

VAUGHAN Staff Report Summary

File:	A186/21
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Applicant: Suncor Energy Inc.

Address: 8480 Hwy 27, Vaughan

Agent: Adam Grossi

Please note that comments and written public submissions received after the preparation of this Staff Report (up until noon on the last business day prior to the day of the scheduled hearing date) will be provided as an addendum.

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

Adjournment History: None

Background History: A154/18

Staff Report Prepared By: Adriana MacPherson Hearing Date: Thursday, September 30, 2021

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



Minor Variance Application Page 2 Agenda Item: 21

A186/21

Ward: 2

Staff Report Prepared By: Adriana MacPherson, Assistant Secretary Treasurer

Date & Time of Live	Thursday, September 30, 2021 at 6:00 p.m.
Stream Hearing:	As a result of COVID-19, Vaughan City Hall and all other City facilities are closed to the public at this time.
	A live stream of the meeting is available at Vaughan.ca/LiveCouncil
	Please submit written comments by mail or email to:
	City of Vaughan Office of the City Clerk – Committee of Adjustment 2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1 <u>cofa@vaughan.ca</u>
	To make an electronic deputation at the meeting please contact the Committee of Adjustment at <u>cofa@vaughan.ca</u> or 905-832-8504. Ext. 8332
	Written comments or requests to make a deputation must be received by noon on the last business day before the meeting.
Applicant:	Suncor Energy Inc.
Agent:	Adam Grossi
Property:	8480 Hwy 27, Vaughan
Zoning:	The subject lands are zoned C7, Service Commercial Zone, and subject to the provisions of Exception 9(1173) under By-law 1-88 as amended.
OP Designation:	Vaughan Official Plan 2010 ('VOP 2010'): "Employment Commercial Mixed-Use", with a maximum permitted building height of 10-storeys and a Floor Space Index ('FSI') of 3 times the area of the lot.
Related Files:	B015/21, A186/21 and A187/21
Purpose:	Relief from By-law 1-88, as amended is requested to permit reduced lot area on the retained land to facilitate Consent Application B015/21. The existing gas bar/car wash and convenience store/restaurant on the retained lands is to remain.

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

By-law Requirement	Proposal
A minimum Lot area of 8,000 m2 is required	To permit a minimum Lot area of 7686 m2.
(Schedule A).	

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

Application No.:	Description:	Status of Approval: Approved/Refused/Withdrawn/
		OMB/Concurrent
A154/21	To permit reduced lot area	Approved

For information on the previous approvals listed above please visit <u>www.vaughan.ca</u>. 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 September 15, 2021

Applicant confirmed posting of signage on September 15, 2021

Property Information		
Existing Structures	Year Constructed	
Gas Bar	10 + years	
Car Wash	10 + years	
Commercial Store	10 + years	

Applicant has advised that they cannot comply with By-law for the following reason(s): In order to create a new parcel with a viable size, a large portion of the existing property must be severed.

Adjournment Request: None

Building Standards (Zoning Review):

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

Building Permit No. 06-006713 for Service Station - New, Issue Date: Nov 15, 2006 Building Permit No. 18-001696 for Multi-Use (Comm. Speculative) - New, Issue Date: (Not Yet Issued)

Other Comments:

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

Building Inspections (Septic):

No comments or concerns

Development Planning:

The Development Planning Department recommends approval of the application.

The Owner is proposing to sever the subject lands to create a new commercial lot to facilitate the development of a one-storey commercial building. Blanket reciprocal easements are also proposed over the severed and retained lands to permit shared access and servicing from Highway 27 and to recognize that the site will function as one property. On June 11, 2018, the Owner submitted Site Development Application File DA.18.045 to permit the above-noted development, to which the Development Planning Department is the delegated approval authority.

Since that time, the Development Planning Department has reviewed the application and has provided the Owner with a finalized Site Plan memorandum Agreement, to be executed following Committee of Adjustment approval of the related Consent and Minor Variance applications. The Development Planning Department has no objection to the requested severance and related minor variances. The Department previously supported Consent Application B016/18, and Minor Variance Applications A152/18 and A154/18 on the subject lands, which the Committee of Adjustment subsequently approved, to facilitate the same development as proposed through DA.18.045. The requested severance and related variances remain consistent to what was previously approved by the Committee.

The Owner was not able to fulfill the conditions on the previous Consent application within the prescribed oneyear timeframe which has since lapsed. Accordingly, the Development Planning Department is of the opinion that the proposed variances are minor in nature, maintain the general intent and purpose of the Official Plan and Zoning By-law, and are desirable for the appropriate development of the subject lands.

The Development Planning Department has no objection to the requested severance and is of the opinion that the proposal maintains the intent of the severance policies of VOP 2010, and the consent criteria stipulated in Section 51(24) of the Planning Act, R.S.O. 1990, c P.13.

Development Engineering:

The Development Engineering (DE) Department does not object to variance application A186/21. Additional comment:

The variance application A186/21 and A187/21 shall be approved final and binding in conjunction with consent application B015/21.

Parks Development - Forestry:

Forestry has no comment at this time.

Staff Report A186/21 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 None

Schedule C - Agency Comments Alectra (Formerly PowerStream) – Under review Region of York – Under review

Schedule D - Previous Approvals (Notice of Decision)

Minor Variance A154/18

Staff Recommendations:

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

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

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

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

	Department/Agency	Condition
1	Committee of Adjustment Christine Vigneault 905-832-8585 x 8332 <u>christine.vigneault@vaugan.ca</u>	 That a Surveyors Certificate confirming lot area, frontage and lot depth is submitted. That Consent Application B015/21 receive final certification from the Secretary Treasurer and be registered on title. A copy of the registered transfer confirming registration of the Certificate of Official must be provided to the Secretary Treasurer to satisfy this condition. That the applicant obtain a municipal address from the GIS Mapping Section of the Development Planning Department and that confirmation of address creation be provided to the Secretary Treasurer. Approval and registration of certificate for B015/21
2	Building Standards Catherine Saluri 905-832-8585 x <u>catherine.saluri@vaughan.ca</u>	That consent file B015/21 is approved.

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.

Staff Report A186/21

Development outside of the approved building envelope (subject to this application) must comply with the provisions of the City's Zoning By-law or additional variances may be required.

Elevation drawings are provided to reflect the style of roof to which building height has been applied (i.e. flat, mansard, gable etc.) as per By-law 1-88 and the Committee of Adjustment approval. Please note, that architectural design features (i.e. window placement), that do not impact the style of roof approved by the Committee, are not regulated by this decision.

Notice to the Applicant – Development Charges

That the payment of the Regional Development Charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the Regional Development Charges By-law in effect at the time of payment.

That the payment of the City Development Charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the City's Development Charges By-law in effect at the time of payment.

That the payment of the Education Development Charge if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the Boards of Education By-laws in effect at the time of payment

That the payment of Special Area Development charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and The City's Development Charge By-law in effect at the time of Building permit issuance to the satisfaction of the Reserves/Capital Department.

Notice to Public

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

PUBLIC CONSULTATION DURING OFFICE CLOSURE: Any person who supports or opposes this application, but is unable to attend the hearing, may make a written submission, together with reasons for support or opposition. Written submissions on an Application shall only be received until **noon** on the last business day **prior** to the day of the scheduled hearing. Written submissions can be mailed and/or emailed to:

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

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

Presentations to the Committee are generally limited to 5 minutes in length. Please note that Committee of Adjustment meetings may be audio/video recorded. Your name, address comments and any other personal information will form part of the public record pertaining to this application.

PUBLIC RECORD: Personal information is collected under the authority of the Municipal Act, the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), the Planning Act and all other relevant legislation, and will be used to assist in deciding on this matter. All personal information (as defined by MFIPPA), including (but not limited to) names, addresses, opinions and comments collected will become property of the City of Vaughan, will be made available for public disclosure (including being posted on the internet) and will be used to assist the Committee of Adjustment and staff to process this application.

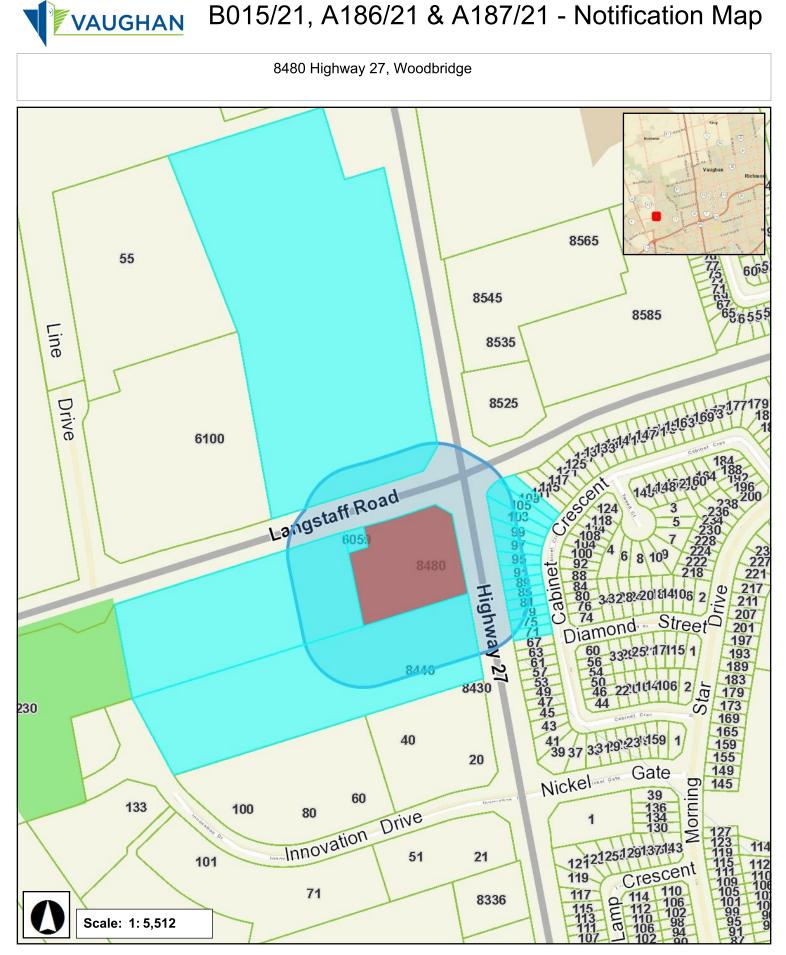
NOTICE OF DECISION: If you wish to be notified of the decision in respect to this application or a related Ontario Land Tribunal (OLT) hearing you must complete a Request for Decision form and submit to the Secretary Treasurer (ask staff for details). In the absence of a written request to be notified 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

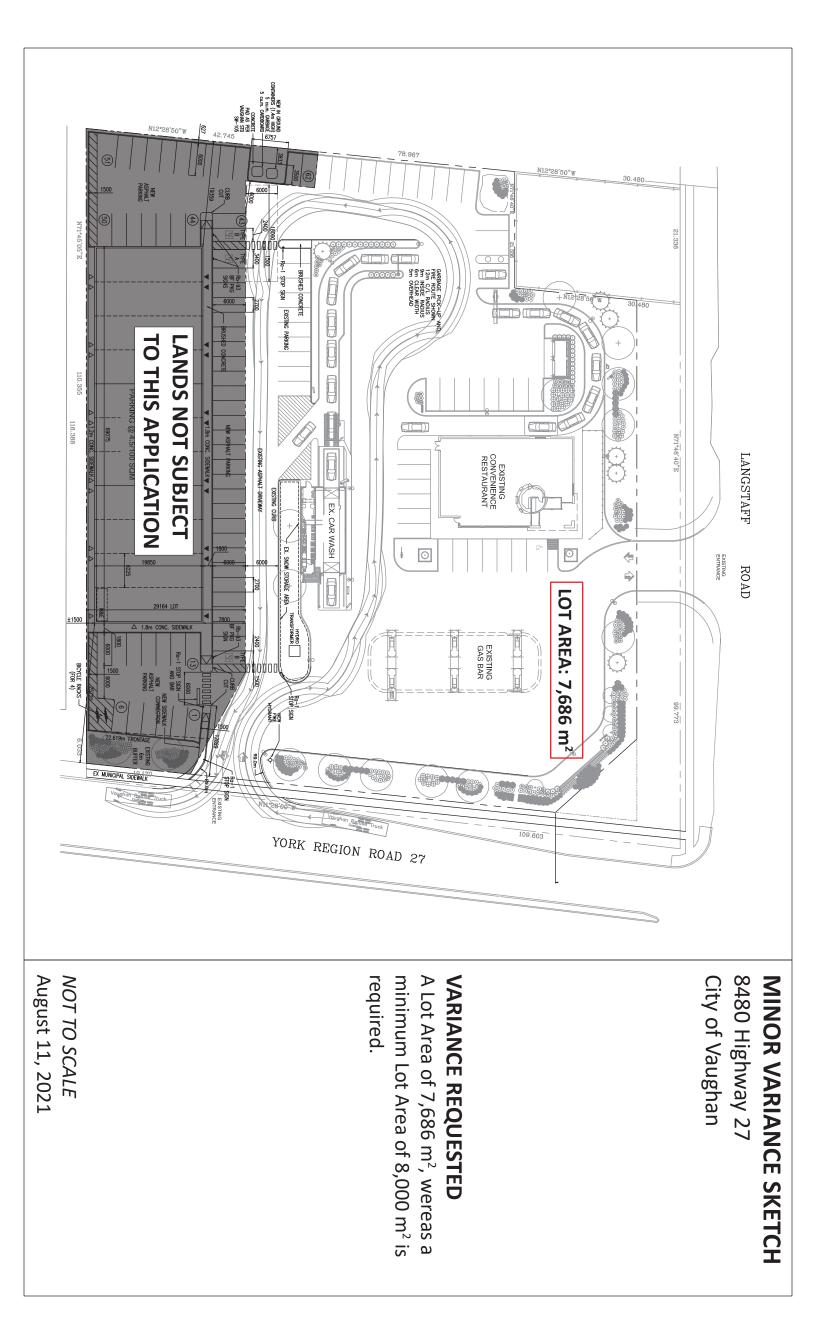
Schedule A: Plans & Sketches

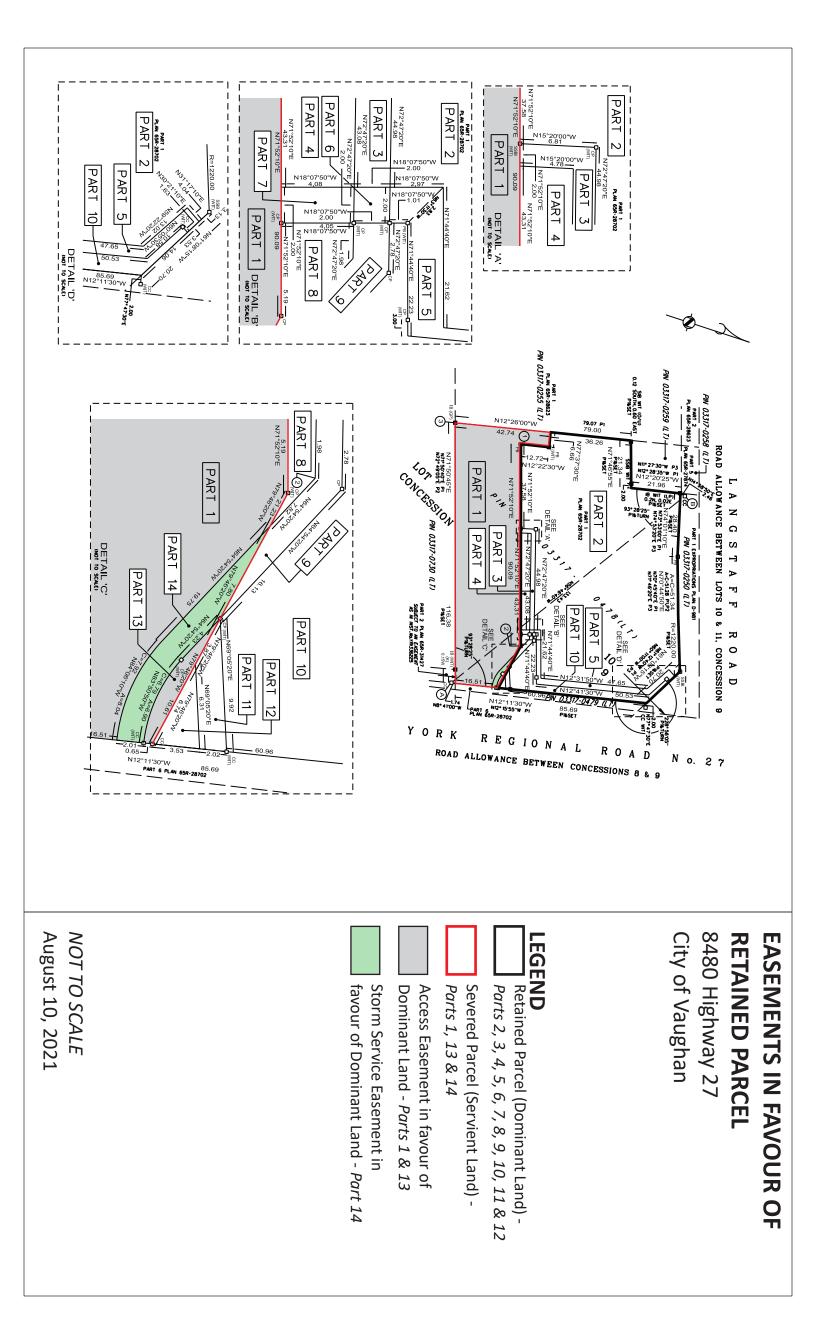
Please note that the correspondence listed in Schedule A is not comprehensive. Plans & sketches received after the preparation of this staff report will be provided as an addendum.

Location Map Plans & Sketches



September 14, 2021 6:36 PM





Schedule B: Public Correspondence Received

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

None

Schedule C: Agency Comments

Alectra (Formerly PowerStream) – Under review Region of York – Under review

Schedule D: Previous Approvals (Notice of Decision)

Minor Variance Application A154/18



Committee of Adjustment 2141 Major Mackenzie Drive, Vaughan, ON L6A

141 Major Mackenzie Drive, Vaugnan, ON L6A 1T1 T 905 832 8585

E CofA@vaughan.ca

NOTICE OF DECISION

Minor Variance Application A154/18

Section 45 of the Planning Act, R.S.O, 1990, c.P.13

Date of Hearing:	Thursday , September 13, 2018
Applicant:	Suncor Energy Inc.
Agent	1877300 Ontario Inc.
Property:	8480 Hwy 27, Woodbridge
Zoning:	The subject lands are zoned C7, Service Commercial, and subject to the provisions of Exception 9(1173) under By-law 1-88 as amended.
OP Designation:	VOP 2010: "Employment-Commercial Mixed-Use" with a maximum permitted height of 10 stories and density of 3 FSI
Related Files:	Consent Application B016/18 & Minor Variance Application A152/18
Purpose:	Relief from the by-law is requested to permit reduced lot area on the retained land to facilitate Consent Application B016/18.

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

By-law Requirement	Proposal
A minimum Lot Area of 8000 m2 is required.	To permit a minimum Lot Area of 7686.0 m2.

Sketch: A sketch illustrating the request has been attached to the decision.

Having regard to the requirements of Section 45 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, including the written and oral submissions related to the application, it is the decision of the Committee:

THAT Application No. A154/18 on behalf of Suncor Energy Inc. be **APPROVED**, in accordance with the sketch submitted with the application (as required by Ontario Regulation 200/96) and subject to the following conditions:

a linear	Department/Agency	Condition
1	Committee of Adjustment Christine Vigneault	 That a Surveyors Certificate confirming lot area is submitted.
	905-832-8585 x 8332 <u>christine.vigneault@vaughan.ca</u>	2. That Consent Application B016/18 receive final certification from the Secretary Treasurer and be registered on title. A copy of the registered transfer confirming registration of the Certificate of Official must be provided to the Secretary Treasurer to satisfy this condition.
2	Building Standards Catherine Saluri	That Consent Application B016/18 is approved.
	905-832-8585 x 8310 catherine.saluri@vaughan.ca	
3.	Development Planning Christopher Cosentino	That the owner addresses all remaining comments of Site Development Application DA.18.045 to the satisfaction of the Development
	905-832-8585 x 8215 Christopher.cosentino@vaughan.ca	Planning Department.

For the following reasons:

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

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.

Written & oral submissions considered in the making of this decision were received from the following:

Public Written Submissions	Public Oral Submissions
* Public Correspondence received and considered by the	*Please refer to the approved Minutes of the Thursday,
Committee in making this decision	September 13, 2018 meeting for submission details.
None	Name: Address:

SIGNED BY ALL MEMBERS PRESENT WHO CONCUR IN THIS DECISION:

Imp	Rein	NBink
H. Zheng	J. Cesario	R. Buckler
Member	Chair	Vice Chair
May Mau M. Mauti Member	th	A. Perrella Member

DATE OF HEARING:	Thursday , September 13, 2018
DATE OF NOTICE:	September 21, 2018
LAST DAY FOR *APPEAL: *Please note that appeals must be received by this office no later than 4:30 p.m. on the last day of appeal.	October 03, 2018 4:30 p.m.
CERTIFICATION: I hereby certify that this is a true copy of the decision of	
the City of Vaughan's Committee of Adjustment and this decision was concurred in by a majority of the members who heard the application.	
Christine Vigneault, ACST Manager Development Services & Secretary Treasurer to the Committee of Adjustment	

Appealing to The Local Planning Appeal Tribunal

The Planning Act, R.S.O. 1990, as amended, Section 45

The applicant, the Minister or any other person or public body who has an interest in the matter may within 20 days of the making of the decision appeal to the Local Planning Appeal Tribunal (LPAT) against the decision of the Committee by filing with the Secretary-Treasurer of the Committee a notice of appeal (A1 Appeal Form) setting out the objection to the decision and the reasons in support of the objection accompanied by payment to the Secretary-Treasurer of the fee prescribed by the Tribunal under the *Local Planning Appeal Tribunal Act*.

Note: A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

When **no appeal is lodged** within twenty days of the date of the making of the decision, the decision becomes final and binding and notice to that effect will be issued by the Secretary-Treasurer.

Appeal Fees & Forms

Local Planning Appeal Tribunal: The LPAT appeal fee is \$300 plus \$25 for each additional consent/variance appeal filed by the same appellant against connected applications. The LPAT Appeal Fee must be paid by certified cheque or money order payable to the "Minister of Finance". Notice of appeal forms (A1 Appeal Form – Minor Variance) can be obtained at <u>www.elto.gov.on.ca</u> or by visiting our office.

City of Vaughan LPAT Processing Fee: \$793.00 per application

*Please note that all fees are subject to change.

Conditions

It is the responsibility of the owner/applicant and/or authorized agent to obtain and provide a clearance letter from each respective department and/or agency. This letter must be provided to the Secretary-Treasurer to be finalized. All applicable conditions must be cleared prior to the issuance of a Building Permit.

VAUGHAN LOCATION MAP B016/18, A152/18, A154/18



August 22, 2018 11:10 AM

