VAUGHAN Staff Report Summary

Item # 10

Ward #1

File:	A023/21
Applicant:	Manel Investments Inc.
Address:	9505 Keele Street, Maple
Agent:	None.

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	Positive Comment	Condition(s)
	Negative Comment	\checkmark ×
Committee of Adjustment		
Building Standards		
Building Inspection		
Development Planning		
Development Engineering	\checkmark	
Parks, Forestry and Horticulture Operations		
By-law & Compliance		
Financial Planning & Development		
Fire Department		
TRCA		
Ministry of Transportation		
Region of York		
Alectra (Formerly PowerStream)		
Public Correspondence (see Schedule B)		

Adjournment History: None

Background History: None

Staff Report Prepared By: Lenore Providence Hearing Date: Thursday, April 8, 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 Page 2 Agenda Item: 10

A023/21

Ward: 1

Staff Report Prepared By: Lenore Providence, Assistant Secretary Treasurer

Date & Time of Live	Thursday, April 8, 2021 at 6:00 p.m.
Stream Hearing:	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
	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 <u>cofa@vaughan.ca</u>
	To make an electronic deputation at the meeting please contact the Committee of Adjustment at <u>cofa@vaughan.ca</u> 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:	Manel Investments Inc.
Agent:	None.
Property:	9505 Keele Street, Units 10A and 11, Maple
Zoning:	The subject lands are zoned C1, Restricted Commercial and subject to the provisions of Exception 9(810) under By-law 1-88 as amended.
OP Designation:	Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Mixed-Use"
Related Files:	None.
Purpose:	Relief from By-law 1-88, as amended, is being requested to permit the expansion of the existing Take-Out Eating Establishment. The Take-Out Eating Establishment is currently operating in Unit 11 and will expand into Unit 10A.

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

By-law Requirement	Proposal
As per Exception 9(810), a Take-Out Eating Establishment with a maximum gross floor area of 85 square metres is permitted.	To permit a Take-Out Eating Establishment with a maximum gross floor area of 137 square metres.

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

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 March 24, 2021

Applicant confirmed posting of signage on March 19, 2021

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Property I	nformation
Existing Structures	Year Constructed
Building	1989

Applicant has advised that they cannot comply with By-law for the following reason(s): Existing tenant at unit 11 is going to take additional space (unit 10a).

Adjournment Request: N/A

Building Standards (Zoning Review):

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

Building Permit No. 21-100505 for Take-Out Eating Establishment - Interior Unit Alteration, Issue Date: (Not Yet Issued)

The Applicant shall be advised that if any exterior changes to the building are or will be contemplated, such changes may require site plan approval from the Development Planning Department.

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:

Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Mixed-Use"

The Owner is requesting to permit an increase in maximum gross floor area of 85m² to 137m² for the take-out eating establishment use in the existing multi-unit commercial building. Specifically, the tenant of unit 11 (All You Knead Bakery Ltd.) will utilize the additional area (69.30m²) in the abutting unit 10A as storage space. The Development Planning Department has no objection to the variance, as the expansion is does not require additional and helps support the existing take-out eating establishment.

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.

Development Engineering:

The Development Engineering (DE) Department does not object to variance application A023/21.

Parks Development - Forestry:

No comments or concerns

By-Law and Compliance, Licensing and Permit Services:

No comments to date.

Financial Planning and Development Finance:

No comment no concerns

Fire Department:

Please note that the applicant will have to address the following as part of the permit process:

-Does the building have a fire alarm or sprinkler system or both? does it impede any of these devices?

- Is the means of egress effected ? -Fire hydrants public or private

-fire routes

-what is the width of the road under OBC3.2.5.6 -provisions for firefighting shall comply with OBC 3.2.5

Schedule A – Plans & Sketches

Schedule B – Public Correspondence None.

Schedule C - Agency Comments Alectra (Formerly PowerStream) – No concerns or objections Region of York – No concerns or objections MTO – Located outside of MTO permit control area

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:

- \checkmark That the general intent and purpose of the by-law will be maintained.
- \checkmark 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: None

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 <u>cofa@vaughan.ca</u>

ELECTRONIC PARTICIPATION: During the COVID-19 emergency, residents can view a live stream of the meeting <u>Vaughan.ca/LiveCouncil</u>. To make an electronic deputation, residents must complete and submit a <u>Public Deputation Form</u> 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 <u>www.vaughan.ca</u>

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.

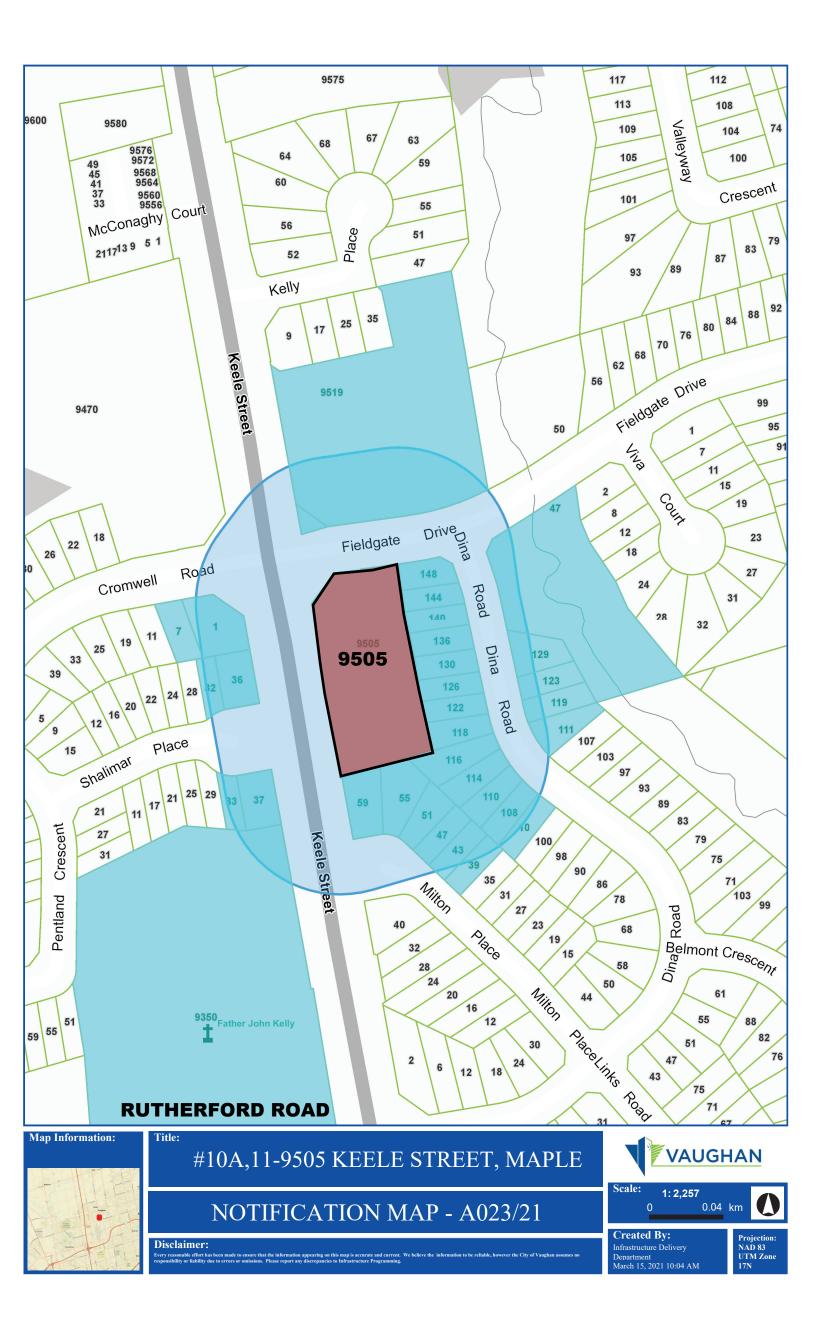
For further information please contact the City of Vaughan, Committee of Adjustment

T 905 832 8585 Extension 8394 E <u>CofA@vaughan.ca</u>

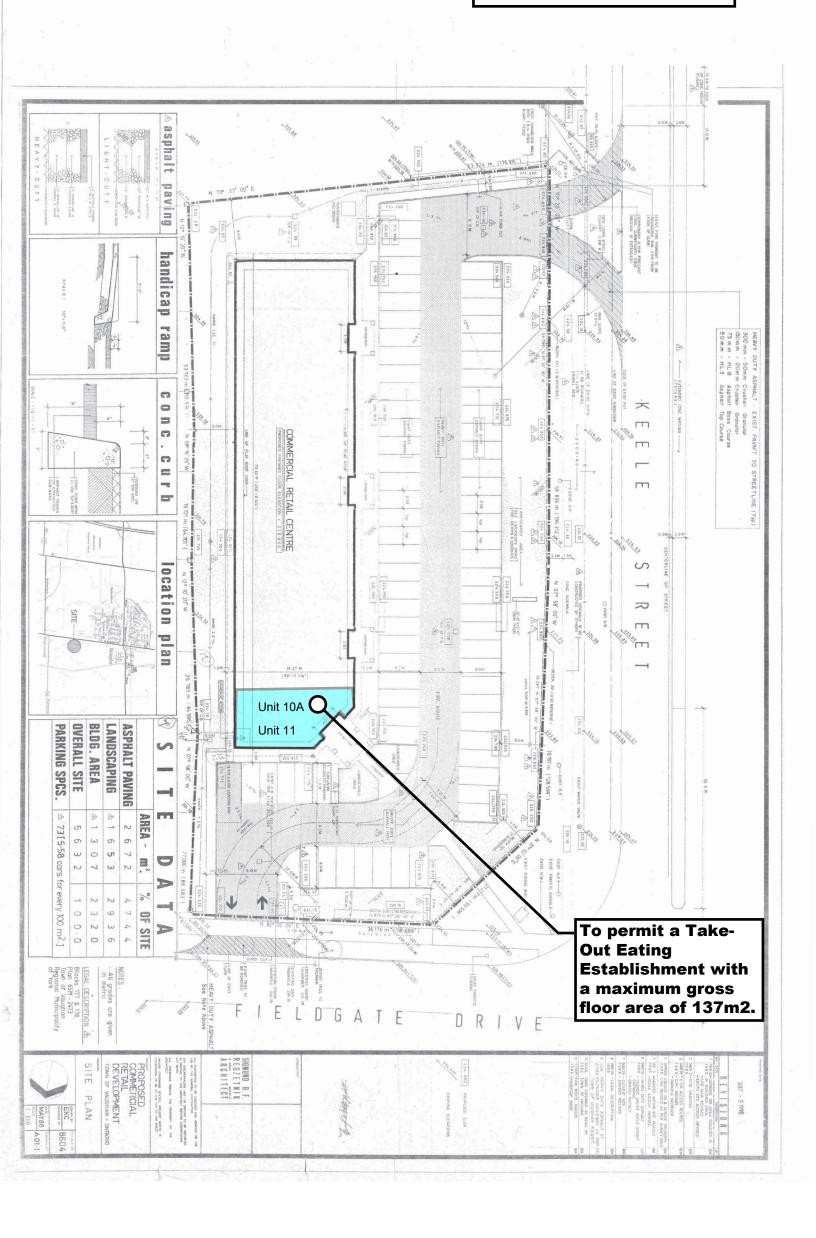
Schedule A: Plans & Sketches

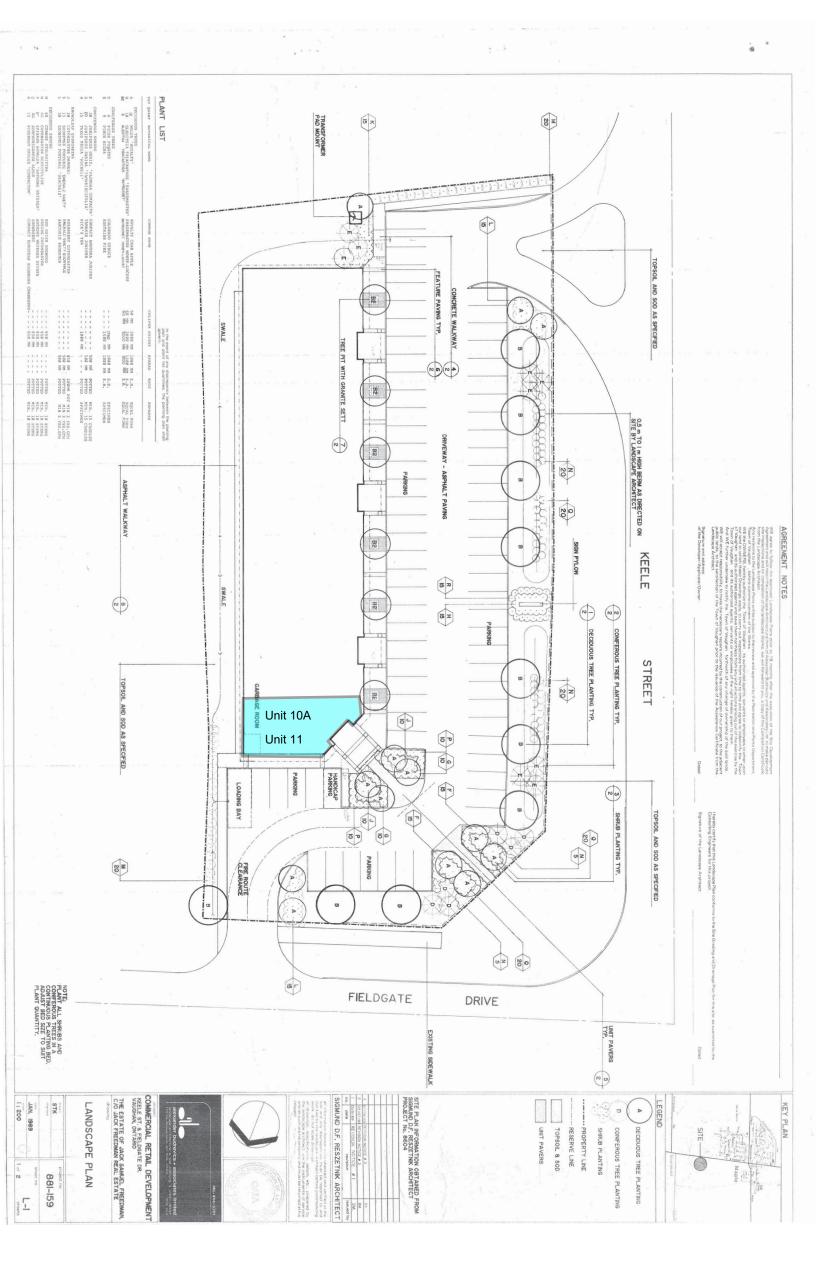
Please note that the correspondence listed in Schedule A is not comprehensive. Plans & sketches received after the preparation of this staff report will be provided as an addendum.

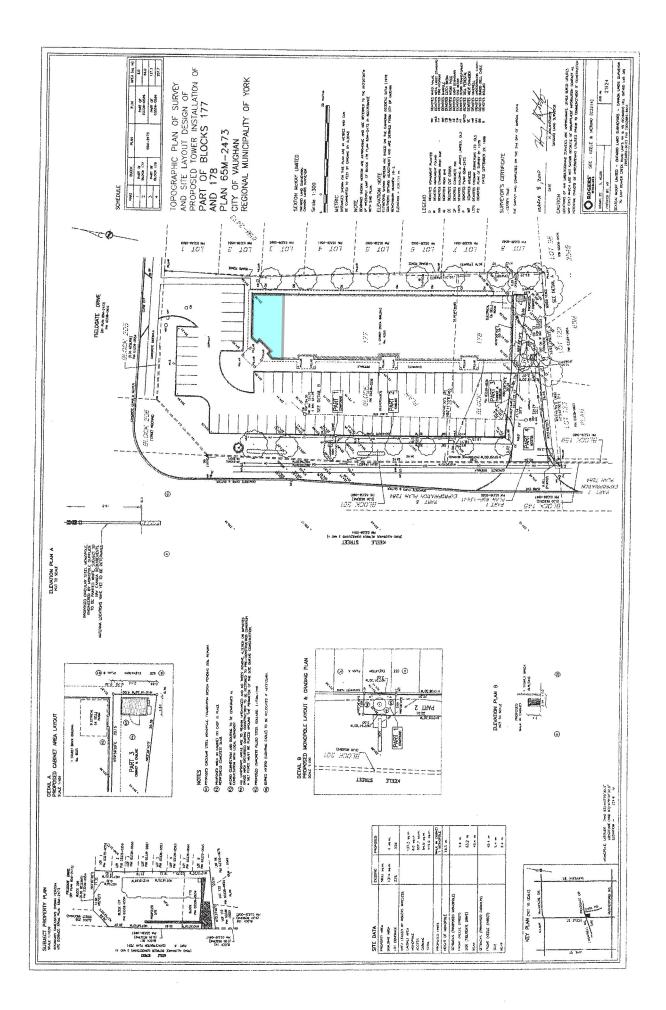
Location Map Plans & Sketches



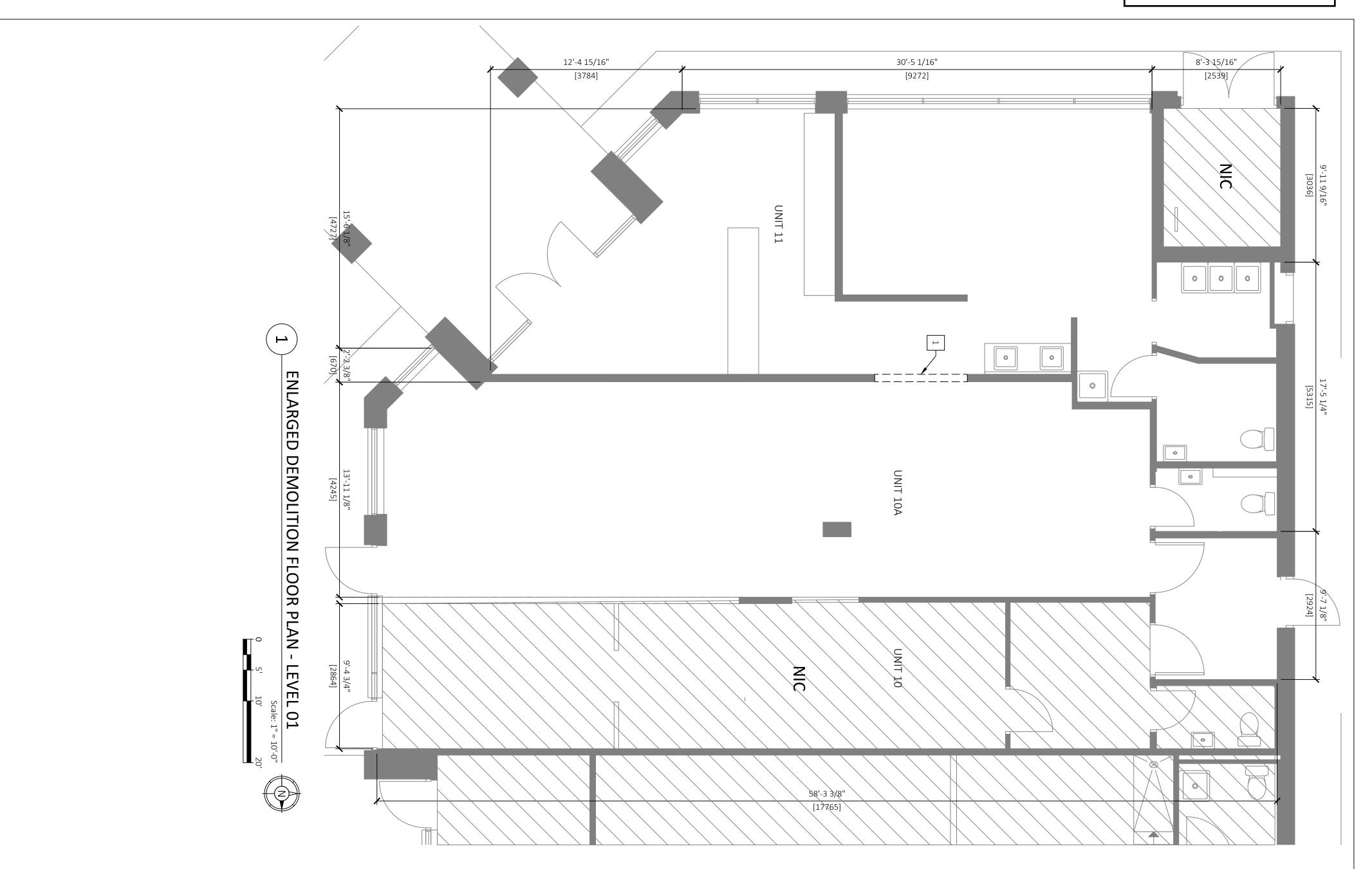


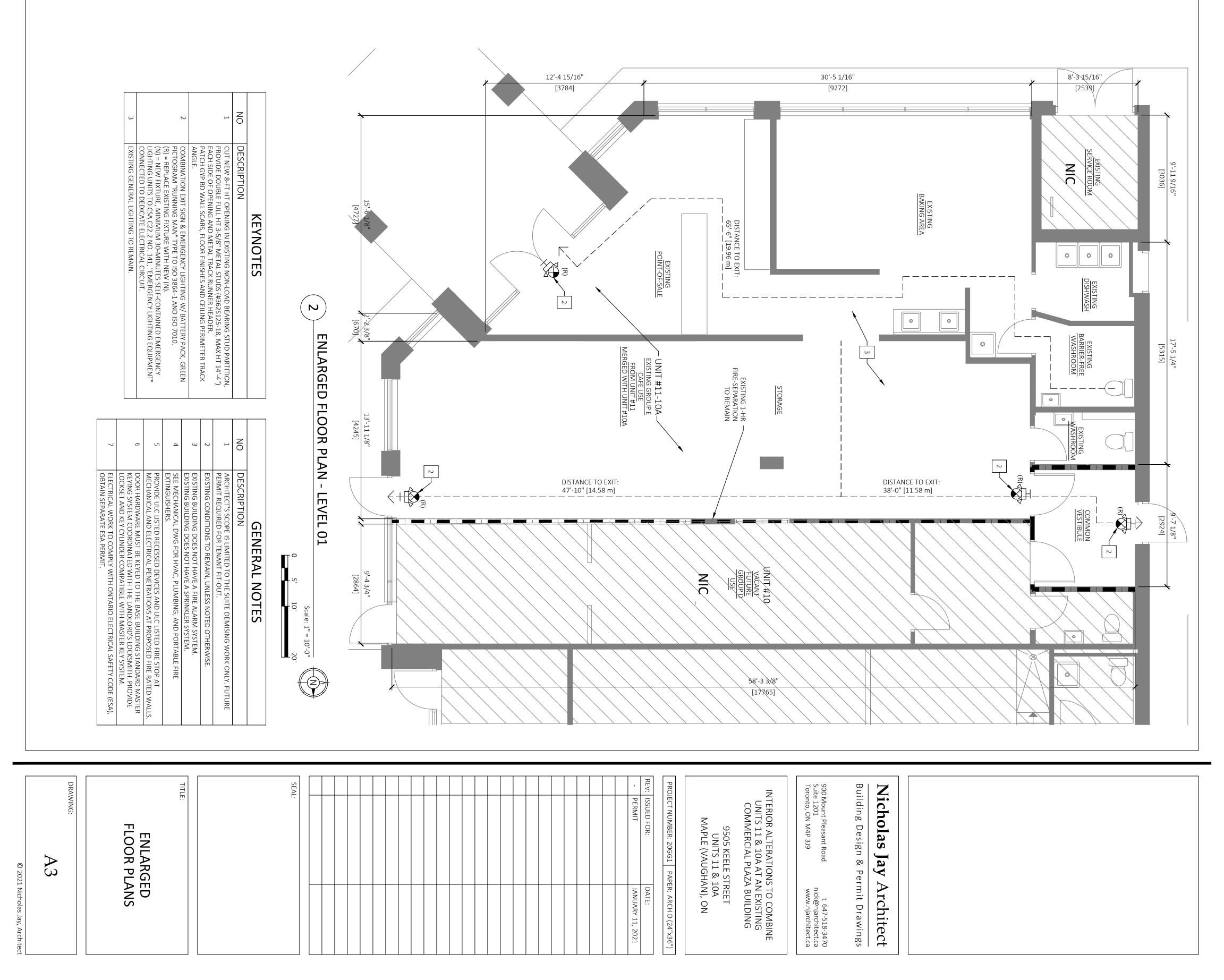




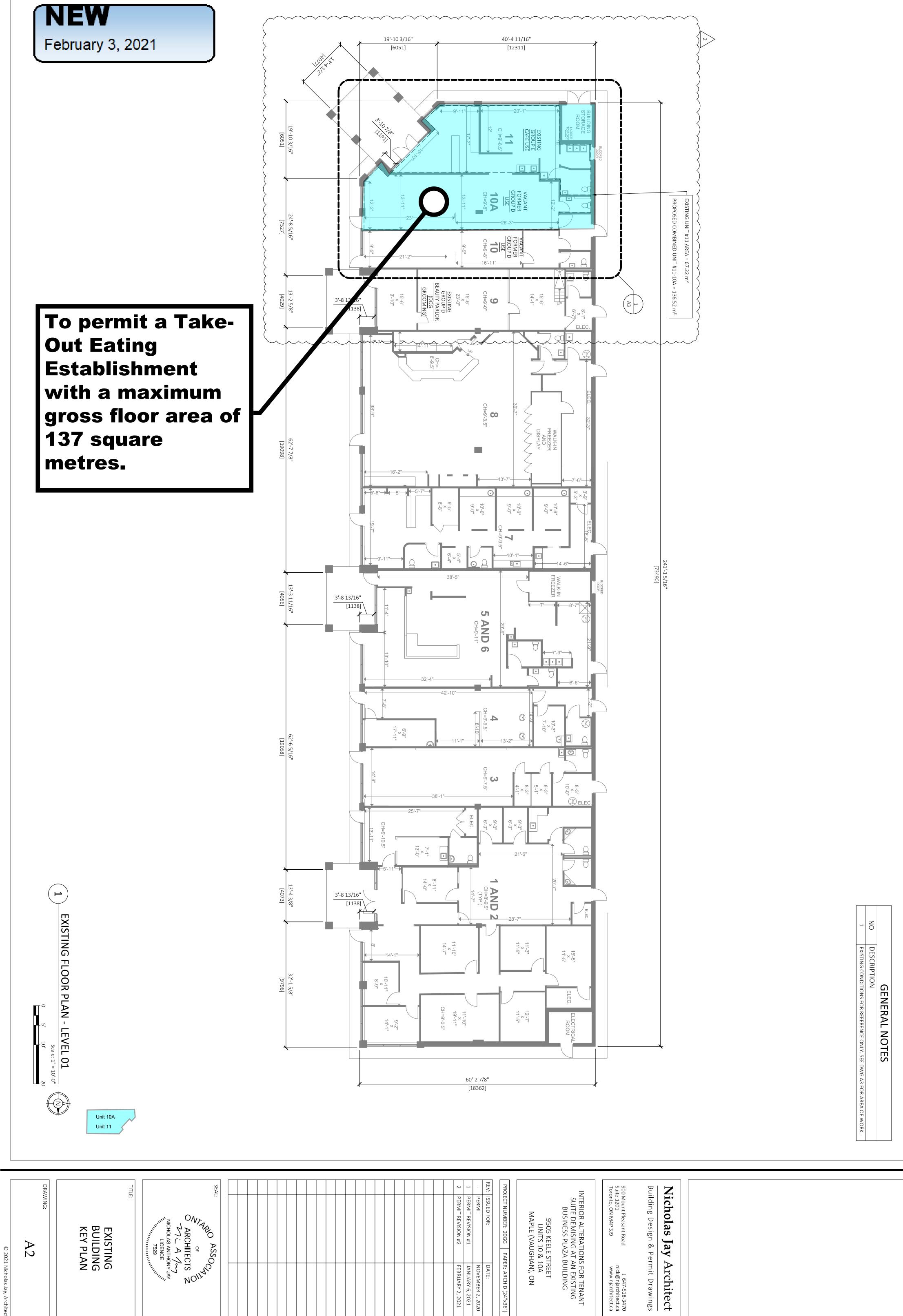












ARCHITECTURAL ABBREVIATIONS

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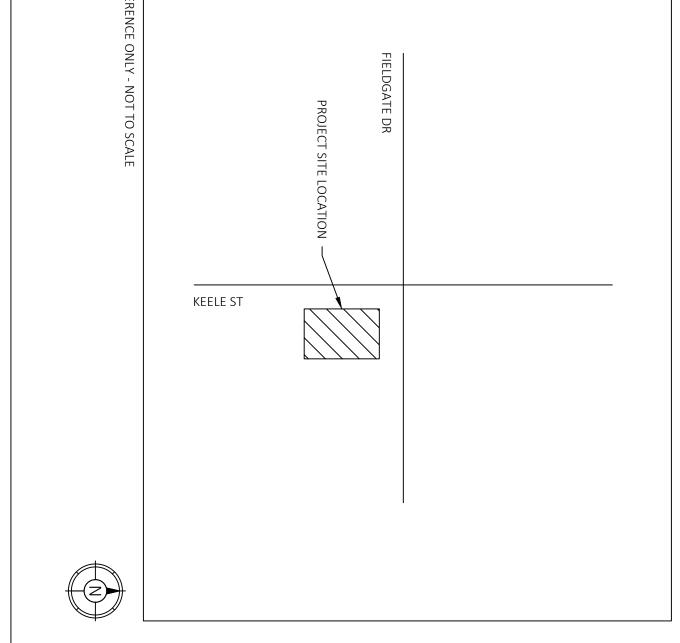
		 MANUAL. CONTRACT DOCUMENTS AND PERMIT DOCUMENTS WILL BE PROVIDED IN ELECTRONIC PDF FILE FORM INCLUDE COSTS FOR PRINTING CONTRACT DOCUMENTS AND PERMIT DOCUMENTS IN SUFFICIENT QUA REQUIRED FOR THE CONTRACTOR'S FIELD AND OFFICE OPERATIONS FOR THE DURATION OF THE WORK CONTRACT DOCUMENTS AND NOTIFY ARCHITECT OF ANY DISCREPANCIES OR CONFLICTS BETWEEN CONTRACT DOCUMENTS AND EXISTING FIELD CONDITIONS. DO NOT SCALE DRAWINGS, USE NOTED DIMENSIONS. INQUIRE WITH ARCHITECT FOR ADDITIONAL DIM WHERE NECESSARY. ARCHITECTURAL GENERAL NOTES, ABBREVIATIONS, GRAPHIC SYMBOLS, AND MATERIAL SYMBOLS ON DRAWING SHEET MAY BE SUPPLEMENTED WITH ADDITIONAL INFORMATION ON EACH ADDITIONAL DR SHEET OR IN THE SPECIFICATIONS. 	CEILING TILE TURAL GENERAL NOTES AL CONTRACT DOCUMENTS INCLUDE THESE DRAWINGS AND THE ARCHITECT'S SPECIFICA	GLASS GLASS GLASS PLASTIC GLASS PLASTIC GYPSUM BOARD CARPET MATERIAL TLE MATERIAL TLE ACOUSTICAL HASTER PLASTER CURTAINS MINI-BLINDS	STEEL ALUMINUM WOOD BATT SPRAY APPLIED ORNAMENTAL GENERIC SHEATHING MOOD IIIIIIII IIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIII	COARSE FIL FIL FIL FIL FIL FIL FIL FIL 1	ARCHITECTURAL MATERIAL SYMBOLS EARTHWORK CONCRETE MASONRY EARTH ROCK CAST-IN-PLACE PRECAST BRICK CONCRETE FRICK CONCRETE BRICK CONCRETE MASONRY UNT	GRAPHIC SCALE METRIC DIMENSION (MILLIMETERS, mm) 0 1/2" 1" 2" ALTERNATE UNIT OF MEASURE FOR REFERENCE ONLY ROUNDED TO NEAREST WHOLE MILLIMETER	$ \begin{array}{c} $	$ \begin{array}{c} 1 \\ 1 \\ 1 \\ $	$\begin{array}{c c} 1 \\ \hline \\$
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DRAWIN A1 A2

FOF RE

SPEC



ARCHITECTURAL DRAWING SHEET INDEX

NG	TITLE
	ARCHITECTURAL GENERAL NOTES
	EXISTING BUILDING KEY PLAN
	ENLARGED FLOOR PLANS
	SEE ARCHITECT'S SPECIFICATIONS MANUAL FOR ADDITIONAL INFORMATION

DRAWING: A1 © 2021 Nicholas Jay, Archit	ARCHITECTURAL GENERAL NOTES	SEAL:					': ISSUED FOR: DATE: PERMIT JANUARY 11, 202	INTERIOR ALTERATIONS TO COMBINE UNITS 11 & 10A AT AN EXISTING COMMERCIAL PLAZA BUILDING 9505 KEELE STREET UNITS 11 & 10A MAPLE (VAUGHAN), ON	Nicholas Jay Architect Building Design & Permit Drawings 900 Mount Pleasant Road Suite 1201 Toronto, ON M4P 3J9 t 647-518-3470 nick@njarchitect.ca	
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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.

None.

Schedule C: Agency Comments

Please note that the correspondence listed in Schedule C is not comprehensive. Comments received after the preparation of this staff report will be provided as an addendum.-

Alectra (Formerly PowerStream) – No concerns or objections Region of York – No concerns or objections MTO – Located outside of MTO permit control area



COMMENTS:

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We have reviewed the proposed Variance Application and have no comments or objections to its approval.

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

We have reviewed the proposed Variance Application and have the following concerns (attached below).

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

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

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

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

References:

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

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

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

E-mail: <u>stephen.cranley@alectrautilities.com</u>

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

Email: tony.donofrio@alectrautilities.com

Providence, Lenore

Subject:

FW: A023-21 - REQUEST FOR REVISED COMMENTS - 9505 Keele Street, Maple (FULL CIRCULATION)

From: Blaney, Cameron (MTO) <Cameron.Blaney@ontario.ca>

Sent: March-19-21 10:32 AM

To: Providence, Lenore <Lenore.Providence@vaughan.ca> **Subject:** [External] RE: A023-21 - REQUEST FOR REVISED COMMENTS - 9505 Keele Street, Maple (FULL CIRCULATION)

Hello Lenore,

This site is not within MTO permit control area and MTO has no concerns.

Cameron Blaney I Corridor Management Planner I Simcoe & York Highway Corridor Management Section – Central Operations 159 Sir William Hearst Avenue I Ministry of Transportation 7th Floor, Building D I Downsview, Ontario I M3M 0B7 416-358-7871 Cameron.Blaney@ontario.ca

Providence, Lenore

Subject: FW: A023-21 - REQUEST FOR REVISED COMMENTS - 9505 Keele Street, Maple (FULL CIRCULATION)

From: Hurst, Gabrielle <Gabrielle.Hurst@york.ca>

Sent: March-12-21 1:53 PM

To: Providence, Lenore <Lenore.Providence@vaughan.ca>
Cc: Committee of Adjustment <CofA@vaughan.ca>
Subject: [External] RE: A023-21 - REQUEST FOR REVISED COMMENTS - 9505 Keele Street, Maple (FULL CIRCULATION)

Good afternoon Lenore,

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

Gabrielle

Gabrielle Hurst MCIP RPP | Community Planning and Development Services | The Regional Municipality of York| 1-877 464 9675 ext 71538 | <u>Gabrielle.hurst@york.ca</u> |<u>www.york.ca</u>