



**File:** A148/21

**Applicant:** Melrose Investments Inc.

**Address:** 9131 Keele Street, Bldg A & B, Vaughan

**Agent:** Philip Stewart Pound and Stewart Planning

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"/>	
Development Engineering	<input checked="" type="checkbox"/>	
Parks, Forestry and Horticulture Operations		
By-law & Compliance		
Financial Planning & Development	<input checked="" type="checkbox"/>	
Fire Department		
TRCA		
Ministry of Transportation		
Region of York	<input checked="" type="checkbox"/>	
Alectra (Formerly PowerStream)	<input checked="" type="checkbox"/>	
Public Correspondence (see Schedule B)	<input checked="" type="checkbox"/>	

Adjournment History: None

Background History: None

Staff Report Prepared By: Adriana MacPherson  
Hearing Date: Thursday, August 12, 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: 11

**A148/21**

Ward: 4

**Staff Report Prepared By: Adriana MacPherson, Assistant Secretary Treasurer**

**Date & Time of Live Stream Hearing:** Thursday, August 12, 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:** Melrose Investments Inc.

**Agent:** Philip Stewart Pound and Stewart Planning

**Property:** **9131 Keele Street, Bldg A & B, Units A1 and B1, Vaughan**

**Zoning:** The subject lands are zoned EM3 and subject to the provisions of Exception 9(673C) under By-law 1-88 as amended.

**OP Designation:** Vaughan Official Plan 2010 ("VOP2010"): "Prestige Employment"

**Related Files:** None

**Purpose:** Relief from By-law 1-88, as amended, is being requested to permit retail sales as an accessory use to the primary Health Centre use within Units A1 & B1.

\*Retail sales will include pre-packaged nutritional dry goods/foodstuffs.

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

By-law Requirement	Proposal
Accessory retail sales to a business and professional office of a regulated health professional is not permitted.	To permit accessory retail sales to a business and professional office of a regulated health professional.

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

Application No.:	Description:	Status of Approval: Approved/Refused/Withdrawn/ OMB/Concurrent
A386/16	To permit a maximum 32% (1149 square meters) of the gross floor area of the building to be used for a regulated health professional use.	APPROVED
A127/15	(Max. of 80% of the Building (identified as 9131 Keele Street) to be occupied by the offices of a Regulated Health Professional).	APPROVED
B033/15	Consent: Easement	APPROVED
A414/06	1. Minimum landscaped strip abutting Keele Street (arterial road) = 6.0m. 2. Minimum rear yard setback and interior side yard = 0 m.	APPROVED

Application No.:	Description:	Status of Approval: Approved/Refused/Withdrawn/ OMB/Concurrent
	3. Gross floor area of the building within the lands as shown on Schedule E-814 (Concession 3, Part Lot 15) = 272.21 m <sup>2</sup> 4. Create a mutual driveway partially over the lands to the north.	

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: None**

### 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 July 28, 2021

Applicant confirmed posting of signage on July 29, 2021

Property Information	
Existing Structures	Year Constructed
Buildings A and B	2014

Applicant has advised that they cannot comply with By-law for the following reason(s): The current zoning of EM3 Retail Warehouse Employment Area Zone (Exception (9)167c) as per By-law 1-88, as amended, does not allow for accessory retail sales or eating establishments. Please refer to the attached Planning Justification Report for more details.

**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>.

A127/15 - permits regulated health professionals

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 ("VOP2010"): "Prestige Employment"

The Owner is requesting permission to operate accessory retail sales to a business and professional office of a regulated health professional.

In support of the application the Owner has submitted a Planning Justification Report ('PJR') prepared by Pound and Stewart Planning Consultants, dated May 2021, which assesses the appropriateness of the proposed variances. Development Planning staff concur with the PJR, specifically, with Policy 9.2.2.11 of VOP 2010 allowing accessory retail uses in direct association with a permitted employment use helping businesses achieve long-term vitality and economic viability. Although, a regulated health professional is typically not permitted in the EM3 Retail Warehouse Employment Area Zone by Zoning By-law 1-88, a previous Committee of Adjustment approval File A127/15 permitted the Owner to have a maximum of 80% of the building's (Buildings A and B) gross floor area ('GFA') to be occupied by a regulated health professional. With this said, the tenant (BMS Resources) meets the definition of a business and professional office of a regulated health professional and is requesting 72.5 m<sup>2</sup> of total GFA be used for retailing pre-packed and nutritional dry goods/foodstuffs to help service their patients.

The Development Planning Department has no objection to the proposed variance as the accessory retail space only occupies 12% of the total GFA (units 1A and 1B), representing less than 1% of the total building's GFA. Development Planning staff recognizes the property has direct frontage onto a major arterial road and is nested in-between commercial uses to the north, a place of worship and more traditional employment uses to

the south, thereby, establishing a transitioning area which is occupied by more contemporary employment related uses (i.e., health centre and business and professional offices). This is supported by the fact the new comprehensive zoning by-law zones this property “EMU – Employment Commercial Mixed-Use Zone” which permits a wide range of commercial uses including retail

The Development Planning Department has reviewed the application and is of the opinion that it 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.

**Development Engineering:**

The Development Engineering (DE) Department does not object to variance application A148/21.

**Parks Development - Forestry:**

Forestry has no comments at this time.

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

No comments received to date

**Development Finance:**

No comment no concerns

**Fire Department:**

No comments received to date

**Schedule A – Plans & Sketches**

**Schedule B – Public Correspondence**

Applicant Correspondence - Planning Justification Report

**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 A386/16

Consent Application B033/15

Minor Variance Application A127/15

Minor Variance Application A414/06

**Staff Recommendations:**

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

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

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

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

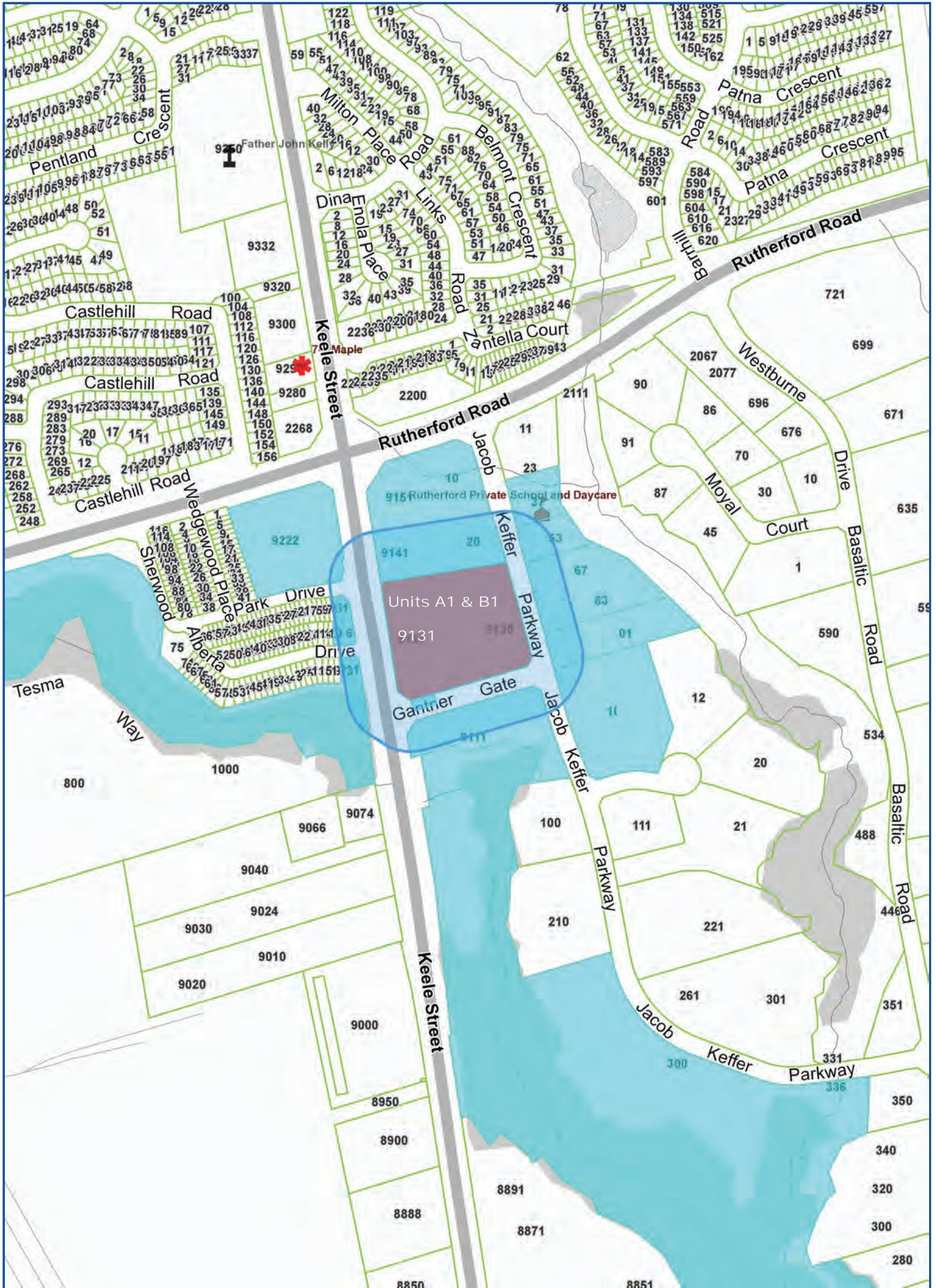
E [CofA@vaughan.ca](mailto:CofA@vaughan.ca)

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

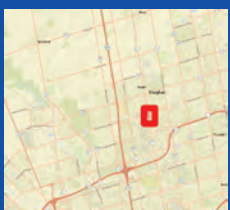
Please note that the correspondence listed in Schedule A is not comprehensive. Plans & sketches received after the preparation of this staff report will be provided as an addendum.

**Location Map**

**Plans & Sketches**



Map Information:



Title:

9131 Keele Street, Units A1, B1, Concord

# NOTIFICATION MAP - A148/21

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: 1:6,239

0 0.10 km



Created By:

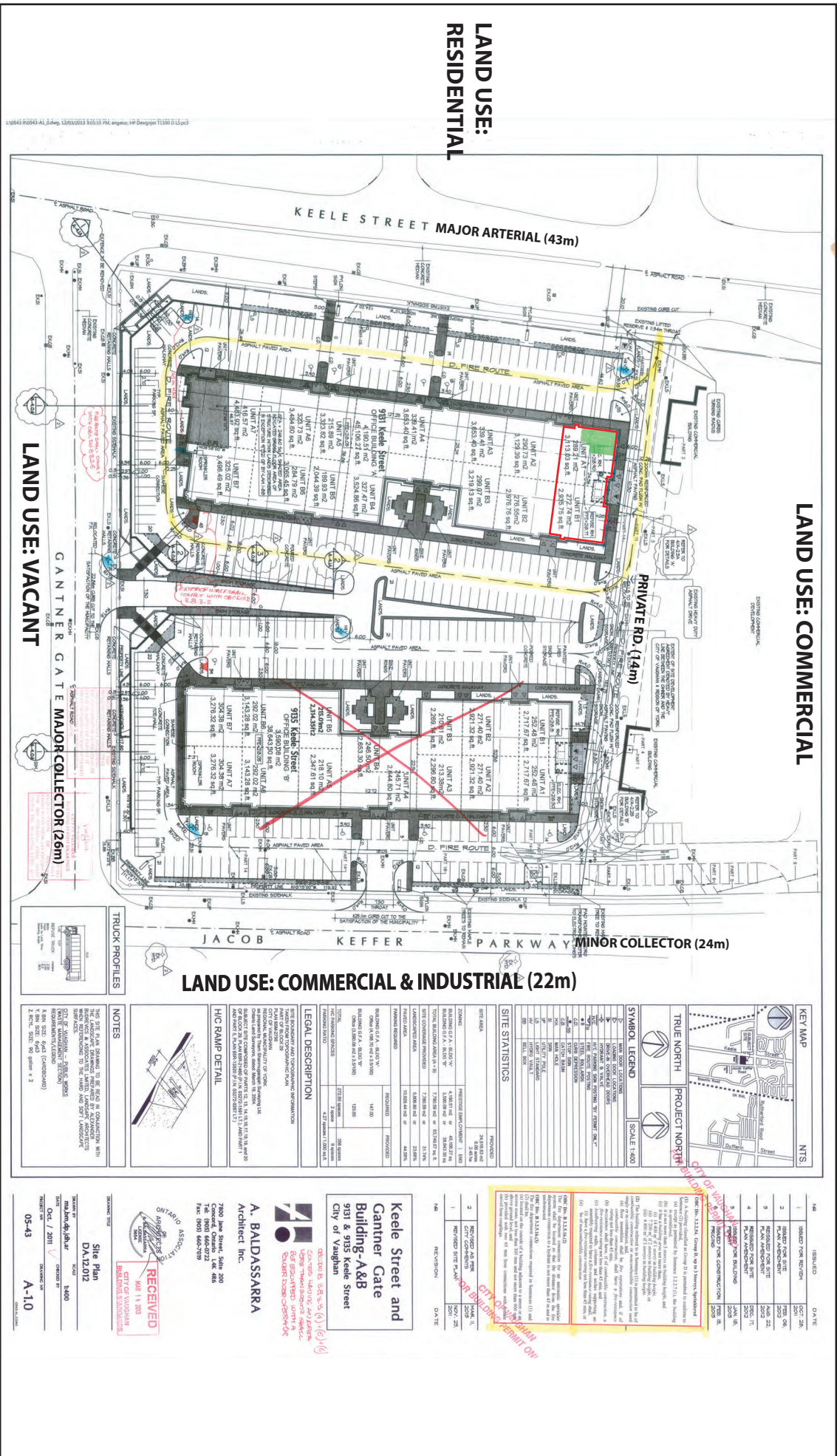
Infrastructure Delivery  
Department  
July 28, 2021 12:15 PM

Projection:  
NAD 83  
UTM Zone  
17N

**Proposal:**

1. To permit accessory retail sales to a business and professional office of a regulated health professional.

**SITE PLAN BY A. BALDASSARRA ARCHITECT INC. - 2013 9131  
KEELE ST. VAUGHAN**



**POUND & STEWART**  
PLANNING CONSULTANTS • CITYPLAN.COM

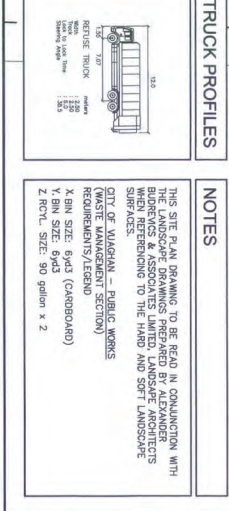
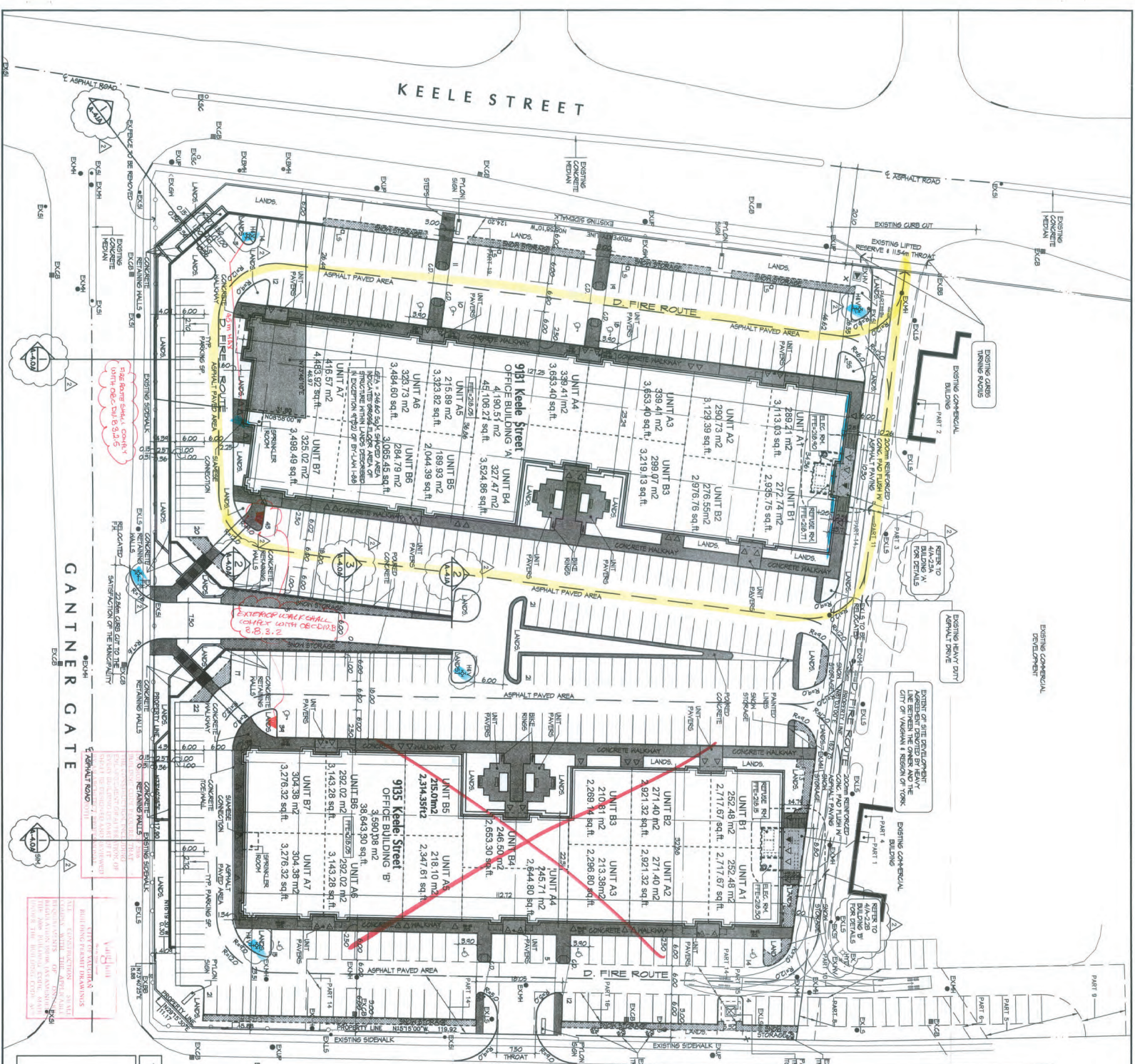
**CITYPLAN PORTAL**  
Helping People Shape Living, Working & Public Spaces

**A. BALDASSARRA**  
Architect Inc.  
7000 Jane Street, Suite 200  
Toronto, Ontario M3J 4K6  
Tel: (905) 660-0222  
Fax: (905) 660-0799

**RECEIVED**  
CITY OF VAUGHAN  
MAY 14 2013

**Site Plan**  
DA.12.012  
SCALE  
maldonado, jigar  
OCT. / 2011  
PROJECT NO.  
05-43  
DRAWING NO.  
A-10





SYMBOL	LEGEND	SCALE
▶	MAIN DOOR LOCATIONS	SCALE 1:400
▶	LOADING DOOR LOCATIONS	
▶	HYDRANT & VALVE LOCATIONS	
▶	H/C PARKING SIGN FOOTING TO PERMIT ONLY	
▶	FIRE ROUTE POSTING	
▶	DRIVE ROLLERS	
▶	STAIR EGRESS	
▶	CATCH BASIN	
▶	MAN HOLE	
▶	UTILITY POLE	
▶	HYDRANT STANDBY	
▶	HYDRANT WALK	
▶	BELL BOX	
▶	EXISTING SIDEWALK	
▶	EXISTING SIDEWALK TO SATISFACTION OF THE MUNICIPALITY	

SITE STATISTICS	
SITE AREA	PROVIDED
34,918.82 m <sup>2</sup>	0.24 ha
ZONING	PRESTIGE EMPLOYMENT 1 - B1B
BUILDING G.F.A. - BLOCK "B"	4,980.51 m <sup>2</sup> or 45,682.72 sq. ft.
BUILDING G.F.A. - BLOCK "A"	3,985.81 m <sup>2</sup> or 36,514.24 sq. ft.
TOTAL BUILDING AREA (A+B)	7,788.59 m <sup>2</sup> or 83,749.57 sq. ft.
SITE COVERAGE PROVIDED	31.74%
LANDSCAPED AREA	5,068.80 m <sup>2</sup> or 23,896.39 sq. ft.
PAVED AREA	10,209.44 m <sup>2</sup> or 44,595.31 sq. ft.
PARKING REQUIRED	REQUIRED
REQUIRED	PROVIDED
147.00	129.60
Other (4,100/100 m <sup>2</sup> x 3.5/100)	
129.60	
Other (3,500/100 m <sup>2</sup> x 3.5/100)	
TOTAL	277.56 spaces
H/C PARKING SERVICES	2 spaces
PARKING RATIO	4.27 spaces / 1,000 sq. ft.

LEGAL DESCRIPTION	
SITE BOUNDARY AND TOPOGRAHIC INFORMATION	
PART OF BLOCK "B"	
PART OF BLOCK "A"	
REGIONAL MUNICIPALITY OF YORK	
ON prepared by Thom Spanghera Surveying Ltd.	
General Land Survey, dated March 19, 2004.	
SUBJECT SITE COMPOSED OF PL 1N 0237-2087 LT 1, 14, 15, 16, 17, 18, 19 and 20 AND PART 5, PLAN 65R-1320 (P. 1N 0237-2087 LT 1)	

H/C RAMP DETAIL	
TRUCK PROFILE	TRUCK PROFILE
TRUCK PROFILE	TRUCK PROFILE
TRUCK PROFILE	TRUCK PROFILE
TRUCK PROFILE	TRUCK PROFILE

**NOTES**

THIS SITE PLAN DRAWING TO BE READ IN CONJUNCTION WITH THE CITY OF VAUGHAN STANDARD BUILDING STANDARDS PART OF BLOCK "B"

REGIONAL MUNICIPALITY OF YORK

ON prepared by Thom Spanghera Surveying Ltd.

General Land Survey, dated March 19, 2004.

SUBJECT SITE COMPOSED OF PL 1N 0237-2087 LT 1, 14, 15, 16, 17, 18, 19 and 20 AND PART 5, PLAN 65R-1320 (P. 1N 0237-2087 LT 1)

**KEY MAP**

**TRUE NORTH** PROJECT NORTH

**SCALE 1:400**

**SYMBOL LEGEND**

▶ MAIN DOOR LOCATIONS

▶ LOADING DOOR LOCATIONS

▶ HYDRANT & VALVE LOCATIONS

▶ H/C PARKING SIGN FOOTING TO PERMIT ONLY

▶ FIRE ROUTE POSTING

▶ DRIVE ROLLERS

▶ STAIR EGRESS

▶ CATCH BASIN

▶ MAN HOLE

▶ UTILITY POLE

▶ HYDRANT STANDBY

▶ HYDRANT WALK

▶ BELL BOX

▶ EXISTING SIDEWALK

▶ EXISTING SIDEWALK TO SATISFACTION OF THE MUNICIPALITY

NO.	ISSUED	DATE
1	ISSUED FOR REVIEW	OCT. 28, 2011
2	ISSUED FOR SITE PLAN AMENDMENT	FEB. 06, 2012
3	REISSUED FOR SITE PLAN AMENDMENT	AUG. 22, 2012
4	REISSUED FOR SITE PLAN AMENDMENT	DEC. 17, 2012
5	ISSUED FOR BUILDING PERMIT	JAN. 16, 2013
6	ISSUED FOR CONSTRUCTION PERMIT	FEB. 15, 2013

**LEGAL DESCRIPTION**

SITE BOUNDARY AND TOPOGRAHIC INFORMATION

PART OF BLOCK "B"

PART OF BLOCK "A"

REGIONAL MUNICIPALITY OF YORK

ON prepared by Thom Spanghera Surveying Ltd.

General Land Survey, dated March 19, 2004.

SUBJECT SITE COMPOSED OF PL 1N 0237-2087 LT 1, 14, 15, 16, 17, 18, 19 and 20 AND PART 5, PLAN 65R-1320 (P. 1N 0237-2087 LT 1)

**TRUCK PROFILES**

TRUCK PROFILE

TRUCK PROFILE

TRUCK PROFILE

TRUCK PROFILE

**KEY MAP**

**TRUE NORTH** PROJECT NORTH

**SCALE 1:400**

**SYMBOL LEGEND**

▶ MAIN DOOR LOCATIONS

▶ LOADING DOOR LOCATIONS

▶ HYDRANT & VALVE LOCATIONS

▶ H/C PARKING SIGN FOOTING TO PERMIT ONLY

▶ FIRE ROUTE POSTING

▶ DRIVE ROLLERS

▶ STAIR EGRESS

▶ CATCH BASIN

▶ MAN HOLE

▶ UTILITY POLE

▶ HYDRANT STANDBY

▶ HYDRANT WALK

▶ BELL BOX

▶ EXISTING SIDEWALK

▶ EXISTING SIDEWALK TO SATISFACTION OF THE MUNICIPALITY

NO.	ISSUED	DATE
1	ISSUED FOR SITE PLAN AMENDMENT	FEB. 06, 2012
2	REISSUED FOR SITE PLAN AMENDMENT	AUG. 22, 2012
3	REISSUED FOR SITE PLAN AMENDMENT	DEC. 17, 2012
4	ISSUED FOR BUILDING PERMIT	JAN. 16, 2013
5	ISSUED FOR CONSTRUCTION PERMITS	FEB. 15, 2013

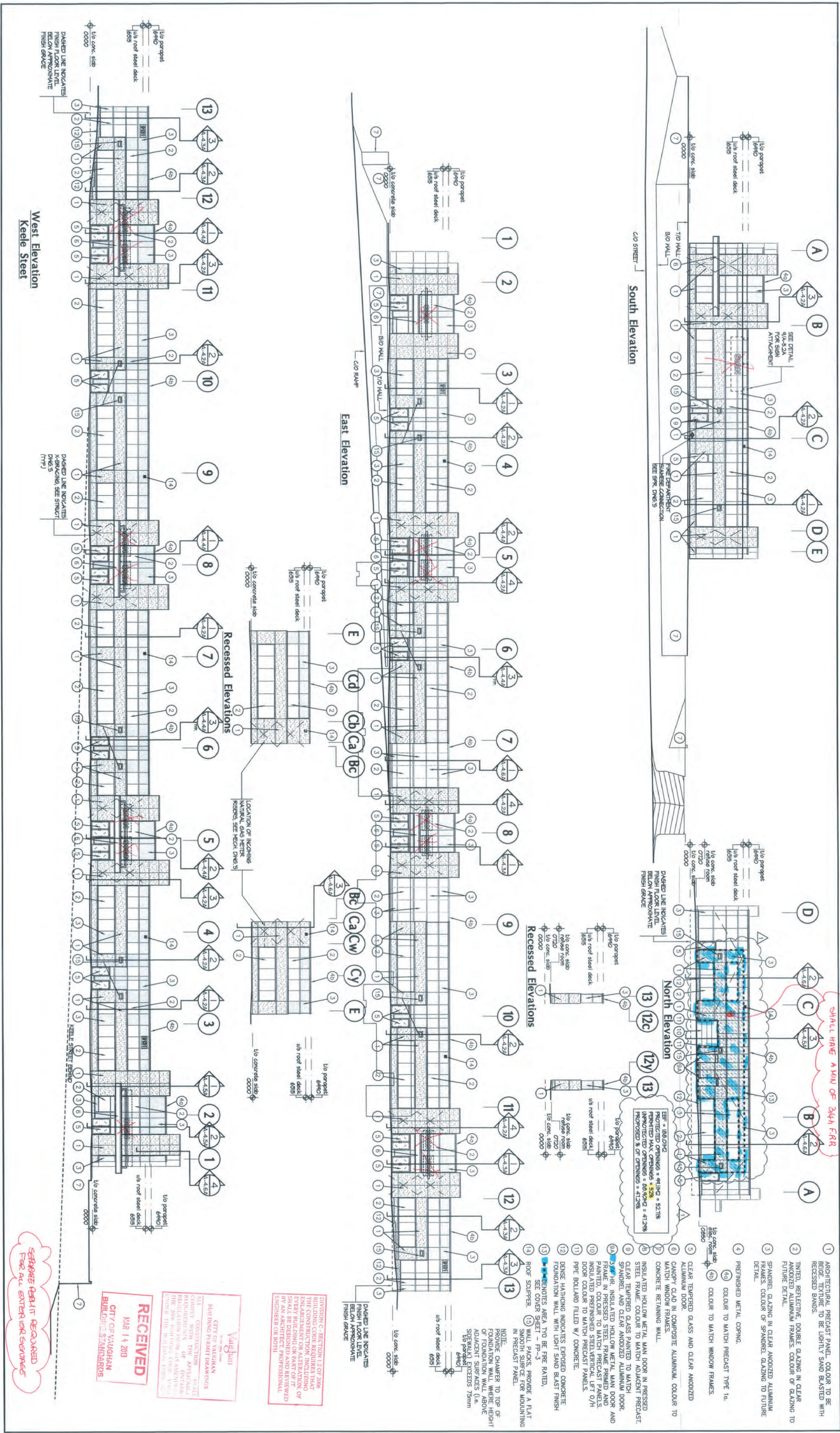
NO.	REVISION	DATE
1	REVISED AS PER CITY COMMENTS	MAR. 11, 2013

**Keele Street and Gantner Gate Building-A**  
9131 Keele Street  
City of Vaughan

**A. BALDASSARRA Architect Inc.**  
7800 Jane Street, Suite 200  
Concord, Ontario L4K 4K6  
Tel: (905) 660-0722  
Fax: (905) 660-7019



**External Building Elevations**  
DA-12.012  
DRAWN BY: AR  
SCALE: 1/200  
DATE: Nov. / 2011  
PROJECT NO: 05-43  
DRAWING NO: A-3.0A



*SEARCHED REBAR REQUIRED FOR ALL EXTERIOR SERVICES*

**RECEIVED**  
MAR 14 2013  
CITY OF VAUGHAN  
BUILDING STANDARDS

**VAUGHAN**  
CITY OF VAUGHAN  
BUILDING STANDARDS  
DIVISION C-SECTION 1.1 OF 2006 BUILDING CODE REQUIRES THAT ALL CONSTRUCTION SHALL BE COMPLETED WITHIN THE 2006 BUILDING CODE PERMITS. THE 2006 BUILDING CODE REQUIRES THAT ALL CONSTRUCTION SHALL BE COMPLETED WITHIN THE 2006 BUILDING CODE PERMITS.

*REVISION 2013.7.10) EBF SHALL HAVE A MIN OF 304H FRR*

## **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.

### **Applicant Correspondence - Planning Justification Report**

May 31, 2021

**BY EMAIL & REGULAR MAIL**

Vaughan City Hall - Office of the City Clerk  
Committee of Adjustment  
2141 Major Mackenzie Drive  
Vaughan, Ontario  
L6A 1T1

**Attn: Ms. Christine Vigneault, AMP, ACST, Secretary Treasurer**

**RE: Marsden Centre for Excellence in Integrative Medicine  
'BMS Resources Supplement and Tea' ('BMS')  
9131 Keele St., Units A1 & B1 - 'Keele Rutherford Corporate Centre'  
City of Vaughan, Region of York  
Our File 1902**

We are registered professional planning consultants, retained by 'BMS Resources Supplement and Tea' ('BMS') and are pleased to file this Minor Variance Application to permit accessory 'Retail Sales' for units A1 and B1 at 9131 Keele St., Vaughan under Zoning By-law 1-88, as amended.

BMS is an established company, and proposes to operate a professional dispensary with retail sales as an accessory use within the 'Marsden Centre for Excellence in Integrative Medicine' ('Marsden Health Centre') at the above captioned property. 'Marsden Health Centre' is a leader in integrative health services, including integrative cancer care, allergy treatment, whole health naturopathic and more, operating at the 'Keele Rutherford Corporate Centre' since 2015.

Please refer to the **Appendix 1** which includes prior Committee of Adjustment Notices of Decision in 2015 and 2016 confirming the permission for the a 'Regulated Health Professional' at this location.



**1.0 'BMS' IS PROPOSING ACCESSORY 'RETAIL SALES'**

BMS would like to complement their clients' experience by providing for the retail sale of pre-packaged and nutritional dry goods/foodstuffs at this location. These food stuffs are made and packaged off site and will facilitate their client's ability to acquire their speciality products in a convenient manner, relying on a small portion of floor space within the 'Marsden Health Centre'.

The intention of the 'BMS' accessory retail sales is not to sell products to persons directly off the street, or to create a destination for one-time sales, rather, it is to provide a single trip opportunity for the clients visiting the 'Marsden Health Centre' for their needs. The City Zoning By-law enforcement confirms the sale of retail foodstuff is not permitted at this location. See **Appendix 2.**

**2.0 SATISFYING THE FOUR (4) MINOR VARIANCE TESTS UNDER THE PLANNING ACT**

City Planning Staff advise that the BMS business objective to add accessory retail sales within the 'Marsden Health Centre' can be supported by way of a Minor Variance Application per the City's Zoning By-law 1-88, as amended, as noted above. A Zoning By-law Amendment is not required.

Please consider the following planning reasons in view of the four tests of a minor variance as described in the *Planning Act* as follows:

**1) The proposed Variance conforms to the general intent of the Vaughan Official Plan?**

Under the 'Prestige Employment' policies of the Vaughan Official Plan, as amended (VOP, 2010) per 2.2.4.7. it is the policy of Council:

*That limited retail uses may be located within Employment Areas to serve the day-to-day needs of surrounding businesses and their employees, in accordance with the policies of this plan.*

The proposed retail floor space is described as 'Ancillary' and/or 'Accessory' and will occupy 72.5 m2 (780 sq. ft.) of GFA, representing 12.9% of the total Gross Floor Area ('GFA') of combined units A1 and B1. Therefore, it is reasonable to acknowledge that this small retail sales operation conforms to the general intent of the Official Plan.



**2) Does the proposed Variance conform to the general intent of the Zoning By-law?**

This property is zoned EM3 (673c) – ‘Retail Warehouse Employment Area Zone’, subject to Exception 9 (673C) per the City of Vaughan Zoning By-Law 1-88, as amended.

This proposal is also warranted by the property’s locational attributes and proximity to existing service commercial retail uses. Thus, the proposed accessory retail sales component conforms with the general intent of the Zoning By-law. The proposed accessory retail sales component is completely indoors and is small in scale, not only to the leased area (about 12.9% GFA).

**3) Is the proposed Variance Deemed Minor?**

The proposed accessory retail sales will be completely indoors and is small in scale, at 12.9% of the GFA of Units 1A & 1B. In comparison with the scale of the ‘Keele Rutherford Corporate Centre’, a multi-unit business facility, the proposed accessory retail sales component will be less than 1% of the GFA.

**4) Is the proposed Variance desirable for the appropriate development of the lands in question?**

Operating a professional dispensary, with retail sales as an accessory use, will enhance the BMS client experience by providing for convenient access to the pre-packaged food products as endorsed by ‘Marsden Health Centre’ in support of health benefits objectives. These goods are not readily available elsewhere, and are complementary to this health centre’s service, and bolster a more complete service to clients, by avoiding unnecessary travel elsewhere to obtain these goods.

**3.0 MINOR VARIANCE APPLICATION REQUIREMENTS**

- One duly completed Minor Variance Application Form and its authorization requirements;
- A payment in the amount of \$3,560, payable to the City of Vaughan;
- Proposed Floor Plan of Units A1 & B1 at 9131 Keele St., City of Vaughan;
- A ‘Planning Justification Report’.



## 4.0 CONCLUSIONS & RECOMMENDATION

As a Registered Professional Planner, I am of the opinion that the Minor Variance sought is desirable for the appropriate planned function and development of this property and further that the proposed Minor Variance;

- is consistent with the Provincial Policy Statement, 2020;
- is in conformity with the Growth Plan for the Greater Golden Horseshoe, 2020;
- is in conformity with the Region of York Official Plan;
- complies with the general intent and purpose of the City of Vaughan Official Plan and the achievement and proper implementation of the City's Official Plan goals and objectives;
- complies with the general intent and purpose of Zoning By-law 1-88, as amended, as zoned EM3 – 'Retail Warehouse Employment Area Zone'.

In conclusion, the planned function of the subject property represents orderly and desirable Employment Area development, and subject to the approval of this Minor Variance Application, will comply with public planning policy and regulatory objectives in my opinion. Our client's business objective to operate a professional dispensary with an accessory retail service within the 'Marsden Health Centre' is minor in nature, and meets the general intent of VOP 2010, as amended, and the general intent of Zoning By-law 1-88, as amended

It is recommended that the Minor Variance sought be approved, subject to any appropriate conditions applied by the Committee of Adjustment.

Thank-you in advance for your co-operation and we look forward to the processing of this Committee of Adjustment Minor Variance application at your earliest convenience.

Yours truly,  
Pound & Stewart Associates Limited



Philip Stewart MCIP, RPP

/la.1902ltr.May.31.2021

Appendices and Figures as noted herein.

cc. Ms. M. Holyday, Sr. Planner, City of Vaughan (by email)  
cc. Mr. M. Torres, Planner 1, City of Vaughan (by email)  
cc. client



# PLANNING JUSTIFICATION REPORT

## MINOR VARIANCE APPLICATION 9131 KEELE ST., VAUGHAN

MAY 2021



**POUND & STEWART**

PLANNING CONSULTANTS • CITYPLAN.COM

**CITYPLAN+PORTAL®**

Helping People Shape Living, Working & Public Spaces



**Planning Justification Report on behalf of ‘BMS Resources’  
9131 Keele St., Units A1 & B1  
City of Vaughan**

---

**1.0 INTRODUCTION & PURPOSE**

We are retained as registered professional planning consultants on behalf of ‘BMS Resources Supplement and Tea’ (hereon referred to as ‘BMS Resources’) and are pleased to provide our ‘Planning Justification Report’ concerning their lease of combined Units A1 and B1, comprising part of the ‘Keele Rutherford Corporate Centre’, located at 9131 Keele St. City of Vaughan. This property is owned and managed by Melrose Investments.

‘BMS’ proposes to operate a professional dispensary with retail sales as an accessory use within the ‘Marsden Centre For Excellence in Integrative Medicine’ (‘Marsden Health Centre’) at the above captioned property. ‘Marsden Health Centre’ is a leader in integrative health services, including integrative cancer care, allergy treatment, whole health naturopathic and more, operating at the ‘Keele Rutherford Corporate Centre’ since 2015.

‘BMS Resources’ offers integrative health services to a diverse client base, and with the approval of the Committee of Adjustment, City of Vaughan, will provide accessory ‘Retail Sales’ in the form of retailing pre-packaged and nutritional dry goods/foodstuffs.

The ‘Keele Rutherford Corporate Centre’ property is 2.45 ha (6.06 ac) and is located in the North Central part of the City of Vaughan. Please refer to **Image 1**.

**2.0 PROPERTY CONTEXT – 9131 KEELE STREET**

The ‘Keele Rutherford Corporate Centre’ property is ‘square’ shaped, being about 7.7 ha (19.0 ac.) in land area, exhibiting superior accessibility, as it fronts onto three roads, Keele Street, Gantner Way and Jacob Keefer Parkway. It is located in the north-central part of the City of Vaughan and is managed by Melrose Investments, and ‘Marsden Health Centre’ is a tenant occupying combined Units A1 and B1. **Images 2 and 3** describe the ‘Keele Rutherford Corporate Centre’ property signage and the ‘Marsden Health Centre’ façade/entranceway respectively.

Please refer to **Image 4: Local Community Context**. The topography of this industrial/commercial property is relatively flat, supporting two similar ‘rectangular’ shaped commercial buildings with attractive façades, known as 9131 and 9135 Keele Street, serving a broad array of business uses. The two buildings comprising this property are ‘rectangular’ in shape and have a combined GFA of about 7,781 m<sup>2</sup> (83,760 sq. ft.)

The building where ‘BMS Resources’ is located, known as ‘Building A’ has a GFA of 4190.5 m<sup>2</sup>, ‘Building B’ has a GFA of 3590 m<sup>2</sup>. Please see **Table 1: Site Statistics**.

**IMAGE 1: COMMUNITY CONTEXT  
9131 KEELE ST. VAUGHAN**



**LEGEND**

 9131 KEELE ST.

**POUND & STEWART**  
PLANNING CONSULTANTS • CITYPLAN.COM  
**CITYPLAN+PORTAL**  
Helping People Shape Living, Working & Public Spaces

IMAGE 2: KEELE RUTHERFORD CORPORATE CENTRE  
9131 KEELE ST. VAUGHAN



LEGEND



9131 KEELE ST.

POUND & STEWART  
PLANNING CONSULTANTS • CITYPLAN.COM  
CITYPLAN+PORTAL®  
Helping People Shape Living, Working & Public Spaces

**IMAGE 3: MARSDEN HEALTH CENTRE UNIT A1, FRONTING KEELE ST.  
9131 KEELE ST. VAUGHAN**



**LEGEND**



9131 KEELE ST.

**POUND & STEWART**  
PLANNING CONSULTANTS • CITYPLAN.COM  
**CITYPLAN+PORTAL**  
Helping People Shape Living, Working & Public Spaces

IMAGE 4: LOCAL COMMUNITY CONTEXT  
9131 KEELE ST. VAUGHAN



**LEGEND**

 9131 KEELE ST.

**POUND & STEWART**  
PLANNING CONSULTANTS • CITYPLAN.COM

**CITYPLAN+PORTAL**  
Helping People Shape Living, Working & Public Spaces

**Planning Justification Report on behalf of 'BMS Resources'**  
**9131 Keele St., Units A1 & B1**  
**City of Vaughan**

---

**TABLE 1: Site Statistics – 9131 KEELE STREET UNITS A1 & B1**

VOP, 2010, as amended – 'Prestige Employment'	Tenure	Gross Floor Area
<b>Zoning By-law 1-88, as amended - EM3 - RETAIL WAREHOUSE EMPLOYMENT AREA ZONE</b>		
9131 Keele Street – Unit A1	Leased	289.21 m2 (3,113.03 sq. ft.)
9131 Keele Street – Unit B1	Leased	272.74 m2 (2,935.75 sq. ft.)
<b>Total Gross Floor Area Combined</b>		<b>561.95 m2 (6,048.78 sq. ft.)</b>
<b>Note: Accessory and/or Ancillary Retail at 72.5 m2 (780 sq. ft.) represents 12.9% of the Leased GFA</b>		
<b>Note: Accessory and/or Ancillary Retail at 72.5 m2 (780 Sq. Ft.) represents less than 1% of the 'Keele Rutherford Corporate Centre' GFA</b>		

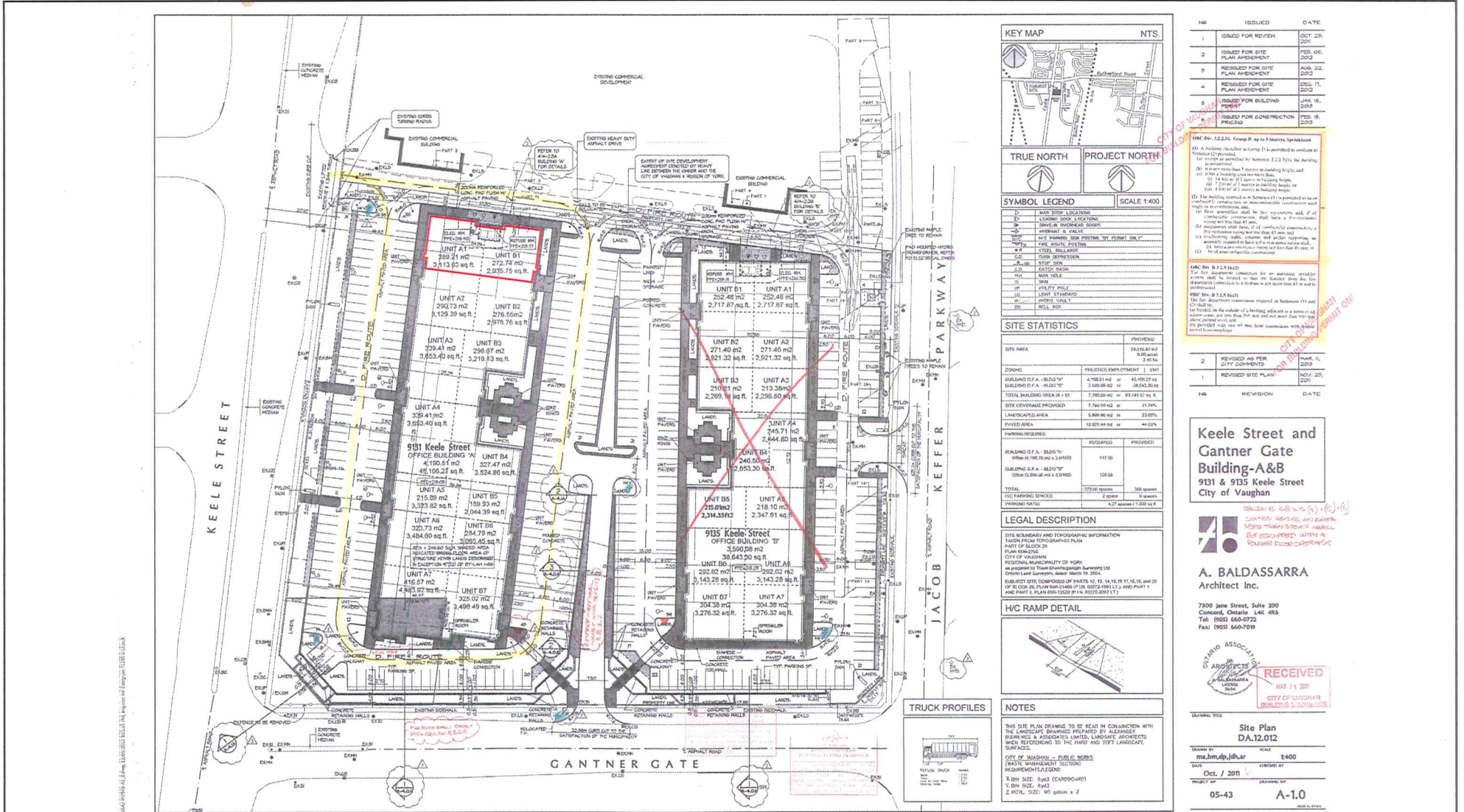
**3.0 'BMS RESOURCE' USE OF 9131 KEELE ST. UNITA A1 & B1**

Units A1 and B1 at 9131 Keele St. are located at the north end of the existing building 'A' and Units A1 and B1 measures 561.95 m2 (6,048.78 sq. ft.) in Gross Floor Area ('GFA'). See Figure 1. 'BMS Resources' has been using Units A1 and B1 of 9131 Keele St. for integrative health services since 2015. In 2015 a Notice of Decision was passed to allow for 'Regulated Health Professional Occupancy' in 9131 Keele Street, see Appendix 1.

'Retail Sales' is a proposed accessory use to the primary health service which 'BMS Resources' provides at the subject property. The accessory 'Retail Sales' use will allow 'BMS Resources' to better provide a wholistic and complete experience for their clients. A Zoning Search for Municipal License conducted in 2019 confirmed that 'Retail Sales' was not a permitted use, see Appendix 2.

Units A1 and B1 measures a combined 561.95 m2 (3,005.65 sq. ft.) in Gross Floor Area ('GFA'). The 'Retail Sales' portion of this facility will occupy 72.5 m2 (780 sq. ft.), representing 12.9% of the total GFA of Units A1 & B1. See Figure 2 - Site Plan by A. Baldassarra Architect Inc. where the 'Retail Sales' area is highlighted.

**FIGURE 1: SITE PLAN BY A. BALDASSARRA ARCHITECT INC. - 2013  
9131 KEELE ST. VAUGHAN**

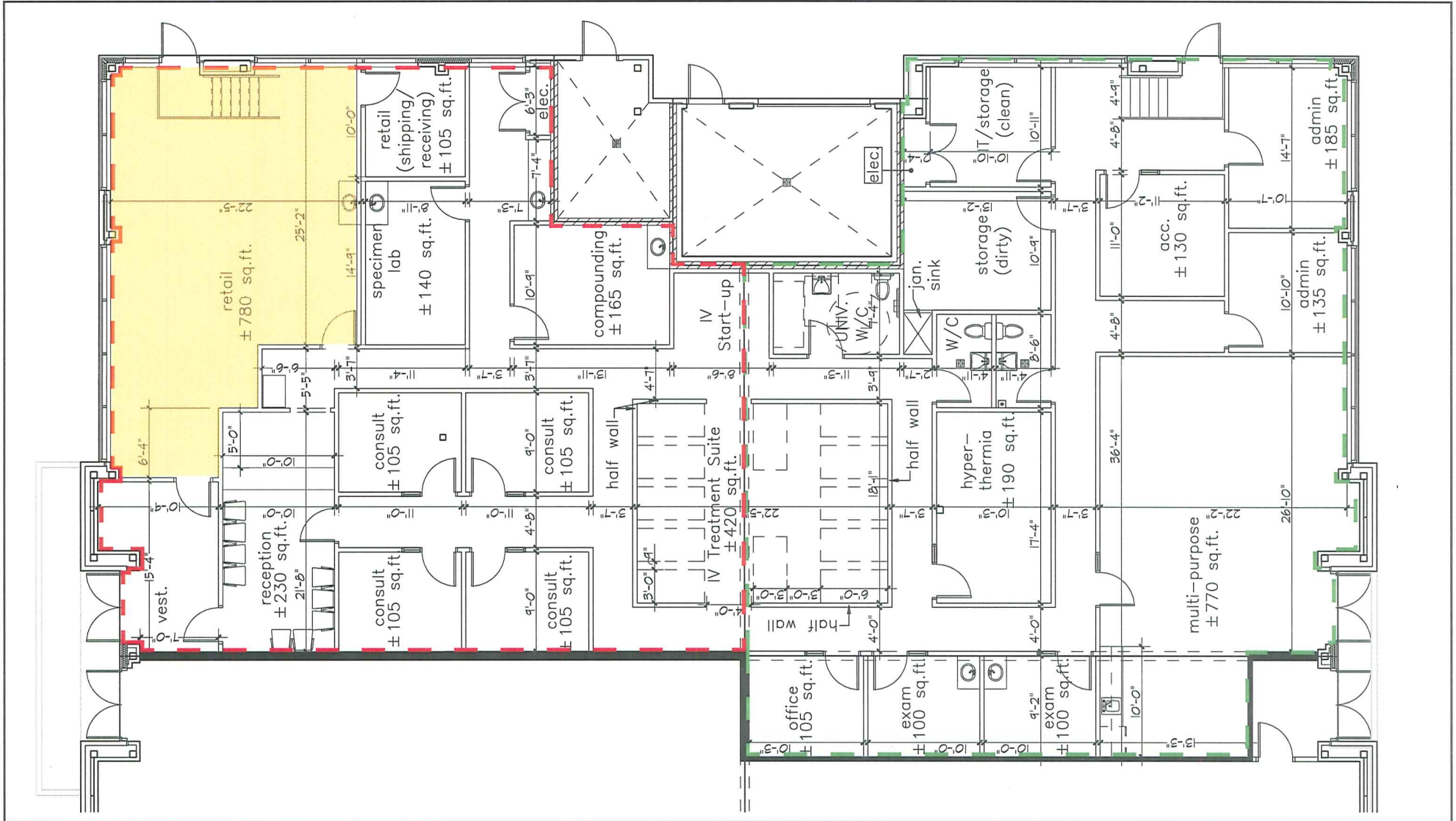


**LEGEND**  
 9131 KEELE ST., UNIT A1 & B1

**POUND & STEWART**  
PLANNING CONSULTANTS • CITYPLAN.COM

**CITYPLAN+PORTAL**  
Helping People Shape Living, Working & Public Spaces

**FIGURE 2: FLOOR PLAN BY A. BALDASSARRA ARCHITECT INC.  
9131 KEELE ST., UNITS A1 & B1, VAUGHAN**



**LEGEND**

- 9131 KEELE ST., UNIT A1
- 9131 KEELE ST., UNIT B1
- RETAIL SPACE (72.46m<sup>2</sup>, 780SqFt)

**POUND & STEWART**  
 PLANNING CONSULTANTS • CITYPLAN.COM  
**CITYPLAN+PORTAL®**  
 Helping People Shape Living, Working & Public Spaces



**Planning Justification Report on behalf of 'BMS Resources'**  
**9131 Keele St., Units A1 & B1**  
**City of Vaughan**

---

**3.1 LOCAL COMMUNITY CONTEXT**

This property is located within a developed area of the City, dominated by industrial and commercial uses per the attached **Image 4: 9131 Keele St., City of Vaughan**.

**To the north:** To the north of the property is a commercial plaza, followed by Rutherford Road and a residential neighbourhood. The commercial area to the north of the 'Keele Rutherford Corporate Centre' shares a mutual access driveway, located between Keele Street and Jacob Keffer Parkway, the retail commercial lands to the north, which are predominantly convenience restaurant - food outlets.

**To the east:** To the east of the property is multiple industrial and commercial developments and a natural feature.

**To the west:** To the west of the property is Keele St., followed by a residential neighbourhood and a natural feature.

**To the south:** To the south of the property is a natural feature followed by industrial and commercial developments.

**4.0 PROVINCIAL LAND USE PLANNING CONTEXT**

Under the Provincial land use planning hierarchy, all lands in the Greater Toronto Area are subject to Provincial Policy Statement ('PPS, 2020') per the *Planning Act* Section 3. The PPS 2020 requires that decisions affecting land use planning matters '*shall be consistent with*' the PPS 2020, including policy directions on all matters of 'Provincial Interest', some of which are noted above in Section 3.1. While protecting the environment, public health and safety, the PPS 2020 supports intensification and re-development where appropriate, to promote the efficient use of land, where infrastructure and public services are readily available.

In particular, Section 1.0 of the PPS 2020 includes policy direction related to "*Building Strong Communities*", encouraging a variety of land uses within compact communities in order to make the use of infrastructure and transit more efficient. Broadening land use improves accessibility and minimizes travels where more products and services are readily available.

The Growth Plan, 2020, as amended, recognizes this property as being within the 'Built-up Area - Conceptual' per Schedules 2, 4, 5 and 6. This property is, along with adjacent lands, located

**Planning Justification Report on behalf of ‘BMS Resources’  
9131 Keele St., Units A1 & B1  
City of Vaughan**

---

within a ‘Provincially Significant Employment Zone’ (‘PSEZ’) known as ‘York, Zone 10’, per the Ministry of Municipal Affairs and Housing. The latest ‘PSEZ’ report provided by the Province is December 2019. **Figure 3**

The property is in relatively close proximity to Provincial Highways 400 and 407 for enhanced regional accessibility to the health services offered by ‘BMS Resources – Health Centre’.

**5.0 REGION OF YORK LAND USE PLANNING CONTEXT**

The Region of York Official Plan 2010, as amended, office consolidation, designates the subject land as ‘Urban Area’, and along Keele Street with a r.o.w of up to 43m, and is in proximity to Rutherford Road, both identified as Regional Corridors, per the Regional Structure.

**6.0 CITY OF VAUGHAN LAND USE PLANNING CONTEXT**

The City of Vaughan Official Plan, 2010, as amended, provides the following land use policy direction of interest as it relates to the property:

**Figure 4: Schedule 1 – Urban Structure**

Identifies the property as being located within ‘Employment Areas’ designation.

**Figure 5: Schedule 1a – Urban Area**

Identifies the property as being located within the ‘Urban Area’.

**Figure 6: Schedule 2 – Natural Heritage Network**

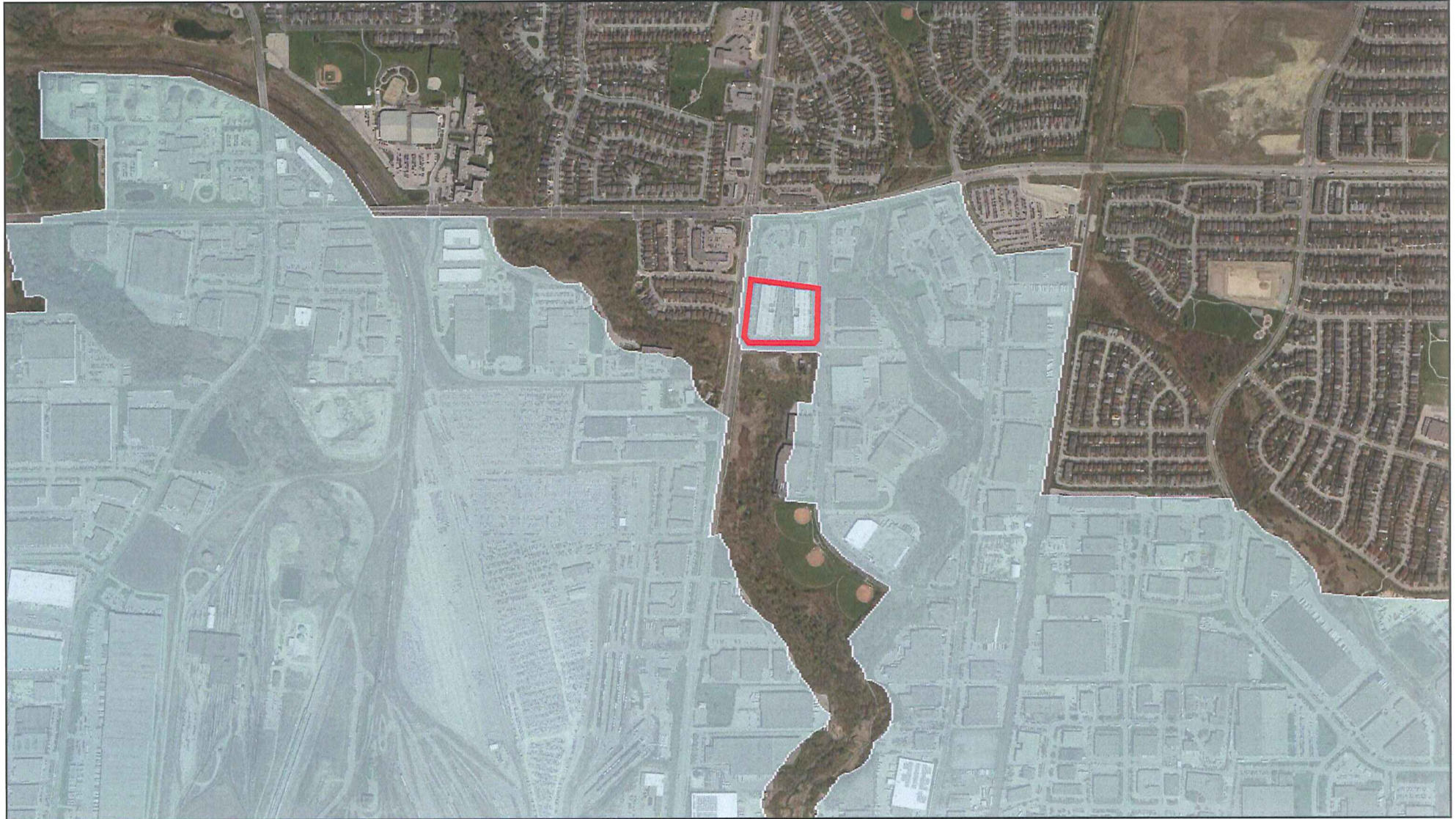
Identifies the property as being outside the ‘Natural Heritage Network’.

**Figure 7: Schedule 9 – Future Transportation Network**


Identifies the property abutting the following roads:


- Keele Street – Major Arterial Road frontage measures approximately 155 m (508 ft.).
- Gantner Way - Major Collector Road frontage measures approximately 170 m (558 ft.).
- Jacob Keefer Parkway – Minor Collector Road frontage measures approximately 130 m (426 ft.).

**FIGURE 3: PROVINCIALY SIGNIFICANT EMPLOYMENT ZONE 'PSEZ' NO. 10 (YORK)  
MINISTER OF MUNICIPAL AFFAIRS AND HOUSING (DECEMBER 2019)  
9131 KEELE ST. VAUGHAN**



**LEGEND**

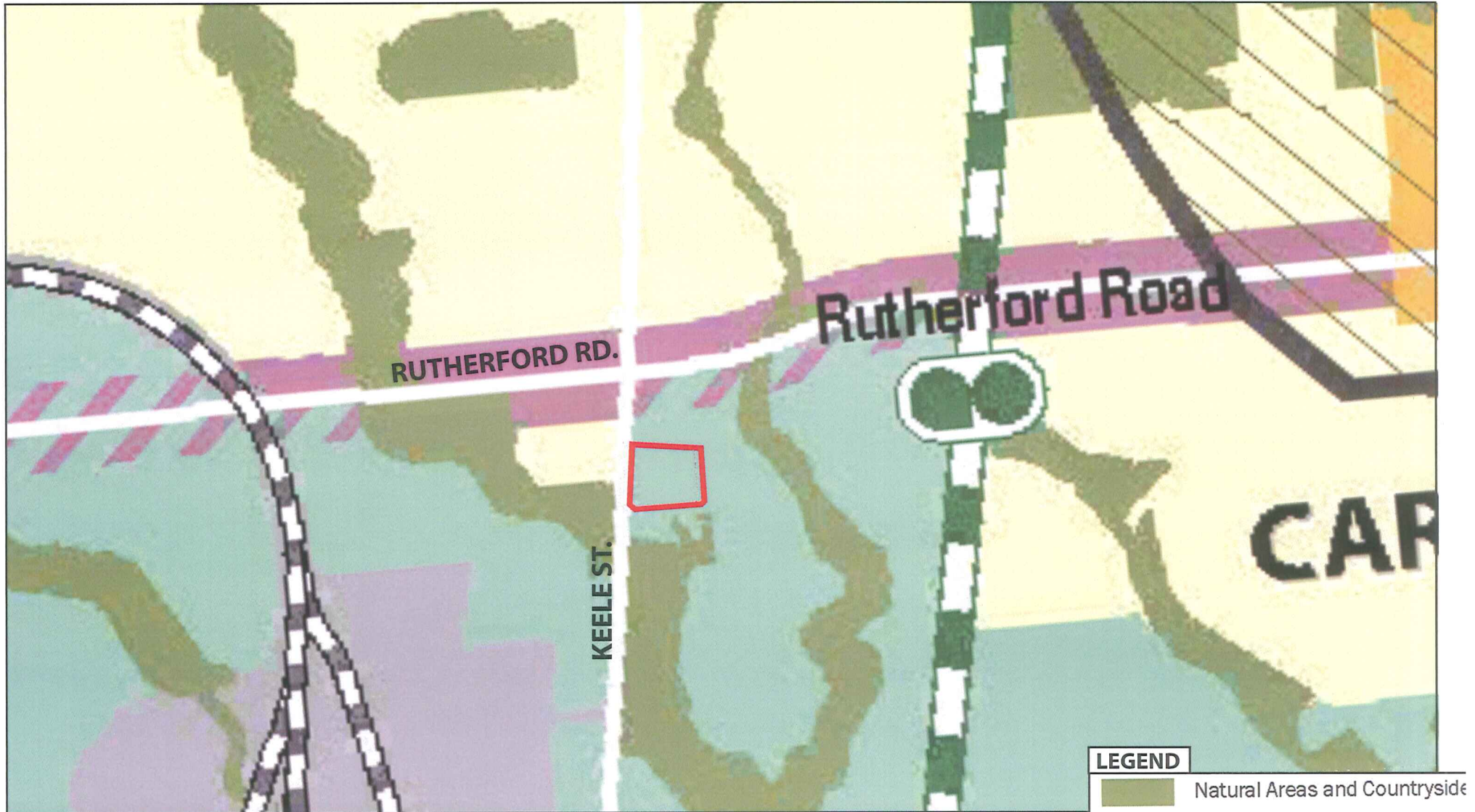
 9131 KEELE ST.


 PSEZ 10 YORK

**POUND & STEWART**  
PLANNING CONSULTANTS • CITYPLAN.COM

**CITYPLAN+PORTAL®**  
Helping People Shape Living, Working & Public Spaces

**FIGURE 4: SCHEDULE 1 - URBAN STRUCTURE  
VAUGHAN OFFICIAL PLAN 2010, AS AMENDED  
9131 KEELE ST. VAUGHAN**



**LEGEND**  
 9131 KEELE ST



**POUND & STEWART**  
 PLANNING CONSULTANTS • CITYPLAN.COM  
**CITYPLAN+PORTAL**  
 Helping People Shape Living, Working & Public Spaces


**LEGEND**

-  Natural Areas and Countryside
-  Community Areas
-  New Community Areas
-  Employment Areas
-  Rail Facilities

**FIGURE 5: SCHEDULE 1a - URBAN AREA  
VAUGHAN OFFICIAL PLAN 2010, AS AMENDED  
9131 KEELE ST. VAUGHAN**



**LEGEND**

 9131 KEELE ST









**POUND & STEWART**  
PLANNING CONSULTANTS • CITYPLAN.COM

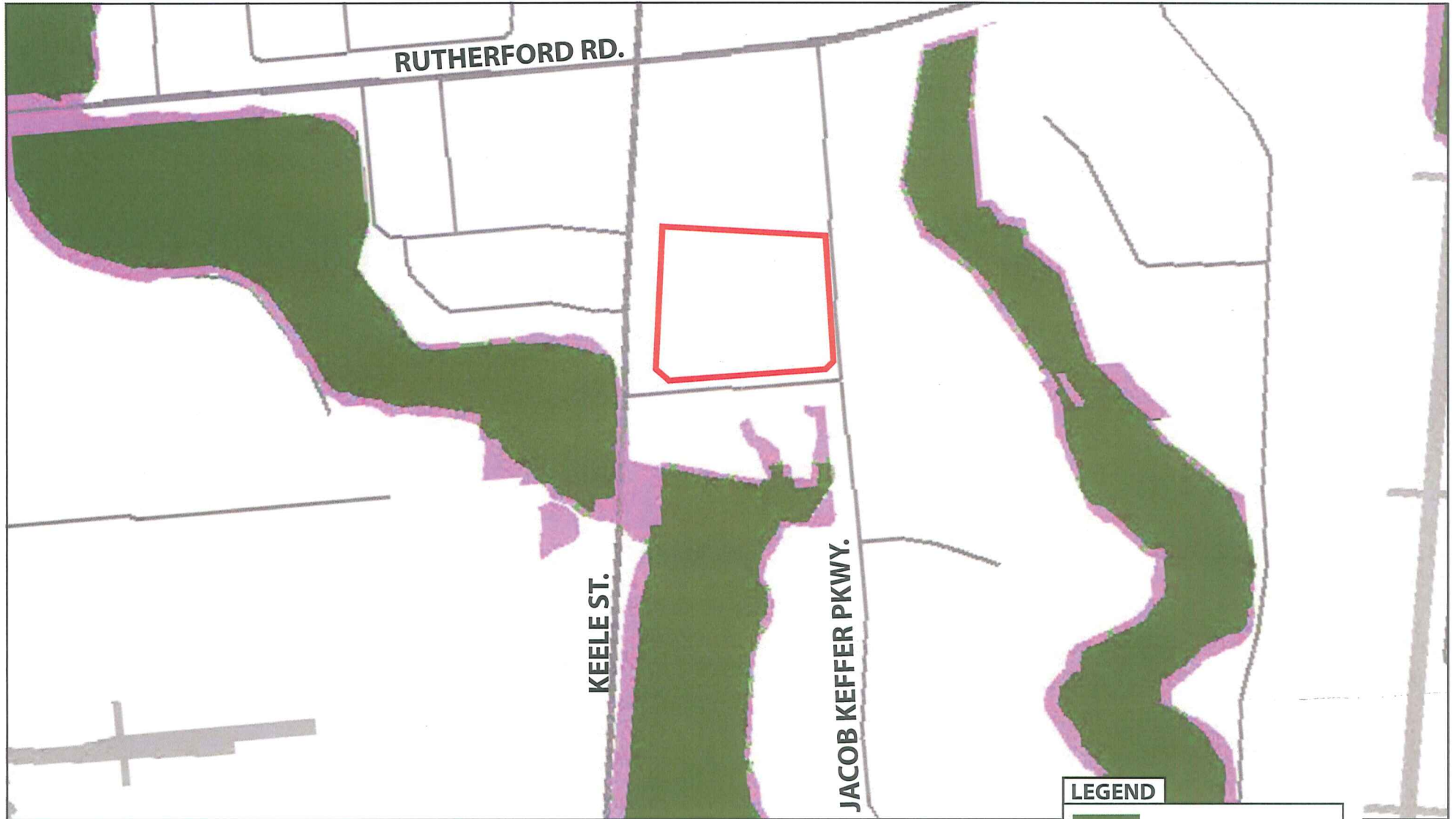
---

**CITYPLAN+PORTAL**  
Helping People Shape Living, Working & Public Spaces

**LEGEND**

-  Urban Boundary
-  Growth Plan 2006 Built Boundary
-  Urban Area
-  Non-Urban Area
-  Greenbelt Plan Area<sup>1</sup>
-  Oak Ridges Moraine Conservation Plan Area<sup>1</sup>

**FIGURE 6: SCHEDULE 2 - NATURAL HERITAGE NETWORK  
VAUGHAN OFFICIAL PLAN 2010, AS AMENDED  
9131 KEELE ST. VAUGHAN**







**LEGEND**  
 9131 KEELE ST



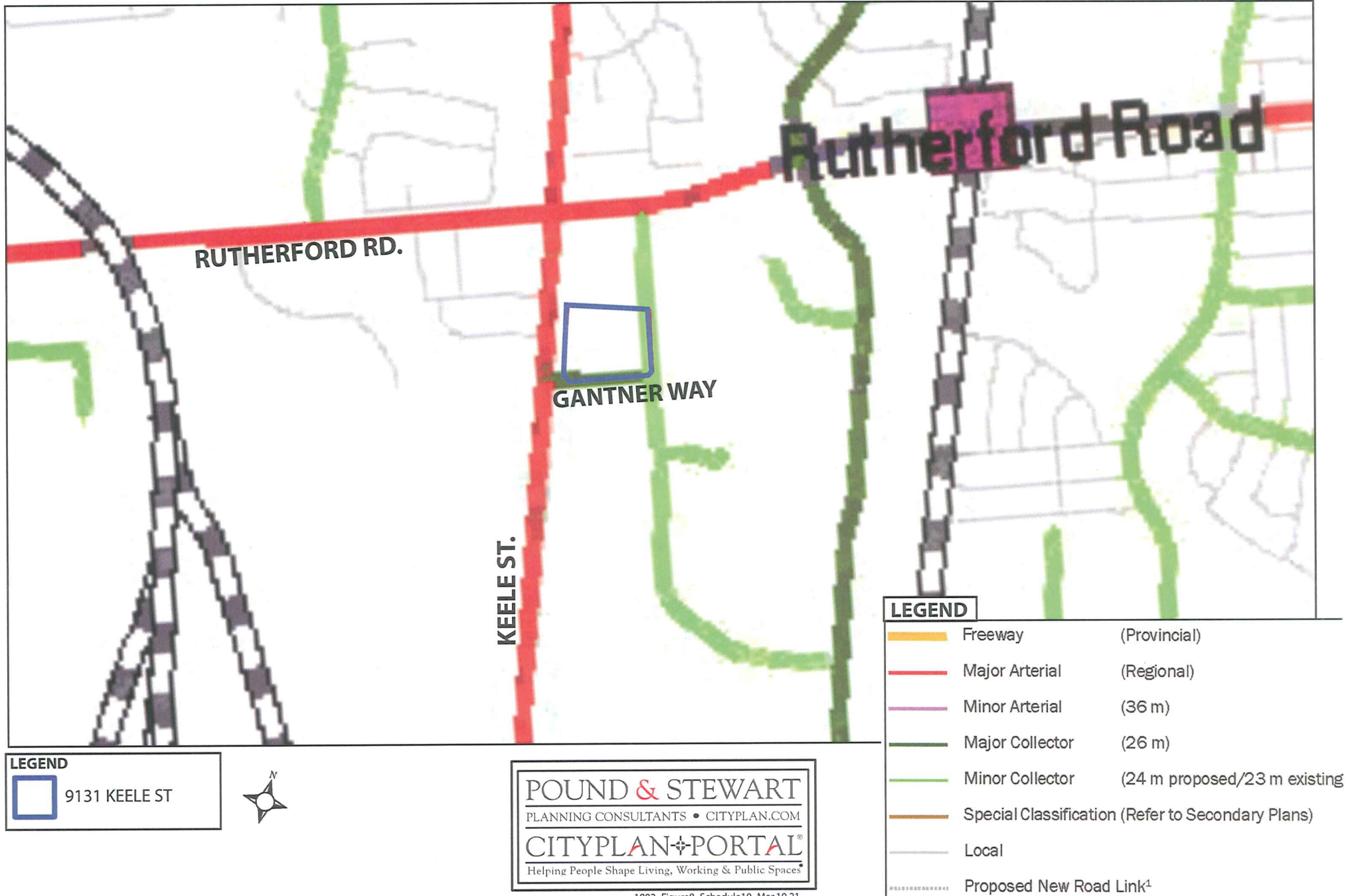
**POUND & STEWART**  
 PLANNING CONSULTANTS • CITYPLAN.COM  
**CITYPLAN+PORTAL®**  
 Helping People Shape Living, Working & Public Spaces

1902 Figure7 Schedule2 Mar.17.21

**LEGEND**

-  Core Features
-  Enhancement Areas
-  Built-Up Valley Lands<sup>1</sup>
-  Unapproved<sup>3</sup>

**FIGURE 7: SCHEDULE 9 - FUTURE TRANSPORTATION NETWORK  
VAUGHAN OFFICIAL PLAN 2010, AS AMENDED  
9131 KEELE ST. VAUGHAN**



**Planning Justification Report on behalf of 'BMS Resources'**  
**9131 Keele St., Units A1 & B1**  
**City of Vaughan**

---

**Figure 8: Schedule 10 – Major Transit Network**

Identifies the property located along Keele St. and proximate to Rutherford Road, where both are identified as a 'Regional Transit Priority Network'.

The Rutherford GO Station is also proximate to the property, being located about 700 m away, and technically the 'Keele Rutherford Corporate Centre' is potentially located within a Major Transit Station Area ('MTSA'). 'MTSA' status typically provides opportunities and further planning justification for broadening of land use in terms of the provincial planning policies.

**Figure 9: Schedule 13 – Land Use**

Designates the land use of the property 'Prestige Employment'.

**6.1 LAND USE POLICIES: VAUGHAN OFFICIAL PLAN (VOP 2010, AS AMENDED)**

The City of Vaughan Official Plan, 2010, as amended, describes the 'Employment Areas' in policy 2.2.4 as follows:

*Employment Areas are intended for the use of economic activities that require separation from other uses in order to achieve their maximum potential. While Vaughan is anticipated to see significant job growth in Employment Areas, they are considered Stable Areas and their planned function for economic activity related to industrial, manufacturing, warehousing and some offices uses is to be maintained. In order to continue Vaughan's success at attracting the kind of economic activity that requires a location in Employment Areas, the City's Employment Areas must be protected from encroaching non-employment uses that would serve to destabilize their planned function, including residential and major retail uses. Office uses are permitted in Employment Areas subject to locational and site criteria as set out in the land use designations of Chapter 9.*

Per 2.2.4.7. it is the policy of Council:

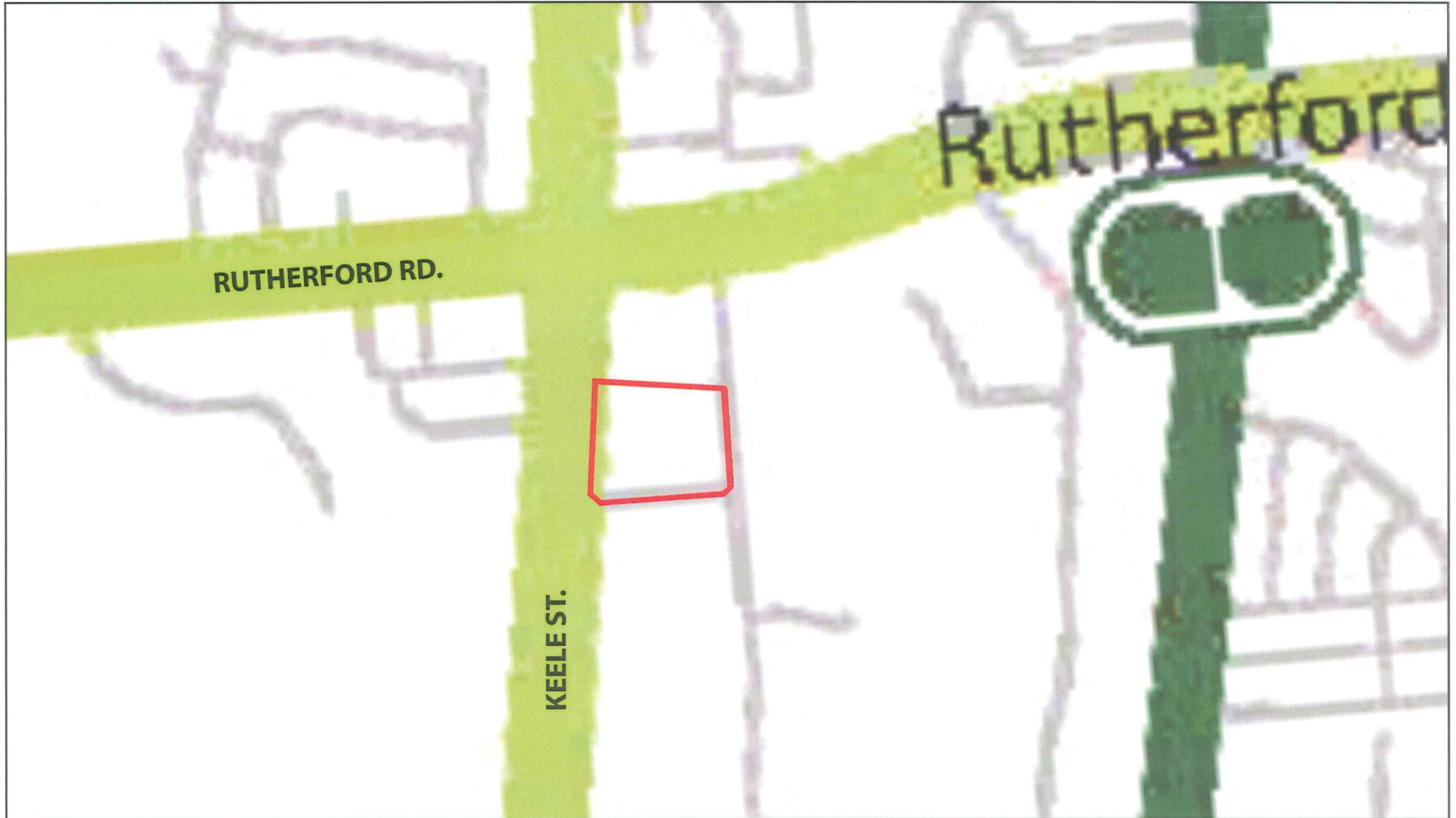
*That limited retail uses may be located within Employment Areas to serve the day-to-day needs of surrounding businesses and their employees, in accordance with the policies of this plan.*

Per 5.1.2.3. it is the policy of Council:


*To support the long-term flexibility, vitality and competitiveness of Employment Areas by:*



**FIGURE 8: SCHEDULE 10 - MAJOR TRANSIT NETWORK  
VAUGHAN OFFICIAL PLAN 2010, AS AMENDED  
9131 KEELE ST. VAUGHAN**




**LEGEND**


 9131 KEELE ST



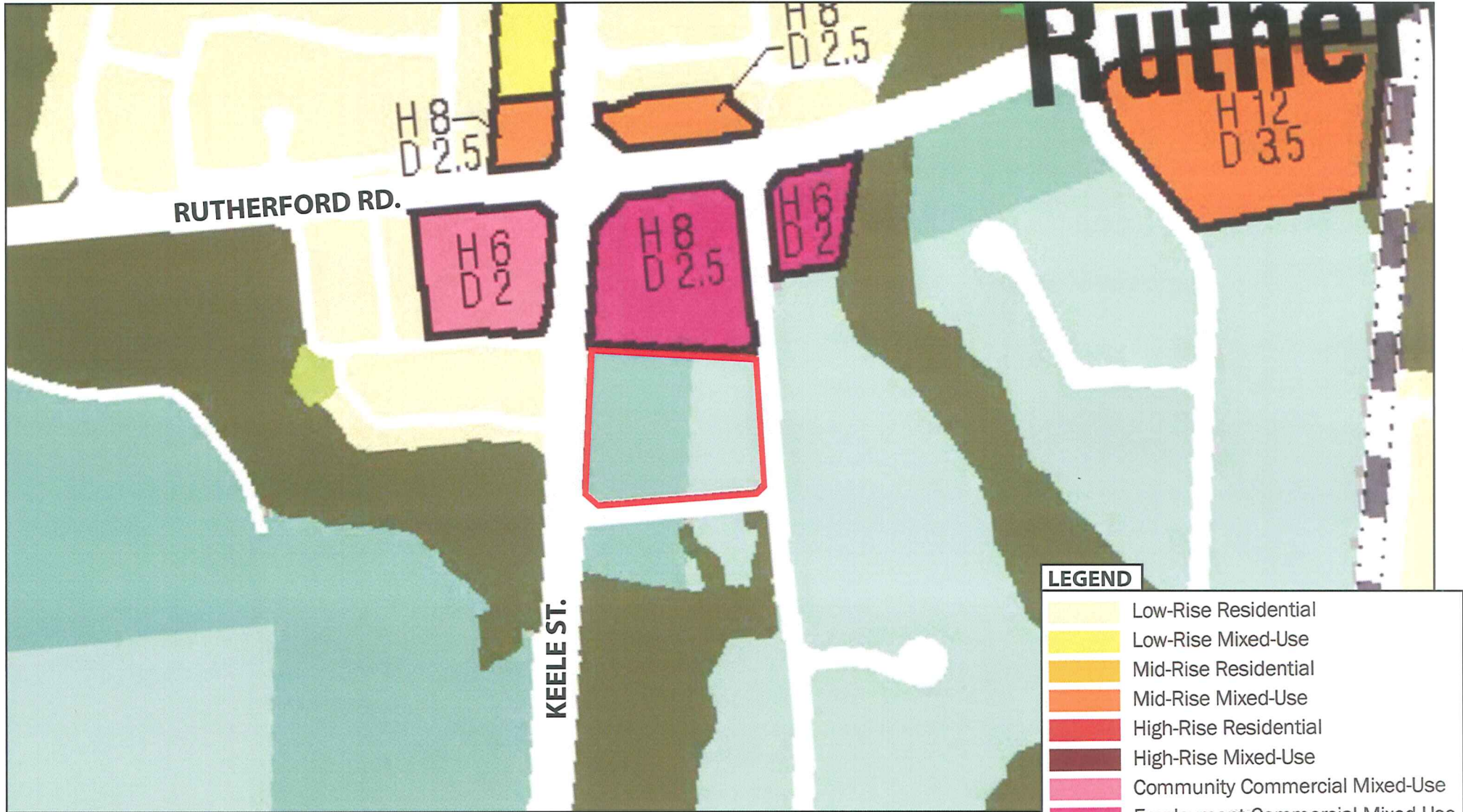
**POUND & STEWART**  
PLANNING CONSULTANTS • CITYPLAN.COM  
**CITYPLAN+PORTAL**  
Helping People Shape Living, Working & Public Spaces

**LEGEND**

 Regional Transit Priority Network

 Existing GO Station














**FIGURE 9: SCHEDULE 13 - LAND USE  
VAUGHAN OFFICIAL PLAN 2010, AS AMENDED  
9131 KEELE ST. VAUGHAN**



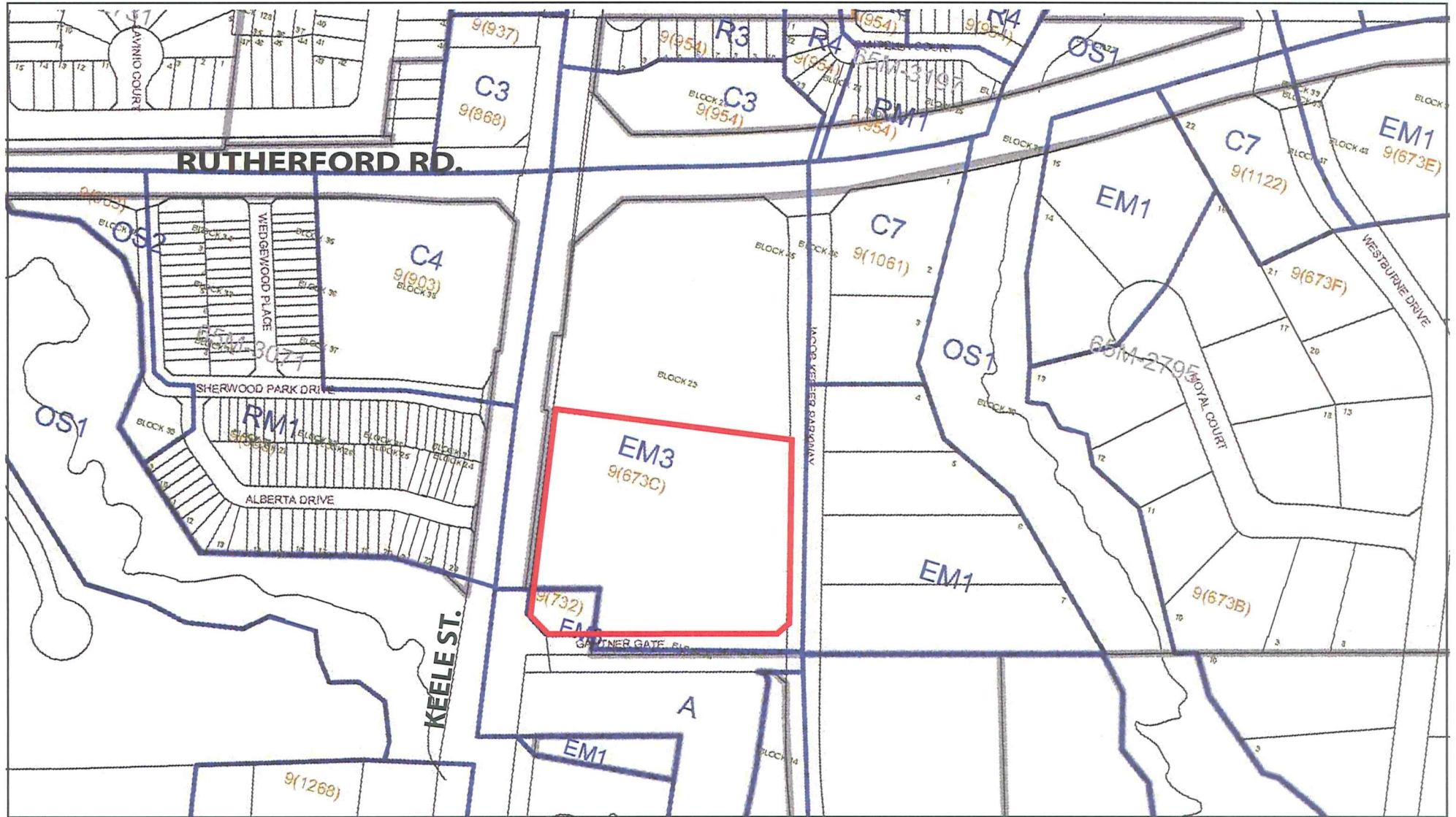
**LEGEND**  
 9131 KEELE ST



**POUND & STEWART**  
 PLANNING CONSULTANTS • CITYPLAN.COM  
**CITYPLAN+PORTAL®**  
 Helping People Shape Living, Working & Public Spaces

LEGEND	
	Low-Rise Residential
	Low-Rise Mixed-Use
	Mid-Rise Residential
	Mid-Rise Mixed-Use
	High-Rise Residential
	High-Rise Mixed-Use
	Community Commercial Mixed-Use
	Employment Commercial Mixed-Use
	General Employment
	Prestige Employment
	Natural Areas
	Parks
	Private Open Spaces

**FIGURE 10: ZONING MAP  
VAUGHAN ZONING BY-LAW 1-88, AS AMENDED  
9131 KEELE ST. VAUGHAN**



**LEGEND**  
 9131 KEELE ST



**POUND & STEWART**  
 PLANNING CONSULTANTS • CITYPLAN.COM  
**CITYPLAN+PORTAL®**  
 Helping People Shape Living, Working & Public Spaces

**Planning Justification Report on behalf of 'BMS Resources'**  
**9131 Keele St., Units A1 & B1**  
**City of Vaughan**

---

*c. limiting retail uses within the Employment Areas to ancillary retail uses primarily for the purposes of serving businesses and employees in the Employment Areas while recognizing the role of Intensification Areas within the Employment Areas in providing such services in greater concentration and at higher densities.*

This property is designated 'Prestige Employment' land use, where policy 9.2.2.11 reads:

*In areas designated on Schedule 13 as Prestige Employment, the following policies shall apply:*

*a. Prestige Employment Areas shall be characterized by high quality buildings in an attractive pedestrian-friendly, connected and transit-oriented working environment. A variety of lot sizes should be made available in areas designated as Prestige Employment to provide flexibility for attracting and accommodating a wide range of employment uses.*

Policy 9.2.2.11 further outlines acceptable retail uses within the 'Prestige Employment' area as follows:

*c. The following uses are permitted in areas designated as Prestige Employment, in addition to those uses permitted through policy 9.2.1.9:*

*i) Industrial uses including manufacturing, warehousing (but not a retail warehouse), processing, and distribution uses located within wholly enclosed buildings and which do not require outside storage. Outside storage is not permitted.*

*ii) Office and or retail uses accessory to and directly associated with any of the uses listed in policy 9.2.2.11.c.i provided that:*

*A. the accessory use is located on the same lot as the primary use; and,*

*B. the combination of accessory office and accessory retail uses shall not exceed 49% of the total gross floor area devoted to the primary use provided that the accessory retail use is limited to no more than 10% of the total gross floor area of the primary use.*

The nature of the business occurring at 9131 Keele St. units A1 & B1 may also be considered in terms of 'Human and Social Services' of the VOP 2010, as amended, per the following:

*A variety of private, government and non-governmental organizations provide human and social services and facilities that improve the quality of life for Vaughan residents and*

**Planning Justification Report on behalf of 'BMS Resources'**  
**9131 Keele St., Units A1 & B1**  
**City of Vaughan**

---

*employees. These services address the needs of the population in areas such as health care, food banks, services for people with special needs, parenting programs, services for youth and settlement support for new immigrants. While these services can generally locate wherever retail or office uses are permitted, there is greater benefit to locating them where they can be easily accessed by their target clients. Similarly, as the City grows social and human service needs of the community must be recognized, in the same way the City currently provides the hard infrastructure needs to accommodate growth.*

**7.0 REGULATORY CONTEXT - CITY OF VAUGHAN ZONING BY-LAW 1-88, AS AMENDED**

This property is zoned EM3 9(673c) – 'Retail Warehouse Employment Area Zone', Exception 673c per the City of Vaughan Zoning By-Law 1-88, as amended, which is currently in effect. **Figure 10 - Zoning Map.**

**EM3 - RETAIL WAREHOUSE EMPLOYMENT AREA ZONE**

*6.5.1 a) Uses Permitted*

- All uses permitted in an EM1 Zone- Building Supply Outlet
- Catalogue Sales- Convention Centre
- Retail Warehouse
- Retail Nursery
- Swimming Pool, Recreational Vehicles Leasing/Rental/Sales

*b) Limited outdoor display of merchandise, goods or materials shall be permitted provided that the display of goods and material s is accessory to a permitted use, and such display shall not exceed an area equal to 0.25 times the gross floor area of the buildings or structures on the lot devoted to the use to which the display is accessory.*

As described, Zoning By-Law 1-88 'Employment Area Zones' permits accessory retail per regulation 6.1.3 as follows:

*Accessory Retail Sales*

*Where retail sales accessory to an industrial employment use are permitted, the floor area of the accessory retail use shall not exceed thirty percent (30%) of the gross floor area of the entire unit devoted to the industrial employment use or a maximum of 930 m2 whichever is the lesser, and this floor area shall be separated from the rest of the unit by a solid partition.*

**Planning Justification Report on behalf of 'BMS Resources'**  
**9131 Keele St., Units A1 & B1**  
**City of Vaughan**

---

Further regulation 6.1.7 reads:

*Eating Establishment, Eating Establishment Convenience, Eating Establishment Take-Out in Multi-Unit Buildings*

*Notwithstanding any other provisions of this By-law, except Section 9, one Eating Establishment, or Eating Establishment Convenience, or Eating Establishment Take-Out shall only be permitted in all Employment Area Zones in a multi-unit building provided that the total floor area of such uses, in a multi-unit building shall not exceed 185 m<sup>2</sup>. Notwithstanding Subsection 6.2.1(a), only outdoor patio uses accessory to an eating establishment, including take-out and convenience, shall be permitted outside of a wholly enclosed building.*

In summary, the **EM3 - RETAIL WAREHOUSE EMPLOYMENT AREA ZONE** permits a 'Health Centre', among other uses, as an underlying use per the **EM1 – PRESTIGE EMPLOYMENT AREA ZONE**, in addition to the following:

- Accessory Retail Sales to an Employment Use
- Notwithstanding i) and ii) above, one eating establishment, or eating establishment convenience, or eating establishment take-out having a maximum floor area of 185 sq. m. shall only be permitted

Exception 673c does not pertain to accessory retail uses. **Appendix 3.**

## **7.1 REGULATORY CONTEXT - CITY OF VAUGHAN COMPREHENSIVE ZONING BY-LAW REVIEW**

The City of Vaughan is currently undergoing a Comprehensive Zoning By-law Review in support of the following principles:

*'Principle #1: Ensure Conformity with the Official Plan';*

*'Principle #2: Minimizing Legal Non-Conforming Uses and Non-Complying Structures';*

*'Principle #3: Maintaining Permission's where Possible', and;*

*'Principle #4: Creating a User-Friendly By-law'.*

A key principle in this context as part of future planning justification is that the purpose of the new Zoning By-law is to implement the City's in effect Official Plan VOP 2010, as amended. In reading the following, please note that the proposed new Zoning By-law is more permissive, in my opinion, than Zoning By-law 1-88, which is currently in effect.

**Planning Justification Report on behalf of 'BMS Resources'**  
**9131 Keele St., Units A1 & B1**  
**City of Vaughan**

---

The 3rd draft of the new Zoning By-law identifies this property as part of the 'EMU – Employment Commercial Mixed-Use Zone', which provides for wide range of employment and commercial uses. See Figure 11.

A number of uses permitted by the 'EMU – Employment Commercial Mixed-Use Zone' may be interpreted to apply to 'BMS Resources' business activities, these include defined activities such as 'Health and Fitness Centre', 'Clinic' 'Personal Service' and 'Business Service'. Please consider the following definitions;

**Health and Fitness Centre:** Means premises in which facilities are provided for the promotion of physical health and well-being, and may include accessory uses such as a spa, sauna, fitness centre, yoga studio, massage establishment or the accessory retail sale of refreshments and other goods related to the use.

**Clinic:** Means premises used for the examination, diagnosis and/or treatment of outpatients by regulated health professionals, including a massage establishment, as well as accessory uses such as associated laboratories, facilities and equipment, drug and optical dispensing to outpatients, and the accessory sales of medical supplies and equipment.

**Personal Service:** Means premises where direct and consultative services are provided and administered for personal and household needs, including hair care, aesthetics, health and beauty treatment, body art, body piercings, tanning salon, dressmaking, tailoring, shoe repair, laundromat, laundry depot, interior design, event planning, photographer studio, dry cleaning, travel agency, and other similar services. A personal service shall include retail only as an accessory use.

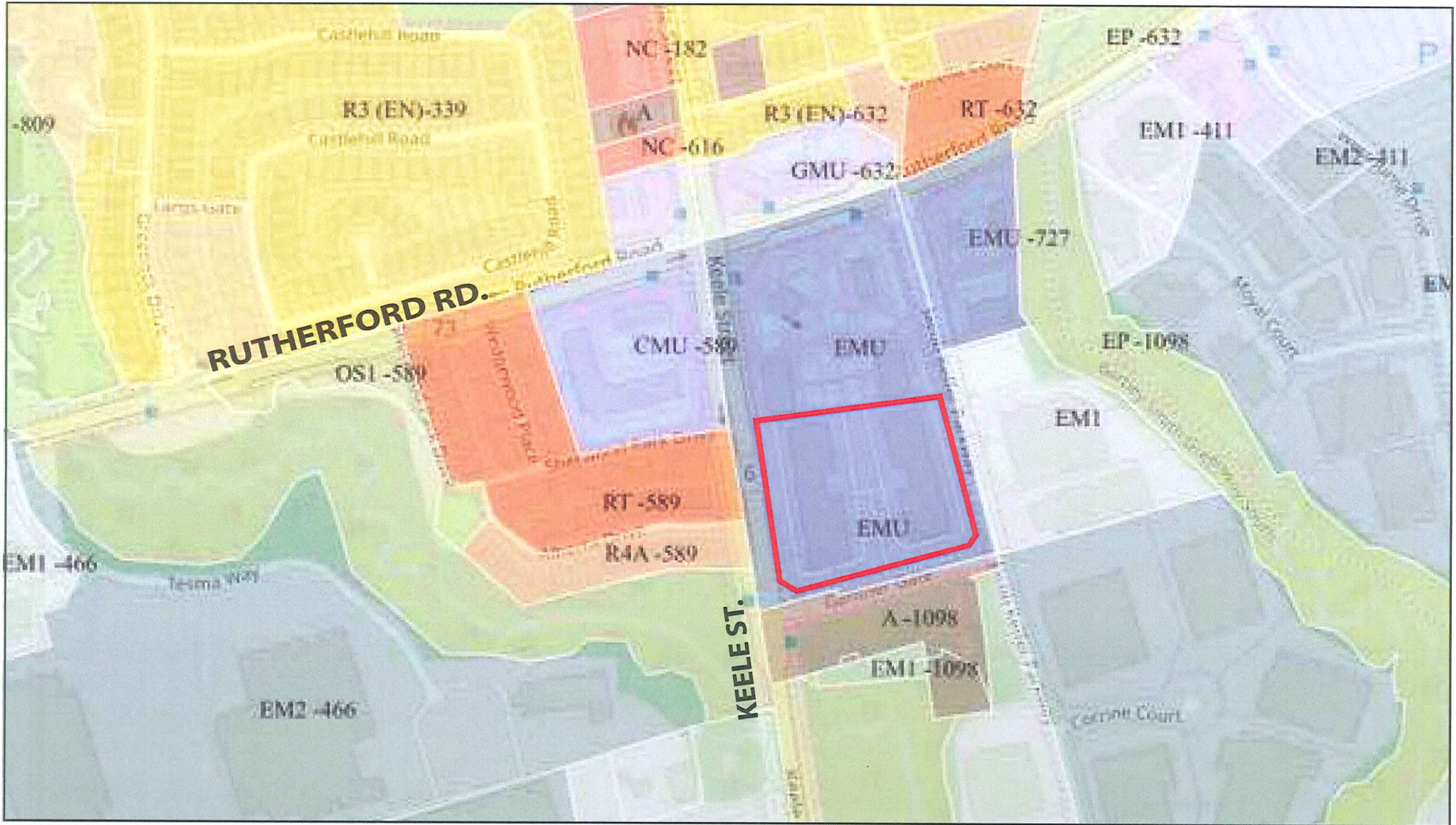
Retail uses are permitted within the 'EMU – Employment Commercial Mixed-Use Zone' only as part of a 'Mixed-use Development' that can include:

**Mixed-use Development:** Means premises, including one or more buildings, located on the same lot and used for more than one principal use, including any combination of residential, commercial, community, or employment uses, in accordance with the permitted uses of this By-law.


**Retail:** Means premises where goods, wares, merchandise, substances, articles or things are offered and kept for sale directly to the public.

**Retail, Convenience:** Means a retail use that does not exceed 185.0m<sup>2</sup> of gross floor area on a single lot.

**FIGURE 11: DRAFT ZONING MAP  
VAUGHAN ZONING BY-LAW REVIEW, THIRD DRAFT  
9131 KEELE ST. VAUGHAN**



**LEGEND**

 9131 KEELE ST



**POUND & STEWART**  
 PLANNING CONSULTANTS • CITYPLAN.COM  
**CITYPLAN+PORTAL®**  
 Helping People Shape Living, Working & Public Spaces



**Planning Justification Report on behalf of 'BMS Resources'**  
**9131 Keele St., Units A1 & B1**  
**City of Vaughan**

---

Since retail is a permitted use the question of ancillary or accessory does not appear to be a factor as it relates to the objectives of 'BMS Resources'. Notwithstanding, please refer the following definition of these characteristics.

***Ancillary:** Means a permitted use that is additional, secondary, and complementary to a permitted principal use, but is not accessory to the permitted principal use.*

***Accessory:** Means incidental, subordinate, and devoted exclusively to a principal use, building or structure, as applicable within the context in which the term accessory is used.*

In summary, it is our opinion that the third draft of the new Zoning By-law identifying this property as 'EMU – Employment Commercial Mixed-Use Zone', provides for wide range of employment use, including accessory retail uses, which would allow for 'BMS Resources' to provide retail sales at 9131 Keele St.

#### **8.0 SATISFYING THE FOUR TESTS OF THE PLANNING ACT FOR A MINOR VARIANCE**

This report provides a comprehensive overview of the subject land and our client's business context in support of this Variance application to allowing 'Retail Sales' as an accessory use to the primary Health Centre use and is required to better aide clients who attend the Integrative Health Centre. Therefore, the approval of the Minor Variance to permit accessory 'Retail Sales' at this location will simplify those client experiences who rely on the Marsden Health Centre for their services, that are provided by 'BMS Resources'.

The proposed accessory 'Retail Sales' are not intended for the public at large, but rather for clients who are currently visiting the Marsden Health Centre and are seeking pre-packaged and nutritional dry goods/foodstuffs in one location. This will help to reduce travel and create a complete experience in one location.

As part of our proposed planning justification for 'BMS Resources – Health Centre' and the approval of a future Committee of Adjustment Variance per the City of Vaughan Zoning By-law 1-88, as amended, the following is how the four tests of the planning act for a minor variance are met.

##### **1) Does the proposed Variance conform to the general intent of the Vaughan Official Plan?**

The nature of the business may also be considered in terms of 'Human and Social Services' of the VOP 2010, as amended, per the following:

*A variety of private, government and non-governmental organizations provide human and social services and facilities that improve the quality of life for Vaughan residents and employees. These services address the needs of the population in areas such as health*

**Planning Justification Report on behalf of ‘BMS Resources’  
9131 Keele St., Units A1 & B1  
City of Vaughan**

---

*care, ..., services for people with special needs, .... While these services can generally locate wherever retail or office uses are permitted, there is greater benefit to locating them where they can be easily accessed by their target clients.*

As well, under the Prestige Employment policies of the VOP, 2010, as amended, per 2.2.4.7. it is the policy of Council:

*That limited retail uses may be located within Employment Areas to serve the day-to-day needs of surrounding businesses and their employees, in accordance with the policies of this plan.*

Further, Section 5.1.2.3. reads that it is the policy of Council:

*To support the long-term flexibility, vitality and competitiveness of Employment Areas by:*

*c. limiting retail uses within the Employment Areas to ancillary retail uses primarily for the purposes of serving businesses and employees in the Employment Areas...”*

The ‘BMS Resources – Health Centre’ retail floor space is described as Accessory and/or Ancillary Retail on 72.5 m<sup>2</sup> (780 sq. ft.) of GFA representing 12.9% of the total gross floor area devoted to the primary use’. Therefore, it is reasonable to acknowledge and advise that the retail operation conforms to the general intent of the Official Plan.

A key planning principle in satisfying the general intent of the Vaughan Official Plan is that the purpose of the new Comprehensive Zoning By-law is to implement the City’s in effect Official Plan VOP 2010, as amended. The third draft of the new Zoning By-law identifies this property as ‘EMU – Employment Commercial Mixed-Use Zone’, which provides for wide range of employment and commercial uses.

A number of permitted uses in the ‘EMU – Employment Commercial Mixed-Use Zone’ can be interpreted to apply to ‘BMS Resources’ business activities and these include defined activities such as ‘Health and Fitness Centre’, ‘Clinic’ ‘Personal Service’ and ‘Business Service’, where retail is a permitted use.

**2) Does the proposed Variance conform to the general intent of the Zoning By-law?**

The ‘Keele Rutherford Corporate Centre’ includes a broad range of business services. The primary use of ‘BMS Resources – Health Centre’ is its function as Marsden Health Centre.

This property is zoned EM3 (673c) – ‘Retail Warehouse Employment Area Zone’, Exception 673c per the City of Vaughan Zoning By-Law 1-88, as amended, which is currently in effect and a retail

**Planning Justification Report on behalf of 'BMS Resources'**  
**9131 Keele St., Units A1 & B1**  
**City of Vaughan**

---

component is established not only on the property of the existing zoning but, also by virtue of the property's locational attributes and proximity to existing service commercial retail uses.

*Even a 'Limited outdoor display of merchandise, goods or materials shall be permitted provided that the display of goods and materials is accessory to a permitted use, and such display shall not exceed an area equal to 0.25 times the gross floor area of the buildings or structures on the lot devoted to the use to which the display is accessory' is permitted.*

The retail sales component of 'BMS Resources' is completely indoors and small in scale not only to the leased area by the 'Marsden Health Centre', but also in comparison with the scale of the multi-unit facility, located in the two large buildings that comprise the 'Keele Rutherford Corporate Centre' at less than 1% of the GFA.

The 'Keele Rutherford Corporate Centre' includes a broad range of business services. The primary use of 'BMS Resources – Health Centre' is its function as Marsden Health Centre.

This property is zoned EM3 (673c) – 'Retail Warehouse Employment Area Zone', Exception 673c per the City of Vaughan Zoning By-Law 1-88, as amended, which is currently in effect and a retail component is established not only on the property of the existing zoning but, also by virtue of the property's locational attributes and proximity to existing service commercial retail uses.

*Even a 'Limited outdoor display of merchandise, goods or materials shall be permitted provided that the display of goods and materials is accessory to a permitted use, and such display shall not exceed an area equal to 0.25 times the gross floor area of the buildings or structures on the lot devoted to the use to which the display is accessory' is permitted.*

The retail sales component of 'BMS Resources' is completely indoors and small in scale not only to the leased area by the 'Marsden Health Centre', but also in comparison with the scale of the multi-unit facility, located in the two large buildings that comprise the 'Keele Rutherford Corporate Centre' at less than 1% of the GFA.

**3) Is the proposed Variance Deemed Minor?**

The retail sales component of 'BMS Resources' is completely indoors and small in scale at 12.9 % of the leased area by the 'BMS Resources – Health Centre', but also in comparison with the scale of the 'Keele Rutherford Corporate Centre' multi-unit facility this retail component is less than 1% of the GFA.

**Planning Justification Report on behalf of 'BMS Resources'**  
**9131 Keele St., Units A1 & B1**  
**City of Vaughan**

---

**4) Is the proposed Variance desirable for the appropriate development of the lands in question?**

'BMS Resources – Health Centre' seeks permission to allow for the retail sale and storage of pre-packaged and nutritional dry goods/foodstuffs or goods, accessory and/or ancillary to their main business function at this 'Health Centre'. The retail sales will provide enhance the client or customer experience by providing the convenient access to pre-packaged food products that the Health Centre endorses in support of health benefits objectives. These goods are not readily available elsewhere and are complementary to the Health Centre services as a means to bolster a complete service to their clients, thus avoiding client's travelling elsewhere to try an obtain these retail goods.

**9.0 CONCLUSION**

In summary, as a Registered Professional Planner, and for the reasons outlined above, I am of the opinion that the proposed Variance to allow accessory 'Retail Sales' as a permitted use for a portion of Units A1 and B1, at 9131 Keele Street, is minor and desirable for the appropriate development or use of the property.

And further the minor variance;

- is consistent with the Provincial Policy Statement, 2020;
- is in conformity with the Growth Plan for the Greater Golden Horseshoe, 2020;
- complies with the general intent of the Region of York's and the City of Vaughan's Official Plan's goals and objectives;
- is in conformity with the general intent of the City of Vaughan's Zoning By-law 1-88, as amended.

It is recommended that the Variance sought for the subject land be approved with any appropriate conditions applied by the Committee of Adjustment.

In conclusion, in my professional planning opinion, the intended use of the subject land is deemed to be consistent with, and conform to the general intent of public policy and regulatory planning objectives.

Yours truly,  
Pound & Stewart Associates Limited



Philip Stewart MCIP, RPP

/la 1902.Planning.Overview.9131KeeleSt.May.19.2021

**Planning Justification Report on behalf of 'BMS Resources'**  
**9131 Keele St., Units A1 & B1**  
**City of Vaughan**

---

Attachments as noted herein:

Figures and Images.

Appendices.

# APPENDIX 1

## NOTICE OF DECISIONS COMMITTEE OF ADJUSTMENT

9131 KEELE ST., CITY OF VAUGHAN

POUND & STEWART

PLANNING CONSULTANTS • CITYPLAN.COM

CITYPLAN+PORTAL®




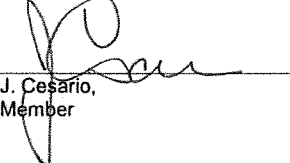
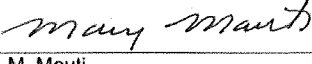
Helping People Shape Living, Working & Public Spaces®

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.

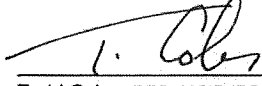
CHAIR: Benella

Signed by all members present who concur in this decision:

 A. Perrella, Chair	 H. Zheng, Vice Chair	 R. Buckler, Member
 J. Cesario, Member	 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.

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

<b>Date of Hearing:</b>	<b>APRIL 30, 2015</b>
<b>Last Date of Appeal:</b>	<b>MAY 20, 2015</b>

**APPEALS**

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

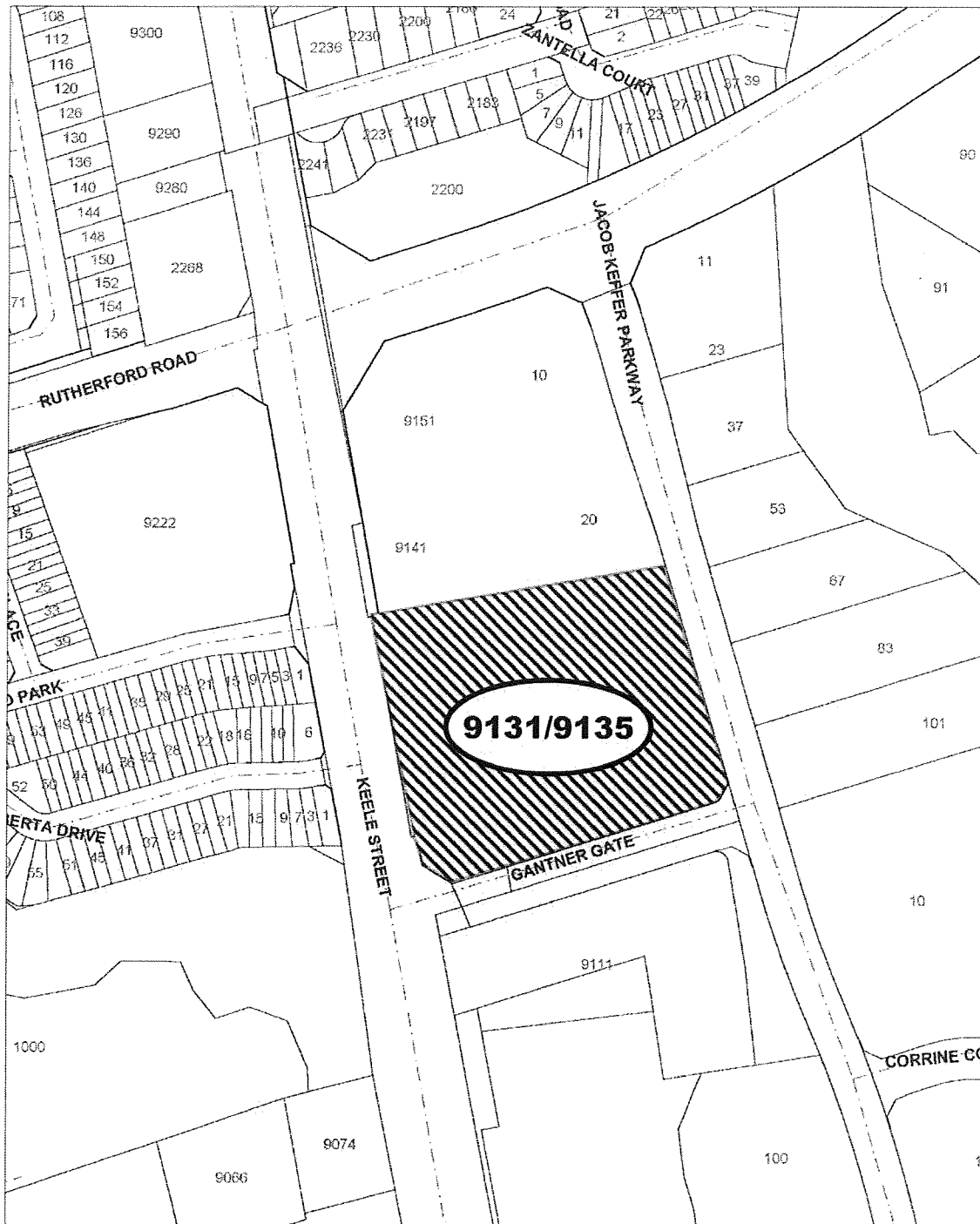
Should you decide to appeal this decision to the Ontario Municipal Board, a copy of an appeal form is available for download in Microsoft Word and Adobe Acrobat versions from the Ontario Municipal Board website at [www.omb.gov.on.ca](http://www.omb.gov.on.ca). If you do not have Internet access, these 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 \$690.00 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: **MAY 20, 2016**



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

	<b>FILE NUMBER:</b>	<b>A12715</b>
	<b>APPLICANT:</b>	<b>MELROSE INVESTMENTS INC.</b>
		<b>Subject Area</b> Municipally known as 9131/9135 Keele Street, Concord




COMMITTEE OF ADJUSTMENT VARIANCE  
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.

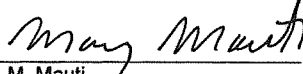
A386/16

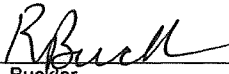
CARRIED.

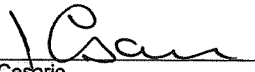
CHAIR: 

Signed by all members present who concur in this decision:

  
H. Zheng,  
Chair

  
M. Mauti,  
Vice Chair

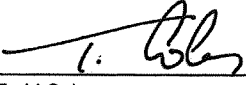
  
R. Buckler,  
Member

  
J. Cesario,  
Member

  
A. Perrella,  
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.

  
Todd Coles, ACST(A), MCIP, RPP  
Manager of Development Services  
and Secretary-Treasurer to  
Committee of Adjustment

<b>Date of Hearing:</b>	<b>November 03, 2016</b>
<b>Last Date of Appeal:</b>	<b>November 23, 2016</b>

**APPEALS**

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

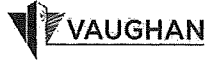
Should you decide to appeal this decision to the Ontario Municipal Board, a copy of an appeal form is available for download in Microsoft Word and Adobe Acrobat versions from the Ontario Municipal Board website at [www.omb.gov.on.ca](http://www.omb.gov.on.ca). If you do not have Internet access, these 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 \$708.00 processing fee, paid by certified cheque or money order, to the "TREASURER, CITY OF VAUGHAN" and the appeal fee of \$300.00 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.

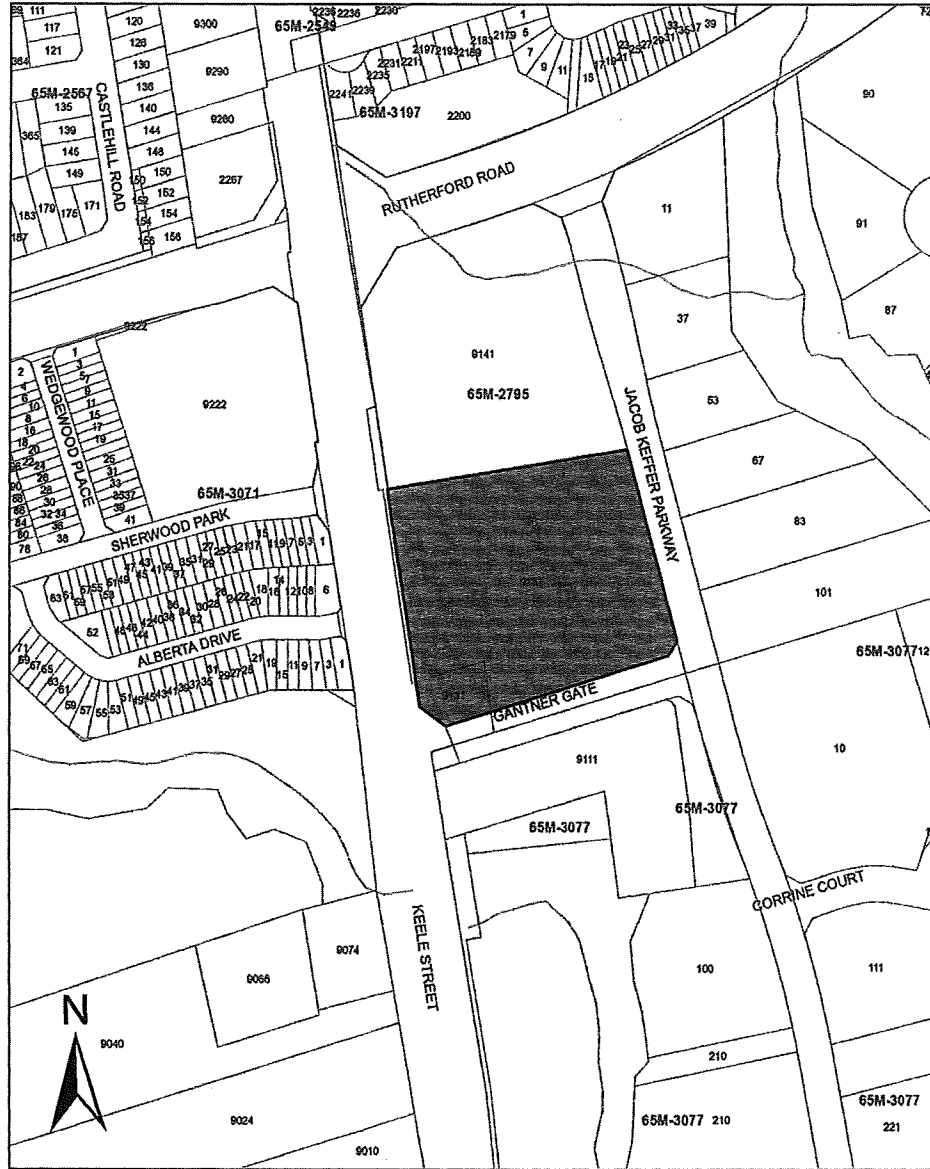
**CONDITIONS**

IF ANY CONDITIONS ARE IMPOSED ON THIS APPLICATION, THE FINAL DATE FOR FULFILLING THEM IS:  
**November 23, 2017**

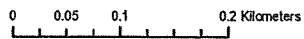


# Location Map - A386/16

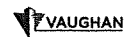
9131/9135 KEELE STREET, MAPLE



City of Vaughan



The City of Vaughan makes every effort to ensure that this map is free of errors but does not warrant that the map or its features are spatially, tabularly, or temporally accurate or fit for a particular use. This map is provided by the City of Vaughan without warranties of any kind, either expressed or implied.



## **APPENDIX 2**

**ZONING SEARCH FOR MUNICIPAL LICENSE CLEARANCE**

**BSD APPLICATION NO. 2019-082ML**

**9131 KEELE ST., CITY OF VAUGHAN**

**POUND & STEWART**

PLANNING CONSULTANTS • CITYPLAN.COM

**CITYPLAN+PORTAL®**

Helping People Shape Living, Working & Public Spaces®

Land and Building Use Declaration  
(To be completed by the occupant/tenant)

Name of Establishment: 2179823 Ontario Inc. of A Marsden Centre

Anticipated Date of Occupancy: \_\_\_\_\_

Description of Main Use or Activity: Health Services

List other uses or activities: Sales of Nutritional

Has there been any construction, alterations or renovation in the premises since the previous license issuance? No  Yes

1) Please answer all the following questions:

- a) Will the use include retail sales? No  Yes   
% of Floor Area Devoted to retail sales: approx 20 %
- If you answered yes to the above will all the commodities you retail be products of the main use or activity? No  Yes
- b) Will the use include wholesale sales? No  Yes
- c) Will the use include the repair and servicing of equipment/appliances? No  Yes
- d) Will the use include the repair or servicing of motor vehicles? No  Yes
- e) Will there be any outdoor storage of vehicles, goods or materials? No  Yes
- f) Will there be any outdoor display of vehicles, goods or materials? No  Yes
- g) Is there an outside patio associated with an eating establishment? No  Yes
- h) Will any food be sold to the public for immediate consumption on the property? No  Yes
- i) Will food be sold for take-out? No  Yes
- j) Are any of the following activities being proposed at this location? No  Yes   
 Use of compressed flammable gases  
 Woodworking  Spray painting  Welding  
 Commercial Cooking
- k) Total number of staff: Males \_\_\_\_\_ Females \_\_\_\_\_

2) Identification of Hazardous/Dangerous Materials

Please identify by Trade Name and substance, all hazardous/dangerous materials that are used/kept on the premises. (if additional room is required please attach a separate list.) ( ) Check here if none use/kept on premises.

Trade Name	Substance
a) _____	_____
b) _____	_____
c) _____	_____
d) _____	_____
e) _____	_____

3) Declaration

I, Elae Korman of the Vaughan of \_\_\_\_\_  
(Print Name in Full) (City, Borough, Town, etc.)  
in the \_\_\_\_\_ of \_\_\_\_\_  
(Regional Municipality, County)

I SOLEMNLY DECLARE:

- 1) That I am the occupant, or in the case of a Corporation, an Officer of the occupant Corporation named on this document.
- 2) That the statement herein contained in this Declaration are true and made with full knowledge of all relevant matters and of the circumstances connected with the same.

AND I MAKE THIS SOLEMN DECLARATION CONSCIENTIOUSLY BELIEVING IT TO BE TRUE

Dated at Vaughan this 5 day of March 2019

\_\_\_\_\_  
(Signature) (Position with Company) Manager

**Building Standards Department Recommendation**

Based on the information available to us, this department has no objections to the issuance of a license for the property municipally known as \_\_\_\_\_  
for the purpose of \_\_\_\_\_

Based on the information provided to us, this department is **NOT** supporting the issuance of the license, at this time. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_ /20\_\_

Theresa Marando / Tina B. Vessio  
Jr Zoning Plans Examiner  
905-832-8510 Ext. 8883 / 8705

**Buildings Standards Department Revised Recommendation**  
(provided within 60 days of original comment date)

Based on the information available to us, this department has no objections to the issuance of a license for the property municipally known as \_\_\_\_\_  
for the purpose of \_\_\_\_\_

This department is **NOT** supporting the issuance of the license, at this time. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_ /20\_\_

Theresa Marando / Tina B. Vessio  
Jr Zoning Plans Examiner  
905-832-8510 Ext. 8883 / 8705

*For matters falling outside the jurisdiction of the Building Standards Department, such as City of Vaughan Fire Department, Region of York Health and Plumbing Departments, and Ontario Hydro, please contact them directly for a reply.*

## APPENDIX 3

### EXCEPTION 9(673C), VAUGHAN ZONING BY-LAW 1-88

POUND & STEWART

PLANNING CONSULTANTS • CITYPLAN.COM

CITYPLAN+PORTAL®

Helping People Shape Living, Working & Public Spaces®

673C) Notwithstanding the provisions of:

- a) Subsection 6.5.1 respecting uses permitted in an EM3 Retail Warehouse Employment Area Zone;
- b) Subsection 3.9 d) respecting loading space requirements;
- c) Subsection 3.16(b) and Subsection 6.1.9 respecting accessory structures and buildings, and Subsection 6.1.6(a) and (b) respecting landscaping requirements;

The following provisions shall apply to the lands described as Block 29, Registered Plan 65M-2795:

- a) In addition to the uses permitted in the EM3 Retail Warehouse Employment Area Zone, the following uses shall be permitted:
  - Automotive Retail Store
  - Bank and Financial Institution
  - Eating Establishment
  - Eating Establishment, Convenience with or without Drive-Through
  - Eating Establishment, Take-Out
  - Personal Service Shop
  - One (1) Convenience Retail Store
  - One (1) Pharmacy
  - Technical and Commercial School
  - Travel Agency
  - Veterinary Clinic
  - Place of Entertainment
  - Video Store
- b) Loading and unloading shall be permitted to be located between a building and a street;
- c) Feature walls, entrance features and main entrance features shall be permitted within landscape strips.

## **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)

## Adriana MacPherson

---

**Subject:** FW: A148/21 Application

---

**From:** Hurst, Gabrielle <Gabrielle.Hurst@york.ca>  
**Sent:** July-20-21 11:48 AM  
**To:** Christine Vigneault <Christine.Vigneault@vaughan.ca>  
**Cc:** Committee of Adjustment <CofA@vaughan.ca>  
**Subject:** [External] RE: A148/21 Application

Thank you Christine,  
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 | [gabrielle.hurst@york.ca](mailto:gabrielle.hurst@york.ca) | [www.york.ca](http://www.york.ca)

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

**Minor Variance Application A386/16**

**Consent Application B033/15**

**Minor Variance Application A127/15**

**Minor Variance Application A414/06**

**NOTICE OF DECISION**  
**MINOR VARIANCES**

**FILE NUMBER:** A386/16

**APPLICANT:** MELROSE INVESTMENTS INC.

**PROPERTY:** Part of Lot 15, Concession 3 (Part of Block 29, Plan 65M-2795), municipally known as 9131 and 9135 Keele Street, Maple.

**ZONING:** The subject lands are zoned EM3 and subject to the provisions of Exception 9(673C) under By-law 1-88 as amended

**Prior to the hearing, the agent amended the Notice of Application, Application and Sketch as follows:**

"To permit a maximum **32%(1149 square meters)**..."

**NOT**

"To permit a maximum **40% (1436 square meters)**..."

**PURPOSE:** To permit the maintenance of a existing Industrial building "Bldg B".

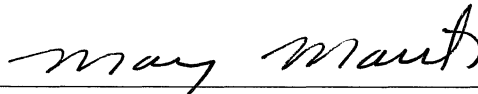
**PROPOSAL:** To permit a maximum **32%(1149 square meters)** of the gross floor area of the building to be used for a regulated health professional use.

**BY-LAW REQUIREMENT:** A regulated health professional use is not permitted.

**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:  
**Consent Applications:**  
**B033/15 - Approved Dec 3/15 EASEMENT** in favour of the lands to the **NORTH**.  
**Minor Variance Applications:**  
**A351/15 - Approved Dec 3/15** (To permit 14 shared parking spaces and parking areas with the property to the north (known as 9141, 9151 Keele Street and 10 and 20 Jacob Keefer Parkway).  
**A127/15 - Approved -April 30, 2015** (max.of 80% of the Building (identified as 9131 Keele Street) to be occupied by the offices of a Regulated Health Professional).  
**Site Plan - DA.12.012 - Approved**

A sketch is attached illustrating the request.

**MOVED BY:**



**SECONDED BY:**



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



The Committee of Adjustment received written and/or oral submissions before and/or during the hearing and have taken these submissions into consideration when making the decision.

THAT Application No.A386/16, **MELROSE INVESTMENTS INC.**, be **APPROVED**, as amended in accordance with the sketches attached

**COMMITTEE OF ADJUSTMENT VARIANCE**

**A386/16**


**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.**

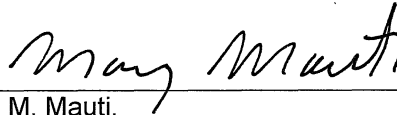
**CARRIED.**

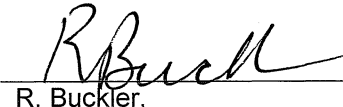
**CHAIR:**

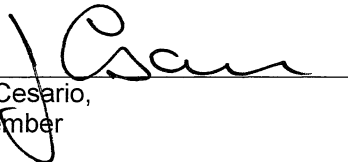


Signed by all members present who concur in this decision:

  
H. Zheng,  
Chair

  
M. Mauti,  
Vice Chair

  
R. Buckler,  
Member

  
J. Cesario,  
Member

  
A. Perrella,  
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.



Todd Coles, ACST(A), MCIP, RPP  
Manager of Development Services  
and Secretary-Treasurer to  
Committee of Adjustment

<b>Date of Hearing:</b>	<b>November 03, 2016</b>
<b>Last Date of Appeal:</b>	<b>November 23, 2016</b>

**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 \$708.00 processing fee, paid by certified cheque or money order, to the "TREASURER, CITY OF VAUGHAN" and the appeal fee of \$300.00 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**

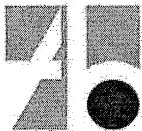
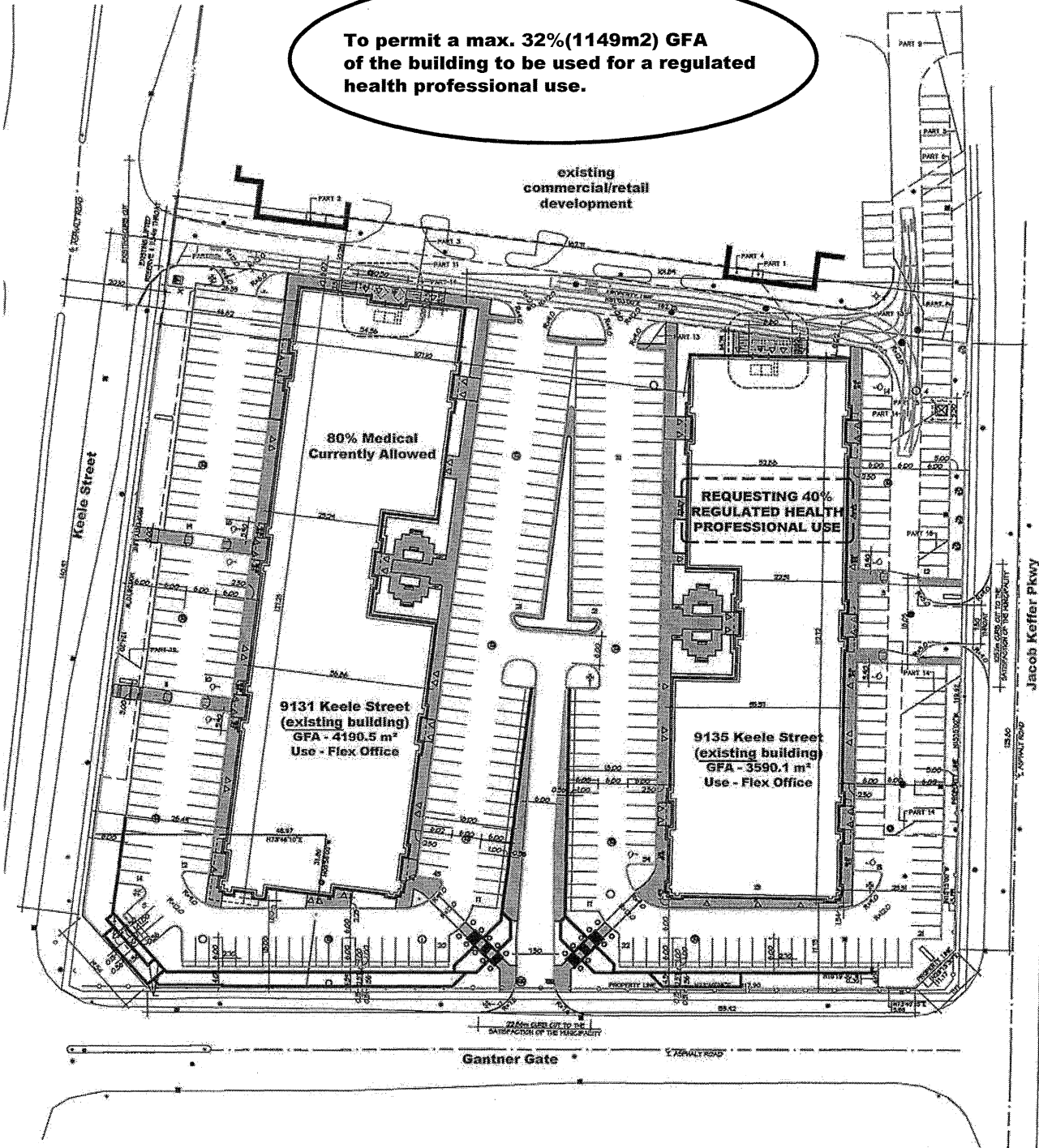
IF ANY CONDITIONS ARE IMPOSED ON THIS APPLICATION, THE FINAL DATE FOR FULFILLING THEM IS: **November 23, 2017**

**REVISED** November 2, 2016  
October 17, 2016

**A386/16**



To permit a max. 32%(1149m<sup>2</sup>) GFA of the building to be used for a regulated health professional use.



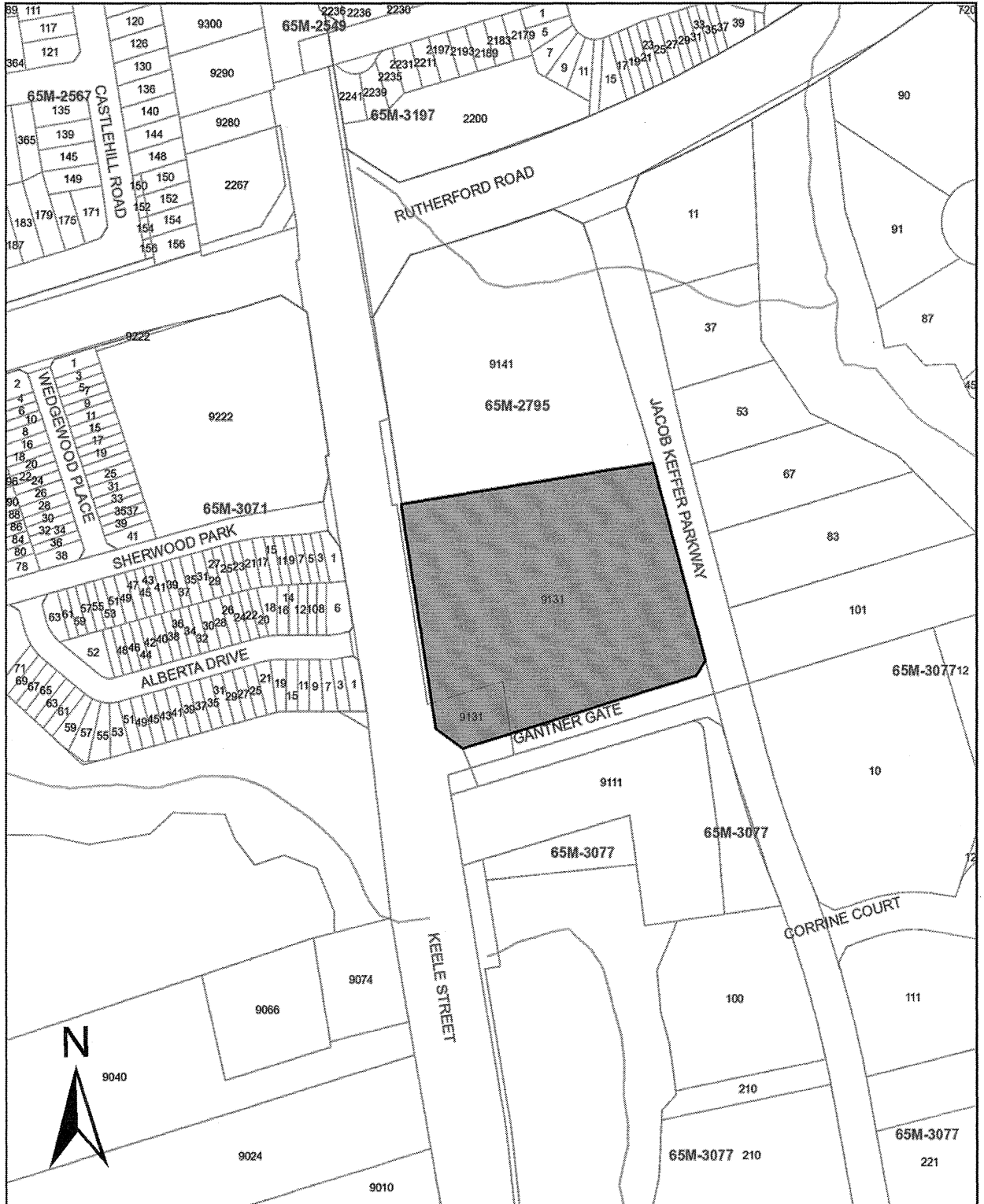
**A. BALDASSARRA**  
Architect Inc.

9131/9135 Keele Street  
Minor Variance Application  
October 3, 2016

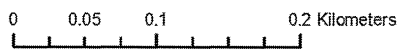


# Location Map - A386/16

9131/9135 KEELE STREET, MAPLE



City of Vaughan



The City of Vaughan makes every effort to ensure that this map is free of errors but does not warrant that the map or its features are spatially, tabularly, or temporally accurate or fit for a particular use. This map is provided by the City of Vaughan without warranties of any kind, either expressed or implied.

# NOTICE OF DECISION

## CONSENTS

**FILE NUMBER:** B033/15

**APPLICANT:** MELROSE INVESTMENTS INC.

**PROPERTY:** Part of Lot 15, Concession 3 (Part of Block 29, Plan 65M-2795), municipally known as 9131 and 9135 Keele Street, Maple.

**ZONING:** The subject lands are zoned EM3, Retail Warehouse Employment Area, subject to Exception 9 (673C), under By-law 1-88, as amended.

**PURPOSE:** To request the consent of the Committee of Adjustment to grant a parcel of land marked "A" on the attached sketch as an **EASEMENT** in favour of the lands to the **NORTH** and retain the lands marked "B" on the attached sketch as commercial lands.

Currently there is no building on the conveyed lands . The retained lands are developed with commercial buildings.

**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:

**Minor Variance Applications:**

**A351/15** - To be heard in conjunction with this application (Dec. 3/15) (Allowing for shared parking)

**A127/15 - Approved -April 30, 2015** (max.of 80% of the Building (identified as 9131 Keele Street) to be occupied by the offices of a Regulated Health Professional).

**Site Plan** - DA.12.012 - Approved

A sketch is attached illustrating the request.

The above noted application was heard by the Committee of Adjustment on: **DECEMBER 3, 2015.**

**MOVED BY:**



**SECONDED BY:**



THAT Application No. **B033/15, MELROSE INVESTMENTS INC.**, be **APPROVED**, in accordance with the sketch attached and subject to the following conditions:

**NOTE: All conditions below must be fulfilled and clearance letters must be received by the Secretary-Treasurer before any cheques can be accepted and Certificate of Official can be issued.**

1. That the owner shall pay all taxes as levied, if required, to the satisfaction of the Reserves & Investments Department. Payment shall be made **by certified cheque**; (contact Brianne Clace to have this condition cleared).
2. The Owner shall arrange to prepare and register a reference plan at their expense for the conveyance of the subject land to the satisfaction of the Development Engineering and Infrastructure Planning Department. The Owner shall submit a draft reference plan to the Development Engineering and Infrastructure Planning Department for review prior to deposit, if required, to the satisfaction of the Development Engineering and Infrastructure Planning Department;
3. The Owner shall provide the City with a copy of the executed agreement to be registered on title for the two properties if required, to the satisfaction of the Development Engineering and Infrastructure Planning Department;
4. That Minor Variances A350/15 and A351/15 be approved, if required, to the satisfaction of the Development Planning Department;
5. That the applicant provide to the Secretary Treasurer a letter of undertaking, stating that the **EASEMENT** in question is in favour of lands to the **NORTH**;
6. This consent is given on the express understanding that Subsection 3 or Subsection 5 of Section 50 of the Planning Act shall apply to any subsequent conveyance in respect to the subject lands;



- 7. Submission to the Secretary-Treasurer of **FOUR (4)** white prints of a registered deposited reference plan of survey, showing the subject land which conforms with the application submitted and which shows the dimensions and areas of each part shown on the plan;
- 8. Upon fulfilling and complying with all of the above-noted conditions, the Secretary-Treasurer of the Committee of Adjustment must be provided with a letter **and three (3) copies of a legal size (8.5" by 14") "Schedule Page", in a format satisfactory to the Secretary-Treasurer**, from the Applicant's solicitor confirming the legal description of the subject lands, sufficient for registration purposes **the "Schedule Page" will be an attachment to the Certificate**. Upon being satisfied with said legal description and upon all other conditions for the consent having been satisfied, the Secretary-Treasurer shall provide a Certificate of Official to the applicant in accordance with Section 53(42) of the Planning Act, R.S.O. 1990, as amended;
- 9. A fee of **\$190.00** made payable to the Treasurer City of Vaughan shall, be submitted to the Secretary Treasurer for the issuance of the Certificate/stamping of the deeds. It will be necessary to allow up to **three (3) working days** after all conditions have been fulfilled and documentation filed. Same day service is also available for an additional cost of **\$145.00, provided all conditions of approval have been fulfilled and all required documents are submitted by 11:30 am that day;**
- 10. Prior to the issuance of a building permit, if required, the applicant shall fulfil and comply with all of the above noted consent conditions.

**IMPORTANT:**  
 Pursuant to Section 53(41) of the Planning Act, the applicant shall have a period of one year from the date of the Committee of Adjustment giving Notice of the herein Decision to the Applicant to fulfill and comply with all of the (above-noted) conditions of Consent. Failing to comply with this requirement will result in the application to be deemed to be refused.

**ALL CONDITIONS MUST BE FULFILLED.**


Please contact each Agency and/or Department listed above whether "if required" appears in the condition or not.


CARRIED.

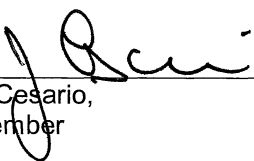
CHAIR: 

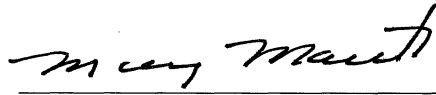
Signed by all members present who concur in this decision:

  
A. Perrella,  
Chair

  
H. Zheng,  
Vice Chair


  
R. Buckler,  
Member

  
J. Cesario,  
Member

  
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.

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

<b>Date of Hearing:</b>	<b>DECEMBER 3, 2015</b>
<b>Date of Notice:</b>	<b>DECEMBER 11, 2015</b>
<b>Last Date of Appeal:</b>	<b>DECEMBER 31, 2015</b>

**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".

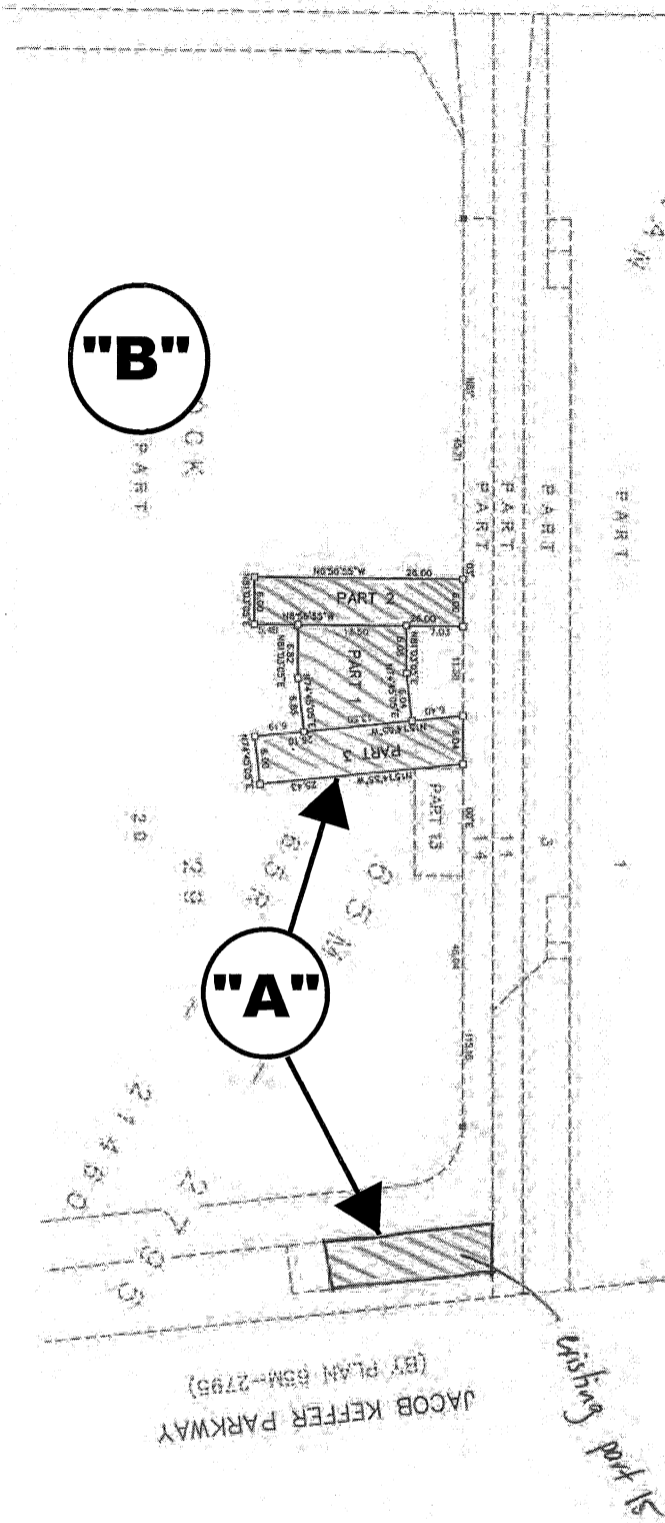
**NOTE:** The Planning Act provides for appeals to be filed by "persons". As groups or associations, such as residents or ratepayers groups which do not have incorporated status, may not be considered "persons" for the purposes of the Act, groups wishing to appeal this decision should do so in the name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

**NOTES**

1. You will be entitled to receive notice of any changes to the conditions of the provisional consent if you have made a written request to be notified of changes to the conditions of the provisional consent.
2. A Certificate pursuant to Subsection 53(21) of The Planning Act cannot be given until all conditions of consent have been fulfilled.

**B033/15**

KEELE STREET (REGIONAL ROAD No.6)  
ROAD ALLOWANCE BETWEEN CONCESSIONS 3 AND 4



PLAN OF SURVEY OF  
PART OF BLOCK 29,  
PLAN 65M-2795  
CITY OF VAUGHAN  
REGIONAL MUNICIPALITY OF YORK  
SCALE 1:500  
RADY-PENTEK & EDWARD SURVEYING LTD., O.L.S.  
METRIC  
DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND  
CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

*land included as part of this application*

JACOB KEFFER PARKWAY  
(BY PLAN 65M-2795)

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.  
DATE: 2015  
C. F. EDWARD O.L.S.

RECEIVED AND DEPOSITED  
DATE: 2015

SCHEDULE			
PART	PART OF BLOCK	PLAN	PART OF PLAN
1	26	65M-2795	03272-1590
2			
3			

REPRESENTATIVE FOR LAND REGISTRAR FOR THE LAND TITLES DIVISION OF YORK REGION (No. 65)

**SURVEYOR'S CERTIFICATE**

I CERTIFY THAT  
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.  
2. THE SURVEY WAS COMPLETED ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 2015.  
DATE: 2015

C. F. EDWARD  
ONTARIO LAND SURVEYOR

- NOTES**
- DENOTES MONUMENT SET
  - SIB DENOTES STANDARD IRON BAR
  - SSB DENOTES SHORT STANDARD IRON BAR
  - B.M. DENOTES BENCH MARK
  - S.C. DENOTES SPECIFIED CONTROL POINT

BEARINGS ARE GRID, UTM ZONE 17, MADRS (ORIGINAL), DERIVED FROM



**RADY-PENTEK & EDWARD SURVEYING LTD.**  
ONTARIO LAND SURVEYORS  
643 Christa Road, Suite 7  
Woodbridge, Ontario L4L 8A3  
Tel. (416) 835-5000 Fax (416) 639-5001  
Tel. (905) 264-0881 Fax (905) 264-2099  
Website: www.rpe.ca  
DRAWN: C.D.S. CHECKED:  
JOB NO. 15-213 CAD FILE No. 15213R01

Aug 14, 2015 - 10:20:16

# B033/15

NO.	ISSUED	DATE
1	SUBMITTED FOR REVIEW	2014.03.04
2	REVISIONS FOR COMMENTS	2014.03.20
3	REVISIONS FOR COMMENTS	2014.04.10
4	REVISIONS FOR COMMENTS	2014.04.15
5	REVISIONS FOR COMMENTS	2014.04.20
6	REVISIONS FOR COMMENTS	2014.04.25

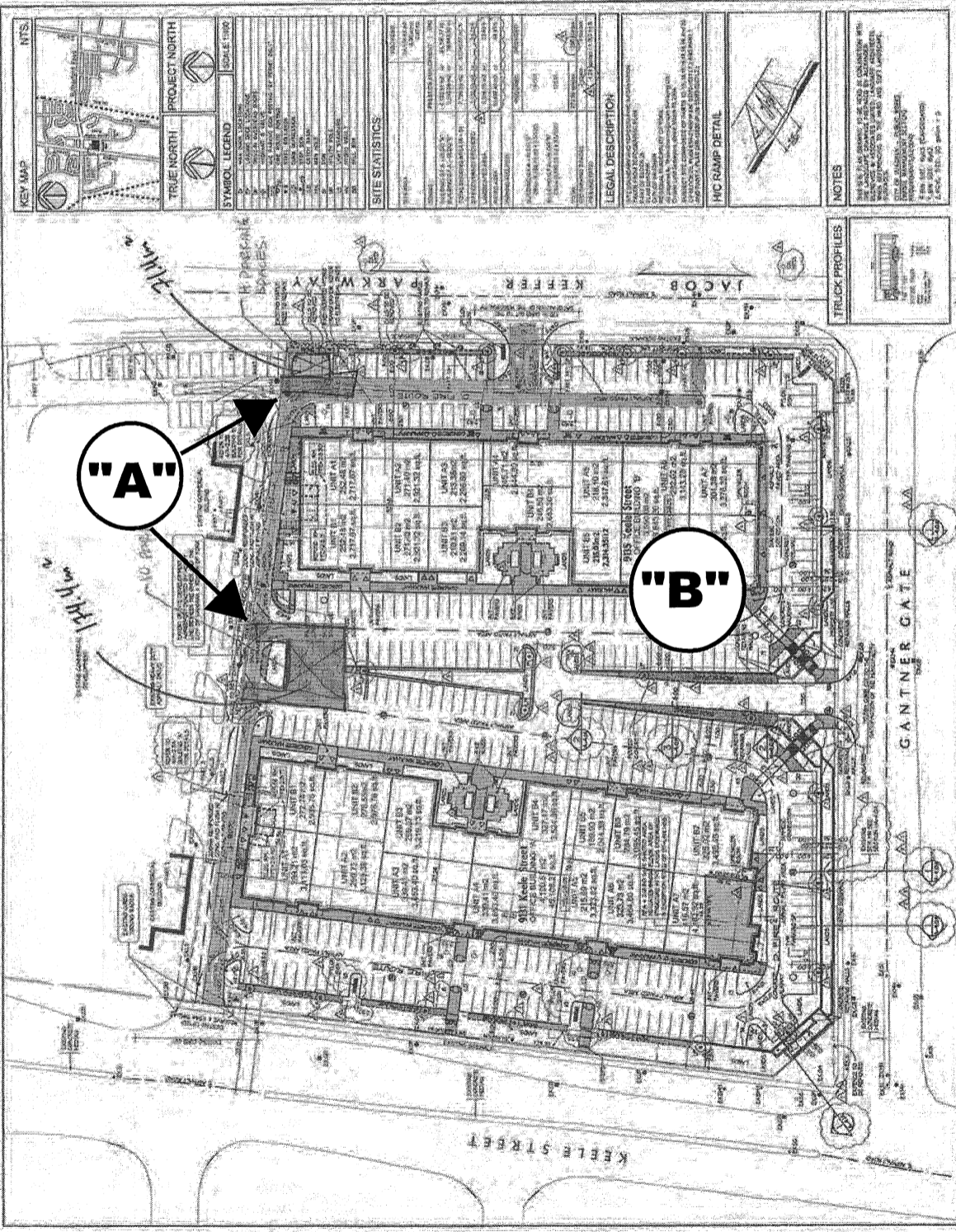
NO.	REVISION	DATE
1	REVISED PLAN SHEET	2014.03.04
2	REVISED PLAN SHEET	2014.03.20
3	REVISED PLAN SHEET	2014.04.10
4	REVISED PLAN SHEET	2014.04.15
5	REVISED PLAN SHEET	2014.04.20
6	REVISED PLAN SHEET	2014.04.25

**Keele Street and Gantner Gate Building-A&B**  
 9151 & 9153 Keele Street  
 City of Vaughan

**A. BALDASSARRA**  
 Architect Inc.  
 7280 Jane Street, Suite 200  
 Cummer, Ontario, L6E 0J6  
 Tel: 905.709.0120  
 Fax: 905.709.0200



Site Plan	
DA.2.013	
Scale: 1:500	
City of Vaughan	09-43
Sheet No. A-10	



**KEY MAP**

**MTS**

**TRUE NORTH**

**SYMBOL LEGEND**  
 SCALE: 1:500  
 LIST OF ARCHITECTURAL SYMBOLS AND THEIR MEANINGS.

**SITE STATISTICS**

DESCRIPTION	AREA (sq. m)
Lot Area	14,248.00
Building Footprint	12,345.00
Parking Area	1,500.00
Other	403.00

**LEGAL DESCRIPTION**  
 LOTS 1 & 2 OF THE CONVEYANCE...  
 CITY OF VAUGHAN...

**MIC RAMP DETAIL**

**NOTES**

- SEE THE GENERAL NOTES ON SHEET DA.2.013 FOR THE COMPLETE SET OF DRAWINGS.
- ALL DIMENSIONS ARE IN METERS UNLESS OTHERWISE NOTED.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF VAUGHAN.

**TRUCK PROFILES**

**"A"**

**"B"**



# Location Map - B033/15, A350/15 & A351/15

9131 & 9135 Keele Street, Maple and 9141 & 9151 Keele Street, Maple



City of Vaughan



The City of Vaughan makes every effort to ensure that this map is free of errors but does not warrant that the map or its features are spatially, tabularly, or temporally accurate or fit for a particular use. This map is provided by the City of Vaughan without warranties of any kind, either expressed or implied.

## CONSENTS

Please refer to the file number: **B033/15**

Address all correspondence to the Secretary-Treasurer

### **NOTICE TO THE OWNER**

The Committee of Adjustment has approved your application for consent, subject to certain conditions.

A copy of the "Notice of Decision" is attached, together with relevant information concerning appeal procedures for the decision.

If the decision is not appealed, you will receive a notice that it is "Final and Binding", when the appeal period has expired. When the application is Final and Binding it will be appropriate for you to fulfil the conditions of approval.

**All** conditions must be fulfilled before a Certificate of Official can be issued by the Secretary-Treasurer certifying that consent has been given. These conditions must be fulfilled not later than the date set out in the decision.

**The period for fulfilling conditions cannot be extended.**

Although you may have appointed an agent to act on your behalf in the application, it is your responsibility, as the owner, to ensure that all conditions are fulfilled in time. Failure to do so will result in the decision being deemed to have been refused, pursuant to subsection 53(41) of The Planning Act, and your application file will be closed.

**NO FURTHER NOTICE OF THE LAST DAY FOR FULFILLING CONDITIONS WILL BE GIVEN.**

Respectfully,



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

## CONSENTS

Please refer to the file number: **B033/15**

Address all correspondence to the Secretary-Treasurer

**TO: OWNER/AGENT/SOLICITOR**

**SUBJECT: FULFILMENT OF CONDITIONS OF APPROVAL**

**Please note carefully the following:**

1. All conditions of approval must be fulfilled before a Certificate of Official pursuant to subsection 42 of Section 53 of The Planning Act can be issued. Unnecessary delay in the issue of the Certificate can be avoided by observing the following procedures:

(a) **CONDITIONS CONCERNING THE MUNICIPALITY IN WHICH THE SUBJECT LAND IS LOCATED:**

Payment of lot levy, fees, deed for road widening requests for written advice, agreements, etc., must be forwarded directly to the Municipality, together with a request that a certificate that such conditions have been fulfilled, be forwarded to the Secretary-Treasurer (standard certificate forms have been provided to the Municipality for the purpose).

(b) **CONDITIONS CONCERNING THE REGIONAL MUNICIPALITY OF YORK:**

- (i) Deed for road widening - must be forwarded directly to the Regional Solicitors,

17250 Yonge Street  
P. O. Box 147  
Newmarket, Ontario  
L3Y 6Z1

together with necessary certification that the land described in the deed is free of all encumbrances. The deed must be accompanied by a white print of the deposited Reference Plan referred to in the deed.

- (ii) Payment of a Regional Development Charge is payable to the City of Vaughan and is to be deposited with the City Treasurer in accordance with the Development Charges Act and Regional By-law DC1-91-136.

(c) **CONDITIONS CONCERNING OTHER AGENCIES:**

(i.e. Conservation Authorities, Ministry of Transportation, railways, etc.)

Requests for written advice, permits, etc., must be forwarded directly to the Agency concerned, together with a request that the information required by the Committee be forwarded to the Secretary-Treasurer.

**PLEASE INCLUDE OWNER'S NAME AND APPLICATION NUMBER WITH ANY MATERIAL FORWARDED TO THE ABOVE MUNICIPALITIES AND AGENCIES.**

2. It is the owner's responsibility to ensure that all conditions of approval have been fulfilled in accordance with the Committee's decision not later than the date set out in the decision. Failure to do so will result in a lapse of the consent and the file will be closed. Time limits set out in the decision **CANNOT** be extended. **NO FURTHER NOTICE WITH REGARD TO THE LAST DAY FOR FULFILLING CONDITIONS OF APPROVAL WILL BE GIVEN.**

## CONSENTS

**Committee of Adjustment Requirements  
Electronic Registration  
Planning Act  
Consents - Section 53(42)**

Prior to electronic registration, a consent under Section 53(42) of the Planning Act could be issued in certificate form or be stamped directly on the document (Transfer/Deed, Transfer of Easement, Charge/Mortgage). Our usual practice was to stamp the consent on the document. Since the document itself had insufficient space to place the stamp, our practice was to stamp the consent on an attached schedule containing the legal description of the property to be severed.

Under electronic registration, since there is no opportunity to place a stamp on a paper document, our practice has been amended to issue the consent in certificate form.

In order to ensure that the legal description in the certificate matches that in the Notice of Decision, **we require a letter and a "Schedule Page" from the Applicant's Solicitor confirming the legal description of the subject lands, sufficient for registration purposes (the "Schedule Page" will be an attachment to the Certificate)**, and four copies of the deposited Reference Plan.

Once we have satisfied ourselves that the legal description provided by the Applicant's Solicitor is correct, and that all other conditions for the consent have been met, we will issue the certificate, and the solicitor may complete the registration of the Transfer or Charge.

To complete our file, we require that the applicant's solicitor provide us with registration particulars after registration has been completed.

**For information purposes only:**

*On a Transfer or Transfer of Easement, one of the following statements on the electronic Transfer must be selected and completed:*

*Statement 100: a consent from the NAME has been obtained for this severance and contains the following conditions: INSERT CONDITIONS OR 'NONE'*

*Statement 101: The NAME has consented to this severance herein: IMPORT CONSENT (i.e. scan the consent and attach it or type the consent verbatim).*

*As neither Statement 100 nor 101 appears in a Charge document, the consent must be typed verbatim or scanned and attached to the document in the Schedules section.*

For information on electronic registration, please contact Teranet at 416-360-1190.



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



**NOTICE OF DECISION**  
**MINOR VARIANCES**

**FILE NUMBER:** A351/15

**APPLICANT:** MELROSE INVESTMENTS INC.

**PROPERTY:** Part of Lot 15, Concession 3 (Part of Block 29, Plan 65M-2795), municipally known as 9131 and 9135 Keele Street, Maple.

**ZONING:** The subject lands are zoned EM3, Retail Warehouse Employment Zone and subject to the provisions of Exception 9(673C) under By-law 1-88 as amended.

**PURPOSE:** To facilitate the severance of the total lands (Subject parcel of land in file B033/15).

**PROPOSAL:** 1. To permit 14 shared parking spaces and parking areas with the property to the north (known as 9141, 9151 Keele Street and 10 and 20 Jacob Keefer Parkway).

**BY-LAW REQUIREMENT:** 1. Parking spaces and areas shall be provided and maintained on the lot on which the building is erected.

**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:  
**Consent Applications:**  
B033/15 - To be heard in conjunction with this application (Dec. 3/15)  
**Minor Variance Applications:**  
A127/15 - Approved -April 30, 2015 (max.of 80% of the Building (identified as 9131 Keele Street) to be occupied by the offices of a Regulated Health Professional).  
Site Plan - DA.12.012 - Approved

A sketch is attached illustrating the request.

**MOVED BY:** \_\_\_\_\_ *may mauch*

**SECONDED BY:** \_\_\_\_\_ *MP*

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.

THAT Application No. **A351/15, MELROSE INVESTMENTS INC.**, be **APPROVED**, in accordance with the sketches attached and subject to the following conditions:

1. That the related Consent application **B033/15** be approved;
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.)**

**VERY IMPORTANT: IT IS THE RESPONSIBILITY OF THE OWNER/APPLICANT AND/OR AGENT TO OBTAIN AND PROVIDE A CLEARANCE LETTER FROM EACH AGENCY AND/OR DEPARTMENT LISTED IN THE CONDITIONS WHETHER "IF REQUIRED" APPEARS IN THE CONDITION OR NOT, AND FORWARD THIS CLEARANCE LETTER TO THE SECRETARY-TREASURER AS SOON AS THE CONDITIONS ARE FULFILLED.**

**FAILURE TO COMPLY WITH THIS PROCEDURE WILL RESULT IN A LETTER BEING FORWARDED BY THE SECRETARY-TREASURER INDICATING THIS FILE HAS LAPSED AND, THEREFORE, WILL NECESSITATE THAT A NEW APPLICATION BE SUBMITTED TO LEGALIZE THIS PROPERTY.**

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

*H. Zheng*  
H. Zheng,  
Vice Chair

*R. Buckler*  
R. Buckler,  
Member

*J. Cesario*  
J. Cesario,  
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:            DECEMBER 3, 2015**  
**Last Date of Appeal:      DECEMBER 23, 2015**

**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. If you do not have Internet access, these forms can be picked up at the City of Vaughan, Committee of Adjustment offices.

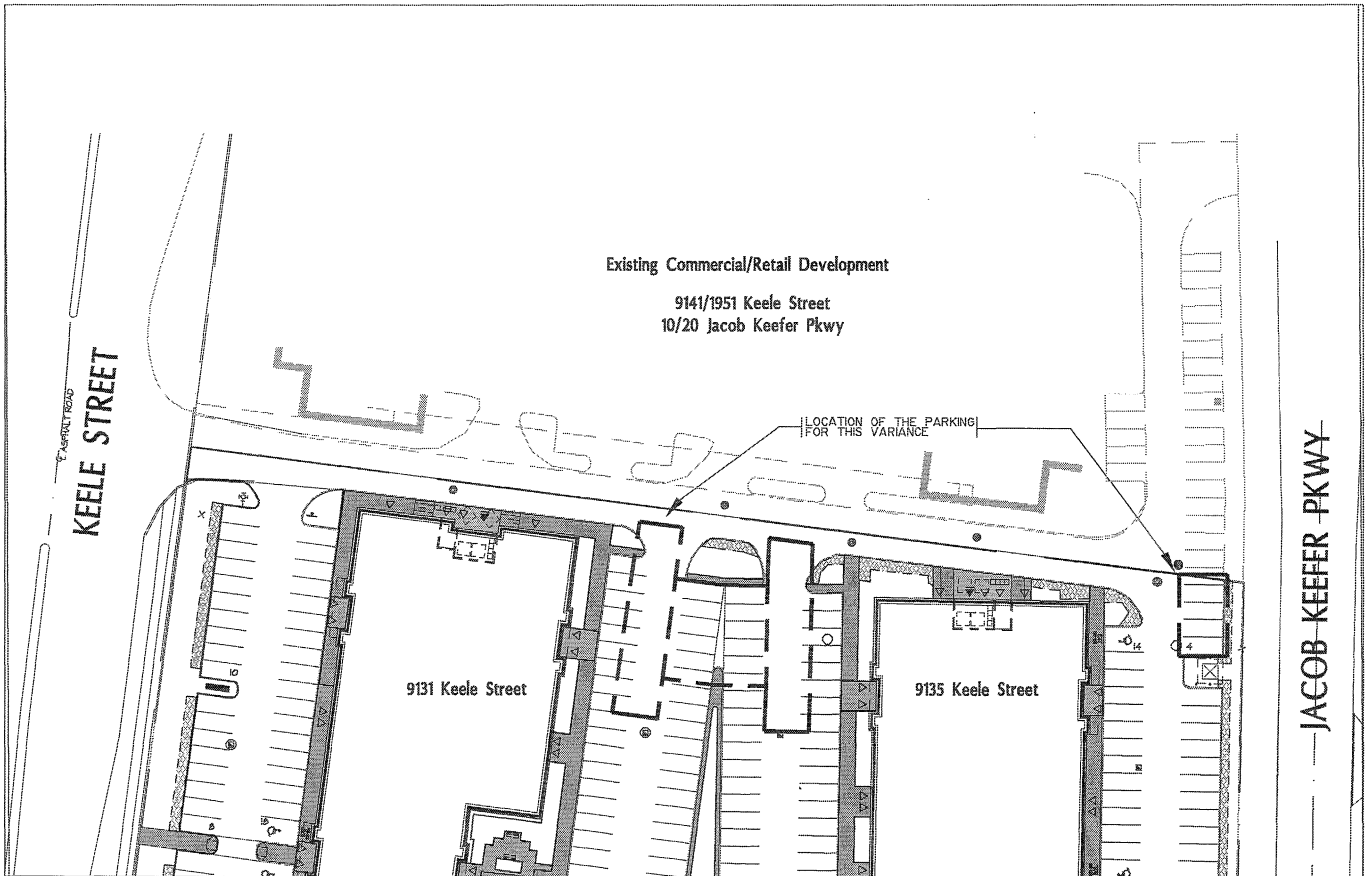
Please fill out Form A1 and follow the instructions as provided by the Ontario Municipal Board and submit your appeal to the City of Vaughan, Committee of Adjustment on or before the date stated above. You must enclose the completed form with the \$650.00 processing fee, paid by **certified cheque** 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: **DECEMBER 23, 2016**

1. To permit 14 shared parking spaces and parking areas with the property to the north (known as 9141, 9151 Keele Street and 10 and 20 Jacob Keefer Parkway).



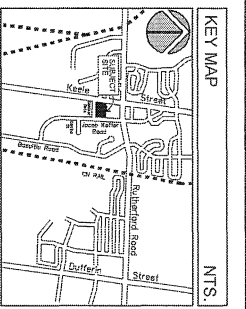
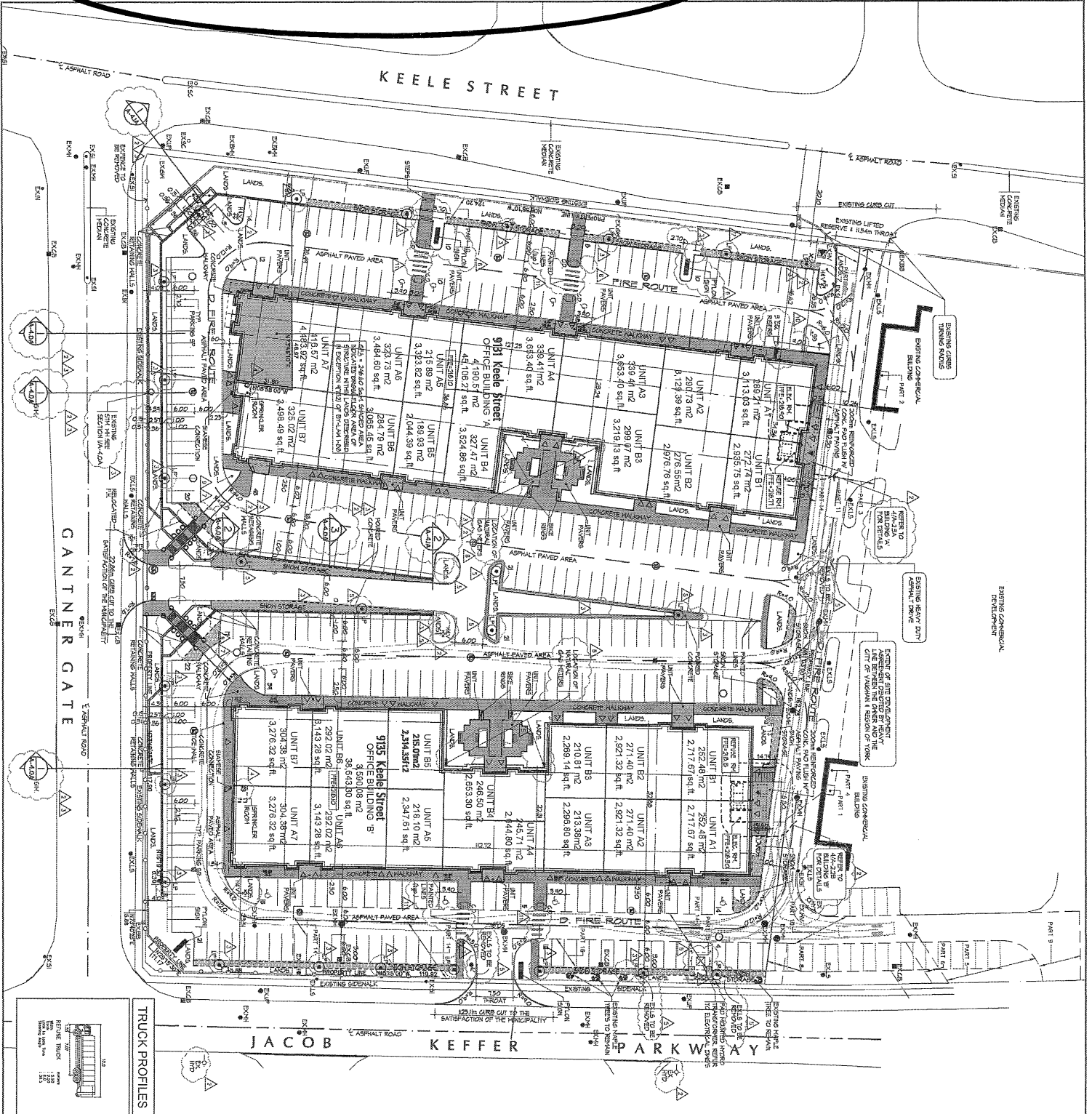
**A. BALDASSARRA**  
Architect Inc.

7800 Jane Street, Suite 200  
Concord, Ontario L4K 4R6  
Tel: (905) 660-0722  
Fax: (905) 660-7019

**9131/9135 Keele Street**  
**Minor Variance Application**  
October 28, 2015

# A351/15

1. To permit 14 shared parking spaces and parking areas with the property to the north (known as 9141, 9151 Keele Street and 10 and 20 Jacob Keefer Parkway).



SYMBOL LEGEND

Symbol	Description
Symbol	LOADING DOCK LOCATIONS
Symbol	STREET LIGHTS
Symbol	STREET LIGHTS (EXISTING)
Symbol	STREET LIGHTS (PROPOSED)
Symbol	STREET LIGHTS (EXISTING) - 15' HIGH
Symbol	STREET LIGHTS (EXISTING) - 20' HIGH
Symbol	STREET LIGHTS (EXISTING) - 25' HIGH
Symbol	STREET LIGHTS (EXISTING) - 30' HIGH
Symbol	STREET LIGHTS (EXISTING) - 35' HIGH
Symbol	STREET LIGHTS (EXISTING) - 40' HIGH
Symbol	STREET LIGHTS (EXISTING) - 45' HIGH
Symbol	STREET LIGHTS (EXISTING) - 50' HIGH
Symbol	STREET LIGHTS (EXISTING) - 55' HIGH
Symbol	STREET LIGHTS (EXISTING) - 60' HIGH
Symbol	STREET LIGHTS (EXISTING) - 65' HIGH
Symbol	STREET LIGHTS (EXISTING) - 70' HIGH
Symbol	STREET LIGHTS (EXISTING) - 75' HIGH
Symbol	STREET LIGHTS (EXISTING) - 80' HIGH
Symbol	STREET LIGHTS (EXISTING) - 85' HIGH
Symbol	STREET LIGHTS (EXISTING) - 90' HIGH
Symbol	STREET LIGHTS (EXISTING) - 95' HIGH
Symbol	STREET LIGHTS (EXISTING) - 100' HIGH

SCALE 1:400

**KEY MAP** N.T.S.

**TRUE NORTH** PROJECT NORTH

**SYMBOL LEGEND**

**SCALE 1:400**

**NOTES**

THIS SITE PLAN DRAWING TO BE READ IN CONJUNCTION WITH THE LANDSCAPE DRAWINGS PREPARED BY ALEXANDER HEDER ARCHITECTS TO THE HARD LANDSCAPE ARCHITECTS SITE PLAN.

CITY OF VAUGHAN - PUBLIC WORKS

CITY ENGINEER SECTION

DATE: 05-10-2011

SCALE: 1:400

X-RAY SIZE: 6x9

Z-NOT: SIZE: 90 mm x 2

**LEGAL DESCRIPTION**

SITE BOUNDARY AND TOPOGRAPHIC INFORMATION

AS SHOWN ON THE PLAN AND THE INFORMATION CONTAINED THEREIN IS THE PROPERTY OF ALEXANDER HEDER ARCHITECTS AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF ALEXANDER HEDER ARCHITECTS.

DATE: 05-10-2011

SCALE: 1:400

X-RAY SIZE: 6x9

Z-NOT: SIZE: 90 mm x 2

**LEGAL DESCRIPTION**

SITE BOUNDARY AND TOPOGRAPHIC INFORMATION

AS SHOWN ON THE PLAN AND THE INFORMATION CONTAINED THEREIN IS THE PROPERTY OF ALEXANDER HEDER ARCHITECTS AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF ALEXANDER HEDER ARCHITECTS.

DATE: 05-10-2011

SCALE: 1:400

X-RAY SIZE: 6x9

Z-NOT: SIZE: 90 mm x 2

**LEGAL DESCRIPTION**

SITE BOUNDARY AND TOPOGRAPHIC INFORMATION

AS SHOWN ON THE PLAN AND THE INFORMATION CONTAINED THEREIN IS THE PROPERTY OF ALEXANDER HEDER ARCHITECTS AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF ALEXANDER HEDER ARCHITECTS.

DATE: 05-10-2011

SCALE: 1:400

X-RAY SIZE: 6x9

Z-NOT: SIZE: 90 mm x 2

**LEGAL DESCRIPTION**

SITE BOUNDARY AND TOPOGRAPHIC INFORMATION

AS SHOWN ON THE PLAN AND THE INFORMATION CONTAINED THEREIN IS THE PROPERTY OF ALEXANDER HEDER ARCHITECTS AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF ALEXANDER HEDER ARCHITECTS.

DATE: 05-10-2011

SCALE: 1:400

X-RAY SIZE: 6x9

Z-NOT: SIZE: 90 mm x 2

**LEGAL DESCRIPTION**

SITE BOUNDARY AND TOPOGRAPHIC INFORMATION

AS SHOWN ON THE PLAN AND THE INFORMATION CONTAINED THEREIN IS THE PROPERTY OF ALEXANDER HEDER ARCHITECTS AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF ALEXANDER HEDER ARCHITECTS.

DATE: 05-10-2011

SCALE: 1:400

X-RAY SIZE: 6x9

Z-NOT: SIZE: 90 mm x 2

**LEGAL DESCRIPTION**

SITE BOUNDARY AND TOPOGRAPHIC INFORMATION

AS SHOWN ON THE PLAN AND THE INFORMATION CONTAINED THEREIN IS THE PROPERTY OF ALEXANDER HEDER ARCHITECTS AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF ALEXANDER HEDER ARCHITECTS.

DATE: 05-10-2011

SCALE: 1:400

X-RAY SIZE: 6x9

Z-NOT: SIZE: 90 mm x 2

NO	ISSUED	DATE
1	ISSUED FOR REVIEW	NOV. 28, 2011
2	ISSUED FOR SITE PLAN AMENDMENT	FEB. 04, 2012
3	REISSUED FOR SITE PLAN AMENDMENT	AUG. 22, 2012
4	REISSUED FOR SITE PLAN AMENDMENT	DEC. 11, 2012
5	ISSUED FOR BUILDING PERMIT	JAN. 18, 2013
6	ISSUED FOR CONSTRUCTION PERMITS	FEB. 15, 2013

NO	REVISION	DATE
1	REVISED AS PER CITY COMMENTS	MAR. 01, 2013
2	REVISED SITE PLAN	NOV. 23, 2011

**Keele Street and Gantner Gate Building-A&B**  
 9131 & 9135 Keele Street  
 City of Vaughan

**A. BALDASSARRA**  
 Architect Inc.

7800 Jane Street, Suite 200  
 Concord, Ontario L4K 4A6  
 Tel: (905) 660-0722  
 Fax: (905) 660-7019

ASSOCIATION OF ARCHITECTS  
 A BALDASSARRA ARCHITECTS

**Site Plan**  
 DA-12-012

DATE: Oct. / 2011  
 SCALE: 1:400  
 DRAWING NO: A-1.0



# Location Map - B033/15, A350/15 & A351/15

9131 & 9135 Keele Street, Maple and 9141 & 9151 Keele Street, Maple



City of Vaughan



The City of Vaughan makes every effort to ensure that this map is free of errors but does not warrant that the map or its features are spatially, tabularly, or temporally accurate or fit for a particular use. This map is provided by the City of Vaughan without warranties of any kind, either expressed or implied.

# **NOTICE OF DECISION**

## **MINOR VARIANCES**

**FILE NUMBER:** A127/15

**APPLICANT:** MELROSE INVESTMENTS INC.

**PROPERTY:** Part of Lot 15, Concession 3 (Part of Block 29, Registered Plan No. 65M-2795) municipally known as 9131/9135 Keele Street, Concord

**ZONING:** The subject lands are zoned EM3, Retail Warehouse Employment Zone and subject to the provisions of Exception 9(673C) under By-law 1-88 as amended.

**PURPOSE:** To permit the use of a Regulated Health Professional in the EM3 Zone.

***PRIOR to the hearing the agent amended the Sketch as follows:***

1. To permit a **maximum of 80% of the Building (identified as 9131 Keele Street)** to be occupied by the offices of a Regulated Health Professional.  
**NOT** To permit the offices of a Regulated Health Professional.

**PROPOSAL:** 1. To permit a **maximum of 80% of the Building (identified as 9131 Keele Street)** to be occupied by the offices of a Regulated Health Professional.

**BY-LAW REQUIREMENT:** 1. The offices of a Regulated Health Professional are not permitted.

**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:


Minor Variance Application  
A414/06 - APPROVED October 12 2006 - Minimum landscaped strip abutting Keele Street = 6.0m, minimum rear yard setback and interior side yard = 0m, G.F.A. = 272.21 sq. m, Create a mutual driveway partially over the lands to the north.

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. **A127/15, MELROSE INVESTMENTS INC.**, 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

R. Buckler  
R. Buckler,  
Member

J. Cesario  
J. Cesario,  
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: APRIL 30, 2015**  
**Last Date of Appeal: MAY 20, 2015**

**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 \$690.00 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".

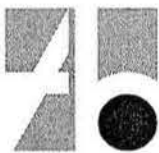
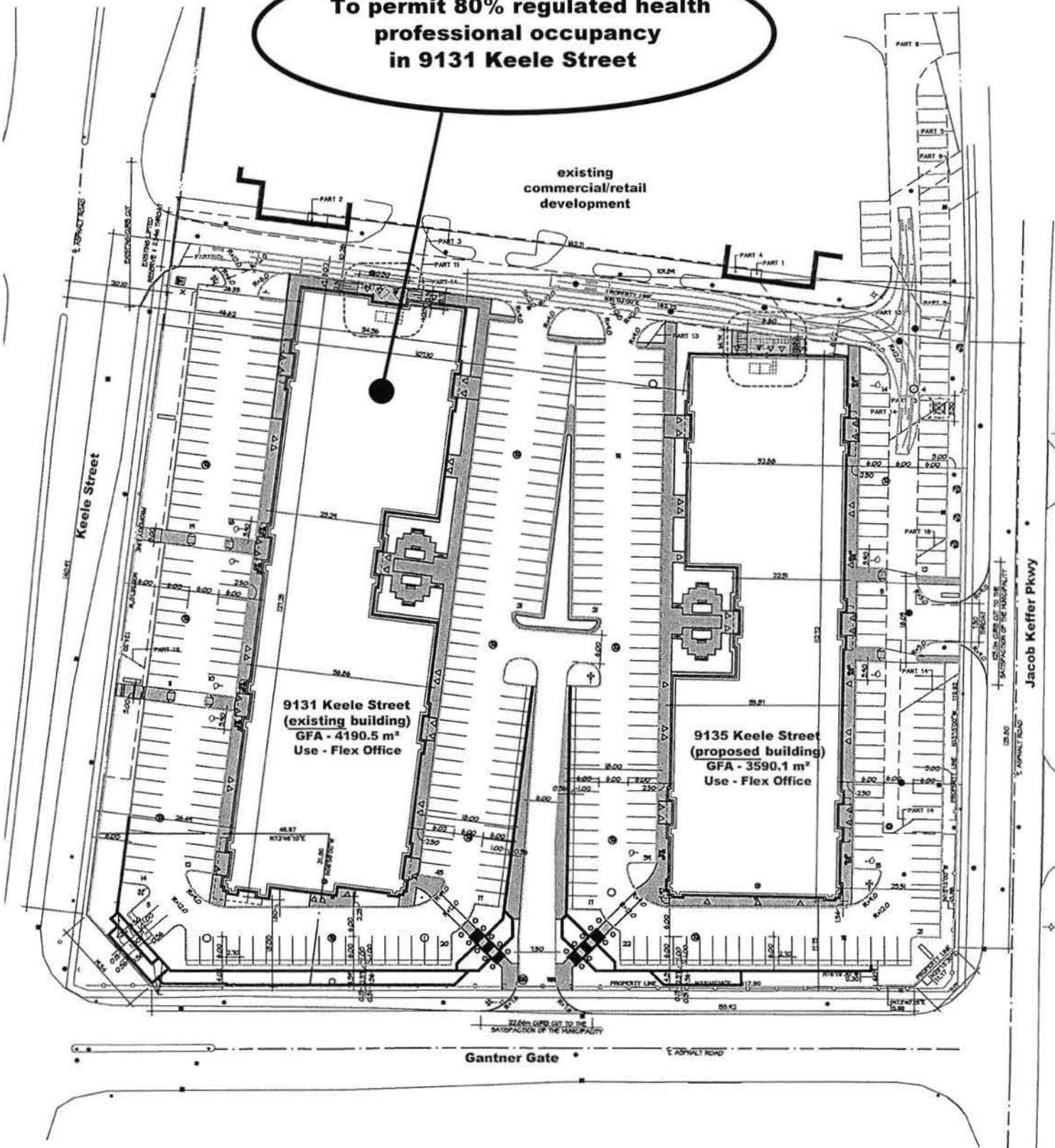
**NOTE:** The Planning Act provides for appeals to be filed by "persons". As groups or associations, such as residents or ratepayers groups which do not have incorporated status, may not be considered "persons" for the purposes of the Act, groups wishing to appeal this decision should do so in the name 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: **MAY 20, 2016**



**To permit 80% regulated health professional occupancy in 9131 Keele Street**



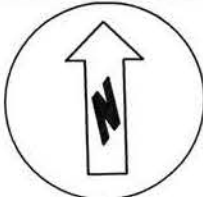

**A. BALDASSARRA**  
Architect Inc.

9131/9135 Keele Street  
Minor Variance Application  
March 27, 2015





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

	<b>FILE NUMBER:</b>	<b>A12715</b>
	<b>APPLICANT:</b>	<b>MELROSE INVESTMENTS INC.</b>
		<b>Subject Area</b> Municipally known as <b>9131/9135 Keele Street, Concord</b>

COMMITTEE OF ADJUSTMENT  
**(VARIANCES)**

# NOTICE OF DECISION

**FILE NO: A414/06**

IN THE MATTER OF Subsection 45 of the Planning Act.

IN THE MATTER OF an application by **ROWHEDGE CONSTRUCTION LTD.**, with respect to Part of Lot 15, Concession 3, (Block 29, Registered Plan No. 65M-2795, Parts 12 to 20, Reference Plan No. 65R-21460, Parts 1 & 5, Reference Plan No. 65R-13520, municipally known as 9131 Keele Street, Maple.)

The subject lands are zoned EM3, Retail Warehouse Employment Area, under By-law 1-88 subject to Exception 9(673C) and 9(732) as amended.

The applicant is requesting variances to permit the construction of a one storey industrial employment use building with an ancillary office, as follows:

**Proposal:**

1. Minimum landscaped strip abutting Keele Street (arterial road) = 6.0m.
2. Minimum rear yard setback and interior side yard = 0m.
3. Gross floor area of the building within the lands as shown on Schedule E-814 (Concession 3, Part Lot 15) = 272.21m<sup>2</sup>
4. Create a mutual driveway partially over the lands to the north.

**By-Law Requirements:**

1. Minimum landscaped strip abutting Keele Street (arterial road) = 9.0m.
2. Minimum rear yard setback and interior side yard = 3.0m.
3. Gross floor area of the building within the lands as shown on Schedule E-814 (Concession 3, Part Lot 15) = 50m<sup>2</sup>.
4. All parking spaces and related aisles, maneuvering areas and entrances and exits to be located on the lot.

A sketch is attached illustrating the request.

**Other Planning Act Applications**

The land which is the subject in this application is/was also the subject of applications under the Planning Act for:

Site Development Application File      DA.05.021      ADOPTED BY COUNCIL September 11, 2006.

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. **A414/06 – ROWHEDGE CONSTRUCTION LTD.**, be **APPROVED**, in accordance with the sketches attached.

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

CARRIED.

CHAIR: \_\_\_\_\_

Signed by all members present who concur in this decision:

~~\_\_\_\_\_~~  
M. Maut  
Chair, **ABSENT**

~~\_\_\_\_\_~~  
T. DeCicco  
Vice Chair, **ABSENT**

\_\_\_\_\_  
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: **OCTOBER 12, 2006**  
LAST DATE OF APPEAL: **NOVEMBER 1, 2006**

**APPEALS MUST BE RECEIVED BY THIS OFFICE NO LATER THAN 4:30P.M . ON NOVEMBER 1, 2006.**  
*Should you decide to appeal this decision to the Ontario Municipal Board, a copy of an appeal form is available for download in Microsoft Word and Adobe Acrobat versions from the Ontario Municipal Board website at [www.omb.gov.on.ca](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.*

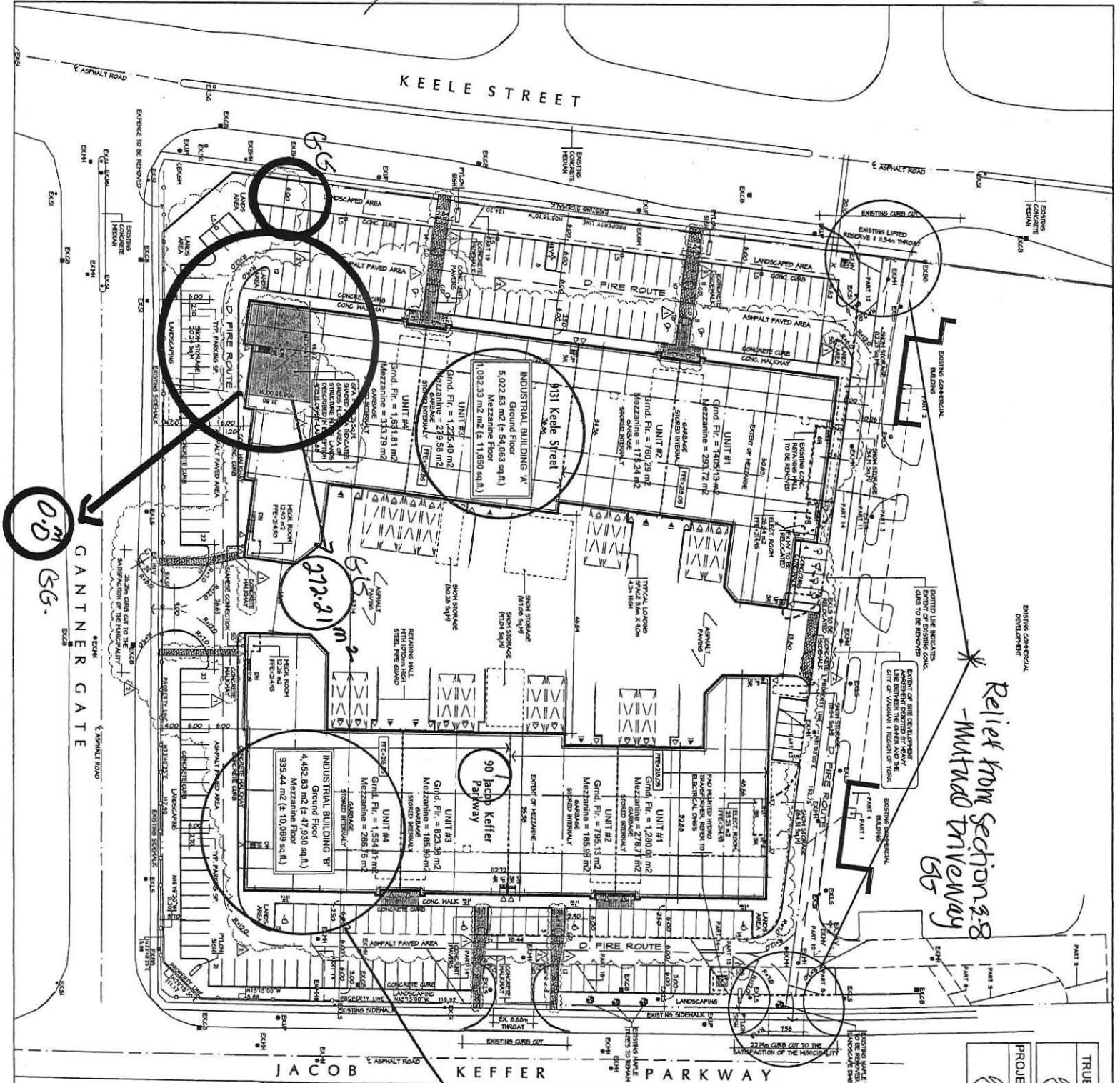
*Please fill out Form A1 and follow the instructions as provided by the Ontario Municipal Board and submit your appeal to the City of Vaughan, Committee of Adjustment on or before the date stated above.*

**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:  
\* \* \* NOVEMBER 1, 2007 \* \* \***

Revised  
Sept 20/06

A414/06



Relief from Section 3.8  
- Mulrond DriveWAY  
G5

0.0  
G5

TRUE NORTH  
PROJECT NORTH  
KEY MAP  
NTS  
SYMBOL LEGEND  
HIC RAMP DETAIL

LEGAL DESCRIPTION  
SITE STATISTICS

ITEM	REQUIRED	PROVIDED
BUILDING AREA (A - B)	11,919.64 m <sup>2</sup>	11,919.64 m <sup>2</sup>
LANDSCAPED AREA	14,461.0 m <sup>2</sup>	14,461.0 m <sup>2</sup>
TOTAL AREA	26,380.64 m <sup>2</sup>	26,380.64 m <sup>2</sup>

NO VARIATION DEVICES  
NO REQUIREMENTS  
FOR RAMP

LEGAL DESCRIPTION  
SUBJECT SITE COMPOSED OF PARTS 13, 14, 15, 16, 17, 18, 19, and 20 AND PART 21 OF PLAN 188-3330 (P.L.A. 03/27/92 (1.1))

SITE STATISTICS

ITEM	REQUIRED	PROVIDED
BUILDING G.C.A. - 4805' X	5,022.83 m <sup>2</sup>	5,022.83 m <sup>2</sup>
MESSEZINE FLOOR	1,082.23 m <sup>2</sup>	1,082.23 m <sup>2</sup>
TOTAL AREA	6,105.06 m <sup>2</sup>	6,105.06 m <sup>2</sup>

Keye Street &  
Gantner Gate  
9131 Keele Street +  
90 Jacob Keffer Parkway  
Vaughan, Ontario

A. BALDASSARRA  
Architect Inc.  
7800 Jane Street, Suite 200  
Concord, Ontario L4K 4R6  
Tel: (905) 886-0722  
Fax: (905) 886-7819

NO.	REVISION	DATE
1	FOR MUNICIPAL SITE DEVELOPMENT CONTRACTS	MAY 07 2006
2	AS PER CLIENT REQUESTED CHANGES	APRIL 26 2006

NO.	ISSUED	DATE
1	ISSUED FOR SITE PLAN APPROVAL	MAY 02 2005
2	ISSUED FOR CLIENT REVIEW	AUG. 02 2005
3	ISSUED FOR CLIENT REVIEW	FEB. 16 2006
4	ISSUED FOR CLIENT REVIEW	MAY 07 2006
5	ISSUED FOR CLIENT REVIEW	MAY 14 2006
6	ISSUED FOR CLIENT REVIEW	MAY 5 2006
7	RE-ISSUED FOR SITE PLAN APPROVAL	MAY 4 2006

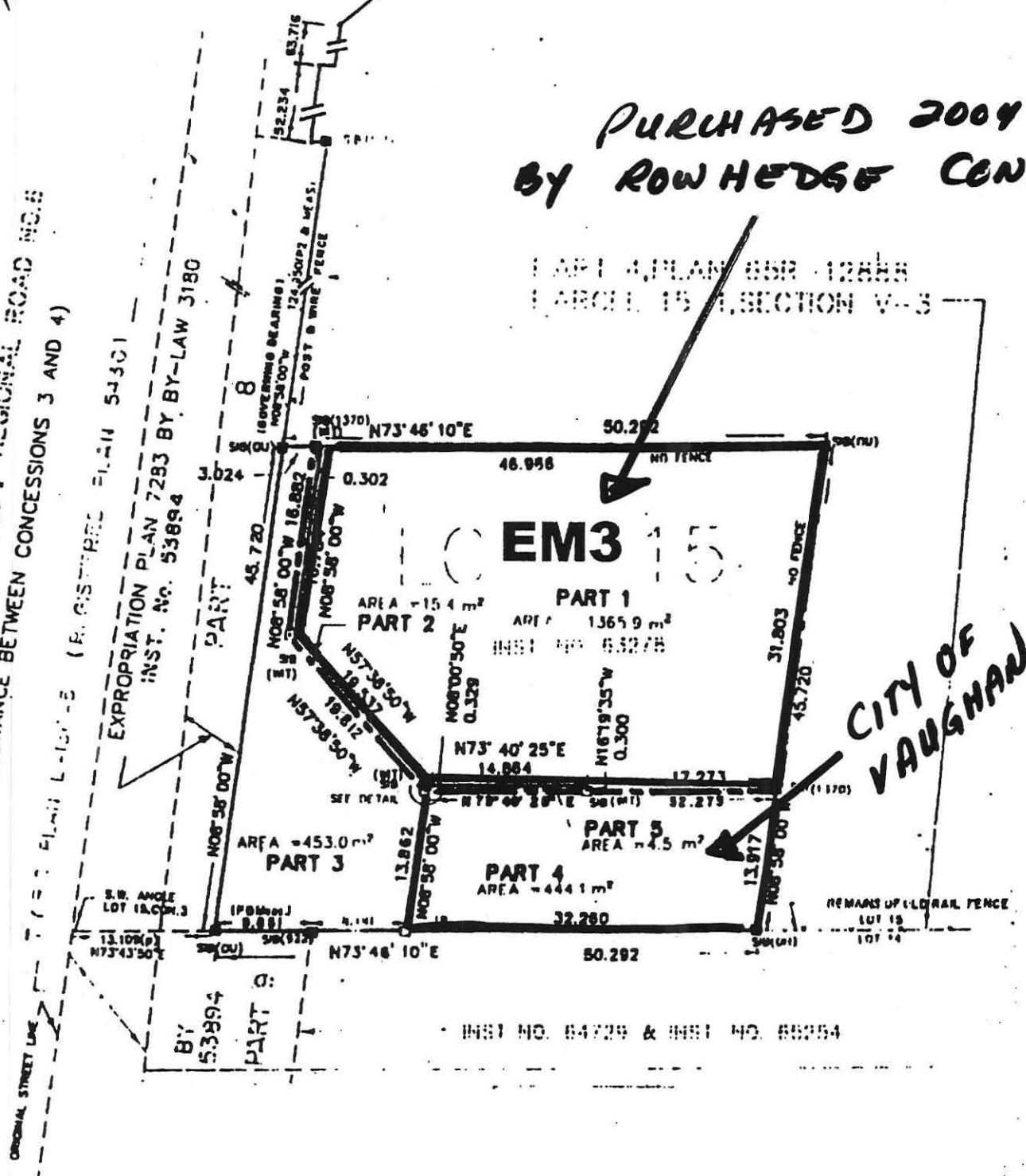
A414/06



RUTHERFORD ROAD

PURCHASED 2004  
BY ROW HEDGE CONST.

KEELE STREET REGIONAL ROAD NO. 8  
(ROAD ALLOWANCE BETWEEN CONCESSIONS 3 AND 4)



CITY OF VAUGHAN

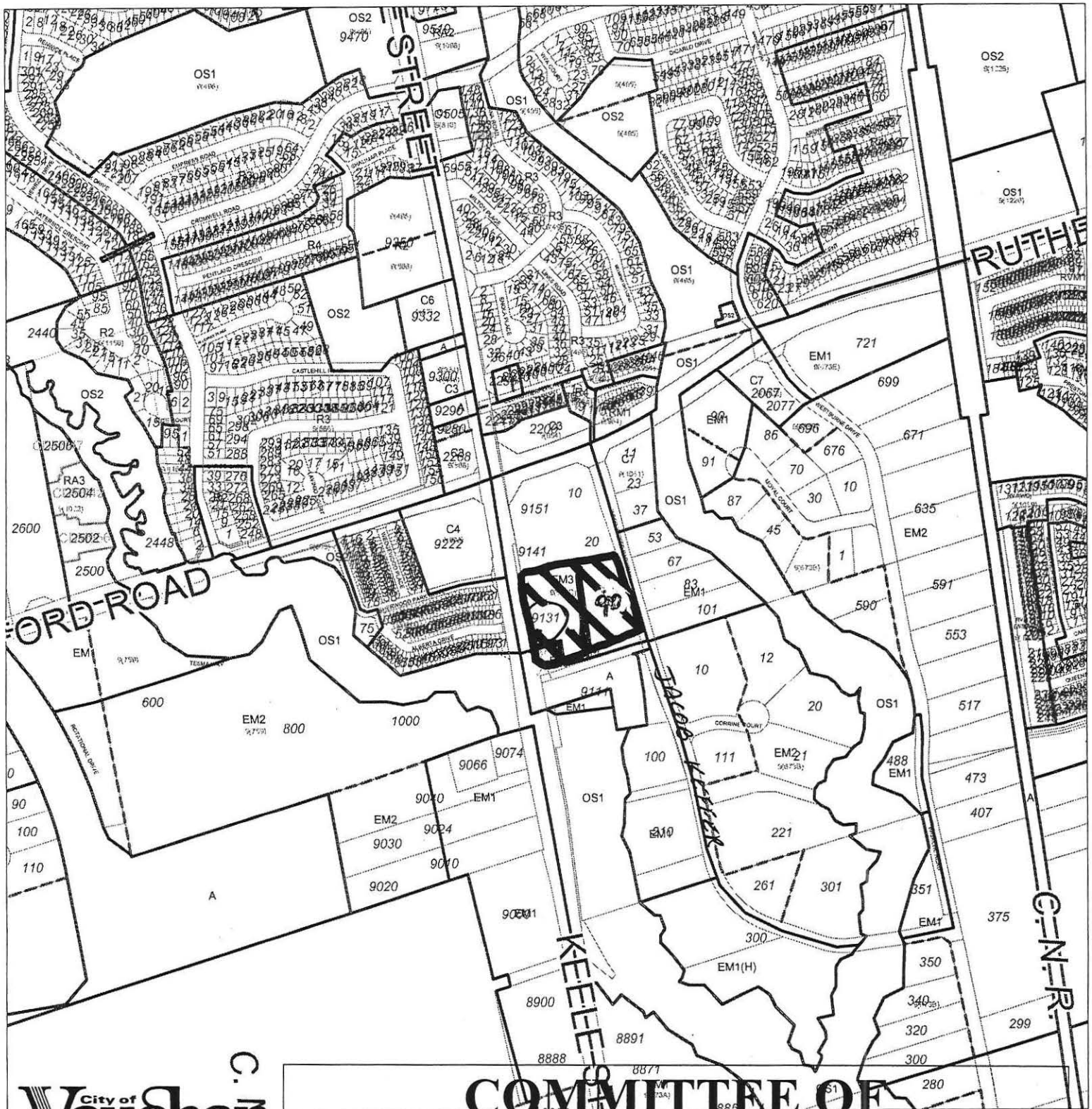
NOT TO SCALE

THIS IS SCHEDULE 'E - 814'  
TO BY-LAW 1-88  
SECTION 9 ( 732 )

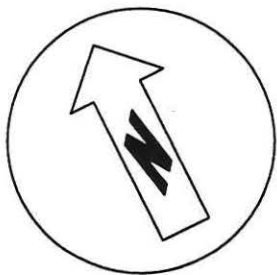
LOCATION: Part of Lot 15, Concession 3  
CITY OF VAUGHAN

SUBJECT LANDS






**City of Vaughan**  
The City Above Toronto



## COMMITTEE OF ADJUSTMENT

<b>File No.:</b>	<b>A414/06</b>
<b>Applicant</b>	<b>ROWHEDGE CONSTRUCTION LTD.</b>
	<b>Subject Area</b> MUNICIPALLY KNOWN AS: <b>9131 KEELE ST., MAPLE</b>