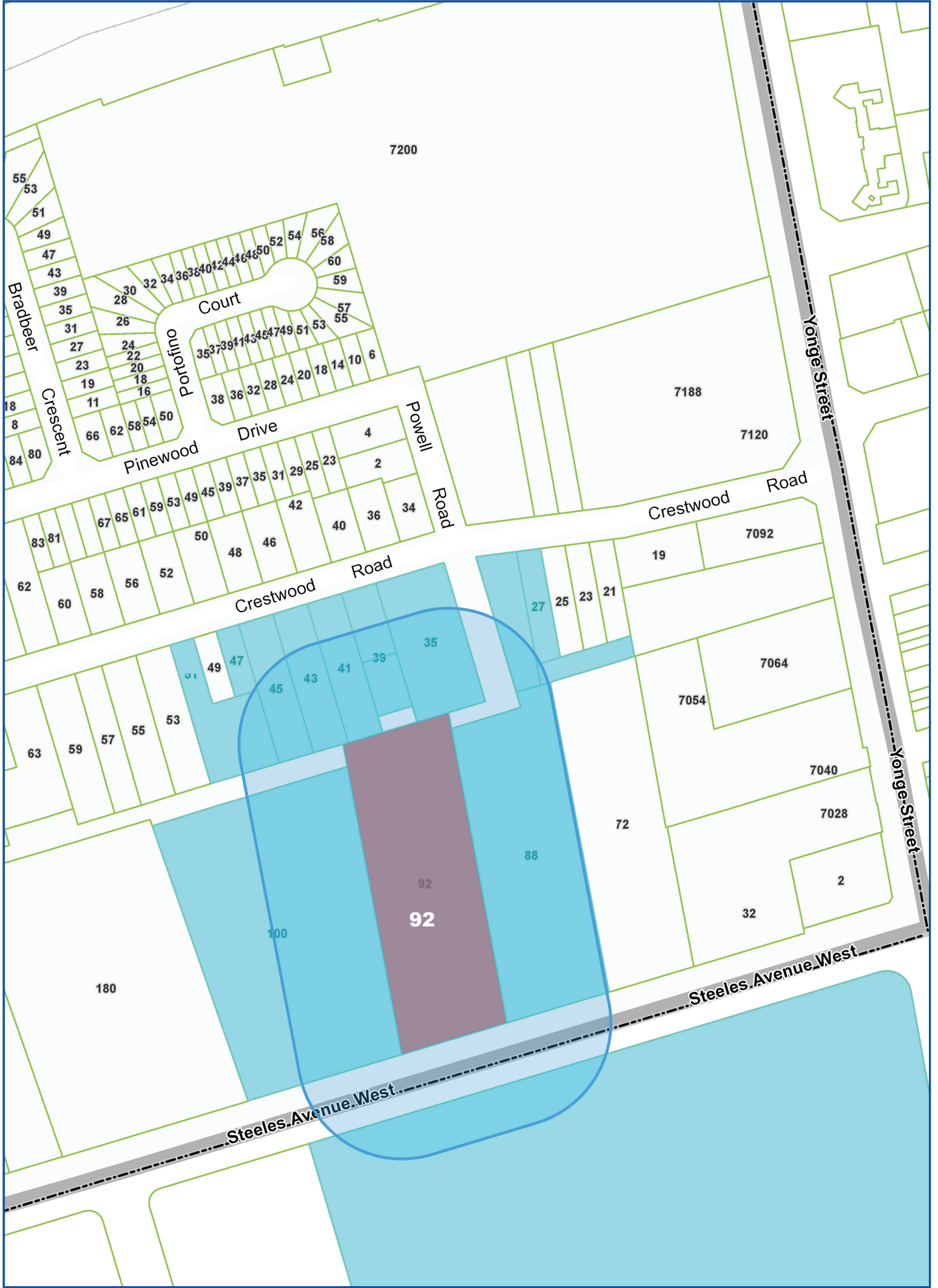
T 905 832 8585 Extension 8394  
E [CofA@vaughan.ca](mailto:CofA@vaughan.ca)

## **Schedule A: Plans & Sketches**

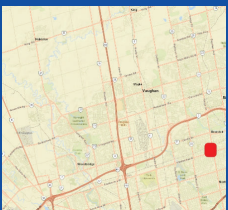
Please note that the correspondence listed in Schedule A is not comprehensive. Plans & sketches received after the preparation of this staff report will be provided as an addendum.

**Location Map**

**Plans & Sketches**



**Map Information:**



**Title:**

**92 STEELES AVENUE WEST, THORNHILL**

**NOTIFICATION MAP - A138/20**

**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: 1:3,051

0 0.05 km



**Created By:**

Infrastructure Delivery  
Department  
November 26, 2020 1:43 PM

**Projection:**  
NAD 83  
UTM Zone  
17N



**SITE STATISTICS ACCOUNTING FOR POTENTIAL FUTURE LAND CONVEYANCE**

SITE AREA	12,605.36 m <sup>2</sup> or 3.11 acres
SITE COVERAGE	2,153.78 m <sup>2</sup> or 17.09%
LANDSCAPE AREA	2,037.92 m <sup>2</sup> or 16.17%
PAVED AREA	8,413.75 m <sup>2</sup> or 66.75%
LOT FRONTAGE	35 m
SETBACKS	68.63 m
STEELES AVE. W	9 m
REAR YARD (ABUTTING R ZONE)	24.88 m
INTERIOR YARD (EAST)	60 m
INTERIOR YARD (WEST)	91.98 m
INTERIOR YARD (WEST)	6 m
INTERIOR YARD (WEST)	9.07 m
INTERIOR YARD (WEST)	9.25 m

**A138/20**

To permit the expansion of a legal-non conforming use (church).

HATCHED AREA INDICATES PORTION OF CHURCH TO BE REMOVED AND REBUILT

**LEGEND**

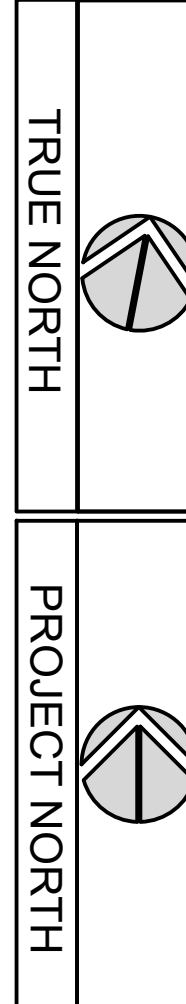
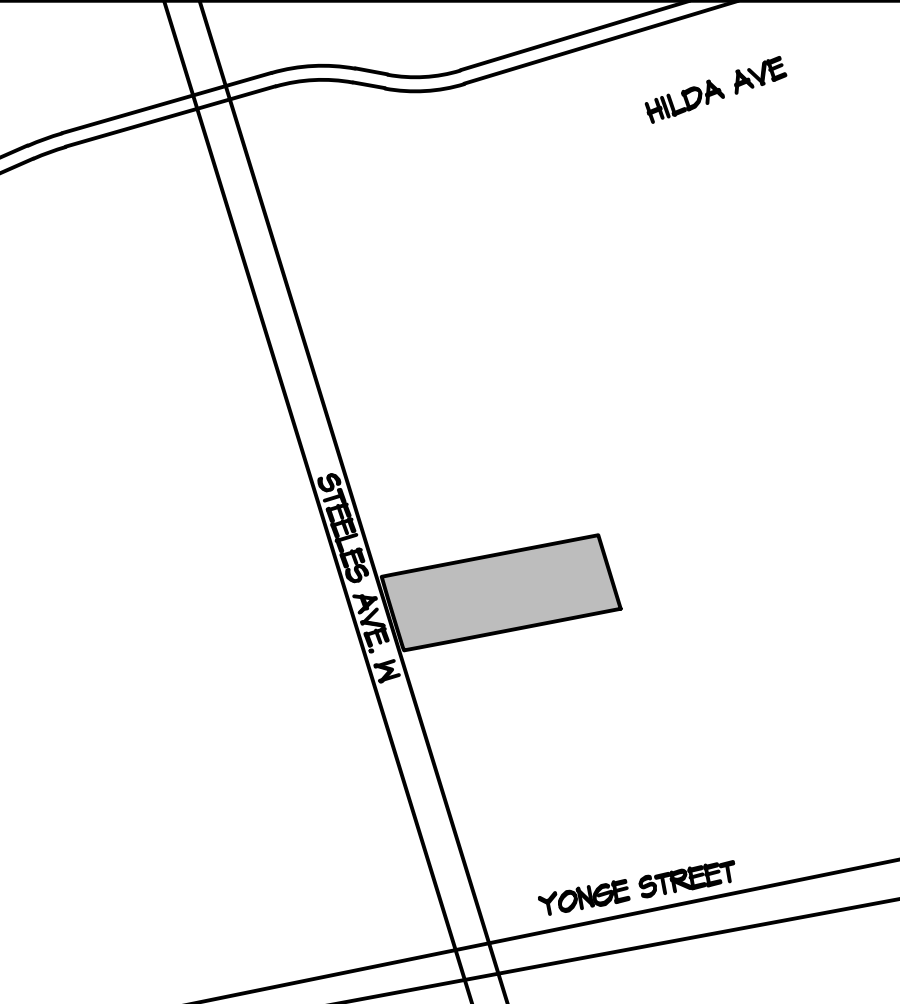
- Blue shading denotes existing structure
- Hatching denotes proposed new construction
- Basement and ground floor areas

**OVERALL SITE STATISTICS**

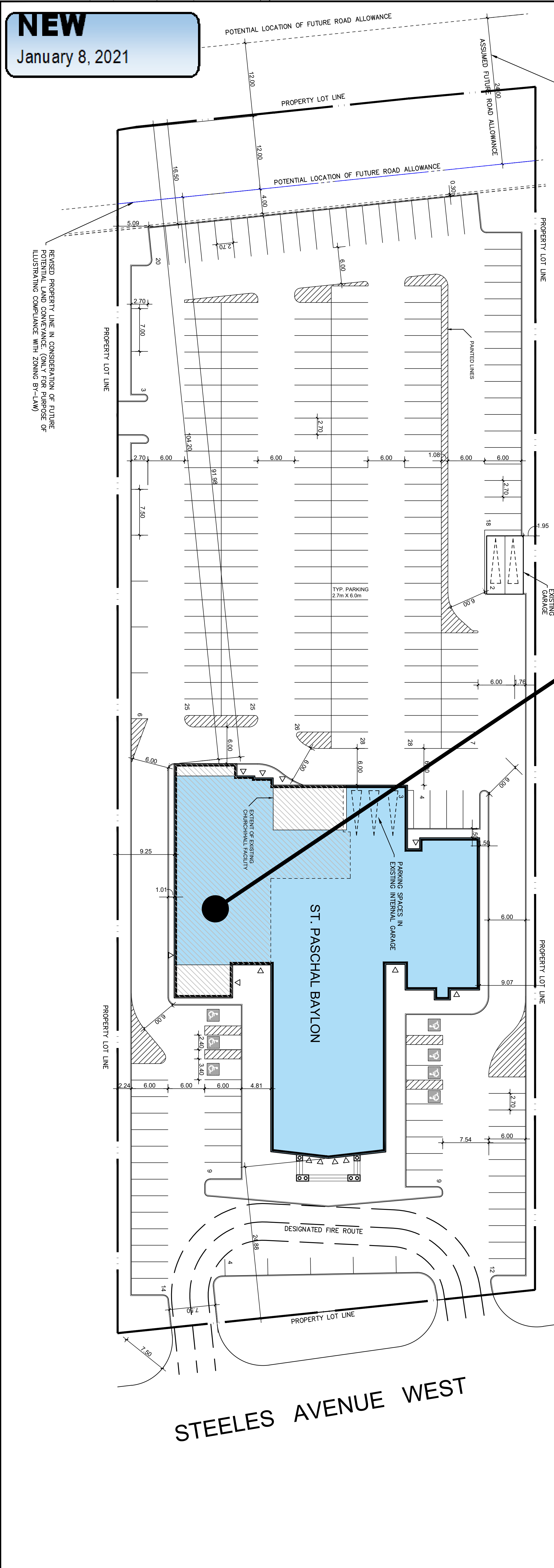
ZONING DESIGNATION	M1 RESTRICTED INDUSTRIAL
SITE AREA	13,442.27 m <sup>2</sup> or 3.32 acres
SITE COVERAGE	2,153.78 m <sup>2</sup> or 16.02%
LANDSCAPE AREA	2,892.11 m <sup>2</sup> or 21.52%
PAVED AREA	8,396.37 m <sup>2</sup> or 62.42%
LOT FRONTAGE	35 m
SETBACKS	68.63 m
STEELES AVE. W	9 m
REAR YARD (ABUTTING R ZONE)	24.88 m
INTERIOR YARD (EAST)	60 m
INTERIOR YARD (WEST)	91.98 m
INTERIOR YARD (WEST)	6 m
INTERIOR YARD (WEST)	9.25 m
BUILDING GFA	
OFFICE (EXISTING)	2,611 sqft
RESIDENCE (EXISTING)	7,058 sqft
CHURCH (EXISTING AND NEW)	1,752,088 sqft
CHURCH GROUND FLOOR & AMENITIES	1,342,888 sqft
GROUND FLOOR CLASSROOMS	2,258 sqft
GROUND FLOOR STORAGE & UTILITIES	73,100 sqft
BASEMENT (ASSEMBLY AREA)	680,838 sqft
EXTERIOR GARAGE	57,120 sqft
EXTERIOR GARAGE	615 sqft
TOTAL BUILDING GFA	3,374,888 m <sup>2</sup> or 36,326 sqft

TOTAL PARKING	232 spaces
TOTAL ACCESSIBLE PARKING	7 spaces
PARKING	
OFFICE @ 3.5 spaces / 100 m <sup>2</sup>	9 spaces
RESIDENCE = 1 suite = 3 spaces	3 spaces
CHURCH	
CHURCH @ 11 spaces / 100 m <sup>2</sup>	148 spaces
CHURCH @ 11 spaces / 100 m <sup>2</sup>	0 spaces
CHURCH @ 11 spaces / 100 m <sup>2</sup>	0 spaces
BASEMENT (ASSEMBLY AREA) @ 11 spaces / 100 m <sup>2</sup>	73 spaces
TOTAL PARKING	242 spaces
TOTAL PARKING	243 spaces

**KEY PLAN (NTS)**



NOTES  
 DENOTES AREA OF REDEVELOPMENT



**NEW**  
 January 8, 2021

REVISED PROPERTY LINE IN CONSIDERATION OF FUTURE POTENTIAL LAND CONVEYANCE ONLY FOR PURPOSE OF ILLUSTRATING COMPLIANCE WITH ZONING BY-LAW

No.	ISSUED	DATE
1	SITE DEVELOPMENT APPLICATION	JUNE 4, 2020
2	ISSUED FOR MINOR VARIANCE APPLICATION	NOV. 24, 2020

No.	REVISION	DATE

**BALDASSARRA Architects Inc.**  
 30 Great Gulf Drive, Unit 20 | Concord ON | L4K 0K7  
 T: 905.660.0722 | www.baldassarra.ca  
 OWNERS INFORMATION



**St. Paschals Baylon Church**  
 92 Steeles Ave. W  
 Thornhill, ON

**Site Plan**

DATE	OCT. 2020	DRAWN BY	DM	CHECKED	SCALE
PROJECT No.	P-17031	DRAWING No.	A.10		

No.	ISSUED	DATE
1	SITE DEVELOPMENT APPLICATION	JUNE 4, 2020
2	COMMITTEE OF ADJUSTMENT	NOV. 25, 2020

No.	REVISION	DATE

**BALDASSARRA**  
Architects Inc.

30 Great Gulf Drive, Unit 20 | Concord ON | L4K 0K7  
1.905.660.0722 | www.baldassarra.ca



OWNERS INFORMATION:

**St. Paschals Baylon Church**  
92 Steeles Ave. W  
Thornhill, ON

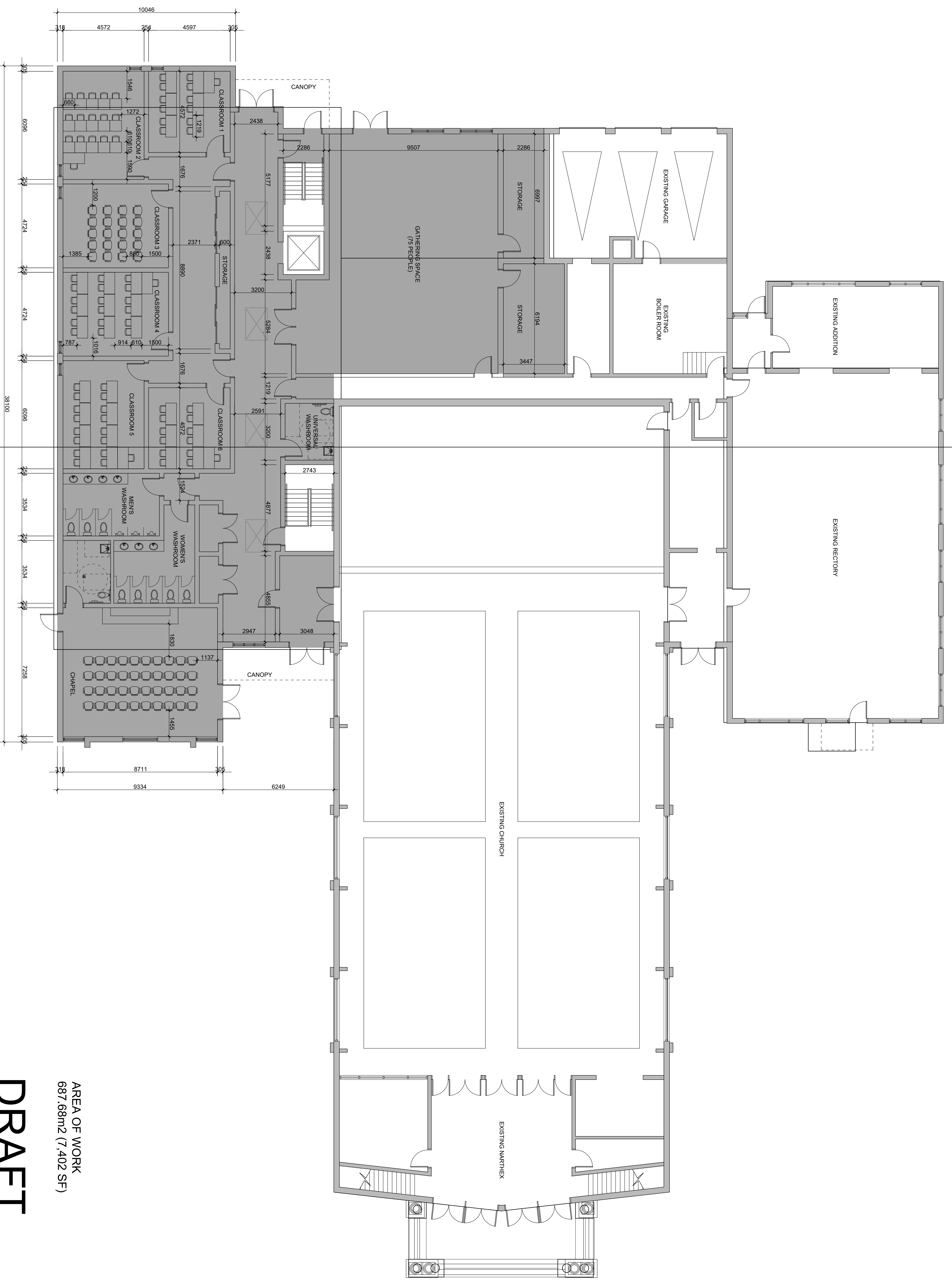
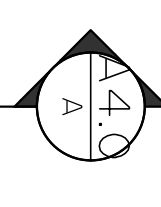
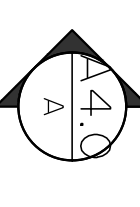
**Ground Floor Plan**

DATE	DRAWN BY	CHECKED	SCALE
Aug. 2019			1:100

PROJECT NO. P-17031 DRAWING NO. A-2.0

AREA OF WORK  
687.68m<sup>2</sup> (7,402 SF)

**DRAFT**



No.	ISSUED	DATE
1	SITE DEVELOPMENT APPLICATION	JUNE 4, 2020
2	COMMITTEE OF ADJUSTMENT	NOV. 25, 2020

No.	REVISION	DATE

**BALDASSARRA**  
Architects Inc.

30 Great Gulf Drive, Unit 20 | Concord ON | L4K 0K7  
1.905.660.0122 | [www.baldassarra.ca](http://www.baldassarra.ca)



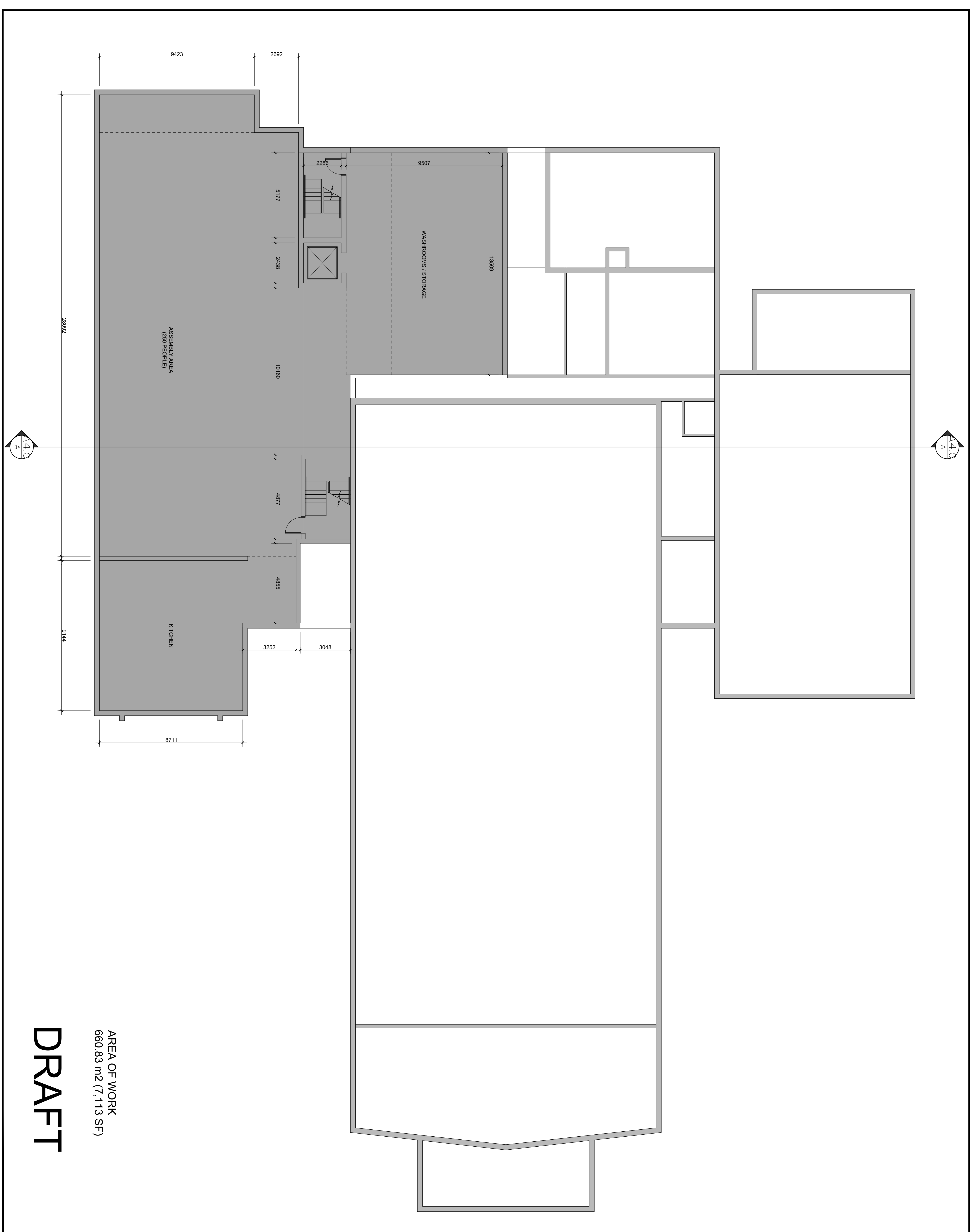
OWNER INFORMATION

**St. Paschals Baylon Church**  
92 Steeles Ave. W  
Thornhill, ON

**Basement Plan**

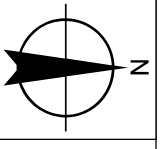
DATE	DRAWN BY	CHECKED	SCALE
Aug. 2019			1:100

PROJECT NO. P-17031 DRAWING NO. A-2.1



AREA OF WORK  
660.83 m<sup>2</sup> (7,113 SF)

**DRAFT**



HATCHED AREA INDICATES  
PORTION OF CHURCH TO  
BE REMOVED AND REBUILT

COMMERCIAL  
PLAZA

EXISTING  
PARKING

ST.  
PASCHAL  
BAYLON  
CHURCH

EXISTING  
PARKING

EXISTING  
PARKING

AUTOMOTIVE  
DEALERSHIP



# Site Plan

**LOCATION:**  
Part of Lot 26, Concession 1: 92 Steeles Avenue West

**APPLICANT:**  
Roman Catholic Episcopal Corporation for the Diocese of Toronto in Canada

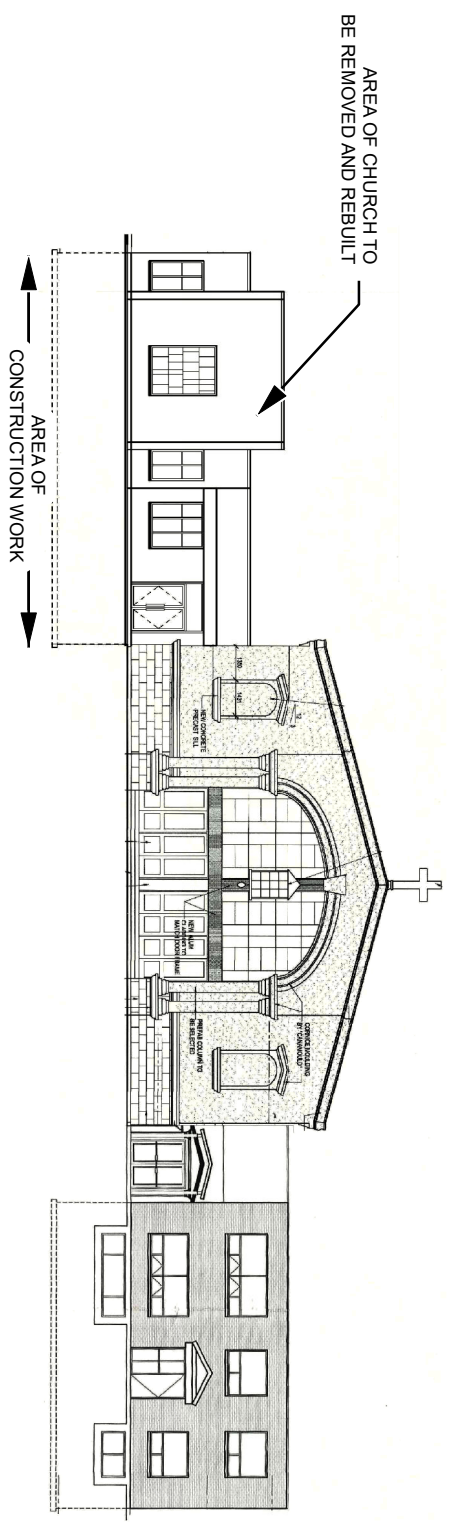
**STEELES AVENUE WEST**  
City of  
Toronto



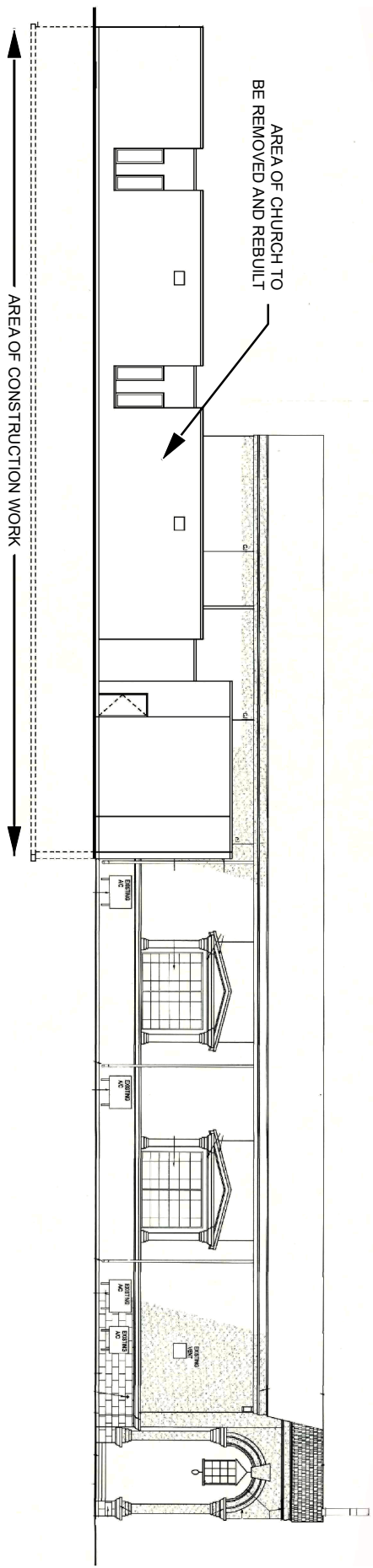
# Attachment

**FILE:**  
DA.20.027  
**DATE:**  
July 14, 2020

# 2



**SOUTH ELEVATION (FACING STEELES AVENUE WEST)**



**WEST ELEVATION**

# Elevations

**LOCATION:**

Part of Lot 26, Concession 1: 92 Steeles Avenue West

**APPLICANT:**

Roman Catholic Episcopal Corporation for the Diocese of Toronto in Canada



# Attachment

**FILE:**

DA.20.027

**DATE:**

July 14, 2020

**3**

## **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**

**Applicant (Solicitor) Correspondence – David Tang, Miller Thomson LLP**

BALDASSARRA  
Architects

**A138/20**

November 25, 2020

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

ATTENTION: Lenore Providence ([Lenore.Providence@vaughan.ca](mailto:Lenore.Providence@vaughan.ca))

RE: Minor Variance Application – Extension to Legal Non-conforming Use  
92 Steeles Avenue West  
St. Paschal Baylon Church

Dear Lenore,

Please accept this covering letter, along with the enclosed drawings as part of our formal application to the Committee of Adjustment. The application is concerning St. Paschals Baylon Church at 92 Steeles Avenue West. The Church has existed on the subject lands for nearly 65 years and is currently in Site Plan Approval under file number DA.20.027.

This application to the Committee of Adjustment is for the extension of the legal non-conforming use to the expanded building envelope. The proposed works to the existing structure include the demolition of the present assembly hall to add a below grade basement where a new assembly hall, kitchen and storage area have been proposed. Additionally, the ground floor will be reconstructed with a reconfigured floor plan to accommodate the proposed classrooms and Chapel. The reconstructed ground floor will have a slightly larger GFA than what is currently existing in order to accommodate these new proposed spaces. It is important to note that the proposed below grade basement will not extend beyond the ground floor footprint. Please refer to the enclosed site plan and draft floor plan and basement plan for additional detail and clarification.

Trusting the provided information is to your satisfaction. Please circulate the enclosed for your formal review and comment. Should you have any questions, please do not hesitate to contact the below undersigned.

Yours truly,



Milica Zekanovic  
Baldassarra Architects Inc.

## Providence, Lenore

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**From:** Milica Zekanovic <MilicaZ@baldassarra.ca>  
**Sent:** December-23-20 5:49 PM  
**To:** Providence, Lenore; Simbana, Roberto; Vigneault, Christine  
**Cc:** 'VINROSATO@AOL.COM'; Tony Baldassarra; John Pasut; Tang, David; pstagl@sympatico.ca  
**Subject:** [External] A138-20 - 92 Steeles Ave - Additional Information  
**Attachments:** A-1.0 Site Plan.pdf; A-1.0 Potential Future Site Plan Conditions.pdf; 92 Steeles Ave - Letter to Vaughan Committee of Adjustment .PDF; 92 Steeles Ave W - St Paschal Chruch - VOP&YSCSP (1.0) .PDF; 92 Steeles Ave W - St Paschal Chruch - VOP&YSCSP (2.0) .PDF

Hello Lenore and Roberto,

Please see attached additional information as requested by the Committee on the week of December 2<sup>nd</sup>, 2020. Please be advised, the sealed site plan is the formal and official site plan to be circulated for the Committee of Adjustment.

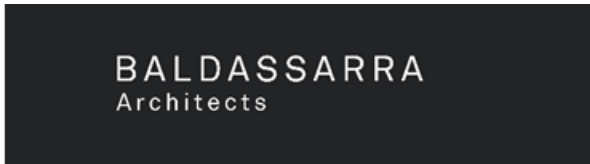
At the Committee's request, attached herein is a site plan demonstrating future conditions should the potential future road allowance ever be instated. Please note, this site plan has been provided solely for the purpose of demonstrating compliance with the City's zoning by-law with the consideration of any impacts imposed by potential future conditions. Also attached is a letter from Mr. David Tang, on behalf of the Roman Catholic Episcopal Corporation for the Diocese of Toronto, providing further clarification on the future conditions of the subject site. In accompaniment I have also attached the two letters provided to Ms. Margaret Holyday through our initial site plan application, as referenced in Mr. Tang's letter to the Committee.

We trust the information provided is to your satisfaction. Thank you for your assistance with our application.

Best regards,

Milica Zekanovic

Architectural Designer HBA Arch.



T. 905.660.0722

E. MilicaZ@baldassarra.ca

30 Great Gulf Drive, Unit 20 | Concord ON | L4K 0K7

**\*\*\* COVID-19 has changed the dynamics of the workplace.**

**Please note that our team is working remotely and is still committed to providing a high level of service\*\*\***

### CONDITIONS OF RECEIPT OF DIGITAL DATA

E-mail transmissions cannot be guaranteed to be secure or error-free as information could be intercepted, corrupted, lost, destroyed, incomplete, or contain viruses and malware. Baldassarra Architects Inc. shall not be responsible for any loss of data, in whole or in part, lost profits, damages, costs, or any security problems which result directly or indirectly from the content or transmission of electronic documents. Information contained in this transmission may be of a preliminary nature or subject to revision. The recipient is responsible to confirm the validity of such information prior to using it for any authorized purpose. The content of this email is confidential and intended for the recipient specified in the message only. It is strictly forbidden to share any part of this message with any third party, without the written consent of the sender. Baldassarra Architects Inc. reserves all intellectual property rights in and to the digital data including all copyrights



**LEGEND**

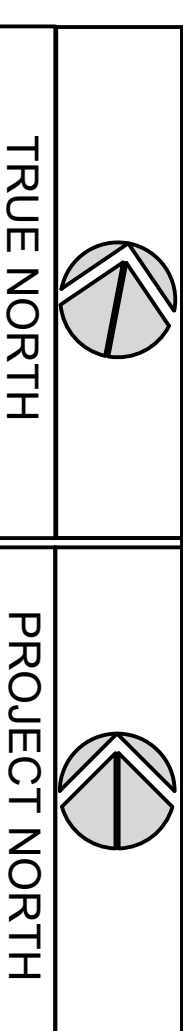
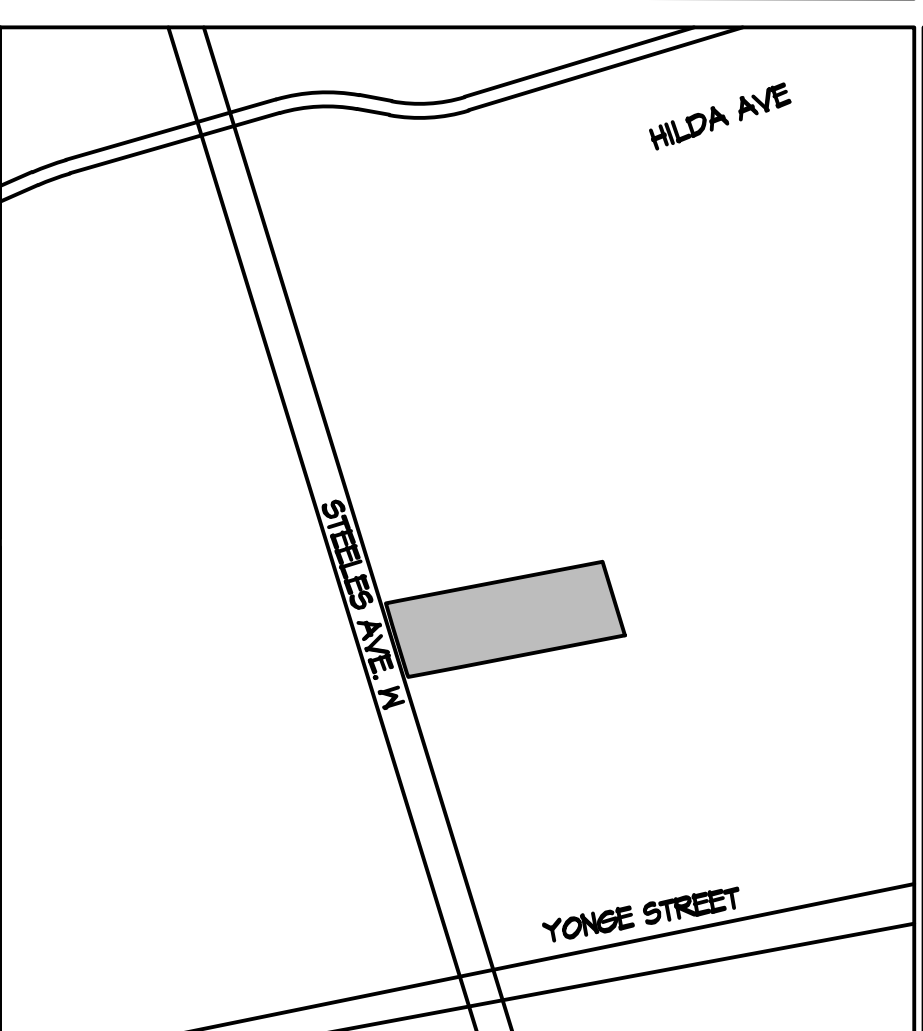
- BLUE SHADING DENOTES EXISTING STRUCTURE
- HATCHING DENOTES PROPOSED NEW CONSTRUCTION
- BASEMENT AND GROUND FLOOR AREAS

**OVERALL SITE STATISTICS**

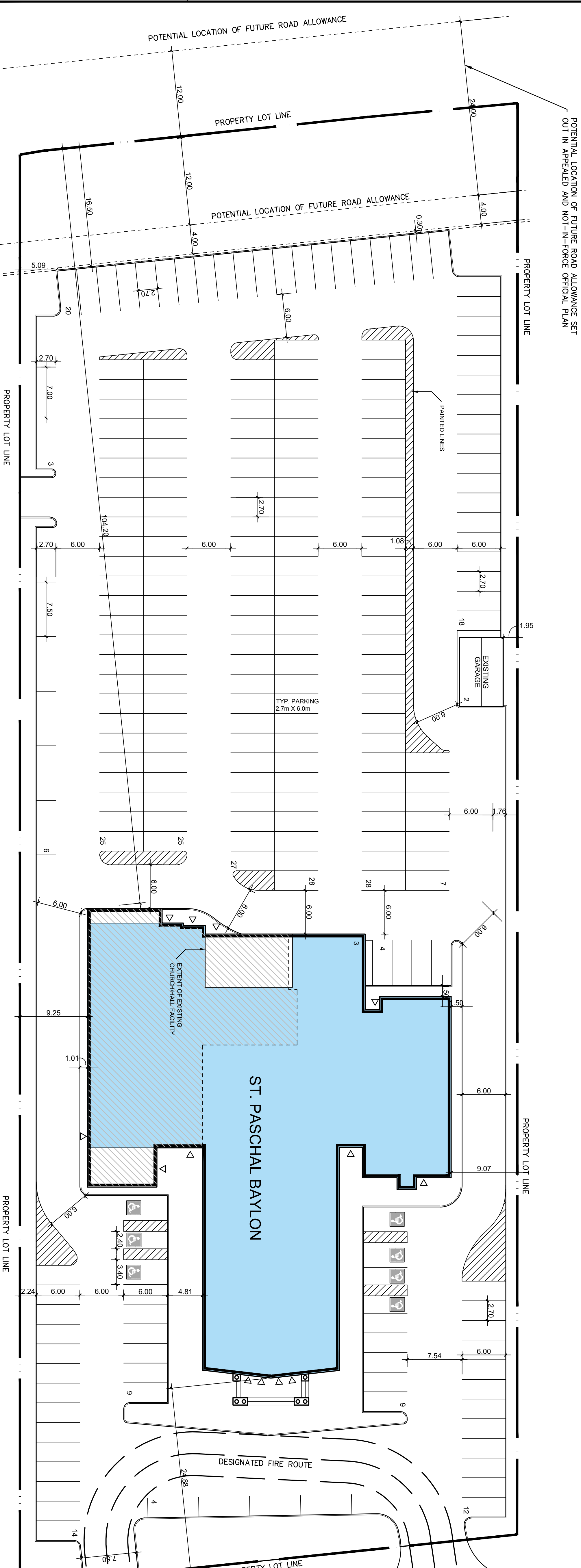
ZONING DESIGNATION	M1 RESTRICTED INDUSTRIAL
SITE AREA	13442.27 m <sup>2</sup> or 3.32 acres
SITE COVERAGE	2153.78 m <sup>2</sup> or 16.02%
LANDSCAPE AREA	2892.11 m <sup>2</sup> or 21.52%
PAVED AREA	8398.37 m <sup>2</sup> or 62.42%
LOT FRONTAGE	35 m
SETBACKS	
STEELES AVE. W	9 m
REAR YARD (ABUTTING R.ZONE)	60 m
INTERIOR YARD (EAST)	6 m
INTERIOR YARD (WEST)	6 m
BUILDING GFA	
OFFICE (EXISTING)	249.10 m <sup>2</sup> or 2,681 sqft
RESIDENCE (EXISTING)	655.75 m <sup>2</sup> or 7,058 sqft
CHURCH (EXISTING AND NEW)	1,752.08 m <sup>2</sup> or 18,859 sqft
CHURCH GROUND FLOOR & ATRIUMS	1,342.88 m <sup>2</sup> or 14,452 sqft
GROUND FLOOR CLASSROOMS	228.84 m <sup>2</sup> or 2,458 sqft
GROUND FLOOR STORAGE & UTILITIES	73.10 m <sup>2</sup> or 787 sqft
BASEMENT (ASSEMBLY AREA)	680.83 m <sup>2</sup> or 7,113 sqft
EXTERIOR GARAGE	57.12 m <sup>2</sup> or 615 sqft
TOTAL BUILDING GFA	3,374.88 m <sup>2</sup> or 36,326 sqft

TOTAL PARKING	232 spaces
TOTAL ACCESSIBLE PARKING	7 spaces
PARKING	
OFFICE @ 3.5 spaces / 100 m <sup>2</sup>	9 spaces
RESIDENCE = 1 suite = 3 spaces	3 spaces
CHURCH	
CHURCH @ 14 spaces / 100 m <sup>2</sup>	148 spaces
CHURCH @ 10 spaces / classroom m <sup>2</sup>	0 spaces
STORAGE AND ATRIUMS	0 spaces
GARAGES	73 spaces
BASEMENT (ASSEMBLY AREA)	
@ 11 spaces / 100 m <sup>2</sup>	73 spaces
TOTAL PARKING	242 spaces
PROVIDED	243 spaces

**KEY PLAN (NTS)**



**NOTES**  
 DENOTES AREA OF REDEVELOPMENT



**STEELES AVENUE WEST**

No.	ISSUED	DATE
1	SITE DEVELOPMENT APPLICATION	JUNE 4, 2020
2	ISSUED FOR COMMITTEE OF ADJUSTMENT	NOV. 24, 2020

No.	REVISION	DATE

**BALDASSARRA**  
 Architects Inc.

30 Great Gulf Drive, Unit 20 | Concord ON | L4K 0K7  
 T: 905.680.0722 | www.baldassarra.ca  
 OWNERS INFORMATION



**St. Paschals Baylon Church**

**Site Plan**

92 Steeles Ave. W  
 Thornhill, ON

DATE	DRAWN BY	CHECKED	SCALE
OCT. 2020	DM		1:300
PROJECT No.		DRAWING No.	
P-17031		A 1.0	

**SITE STATISTICS ACCOUNTING FOR POTENTIAL FUTURE LAND CONVEYANCE**

SITE AREA	12,605.36 m <sup>2</sup> or 3.11 acres
SITE COVERAGE	2,153.78 m <sup>2</sup> or 17.09%
LANDSCAPE AREA	2,037.92 m <sup>2</sup> or 16.17%
PAVED AREA	8,413.75 m <sup>2</sup> or 66.75%
LOT FRONTAGE	35 m
SETBACKS	68.63 m
STEELES AVE. W	9 m
REAR YARD (ABUTTING R ZONE)	24.88 m
INTERIOR YARD (EAST)	60 m
INTERIOR YARD (WEST)	91.98 m
INTERIOR YARD (WEST)	6 m
INTERIOR YARD (WEST)	9.07 m
INTERIOR YARD (WEST)	9.25 m

**LEGEND**

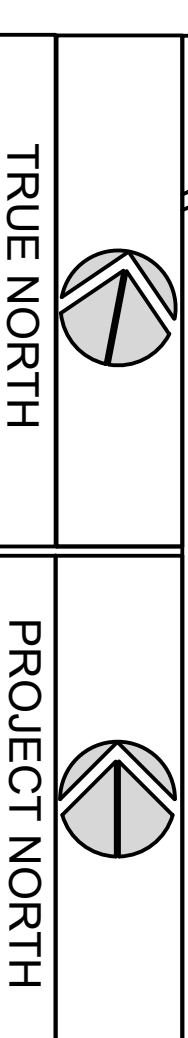
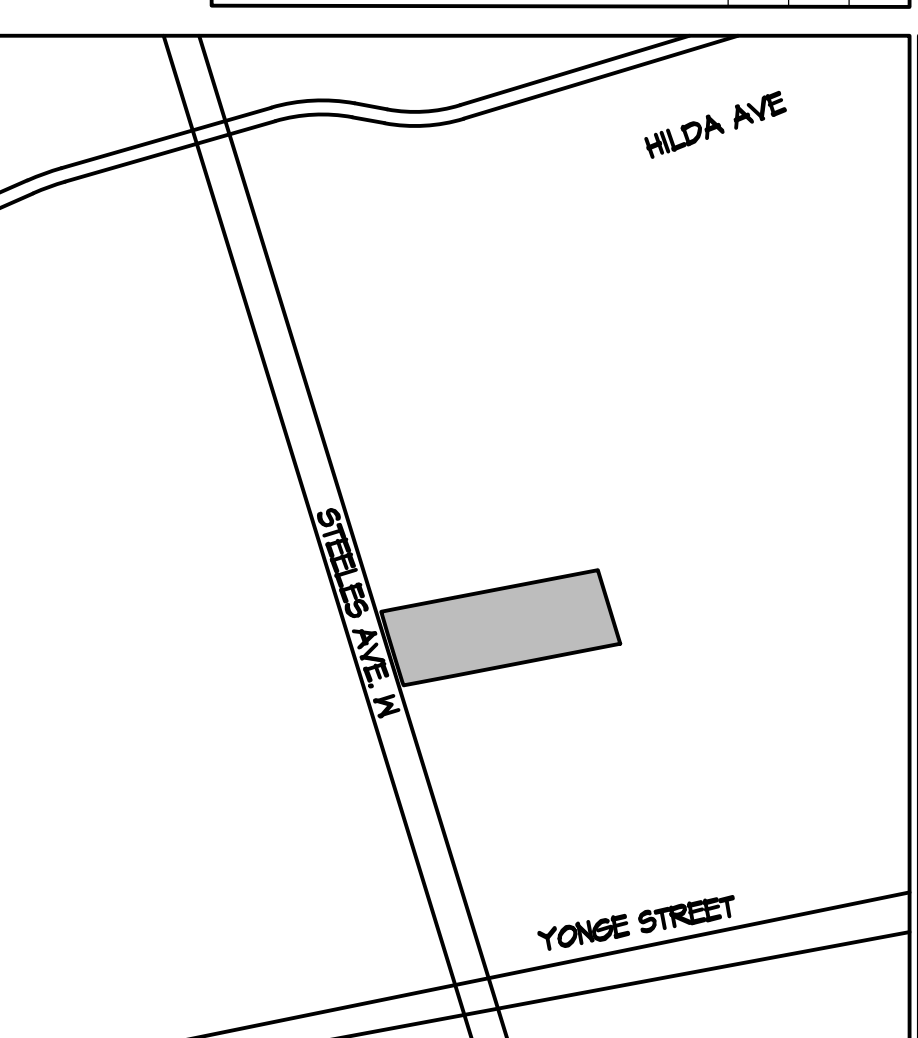
- Blue shading denotes existing structure
- Hatching denotes proposed new construction
- Hatching denotes proposed new construction
- Hatching denotes proposed new construction

**OVERALL SITE STATISTICS**

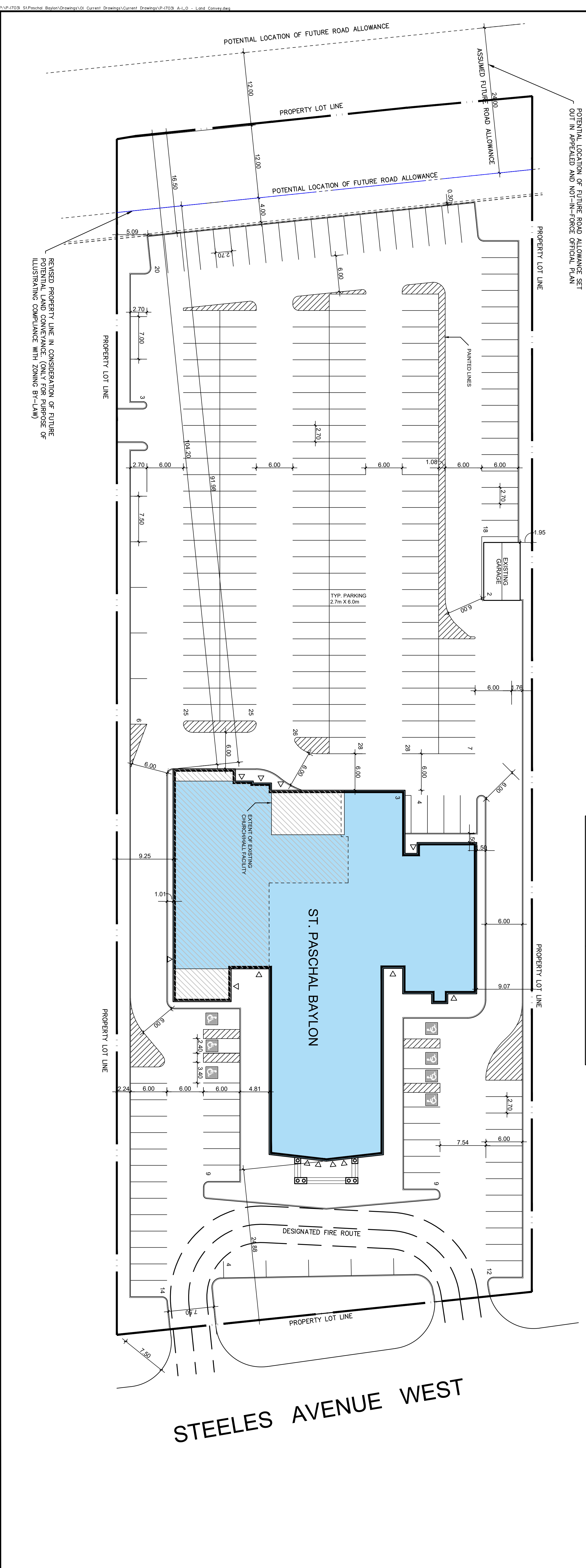
ZONING DESIGNATION	M1 RESTRICTED INDUSTRIAL
SITE AREA	13,442.27 m <sup>2</sup> or 3.32 acres
SITE COVERAGE	2,153.78 m <sup>2</sup> or 16.02%
LANDSCAPE AREA	2,892.11 m <sup>2</sup> or 21.52%
PAVED AREA	8,396.37 m <sup>2</sup> or 62.42%
LOT FRONTAGE	35 m
SETBACKS	68.63 m
STEELES AVE. W	9 m
REAR YARD (ABUTTING R ZONE)	24.88 m
INTERIOR YARD (EAST)	60 m
INTERIOR YARD (WEST)	104.20 m
INTERIOR YARD (WEST)	6 m
INTERIOR YARD (WEST)	9.07 m
INTERIOR YARD (WEST)	9.25 m
BUILDING GFA	
OFFICE (EXISTING)	2,493.10 m <sup>2</sup> or 2,681 sqft
RESIDENCE (EXISTING)	655.75 m <sup>2</sup> or 7,058 sqft
CHURCH (EXISTING AND NEW)	1,752.08 m <sup>2</sup> or 18,859 sqft
CHURCH GROUND FLOOR & AMENITIES	1,342.88 m <sup>2</sup> or 14,452 sqft
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EXTERIOR GARAGE	57.12 m <sup>2</sup> or 615 sqft
TOTAL BUILDING GFA	3,374.88 m <sup>2</sup> or 36,326 sqft

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PARKING	
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RESIDENCE = 1 suite = 3 spaces	3 spaces
CHURCH	148 spaces
CHURCH @ 11 spaces / 100 m <sup>2</sup>	0 spaces
CHURCH @ 15 spaces / classroom m <sup>2</sup>	0 spaces
STORAGE AND AMENITIES	0 spaces
GARAGES	73 spaces
BASEMENT (ASSEMBLY AREA) @ 11 spaces / 100 m <sup>2</sup>	73 spaces
TOTAL PARKING	242 spaces
TOTAL PARKING	243 spaces

**KEY PLAN (NTS)**



**NOTES**  
 DENOTES AREA OF REDEVELOPMENT



REVISED PROPERTY LINE IN CONSIDERATION OF FUTURE POTENTIAL LAND CONVEYANCE ONLY FOR PURPOSE OF ILLUSTRATING COMPLIANCE WITH ZONING BY-LAW

No.	ISSUED	DATE
1	SITE DEVELOPMENT APPLICATION	JUNE 4, 2020
2	ISSUED FOR MINOR VARIANCE APPLICATION	NOV. 24, 2020

No.	REVISION	DATE
-----	----------	------

**BALDASSARRA Architects Inc.**

30 Great Gulf Drive, Unit 20 | Concord ON | L4K 0K7  
 T: 905.660.0722 | www.baldassarra.ca  
 OWNERS INFORMATION



**St. Paschals Baylon Church**

92 Steeles Ave. W  
 Thornhill, ON

**Site Plan**

DATE	OCT. 2020	DRAWN BY	DM	CHECKED	SCALE
PROJECT No.	P-17031	DRAWING No.	A.1.0		



**MILLER THOMSON**  
AVOCATS | LAWYERS

MILLER THOMSON LLP  
SCOTIA PLAZA  
40 KING STREET WEST, SUITE 5800  
P.O. BOX 1011  
TORONTO, ON M5H 3S1  
CANADA

T 416.595.8500  
F 416.595.8695

MILLERTHOMSON.COM

December 22, 2020

**Private and Confidential**

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

**David Tang**  
Direct Line: 416.597.6047  
dtang@millerthomson.com

File: 21362.410

Dear Mesdames and Sirs:

**Re: Application to Extend the Legal Conforming Use  
Pursuant to Section 45 of the *Planning Act*  
Roman Catholic Episcopal Corporation for the Diocese of Toronto, in Canada  
St. Paschal Baylon Catholic Church – 92 Steeles Avenue West (the “Property”)  
Application File No.: A138-20**

We are the solicitors for the Roman Catholic Episcopal Corporation for the Diocese of Toronto, in Canada, the owner of the Property, which is the subject of the above-noted Application.

Out of an abundance of caution, we are writing to comment on the recent request by City Planning Staff for revised site statistics that exclude a 12.0 metre wide strip along the entire north (rear) property line of the Property from the site area. The architects have determined that the balance of the Property with the proposed construction would comply with not only the applicable zoning but all normal zoning standards affected by the size or configuration of the site, such as coverage or minimum set-backs, even if that strip were to be conveyed to the City of Vaughan in the future.

While the architects have provided that calculation, we simply wanted to bring to the Committee’s attention the attached letters to the City’s legal counsel and Ms. Holyday and comment that the provision of this information should not be seen as agreement that conveyance of that 12.0 metre strip of land is appropriate or acceptable at this time in the absence of in-force Official Plan policy requiring that conveyance.

Thank you for your consideration of this application.

Yours very truly,

Yours very truly,  
**MILLER THOMSON LLP**  
Per:



David Tang  
Partner  
DT/ik



## **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**



Discover the possibilities

### COMMENTS:

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

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

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

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

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

### References:

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

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

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

Mr. Tony D'Onofrio  
Supervisor, Subdivisions (Alectra East)  
**Phone:** 1-877-963-6900 ext. 24419

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

**Email:** [tony.donofrio@alectrautilities.com](mailto:tony.donofrio@alectrautilities.com)

## Providence, Lenore

---

**Subject:** FW: A138-20 - REQUEST FOR COMMENTS - 92 Steeles Avenue West, Thornhill (full circulation)

**From:** Wong, Anson <Anson.Wong@york.ca>

**Sent:** December-01-20 5:00 PM

**To:** Providence, Lenore <Lenore.Providence@vaughan.ca>

**Subject:** [External] RE: A138-20 - REQUEST FOR COMMENTS - 92 Steeles Avenue West, Thornhill (full circulation)

Hello,

The Regional Municipality of York has completed its review of **A138/20** (MVAR.20.V.0448) and has no comments.

Thanks,

**Anson Wong** | Associate Planner, Programs and Process Improvement,  
Planning and Economic Development, Corporate Services

---

The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1  
1-877-464-9675 ext. 71516 | [anson.wong@york.ca](mailto:anson.wong@york.ca) | [www.york.ca](http://www.york.ca)

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



## **Schedule D: Previous Approvals (Notice of Decision)**

**Minor Variance Application A302/14**

**Minor Variance Application A007/04**



# **NOTICE OF DECISION**

## **MINOR VARIANCES**

**FILE NUMBER:** A302/14

**APPLICANT:** ROMAN CATHOLIC EPISCOPAL CORPORATION FOR THE DIOCESE OF TORONTO, IN CANADA

**PROPERTY:** Part of Lot 26, Concession 1 (Registered Plan 9685) municipally known as 92 Steeles Avenue West, Thornhill.

**ZONING:** The subject lands are zoned M1, Restricted Industrial Zone under By-law 1-88 as amended.

**PURPOSE:** To permit the construction of an addition to the rectory, as follows:

**PROPOSAL:**

1. To permit a minimum interior side yard setback of 8.23 metres.
2. To permit a minimum interior side yard setback of 1.95 metres to an existing garage (Garage #2).
3. To permit a minimum of 206 parking spaces.
4. To permit the expansion of a legal-non conforming use (church).

**BY-LAW REQUIREMENT:**

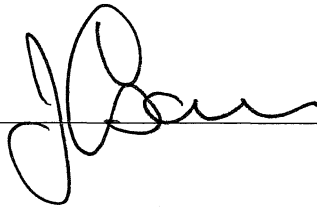
1. A minimum interior side yard setback of 15 metres is required.
2. A minimum interior side yard setback of 15 metres is required.
3. A minimum of 216 parking spaces are required.
4. A church is not a permitted use.

**BACKGROUND INFORMATION:** Other Planning Act Applications  
The land which is the subject in this application was also the subject of another application under the Planning Act:

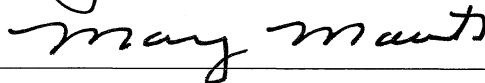
A007/04 - APPROVED January 8, 2004 - rear yard garage interior side yard setback 2.0m.

Sketches are attached illustrating the request.

**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.

THAT Application No. **A302/14, ROMAN CATHOLIC EPISCOPAL CORPORATION FOR THE DIOCESE OF TORONTO, IN CANADA**, be **APPROVED**, in accordance with the sketches attached

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

**CARRIED.**

CHAIR: Perrella

Signed by all members present who concur in this decision:

Perrella  
A. Perrella,  
Chair

ZP  
H. Zheng,  
Vice Chair

J. Cesar  
J. Cesario,  
Member

Fluxgold  
L. Fluxgold,  
Member

M. Mauti  
M. Mauti,  
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.

T. Coles  
Todd Coles, BES, MCIP, RPP  
Manager of Development Services  
and Secretary-Treasurer to  
Committee of Adjustment

**Date of Hearing: NOVEMBER 6, 2014**  
**Last Date of Appeal: NOVEMBER 26, 2014**

**APPEALS**

**APPEALS MUST BE RECEIVED BY THIS OFFICE NO LATER THAN 4:30 P.M. ON THE LAST DATE OF APPEAL NOTED ABOVE.**

Should you decide to appeal this decision to the Ontario Municipal Board, a copy of an appeal form is available for download in Microsoft Word and Adobe Acrobat versions from the Ontario Municipal Board website at [www.omb.gov.on.ca](http://www.omb.gov.on.ca). If you do not have Internet access, these forms can be picked up at the City of Vaughan, Committee of Adjustment offices.

Please fill out Form A1 and follow the instructions as provided by the Ontario Municipal Board and submit your appeal to the City of Vaughan, Committee of Adjustment on or before the date stated above. You must enclose the completed form with the \$650.00 processing fee, paid by **certified cheque** or **money order**, to the "TREASURER, CITY OF VAUGHAN" and the appeal fee of \$125.00 for each application appealed, paid by **certified cheque** or **money order**, made payable to the "ONTARIO MINISTER OF FINANCE".

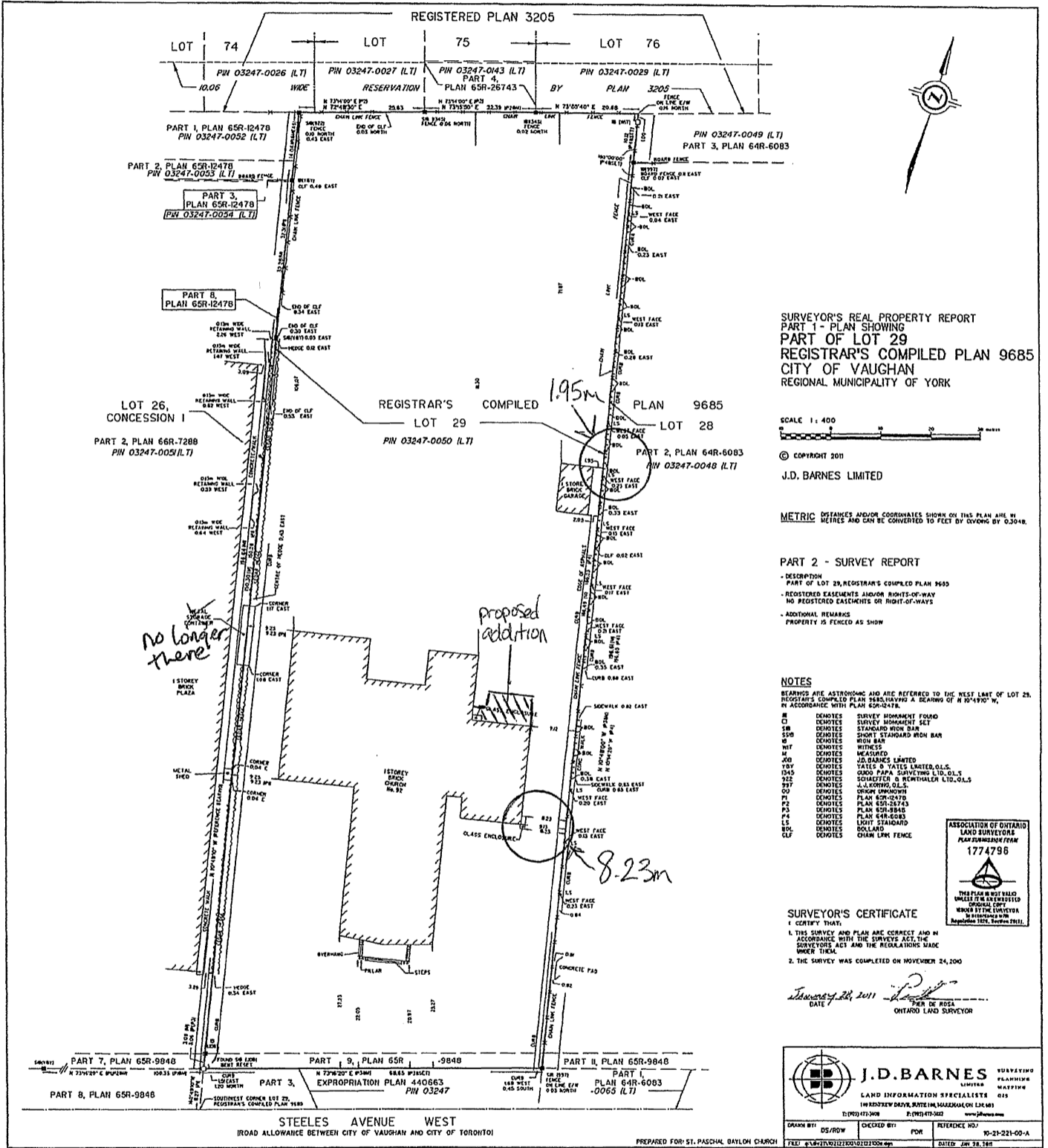
**NOTE:** The Planning Act provides for appeals to be filed by "persons". As groups or associations, such as residents or ratepayers groups which do not have incorporated status, may not be considered "persons" for the purposes of the Act, groups wishing to appeal this decision should do so in the name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

**CONDITIONS**

IF ANY CONDITIONS ARE IMPOSED ON THIS APPLICATION, THE FINAL DATE FOR FULFILLING THEM IS: **NOVEMBER 26, 2015**

Sketch revised!  
Oct. 17, 2014

**A302/14**



To permit the expansion of a legal non conforming use (church)



# CENTRE STREET



COMMITTEE OF ADJUSTMENT  
 2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1  
 Phone: (905)832-8585 Fax: (905)832-8535

	FILE NUMBER:	<b>A302/14</b>
	APPLICANT:	<b>ROMAN CATHOLIC EPISCOPAL CORPORATION FOR THE DIOCESE OF TORONTO, IN CANADA</b>
		<b>Subject Area</b> Municipally known as 92 Steeles Avenue West, Thornhill

COMMITTEE OF ADJUSTMENT  
(VARIANCES)

**NOTICE OF DECISION**

FILE NO: A007/04

IN THE MATTER OF Subsection 45 of the Planning Act.

IN THE MATTER OF an application by **ROMAN CATHOLIC EPISCOPAL CORPORATION FOR THE DIOCESE OF TORONTO IN CANADA**, with respect to Part of Lot 26, Concession 1, (Plan 9685, municipally known as 92 Steeles Avenue, West, Thornhill.)

The subject lands are zoned M1, Restricted Industrial and subject to the provisions of By-Law 1-88 as amended.

The applicant is requesting a variance to permit the construction of a two car detached rear yard garage, (existing garage to be demolished - new garage will rest on the original foundation and will have the original building height), to a two storey church building, notwithstanding, the interior side yard setback will be 2.0m, rather than the By-law requires interior side yard setback of 15.0m. A sketch is attached illustrating the request.

Moved by: 

Seconded by: 

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

AND THAT Application No: A007/04 – ROMAN CATHOLIC EPISCOPAL CORPORATION FOR THE DIOCESE OF TORONTO IN CANADA, be: **APPROVED**, in accordance with the sketch attached.

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

CARRIED

Date: JANUARY 8, 2004

CHAIR: M. Mauti

Signed by all members present who concur in this decision:

M. Mauti

M. Mauti,  
Chair,

T. DeCicco

T. DeCicco  
Vice Chair,

L. Fluxgold

L. Fluxgold,  
Member,

~~K. Connell~~  
~~K. Connell  
Member,~~

S. Perrella  
S. Perrella,  
Member,

**background**

**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.

**information**

Dianne E.L. Grout

Dianne E.L. Grout, A.M.C.T.,  
Secretary - Treasurer  
Committee of Adjustment, City of Vaughan

DATE OF HEARING:

**JANUARY 8, 2004**

LAST DATE OF APPEAL:

**JANUARY 28, 2004**

**APPEALS MUST BE RECEIVED BY THIS OFFICE NO LATER THAN 4:30P.M. ON JANUARY 28, 2004.**

**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.

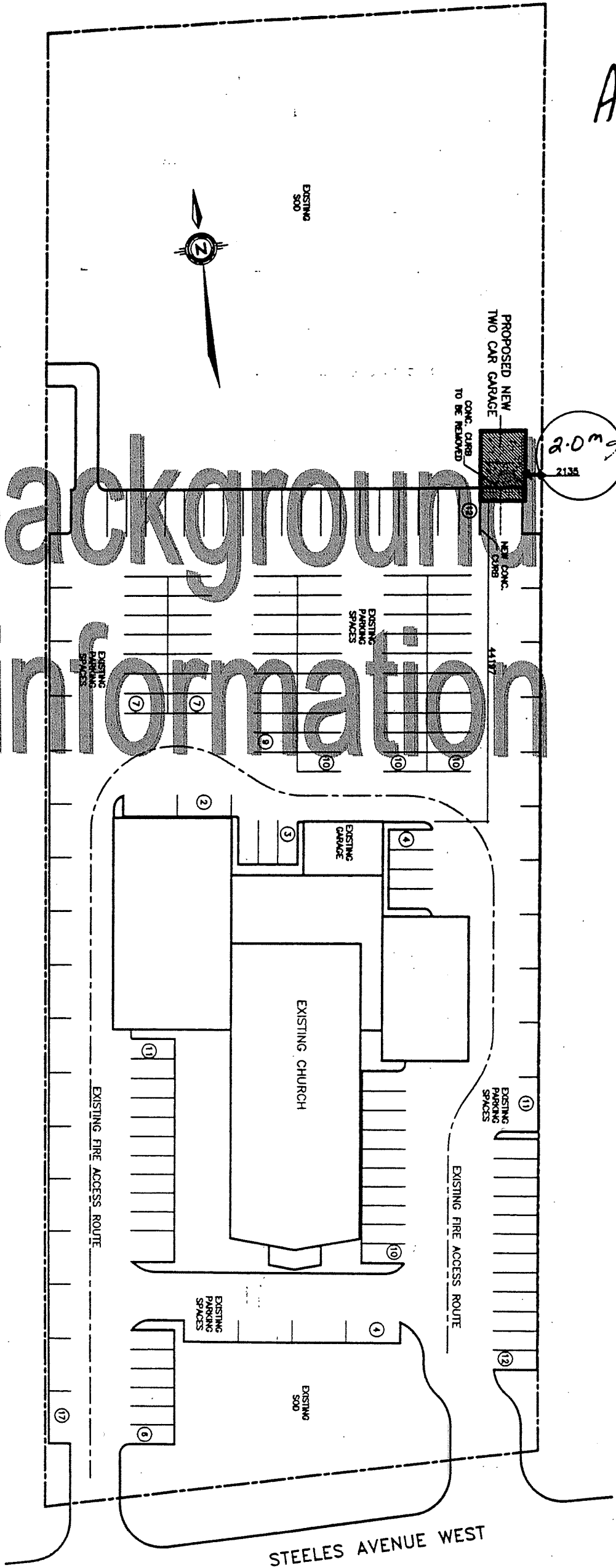
**NOTE: IF ANY CONDITIONS ARE IMPOSED ON THIS APPLICATION, THE FINAL DATE FOR FULFILLING THEM IS:**

**\*\*\* JANUARY 28, 2005 \*\*\***

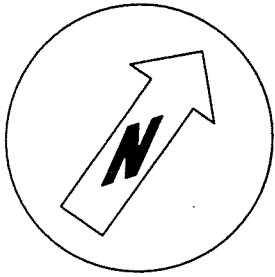
A7/04

SITE PLAN

background information







# COMMITTEE OF ADJUSTMENT

**File No.:**

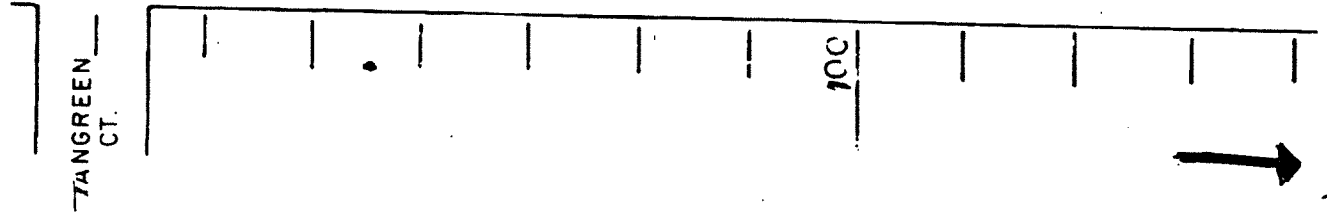
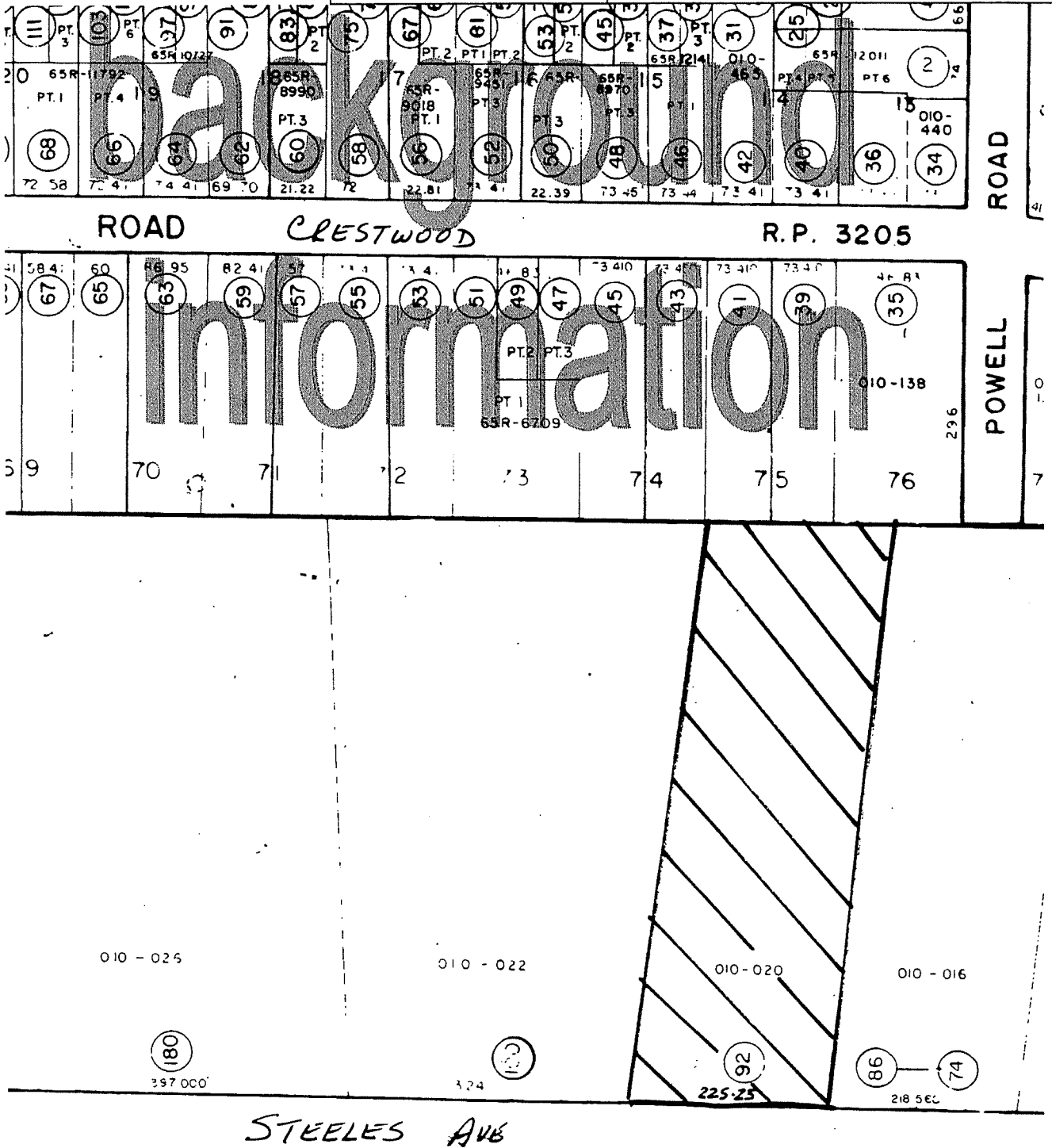
**A007/04**

**Applicant:**

**ROMAN CATHOLIC EPISCOPAL CORP. FOR THE DIOCESE OF TORONTO IN CANADA**



**92 STEELES AVE. WEST THORNHILL**



*YONGE ST*

## PLANNING ACT GUIDELINES FOR APPEALING VARIANCES

### Subsection 45 - 20 inclusive

- (12) The applicant, the Minister or any other person who has an interest in the matter may within twenty days of the making of the decision appeal to the Municipal Board against the decision of the Committee by serving personally on or sending by registered mail to the Secretary-Treasurer of the Committee a notice of appeal setting out the objection to the decision and the reasons in support of the objection accompanied by payment to the Secretary-Treasurer of the fee prescribed by the Municipal Board\* under the Ontario Municipal Board Act as payable on an appeal from a Committee of Adjustment to the Board.
- (13) The Secretary-Treasurer of a Committee, upon receipt of a notice of appeal served or sent to him/her under subsection (12) shall forthwith forward the notice of appeal and the amount of the fee mentioned in Subsection (12) to the Municipal Board by registered mail, together with all papers and documents filed with the Committee of Adjustment relating to the matter appealed from and such other documents and papers as may be required by the Board.
- (14) If within such twenty days no notice of appeal is given, the decision of the Committee is final and binding, and the Secretary-Treasurer shall notify the applicant and shall file a certified copy of the decision with the Clerk of the Municipality.
- (15) Where all appeals to the Municipal Board are withdrawn by the persons who gave notice of appeal, the decision of the Committee is final and Binding and the Secretary of the Board shall notify the Secretary-Treasurer of the Committee who in turn shall notify the applicant and file a certified copy of the decision with the Clerk of the Municipality
- (16) On an appeal to the Municipal Board, the Board shall except as provided in Subsections (15) and (17), hold a hearing of which notice shall be given to the applicant, the appellant, and Secretary-Treasurer of the Committee and to such other persons and in such manner as the Board may determine.
- (17) Despite the *Statutory Powers Procedure Act* and subsection (16), the Municipal Board may dismiss all or part of an appeal without holding a hearing, on its own motion or on the motion of any party if,
- (a) it is of the opinion that,
    - (i) the reasons set out in the notice of appeal do not disclose any apparent land use planning ground upon which the Board could allow all or part of the appeal,
    - (ii) the appeal is not made in good faith or is frivolous or vexatious, or
    - (iii) the appeal is made only for the purpose of delay;
  - (b) the appellant has not provided written reasons for the appeal;
  - (c) the appellant has not paid the fee prescribed under the *Ontario Municipal Board Act*; or
  - (d) the appellant has not responded to a request by the Municipal Board for further information within the time specified by the Board.
- (17.1) Before dismissing an appeal, the Municipal Board shall notify the appellant and give the appellant an opportunity to make representation in respect of the appeal and the Board may dismiss an appeal after holding a hearing or without holding a hearing on the motion, as it considers appropriate.
- (18) The Municipal Board may dismiss the appeal and may make any decision that the Committee could have made on the original application.
- (18.1) On an appeal, the Municipal Board may make a decision on an application which has been amended from the original application if, before issuing its order, written notice is given to the persons and public bodies who received notice of the original application under subsection (5) and to other persons and agencies prescribed under that subsection. (18.1.1) The Municipal Board is not required to give notice under subsection (18.1) if in its opinion, the amendment to the original application is minor.
- (18.2) Any person or public body who receives notice under subsection (18.1) may, not later than thirty days after the day that written notice was given, notify the Board of an intention to appear at the hearing or the resumption of the hearing, as the case may be.
- (18.3) If, after the expiry of the time period in subsection (18.2), no notice of intent has been received, the Board may issue its order.
- (18.4) If a notice of intent under subsection (18.2) is received, the Board may hold a hearing or resume the hearing on the amended application, or it may issue its order without holding a hearing or resuming the hearing.
- (19) When the Municipal Board makes an order on an appeal, the secretary of the Board shall send a copy thereof to the applicant, the appellant and the Secretary-Treasurer of the Committee.
- (20) The Secretary-Treasurer shall file a copy of the order of the Municipal Board with the Clerk of the Municipality.

\*\$125.00 for the primary variance appeal and \$25.00 for each related variance appeal.