



**File:** A199/21

**Applicant:** RPIG Realty Holdings Ltd

**Address:** 8500 Keele St Vaughan

**Agent:** Weston Consulting Group

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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		
Development Planning	<input checked="" type="checkbox"/>	
Development Engineering		
Parks, Forestry and Horticulture Operations	<input checked="" type="checkbox"/>	
By-law & Compliance	<input checked="" type="checkbox"/>	
Financial Planning & Development	<input checked="" type="checkbox"/>	
Fire Department		
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: N/A

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Background History: N/A

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Staff Report Prepared By: Pravina Attwala  
Hearing Date: Thursday, November 18, 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: 9

**A199/21**

Ward: 4

**Staff Report Prepared By: Pravina Attwala, Assistant Secretary Treasurer**

**Date & Time of Live Stream Hearing:** Thursday , November 18, 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:** RPIG Realty Holdings Ltd
- Agent:** Weston Consulting Group
- Property:** **8500 Keele Street, Vaughan**
- Zoning:** The subject lands are zoned EM1and EM2 under By-law 1-88 as amended.
- OP Designation:** Vaughan Official Plan 2010 ('VOP 2010'): "Prestige Employment"
- Related Files:** None
- Purpose:** Relief from by-law 1-88, as amended, is being requested to permit increased retail use (accessory to employment use) within the existing one storey warehouse located on the southern half of the subject lands.  
  
The current use of the warehouse as a food distributor (Korea Food Trading) will remain, the intent of the application is to add a retail component.

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

By-law Requirement	Proposal
1. A maximum floor area of 930m2 of retail use accessory to an employment use is permitted (Section 6.1.3, By-law 1-88a.a.).	1. To permit a maximum floor area of 2,234 m2 of retail use accessory to an employment use.
2. A minimum of 315 parking spaces are required (Section 3.8, By-law 1-88a.a.).	2. To permit a minimum of 265 parking spaces for the 19,921m2 employment use.

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

For information on the previous approvals listed above please visit [www.vaughan.ca](http://www.vaughan.ca). To search for a file number, enter it using quotes around it. For example, "A001/17".

To search property address, enter street number and street name using quotes. For example, "2141 Major Mackenzie". Do not include street type (i.e. drive).

**Adjournment History: N/A**

**Staff & Agency Comments**

Please note that staff/agency comments received after the preparation of this Report will be provided as an addendum item to the Committee. Addendum items will shall only be received by the Secretary Treasurer until **noon** on the last business day **prior** to the day of the scheduled Meeting.

**Committee of Adjustment:**

Public notice was mailed on November 4, 2021

Applicant confirmed posting of signage on November 3, 2021

Property Information	
Existing Structures	Year Constructed
Building	Purchased January 28, 2016

Applicant has advised that they cannot comply with By-law for the following reason(s): The proposed accessory retail use gross floor area exceeds the permitted maximum, and the existing parking facilities do not meet the minimum requirement set out in Zoning By-law 1-88. Please refer to the enclosed Planning Justification Letter for further details.

Committee of Adjustment recommended conditions of approval:

**Adjournment Request / File Review History:**

The following comments preliminary review comments were provided to the applicant on November 2, 2021 by Development Planning:

In principle, the Development Planning Department has reviewed the Planning Justification Report submitted and agree that introducing a retail use component along with the existing office use remain ancillary to the primary employment use (warehouse), as they do not over exceed 49%. Please note if the following changes are being introduced to the existing building/site, it will result in a Minor Amendment to an existing Site Development Application ('SDA'):

- Re-configuration of parking spaces to accommodate the AODA standards;
- Inserting new windows/doors to the south wall of the building introducing the new retail use; and
- Altering landscape buffer stripes

The Development Planning Department pursuant of section 41 (2) of *the Planning Act* has established Site Plan Control through By-law [123-2013](#). In the body of this By-law, it specifically states in section 6 a)v) that minor changes to existing or approved buildings or site alterations (e.g. changes to windows and doors, landscaping, parking signage etc.) is to be reviewed and approved through a delegated process that requires approval from the Director of Planning.

As a Department, Development Planning requires that an SDA be submitted, and first circulation comments be received prior to proceeding with preparing comments for this minor variance application. This will ensure all deficiencies are captured and conditions of approval (if applicable) are noted in our report to Committee of Adjustment. Development Planning recommends adjournment of the application.

In light of the above comments, the applicant was provided an opportunity to adjourn the application prior to the issuance of public notice.

**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>

A minimum of 315 parking spaces are required as per the below calculations.

**Building 1**

Employment Use – 1.5 parking spaces per 100 m<sup>2</sup> of GFA (5405 m<sup>2</sup> @ 1.5/100 m<sup>2</sup> = 82 spaces)

Accessory Office Use – 2.0 parking spaces per 100 m<sup>2</sup> of GFA (697 m<sup>2</sup> @ 2.0/100 m<sup>2</sup> = 14 spaces)

Accessory Retail Use – 6.0 parking spaces per 100 m<sup>2</sup> of GFA [1304 m<sup>2</sup> (area in excess of 930m<sup>2</sup>) @ 6.0/100 m<sup>2</sup> = 79 spaces ]

**Building 2**

Single Use Warehouse – 1.0 parking spaces per 100 m<sup>2</sup> of GFA (10659 m<sup>2</sup> @ 1.0/100 m<sup>2</sup> = 107 spaces)

Accessory Office Use – 3.5 parking spaces per 100 m<sup>2</sup> of GFA (935m<sup>2</sup> @ 3.5/100 m<sup>2</sup> = 33 spaces)

Total Parking Required= 315

Applicant to be advised that a use other than warehousing in building 2 may result in additional required parking.

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 received to date

**Development Planning:**

Please see Schedule C for Development Planning comments/conditions.

**Development Engineering:**

Application under review, comments to be provided as an addendum.

**Parks Development - Forestry:**

No comment no concerns

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

No comment no concerns

**Development Finance:**

No comment no concerns

**Fire Department:**

No comments received to date

**Schedule A – Plans & Sketches**

**Schedule B – Public Correspondence**

Applicant Correspondence – Application Cover Letter

**Schedule C - Development Planning & Agency Comments**

Development Planning Comments

Alectra (Formerly PowerStream) – No concerns or objections

Region of York – No concerns or objections

**Schedule D - Previous Approvals (Notice of Decision)**

None

**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 **adjourn** this application the following condition(s) is required:

	Department/Agency	Condition
1	Committee of Adjustment Christine Vigneault  905-832-8585 x 8332 <a href="mailto:christine.vigneault@vaughan.ca">christine.vigneault@vaughan.ca</a>	Applicant to provide payment of Adjournment Fee (see Fee Schedule) prior to the rescheduling of Application <b>A199/21</b> , if required.

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	Development Engineering Farzana Khan  905-832-8585 x 3608 <a href="mailto:Farzana.Khan@Vaughan.ca">Farzana.Khan@Vaughan.ca</a>	Application under review.

### **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**

T 905 832 8585 Extension 8002  
E [CofA@vaughan.ca](mailto:CofA@vaughan.ca)

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

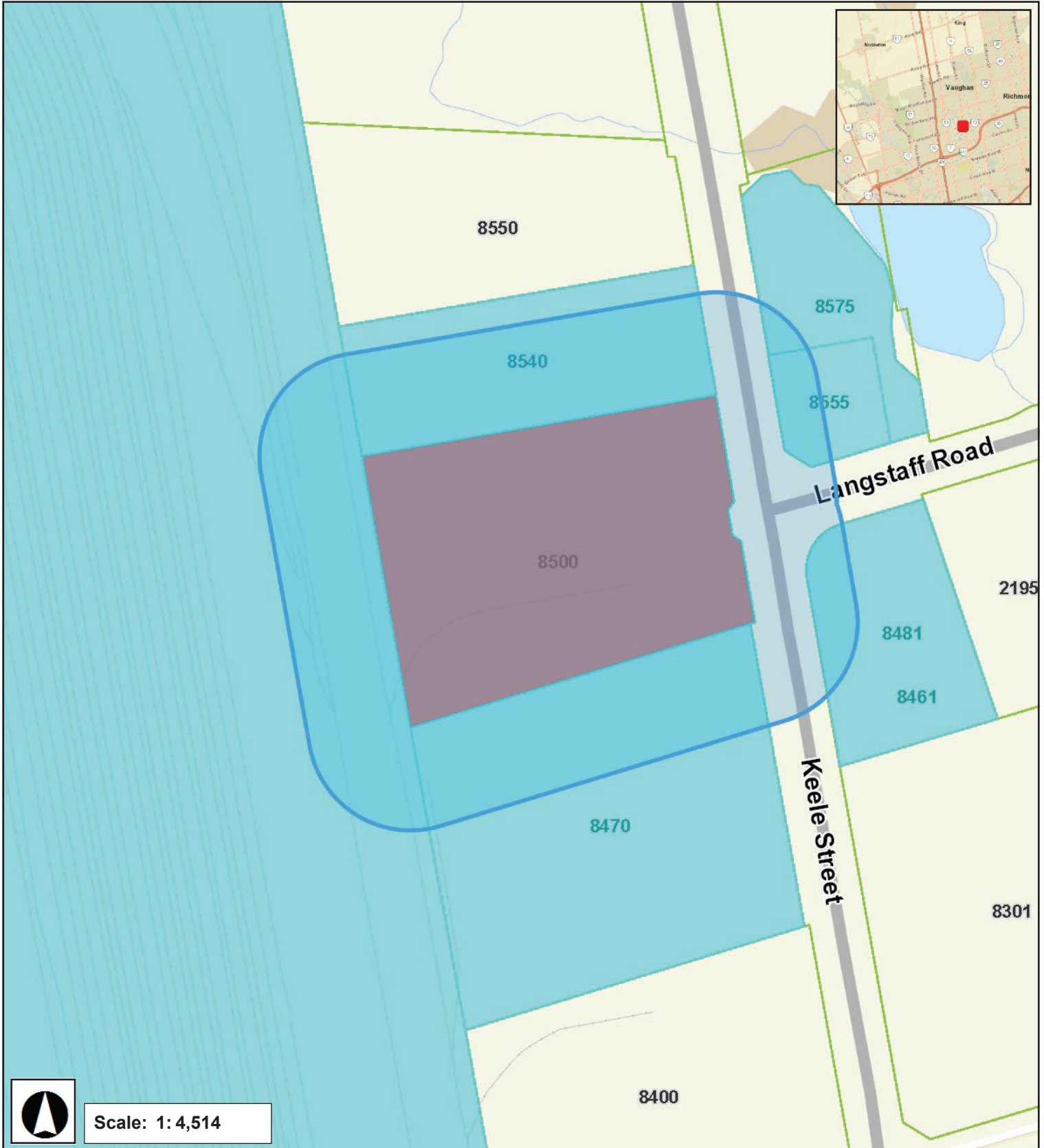
Please note that the correspondence listed in Schedule A is not comprehensive. Plans & sketches received after the preparation of this staff report will be provided as an addendum.

**Location Map**  
**Plans & Sketches**



# LOCATION MAP - A199/21

8500 KEELE STREET, VAUGHAN



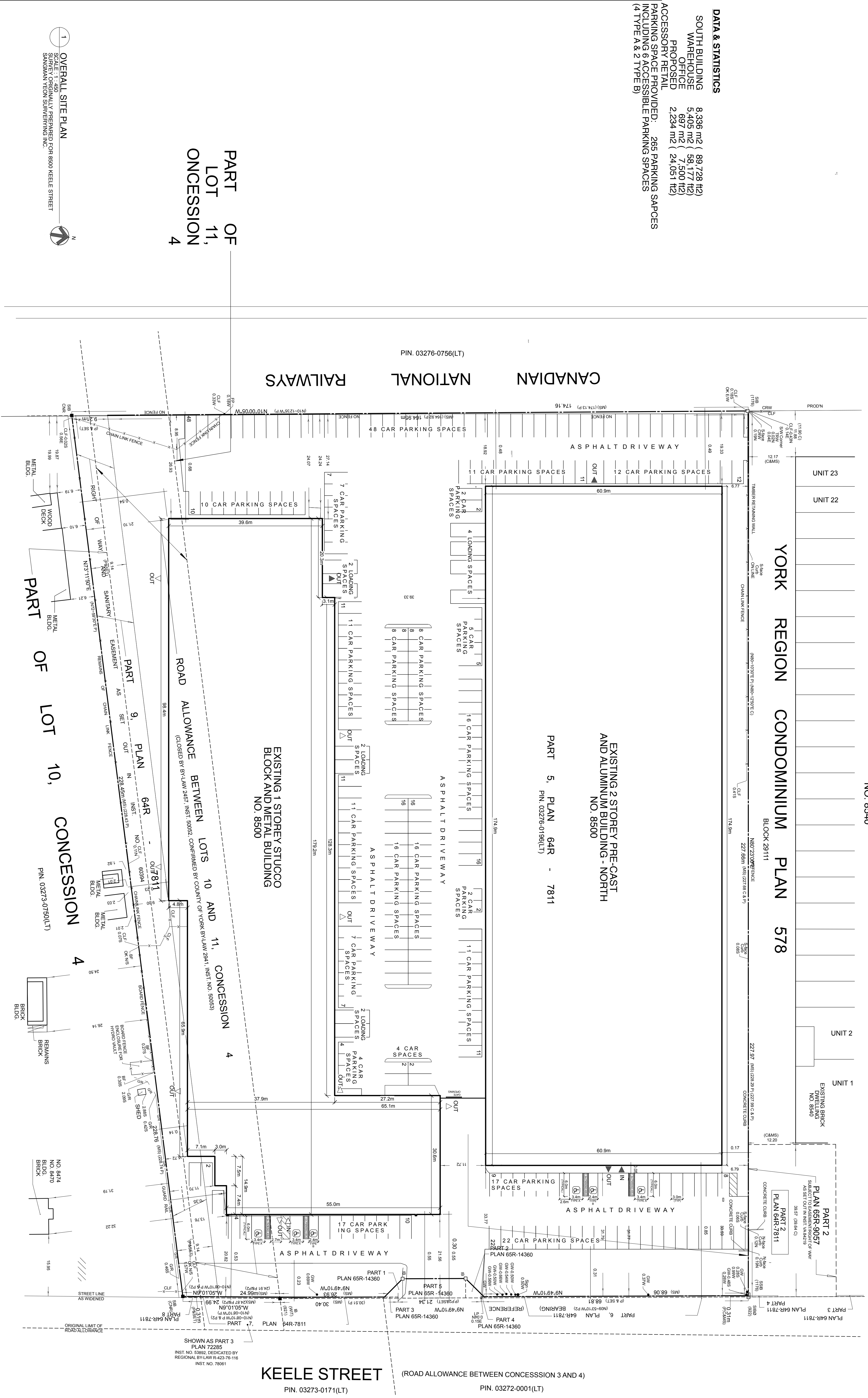


YORK REGION CONDOMINIUM PLAN 578  
BLOCK 29111

**DATA & STATISTICS**

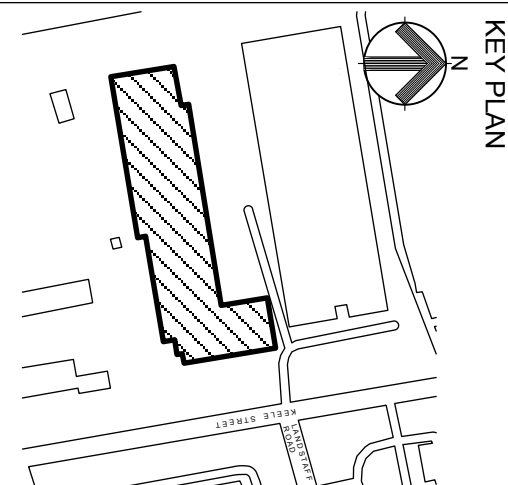
SOUTH BUILDING	8,336 m <sup>2</sup> ( 89,728 ft <sup>2</sup> )
WAREHOUSE	5,405 m <sup>2</sup> ( 58,177 ft <sup>2</sup> )
OFFICE	697 m <sup>2</sup> ( 7,500 ft <sup>2</sup> )
PROPOSED	2,234 m <sup>2</sup> ( 24,051 ft <sup>2</sup> )
ACCESSORY RETAIL	
PARKING SPACE PROVIDED:	265 PARKING SPACES
INCLUDING 6 ACCESSIBLE PARKING SPACES	
(4 TYPE A & 2 TYPE B)	

1. Permit maximum floor area of 2.234m<sup>2</sup> of retail use accessory to an employment use
2. Permit a minimum of 265 parking spaces for the 19.921m<sup>2</sup> employment use



1 OVERALL SITE PLAN  
SCALE: 1:450  
SURVEY ORIGINALLY PREPARED FOR 8900 KEELE STREET  
SANDHILL TECHN SURVEYING INC.

**hj architects inc.**  
85 forest grove court  
auroora, ontario  
l3x 2l6  
416.628.2168  
416.887.6771  
info@hjarch.ca



REVISION / ISSUED TO:

NO.	DATE	BY
1.	ISSUED TO MINOR VARIANCE APPLICATION	072821 JY

**GENERAL NOTES:**

- Contractors to verify all site dimensions and report any discrepancies before commencing with work.
- Dimensions shall take precedence over scale.
- No variation or modification to work shall be implemented without prior written approval.
- All plans, specifications and work is subject to Department of Labour, Fire Department and Engineering Department approval.
- All points of drawings and specifications are the property of hj architects inc. and must be returned upon project completion.

**OWNER**  
RPI HOLDING  
8500 Keele Street  
Auroora, Ontario  
M4L 2S6

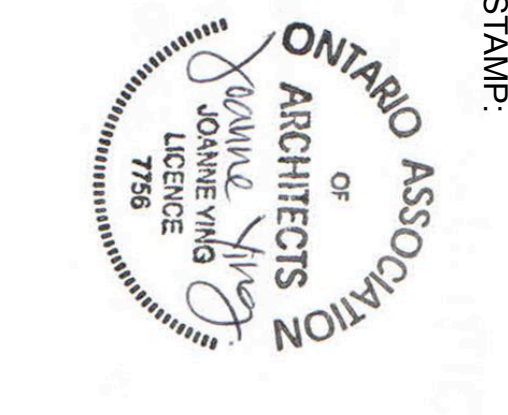
**ARCHITECTURAL**  
hj architects inc.  
85 forest grove court  
auroora, ontario  
l3x 2l6

**MECHANICAL**

**ELECTRICAL**

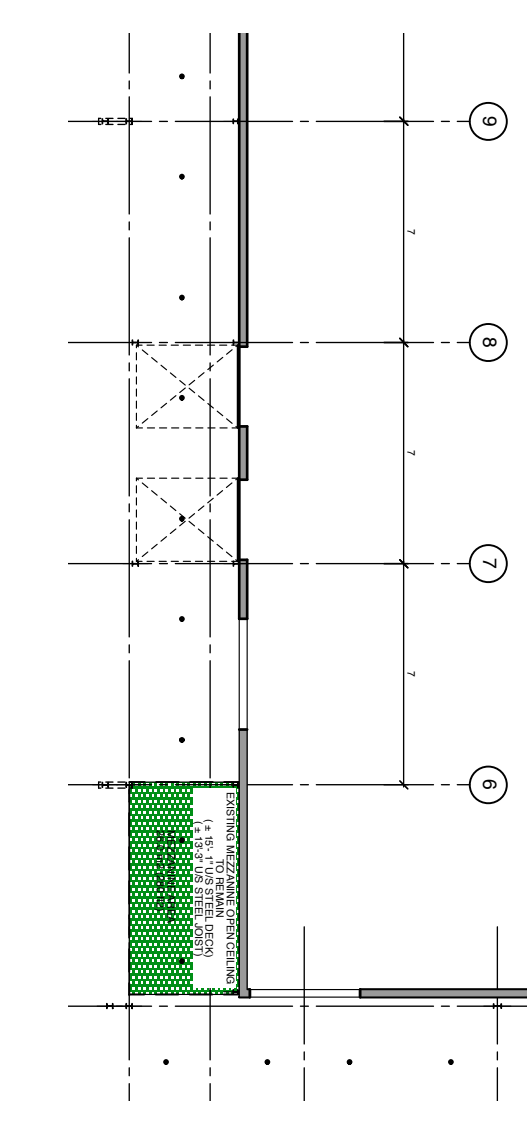
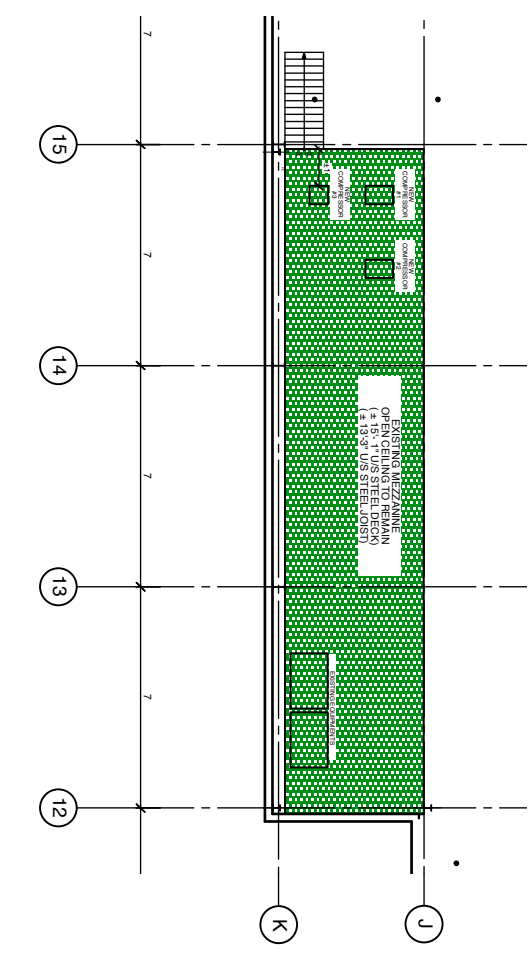
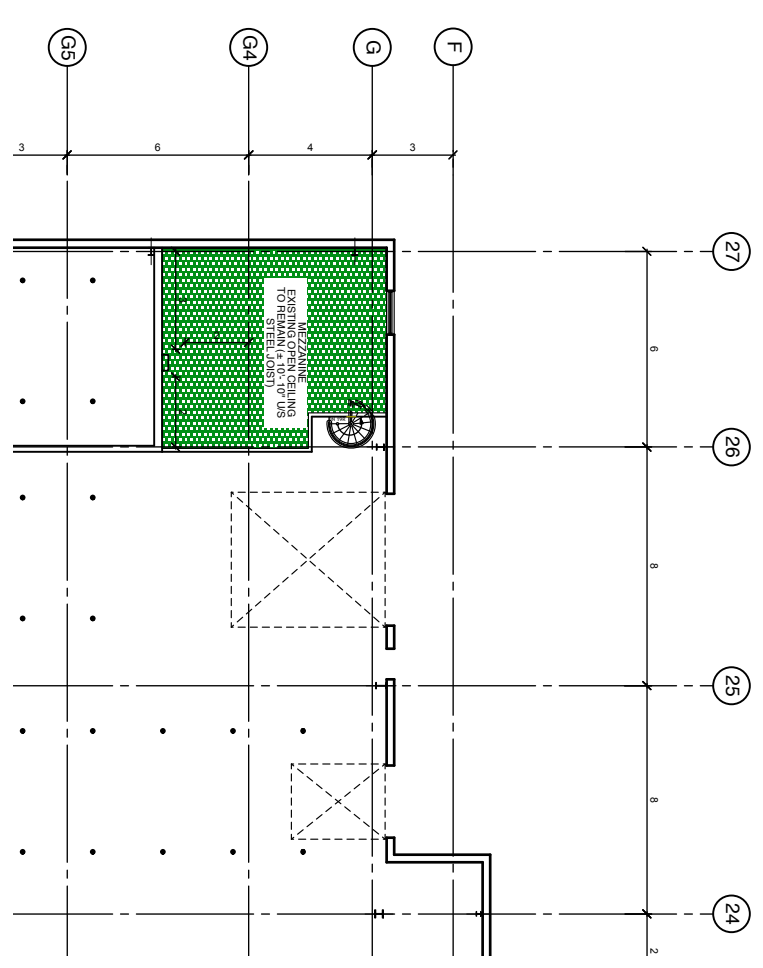
**SPRINKLER**

**PROJECT NO.**  
DRAWING TITLE  
OVERALL SITE PLAN



**DRAWN BY:** JY  
**CHECKED BY:** JY  
**APPROVED:** JY

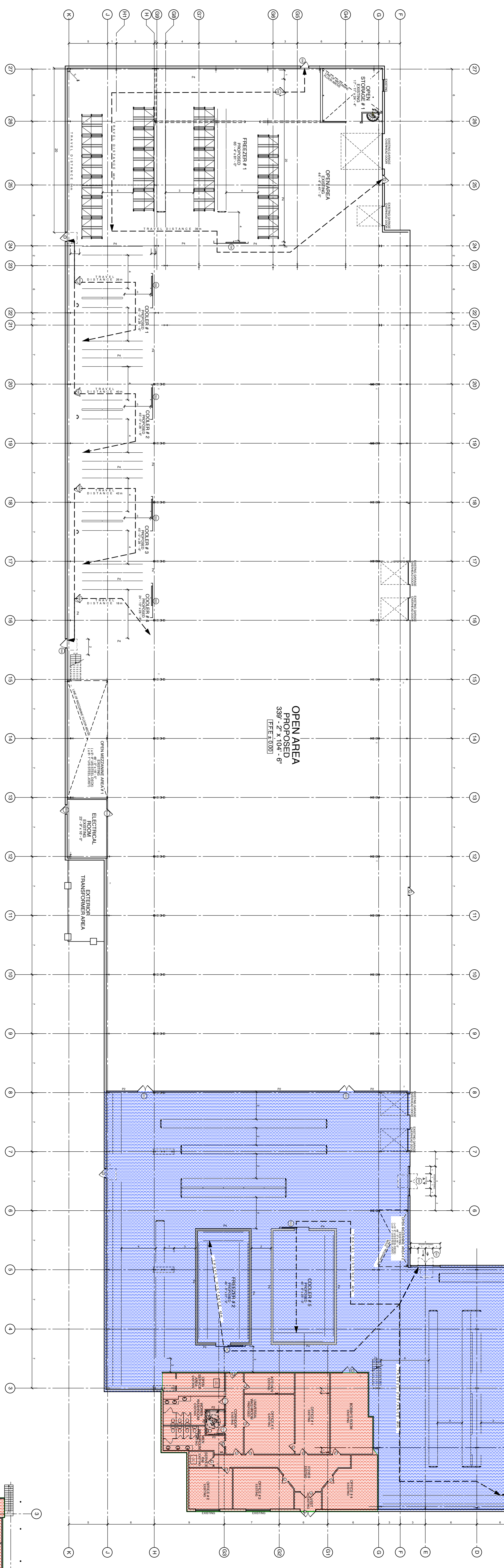
**SCALE**  
1 : 450  
**DRAWING NUMBER**  
SK - 02



5 OPEN MEZZANINE FLOOR PLAN  
SCALE: 1:250  
AREA: 509.12 (47.3 m<sup>2</sup>)

4 OPEN MEZZANINE FLOOR PLAN  
SCALE: 1:1087.12  
AREA: 1.08712 (101.0 m<sup>2</sup>)

3 OPEN MEZZANINE FLOOR PLAN (NO STAIR ACCESS)  
SCALE: 1:250  
AREA: 280.12 (26.0 m<sup>2</sup>)

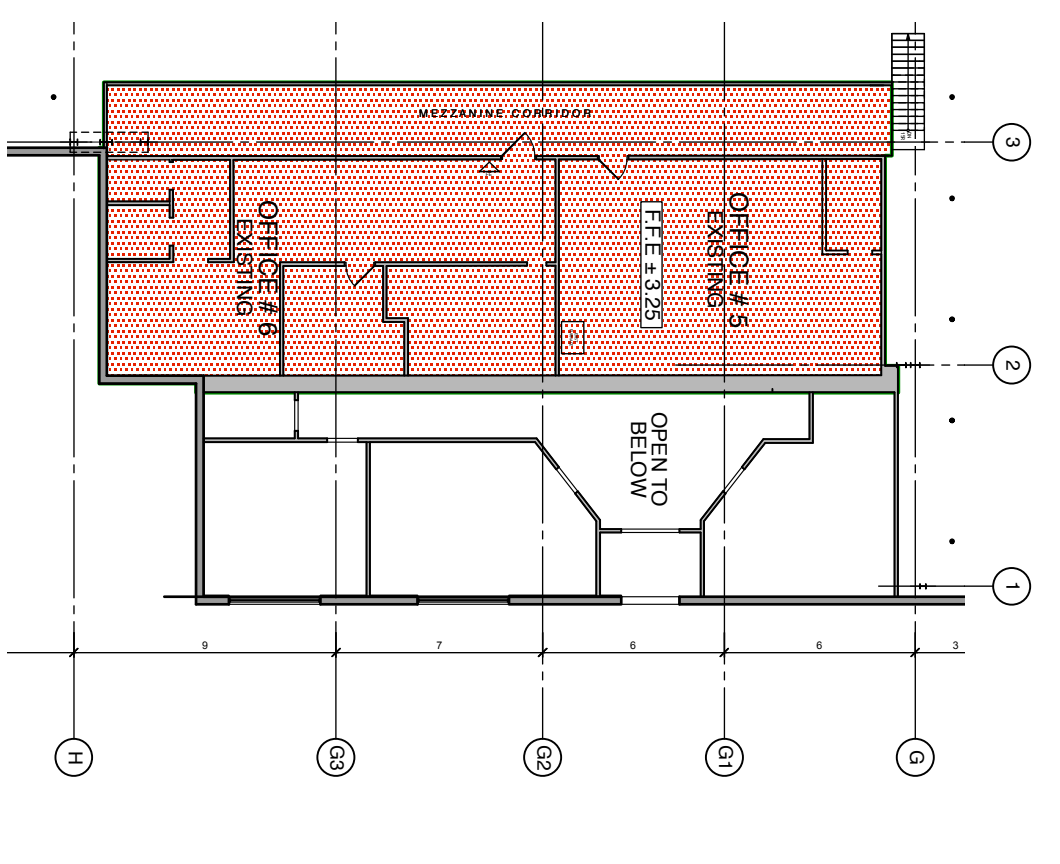


**OCCUPANCY COLOR LEGEND**

- ACCESSORY RETAIL
- WAREHOUSE
- OFFICE INCLUDING MEZZANINE
- MEZZANINE (WAREHOUSE)

1 GROUND FLOOR PLAN  
SCALE: 1:250  
FLOOR AREA: 84,992.12 (7,896 m<sup>2</sup>)  
EXISTING OFFICE AREA: 4,655.12 (431 m<sup>2</sup>)  
EXISTING OFFICE AREA: 26,906.12 (2,523 m<sup>2</sup>)  
WAREHOUSE AREA: 56,906.12 (5,237 m<sup>2</sup>)

2 EXISTING ENCLOSED MEZZANINE FLOOR PLAN  
SCALE: 1:250  
EXISTING OFFICE AREA 2,859.12 (266 m<sup>2</sup>)

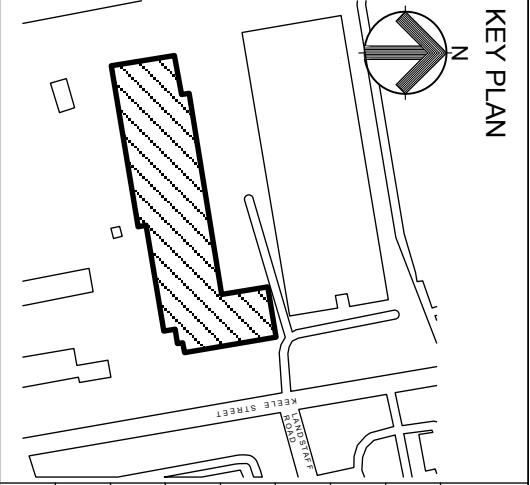


- GENERAL NOTE:**
1. ALL DIMENSIONS GIVEN IN METRIC (UNLESS OTHERWISE NOTED).
  2. ALL CONSTRUCTION TO COMPLY WITH MUNICIPAL BY-LAWS AND ONTARIO CODE.
  3. ALL DIMENSIONS AND EXISTING CONDITIONS SHALL BE VERIFIED BY THE GENERAL CONTRACTOR AT THE SITE PRIOR TO CONSTRUCTION. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE TO NOTIFY THE ARCHITECT OF ANY DISCREPANCIES BETWEEN THE SITE CONDITIONS AND THE ASSUMED DESIGN CONDITIONS PRIOR TO THE COMMENCEMENT OF CONSTRUCTIONS.
  4. IT IS THE CONTRACTOR'S RESPONSIBILITY TO CHECK ELEVATIONS OF ALL CITY SERVICES AND ESTABLISH APPROPRIATE METHODS OF DEALING WITH THOSE SERVICES.
  5. THE GENERAL CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR THE CONSTRUCTION, METHOD OF ERECTION AND INSTALLATION PROCEDURES OF THE STRUCTURAL MEMBERS INCLUDING THE ERECTION OF STEEL BEAMS. THE GENERAL CONTRACTOR SHALL EXERCISE EXTREME CAUTION AND CARE DURING THE DEMOLITION PROCESSES AND EXISTING STRUCTURE SHALL BE PROTECTED AND NOT BE RESPONSIBLE TO SUPPORT ANY EXISTING STRUCTURE AND CALL THE STRUCTURAL ENGINEER FOR INSPECTION PRIOR TO CUTTING EXISTING MEMBERS OR EXISTING WALLS.
  6. THE GENERAL CONTRACTOR ARE RESPONSIBLE FOR CO-ORDINATION OF PLUMBING, MECHANICAL AND ELECTRICAL IN PROCEEDING WITH WORK ON PLANS.
  7. PLUMBING, MECHANICAL AND ELECTRICAL SUB-CONTRACTORS TO BE APPROVED BY THE AUTHORITIES BEFORE PROCEEDING WITH WORK.

**GENERAL NOTES:**

- Contractors to verify all site dimensions and report any discrepancies before commencing with work.
- Dimensions shall take precedence over scale.
- All modifications to work shall be implemented without prior written approval.
- All plans, specifications and work is subject to Department of Labour, Fire Department and Building Department approval.
- All previous issues of this drawing are superseded.
- The property of hj architects inc. and must be returned upon project completion.

**hj architects inc.**  
85 forest grove court  
auroara, ontario  
l3x 2l6  
416.628.2168  
416.887.6771  
info@hjarch.ca



REVISION / ISSUED TO:		DATE:	BY:
1.	ISSUED TO MINOR VARIANCE APPLICATION	07/28/21	JY

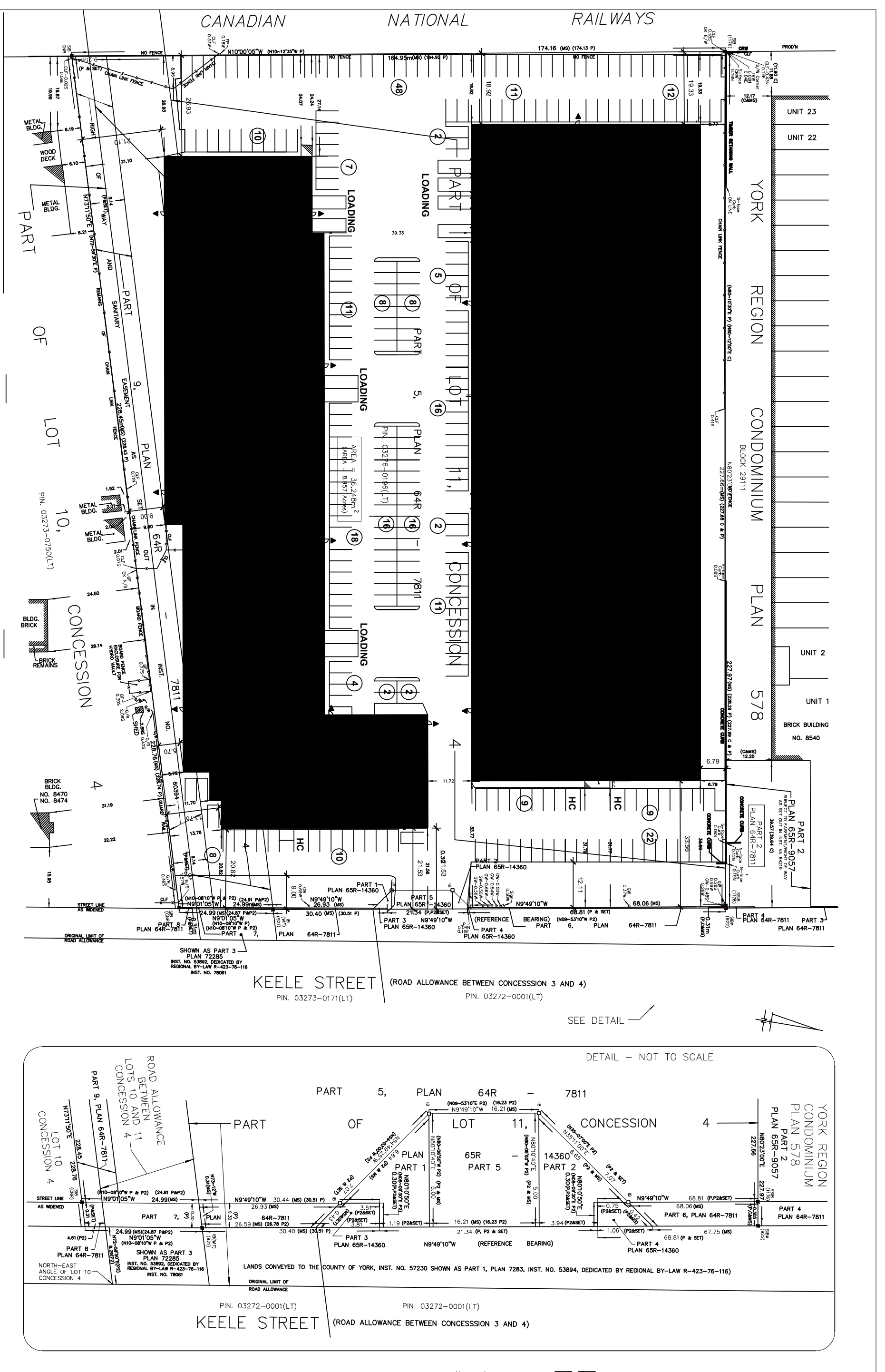
**OWNER**  
RPIG REALTY HOLDING INC.  
85 forest grove court  
auroara, ontario  
l3x 2l6

**ARCHITECTURAL**  
hj architects inc.  
85 forest grove court  
auroara, ontario  
l3x 2l6

**MECHANICAL**  
ELECTRICAL  
SPRINKLER

ONTARIO ASSOCIATION OF ARCHITECTS  
JOVIANE YING  
LICENCE 7756

PROJECT NO.	DRAWN BY:	CHECKED BY:	APPROVED:
PROJECT NAME STORAGE / RACK WAREHOUSE + ACCESSORY RETAIL SALES 8500 KEELE STREET, SOUTH BUILDING, VAUGHAN ON, L4K 2A6	JY	JY	JY
DRAWING TITLE GROUND FLOOR PLAN & PARTIAL MEZZANINE FLOOR PLANS	SCALE	AS NOTED	DRAWING NUMBER
			SK - 03



Item	Ontario Building Code Data Matrix Parts 3 or 9	Building Code Reference
1	Project Description: [ ] Change of Use [ ] Addition [ ] Alteration [ ] New [ ] Part 11 [ ] Part 11.1 to 11.4 [ ] Part 3 [ ] Part 9	References are to Division B unless noted [A] for Division A or [C] for Division C.
2	Major Occupancy(s) Group F, Division 2 Medium Hazard Industrial Group E, Amusement Existing 7,896m <sup>2</sup> New Total 7,896m <sup>2</sup>	3.1.2.(1)(a) 9.10.2 1.1.2.(A) & 9.10.1.3.
3	Building Area (m <sup>2</sup> ) Existing 7,896m <sup>2</sup> New Total 8,389m <sup>2</sup>	1.4.1.2.(A) 1.4.1.2.(A) 1.4.1.2.(A) & 9.10.4
4	Gross Area Existing 8,389m <sup>2</sup> New Total 8,389m <sup>2</sup>	1.4.1.2.(A)&3.2.1.1. 1.4.1.2.(A) & 9.10.4
5	Number of Storeys Above grade 1 STOREY Below grade	3.2.2.10. & 3.2.5. 9.10.20.
6	Number of Standpipe Firefighter Access 1/3 Fire Service Access up to 4 storeys, accessible Building Classification 3.2.2.28 GROUP E (P) 0.5 STOREY (3.2.2.28 GROUP E (P) 0.5 STOREY)	3.2.2.10. & 3.2.5. 9.10.2. 9.10.8.2.
7	Building Classification 3.2.2.28 GROUP E (P) 0.5 STOREY (3.2.2.28 GROUP E (P) 0.5 STOREY)	3.2.2.20. - 8.3 9.10.2.
8	Sprinkler System Proposed [ ] selected compartments [ ] selected floor areas [ ] basement [ ] in lieu of roof rating [ ] not required	3.2.1.5. 3.2.2.17. INDEX
9	Standpipe required [ ] Yes [ ] No	3.2.9. N/A
10	Fire Alarm required [ ] Yes [ ] No	3.2.4. 9.10.18.
11	Water Service/Supply is Adequate [ ] Yes [ ] No	3.2.4.7. N/A
12	High Building [ ] Yes [ ] No	3.2.6. N/A
13	Construction Restrictions [ ] Combustible permitted [ ] Combustible [ ] Non-combustible	3.2.2.20. - 8.3 9.10.6.
14	Actual Construction Mezzanine(s) Area m <sup>2</sup> 449m <sup>2</sup> [ ] m <sup>2</sup> /person [ ] design of building (SOUTH BLDG)	3.2.1.1.(D)(8) 9.10.4.1. 9.9.1.3.
15	Occupant load based on Floor Level/Area Ground Floor Warehouse (Existing) Warehouse (Existing) Office (Existing) Office (Existing) Office (Existing)	799 PERSONS 104 PERSONS 49 PERSONS 18 PERSONS

Item	Ontario Building Code Data Matrix Parts 3 or 9	Building Code Reference
16	Barrier-free Design [ ] Yes [ ] No (Explain) UNIVERSAL WASHROOM	3.8. 9.5.2. [A] for Division A or [C] for Division C.
17	Hazardous Substances [ ] Yes [ ] No	3.3.1.2. & 3.3.1.9. 9.10.1.3.(4)
18	Required Fire Resistance Rating (FRR) Roof 0.75 Hours Mezzanine 0.75 Hours FRR of Supporting Members FRR of Supporting Members FRR of Supporting Members	3.2.2.20. - 8.3 & 3.2.1.4. 9.10.8. 9.10.9. Listed Design No. Or Description (SG-2) Listed Design No. Or Description (SG-2) Listed Design No. Or Description (SG-2)
	EXISTING TO REMAIN	

**GENERAL NOTE:**

1. ALL DIMENSIONS GIVEN IN METRIC (UNLESS OTHERWISE NOTED).
2. ALL CONSTRUCTION TO COMPLY WITH MUNICIPAL BY-LAWS AND ONTARIO CODE.
3. ALL DIMENSIONS AND EXISTING CONDITIONS SHALL BE VERIFIED BY THE GENERAL CONTRACTOR ON THE SITE. THE ARCHITECT SHALL BE RESPONSIBLE TO NOTIFY THE ARCHITECT OF ANY DISCREPANCIES BETWEEN THE SITE CONDITIONS AND THE ASSUMED DESIGN CONDITIONS PRIOR TO THE COMMENCEMENT OF CONSTRUCTIONS.
4. IT IS THE CONTRACTOR'S RESPONSIBILITY TO CHECK ELEVATIONS OF ALL CITY SERVICES AND ESTABLISH APPROPRIATE METHODS OF DEALING WITH THOSE SERVICES.
5. THE GENERAL CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR THE CONSTRUCTION METHOD OF ERECTION AND INCLUDING THE ERECTION OF STEEL BEAMS, THE GENERAL CONTRACTOR SHALL EXERCISE EXTREME CAUTION AND CARE DURING THE DEMOLITION PROCESS OF ANY EXISTING STRUCTURE AND MASONRY WALLS. BE SOLELY RESPONSIBLE TO SUPPORT ANY EXISTING STRUCTURE AND CALL THE STRUCTURAL ENGINEER FOR INSPECTION PRIOR TO CUTTING EXISTING MEMBERS OR EXISTING WALLS.
6. THE GENERAL CONTRACTOR ARE RESPONSIBLE FOR CO-ORDINATION OF PLUMBING, MECHANICAL AND ELECTRICAL IN PROCEEDING WITH WORK ON PLANS.
7. PLUMBING, MECHANICAL AND ELECTRICAL SUB-CONTRACTORS TO OBTAIN APPROPRIATE PERMITS BEFORE PROCEEDING WITH WORK.

**DRAWINGS ISSUED FOR MINOR VARIANCE PERMIT APPLICATION**

- SK - 01 LEGAL SURVEY & PROJECT STATISTICS
- SK - 02 OVERALL SITE PLAN
- SK - 03 GROUND FLOOR & PARTIAL MEZZANINE PLAN (SOUTH BUILDING)

**DATA & STATISTICS**

ZONING EM1 & EM2 (EMPLOYMENT AREA ZONES)

EXISTING USE - GROUP F, DIVISION 2 & GROUP D  
NORTH BUILDING - GROUP F, DIVISION 2 & GROUP D  
SOUTH BUILDING - GROUP F, DIVISION 2 & GROUP D

PROPOSED ADDITIONAL USE (SOUTH BUILDING) - GROUP E

SITE AREA - 36,248 m<sup>2</sup> (390,170 ft<sup>2</sup>)

BUILDING HEIGHTS  
NORTH BUILDING - 6.92 m  
SOUTH BUILDING - 5.56 m

GROSS FLOOR AREAS

NORTH BUILDING WAREHOUSE 11,585 m<sup>2</sup> (124,700 ft<sup>2</sup>)  
OFFICE 10,650 m<sup>2</sup> (114,636 ft<sup>2</sup>)  
935 m<sup>2</sup> (10,064 ft<sup>2</sup>)

SOUTH BUILDING WAREHOUSE 8,336 m<sup>2</sup> (89,728 ft<sup>2</sup>)  
OFFICE 5,405 m<sup>2</sup> (58,177 ft<sup>2</sup>)  
PROPOSED OFFICE 697 m<sup>2</sup> (7,500 ft<sup>2</sup>)  
ACCESSORY RETAIL 2,234 m<sup>2</sup> (24,051 ft<sup>2</sup>)

TOTAL GROSS FLOOR AREAS (NORTH BUILDING & SOUTH BUILDING) 19,921 m<sup>2</sup> (214,428 ft<sup>2</sup>)

BUILDING AREAS  
NORTH BUILDING 10,650 m<sup>2</sup> (114,636 ft<sup>2</sup>)  
SOUTH BUILDING 7,896 m<sup>2</sup> (84,992 ft<sup>2</sup>)  
TOTAL BUILDING AREAS 18,546 m<sup>2</sup> (199,628 ft<sup>2</sup>)

PARKING REQUIREMENTS BY USE FROM BY-LAW 1388

WAREHOUSE 1 SPACE PER 100 m<sup>2</sup> GFA

OFFICE 3.5 SPACE PER 100 m<sup>2</sup> GFA

RETAIL 6 SPACE PER 100 m<sup>2</sup> GFA

TOTAL PARKING SPACES

161  
57  
134  
352

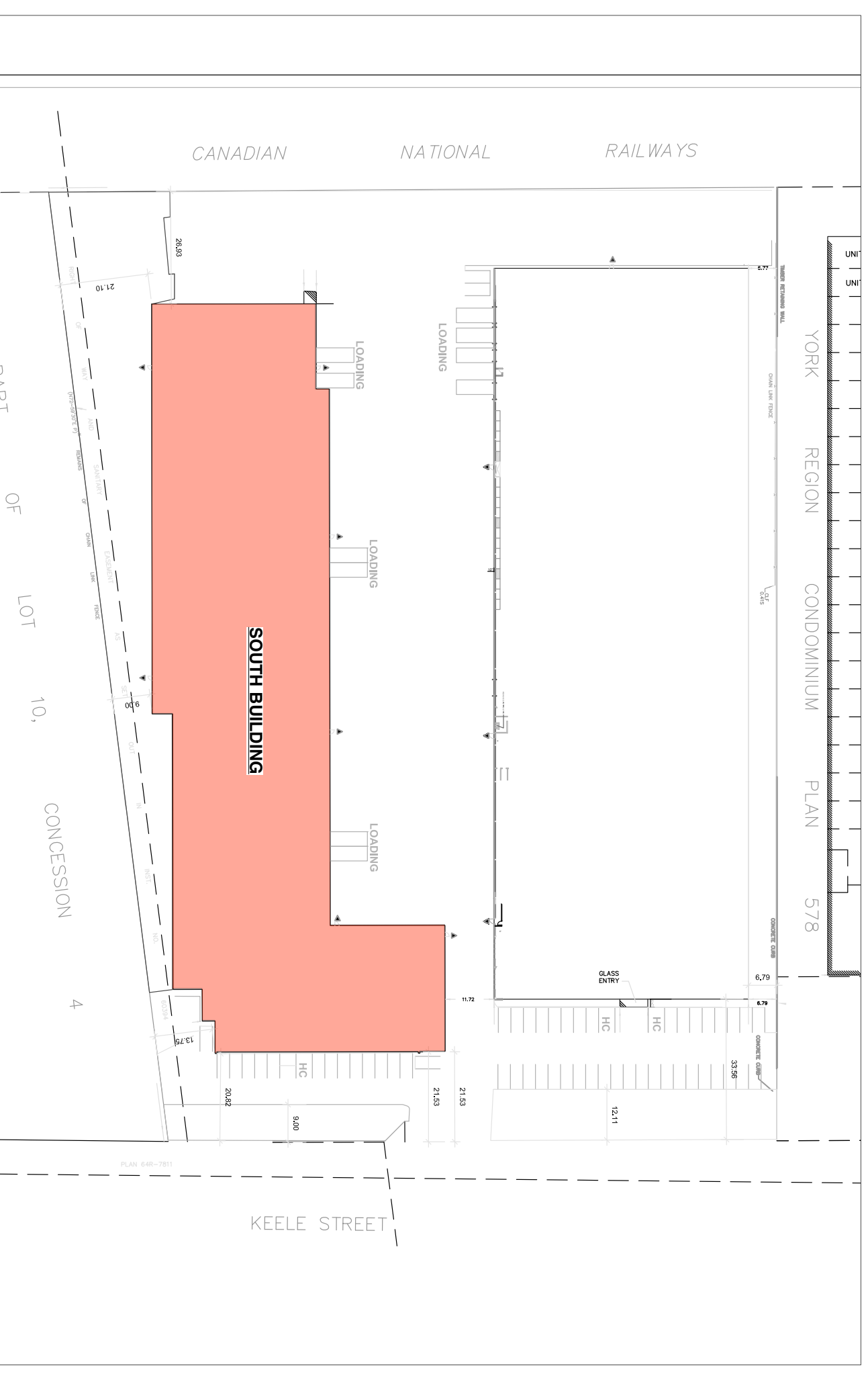
INCL. EXISTING 3 ACCESSIBLE PARKING SPACES (TYPE A) & 2 TYPE B)

RETAIL 3.5 SPACE PER 100 m<sup>2</sup> GFA

TOTAL PARKING SPACES 208

INCL. EXISTING 6 ACCESSIBLE PARKING SPACES (4 TYPE A & 2 TYPE B)

**BLOW UP BUILDING PLANS**



KEY PLAN  
hj architects inc.  
85 forest crove court  
aurora, ontario  
13x 216  
416.628.2168  
416.887.6771  
info@hjarch.ca

NO.	REVISION / ISSUED TO:	DATE	BY:
1.	ISSUED TO MINOR VARIANCE APPLICATION	07/28/21	JY

**GENERAL NOTES:**  
- Contractors to verify all site dimensions and report any discrepancies before commencing work.  
- Dimensions shall take precedence over scale.  
- All modifications to work shall be implemented without prior written approval.  
- All plans, specifications and work is subject to Department of Labour, Fire Department and Building Department approval.  
- All previous issues of this drawing are superseded.  
- All points of drawings and specifications are the property of HJ Architects Inc. and must be returned upon project completion.

OWNER	MECHANICAL
RPIG REALTY HOLDING INC. 85 forest crove court aurora, ontario l4k 2a6	ELECTRICAL
ARCHITECTURAL hj architects inc. 85 forest crove court aurora, ontario l4k 216	SPRINKLER
STRUCTURAL	

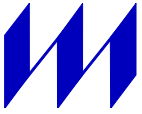
STAMP:  
ONTARIO ASSOCIATION OF ARCHITECTS  
JOHANN VINGO ARCHITECTS  
LICENCE 7756

PROJECT NO.	DRAWN BY:	CHECKED BY:	APPROVED:
PROJECT NAME STORAGE / RACK WAREHOUSE + ACCESSORY RETAIL SALES 8500 KEELE STREET, SOUTH BUILDING, VAUGHAN ON, L4K 2A6	JY	JY	JY
DRAWING TITLE LEGAL PROPERTY SURVEY & PROJECT STATISTICS	SCALE AS NOTED		
	DRAWING NUMBER SK - 01		

## **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 – Application Cover Letter**



**WESTON  
CONSULTING**

planning + urban design

**A199/21**

City of Vaughan | Office of the City Clerk  
2141 Major Mackenzie Drive  
Vaughan, ON  
L6A 1T1

August 12, 2021  
File 8283-1

**Attn: Christine Vigneault, Secretary-Treasurer  
Committee of Adjustment**

**RE: Planning Rational Letter  
Application for Minor Variance  
8500 Keele Street, City of Vaughan**

Weston Consulting is the planning consultant for the owner of the property municipally known as 8500 Keele Street, in the City of Vaughan (herein referred to as the "Subject Property"). This letter has been prepared in support of a proposed Minor Variance application for the Subject Property to permit a new accessory retail use that is directly associated with the existing primary warehouse use.

The purpose of this application is to seek relief from regulations in the Vaughan Zoning By-law 1-88, which provide various development standards for the site. This letter outlines the applicable municipal land use planning policies and provides planning rational in support of the proposed Minor Variance application.

### **1. Description of Subject Property**

The Subject Property is located on the west side of Keele Street where it intersects with Langstaff Road, in the City of Vaughan. The site has an area of approximately 3.63 hectares (8.98 acres) and is currently occupied by two industrial warehouse buildings, which contain the Korea Food Trading company.

The Subject Property is legally described as follows:

PT LT 11 CON 4 VAUGHAN PT 5 64R7811; PT LT 10 CON 4 VAUGHAN; PT RDAL BTN LTS 10 & 11 CON 4 VAUGHAN CLOSED BY BYLAW VA50052 PT 9 64R7811 EXCEPT PTS 1, 2, & 5 65R14360; T/W VA84219: S/T VA60394 ;(AMENDED 2001/01/24 BY B.WILLSON, ADLR) CITY OF VAUGHAN

## 2. Site and Surrounding Context

The Subject Property is located within a designated employment area and is within close proximity to Highway 400, Highway 7 and Highway 407, although direct vehicular access and visibility from the provincial highway system is not achieved. The property abuts the CN MacMillan Rail Yard immediately to the west. The site is also within proximity to the Rutherford GO Train Line, with the closest stop near the Rutherford Road and Barrhill Road intersection to the northeast of the Subject Property.



**Figure 1 - Aerial Photo of Subject Property**

Employment uses, including those with accessory retail uses, predominantly occupy the area surrounding the Subject Property. More specifically, the following land uses surround the site:

**North:** Immediately north of the Subject Property is a one-storey industrial building including a motorcycle dealership and other automotive uses. Further north is a mix of industrial/commercial employment uses, including granite, railing, and door suppliers; tire shops; auto repair and mechanic shops; traffic services; and retail stores. Also to the north is Tudor District Park, which serves the surrounding employment area. There is also a large area of surface parking further north, which serves the CN MacMillan Rail Yard.

**West:** Immediately west of the Subject Property is the CN MacMillan Rail Yard. Beyond is largely employment related uses forming part of the larger employment area.

South: Immediately south of the Subject Property are a range of commercial/industrial buildings containing employment uses including a salvage yard; retail stores; real estate offices; government offices; and restaurants.

East: Immediately east of the Subject Property are employment uses in a range of commercial/industrial buildings including retail stores; restaurants; a soccer club; and a car rental store. Also to the east is Langstaff Park, which serves the surrounding employment area.

The Subject Property is served by public transit services operated by York Region Transit (“YRT”). There are YRT bus stops located along Keele Street at the intersection of Keele Street and Langstaff Road, directly adjacent to the Subject Property. These stops are serviced by YRT Route 96 Keele-Yonge and 107 Keele. As such, the property is connected to the larger regional and inter-regional transit systems.

### **3. Overview of Korea Food Trading**

Korea Food Trading (“KFT”) was established in Vaughan in June 2002, and has since become a leader in Asian food wholesale and distribution that supplies thousands of private and national branded products. Their mission is to provide “a taste of home” to families who immigrated to Canada. Korean foods have become very popular across Canada and KFT saw this as an opportunity to share the foods they love most with everyone across the Country. KFT intends to add a retail component in addition to their existing warehouses in order to better serve the surrounding local communities with traditional Korean food and inspiration.

The Subject Property currently contains two warehouse buildings that house and distribute Korean food products. It is the intent of KFT to add a retail component as an accessory and directly related use to the south warehouse building in order to allow for the direct purchasing of KFT products in the form of a cash-and-carry operation, while still maintaining the primary use of both warehouse buildings for warehousing and distribution purposes.

### **4. Purpose of the Application**

The purpose of the requested Minor Variance application is to seek relief from the City of Vaughan Zoning By-law 1-88 to permit an accessory retail use greater than 930 m<sup>2</sup> within the existing south warehouse building on the Subject Property. The existing warehouses on site would continue to operate as the primary use.

No change is proposed to the total existing Gross Floor Area (“GFA”) of the existing buildings which is to be maintained at 19,921 m<sup>2</sup>. A total of 2,234 m<sup>2</sup> (11.2% of the total GFA) is proposed for the accessory retail use, with 697 m<sup>2</sup> (3.5% of the total GFA) being existing accessory office and the remainder of the building (5,405m<sup>2</sup> or 27.1% of the total GFA) being maintained for the existing primary warehouse use. As such, the smaller amount of GFA dedicated to the retail use,

confirms the accessory nature of the proposed use and its function as an accessory use to the primary warehouse facilities.

A total of 267 parking spaces, including 3 accessible spaces, are existing on site and are generally to be maintained with the exception of the addition of 3 new accessible spaces to bring the site into conformity with AODA accessible parking requirements. As such, a total of 265 spaces are proposed to be maintained on site. The following table summarizes the parking statistics.

*Table 1 - Proposed Parking Statistics*

Use	By-law 1-88 Required	Comprehensive By-law XX-21 Required	Proposed Spaces
Warehouse	1 / 100 m <sup>2</sup> GFA <b>161 spaces</b>	0.5 / 100 m <sup>2</sup> GFA <b>81 spaces</b>	265 spaces
Retail	6 / 100 m <sup>2</sup> GFA <b>134 spaces</b>	3.5 / 100 m <sup>2</sup> GFA <b>78 spaces</b>	
Office	3.5 / 100 m <sup>2</sup> GFA <b>57 spaces</b>	3 / 100 m <sup>2</sup> GFA <b>49 spaces</b>	

No significant changes are being proposed to the exterior of the existing buildings, including the existing landscaping and walkways on site. Some minor changes to the exterior of the southern building are contemplated in the form of new exterior doors providing access to the proposed accessory retail area located on the north side of the building. Additionally, there are no proposed changes to the driveway access. The existing access point from Keele Street will be maintained.

Variations are required to permit the proposed accessory retail GFA and reduced parking rate.

## 5. Policy Analysis and Planning Justification

### 5.1 Growth Plan for the Greater Golden Horseshoe, 2019

The Growth Plan for the Greater Golden Horseshoe (the “Growth Plan”) provides policy direction to support economic prosperity, protect the environment, and help communities achieve a high quality of life. The Subject Property is located within the designated Built-Up Area of the Growth Plan and located within a Provincially Significant Employment Zone. The Growth Plan defines “Employment Areas” as “Areas designated in an official plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities.”

Section 2.2.5 of the Growth Plan provides for the protection of employment lands in order to support economic development and competitiveness in the Greater Golden Horseshoe. The Plan directs that more efficient use be made of existing employment lands and that the viability of employment areas be protected over the long term. The Subject Property is located within an employment area and the proposal will revitalize the existing south warehouse building on site supporting the overall employment function of the site. The addition of an accessory retail use is in line with the Growth Plan’s objective to support economic development and competitiveness in

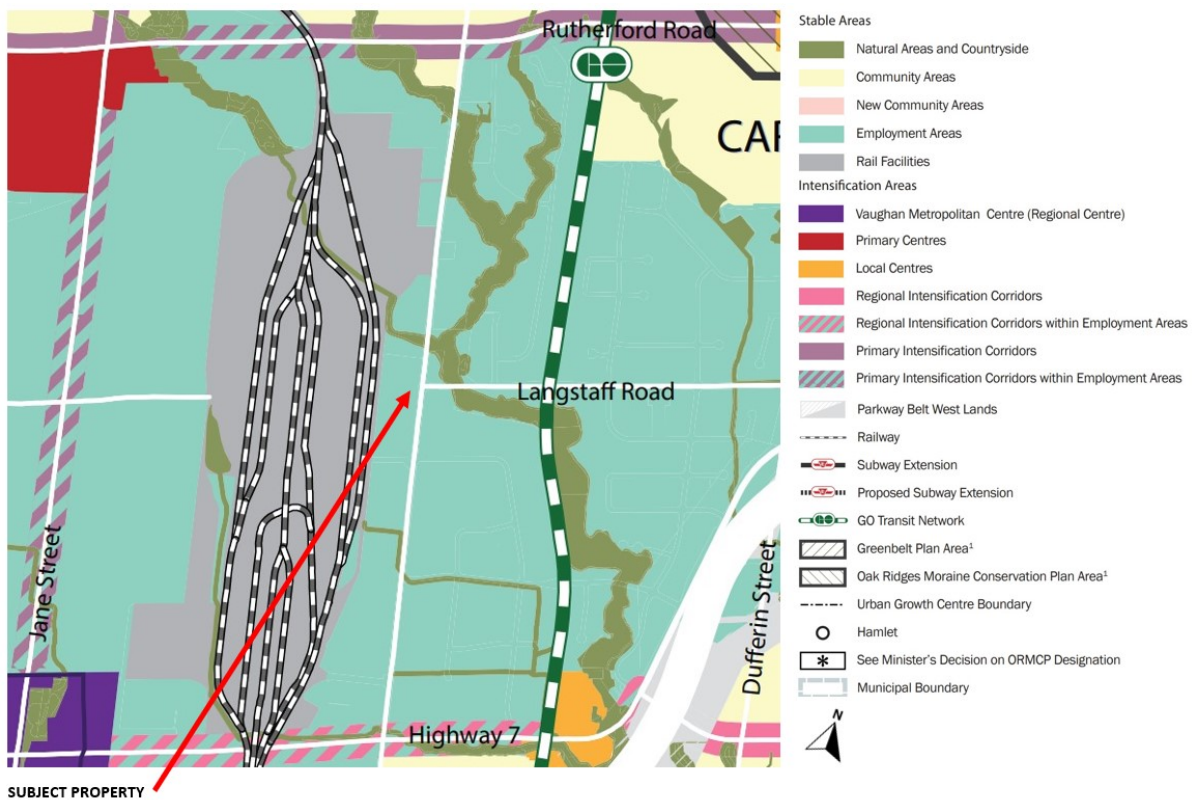


the Greater Golden Horseshoe by making more efficient use of the existing employment area and supporting an existing industrial operation. The proposed accessory retail use will support the existing warehouses on site and will not adversely affect the viability of the surrounding employment area. Policy 2.2.5.3 states that “*retail and office uses will be directed to locations that support active transportation and have existing or planned transit.*” The Subject Property is in a location with existing and planned transit and is therefore in an area that supports active transportation.

Based on the foregoing, it is our opinion that the application conforms to the relevant policies of the Growth Plan.

5.2 City of Vaughan Official Plan

The City of Vaughan Official Plan (“VOP”) identifies the Subject Property as being within a designated “*Employment Area*” in accordance with Schedule 1 - Urban Structure. Furthermore, the Subject Property is designated “*Prestige Employment*” on Schedule 13 - Land Use of the VOP.



**Figure 2 - VOP Extract Schedule 1 - Urban Structure**

#### **s.2.2.4 Employment Areas**

Employment areas are considered stable areas and are intended to accommodate economic activities that require separation from other uses to achieve their maximum potential. Policy 2.2.4.7 of the VOP states “that limited retail uses may be located within Employment Areas...” and Policy 2.2.4.8 states it’s the policy of council “to encourage a range of parcel sizes, street patterns and building design within Employment Areas to maintain the flexibility to attract a variety of businesses, and allow for redevelopment and intensification.”

The retail component is proposed as accessory to the existing warehouse building on the site and will therefore be limited in in size and will support the overall employment purpose of the site in keeping with the direction for employment areas. The accessory retail use would allow for more efficient use of the existing warehouse building without compromising the vitality of the overall employment area.

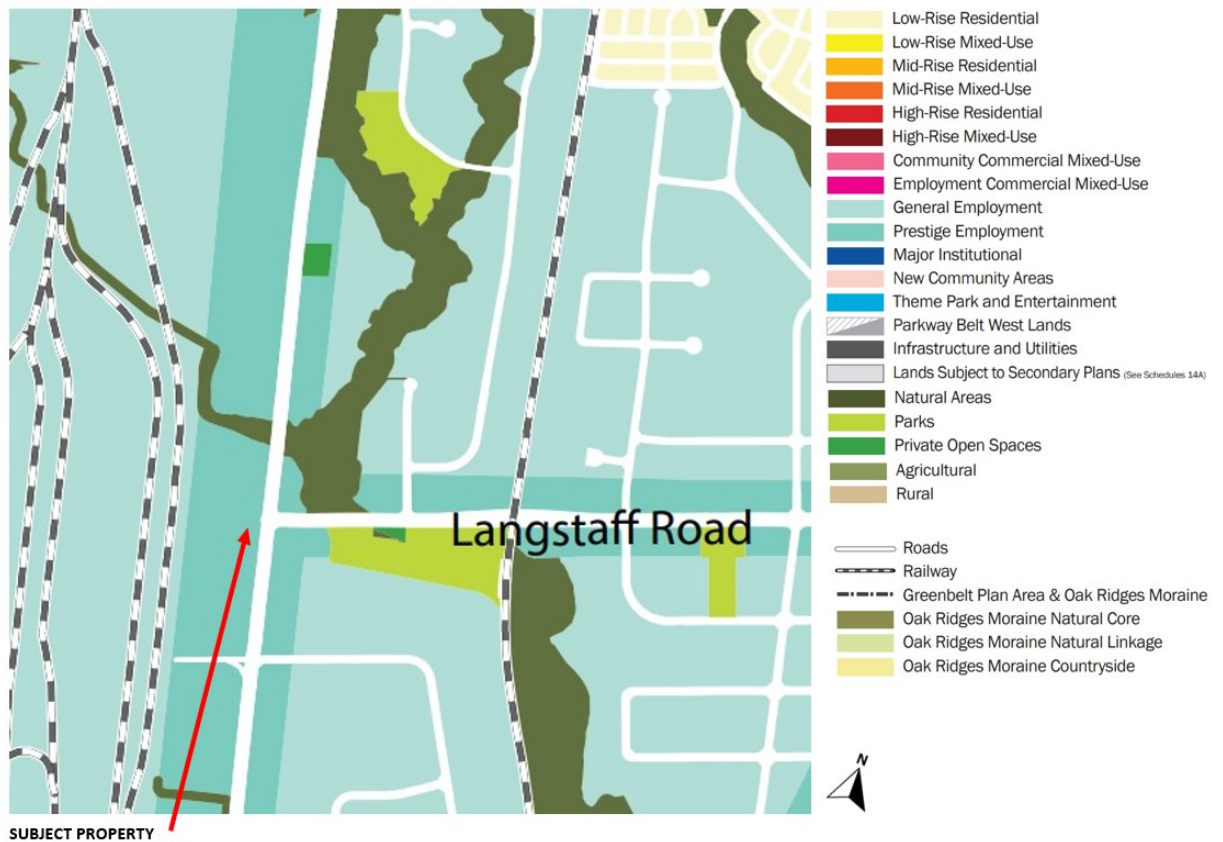
#### **s.5.1.1 Economic Growth and Diversification**

Section 5.1.1 of the VOP identifies that Vaughan has a strong retail sector and a high proportion of locally-owned retailers. Part of building a strong economic future for Vaughan requires further economic growth and diversification. To achieve this, a diverse economic base is required to promote a welcoming environment for a variety of new employers and job opportunities. Retail specifically is intended to evolve to include a diverse retail environment that will meet the needs of both local and regional shoppers to provide an enhanced retail experience.

The proposed application seeks to enhance the existing warehouse building with an accessory retail use, which will diversify the uses on the Subject Property. As a result, the proposal will attract new customers and will ultimately help support economic diversity and growth.

#### **s.9.2 Land Use Designations and Permitted Uses**

As noted, the Subject Property is designated “*Prestige Employment*” in accordance with Schedule 13 – Land Use of the VOP.



**Figure 3 - VOP Extract Schedule 13 - Land Use**

Section 9.2.2.11 of the VOP outlines the permitted land use, permitted uses, and associated policies that are applicable across the City:

The following uses are permitted in accordance with Policy 9.2.2.11.c of the VOP:

- 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.*

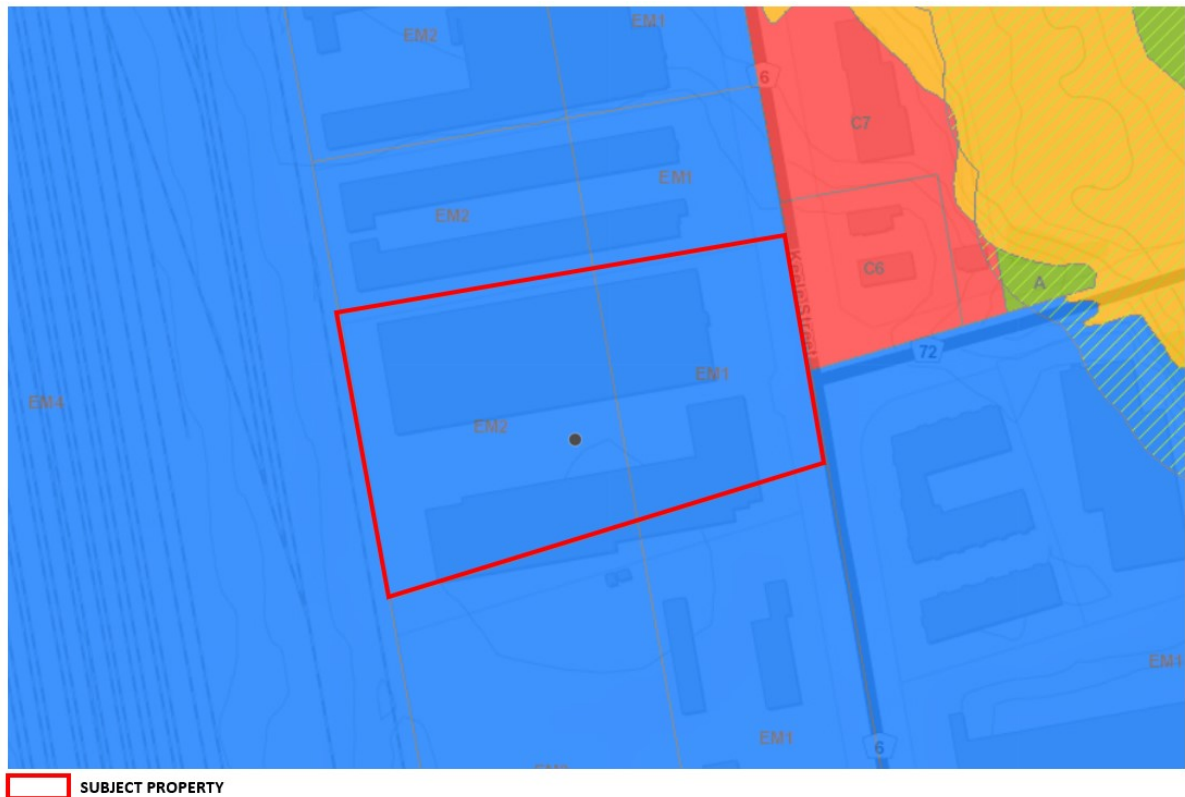
Based on the above policy, accessory retail uses that are directly associated with the primary employment use are supported within the *Prestige Employment* designation. The application is proposing an accessory retail use within the existing south warehouse building located on the Subject Property and it intends to support the existing industrial warehousing use contained in both the south and north warehouse buildings, which represents the primary use on site.

In addition to the existing warehouse buildings, there is also an existing accessory office use within the south building. The existing accessory office use and proposed accessory retail use combined do not exceed the 49% of the total gross floor area (“GFA”) of the primary warehouse uses. We acknowledge that the proposed accessory retail total gross floor area does slightly surpass the required 10% maximum GFA of the primary use, and this is due to the fact that the garage overhead doors located between Bay 7 and 8 as identified on the site plan are required to serve the retail component to achieve functionality and viability of the retail use. We acknowledge that the intent of policy 9.2.2.11.c.ii.b is to limit the accessory retail use GFA to 10% to ensure the retail function is maintained as accessory. The proposed accessory retail GFA of 2,234 m<sup>2</sup> represents 11.2% of the total GFA, and although this very slightly exceeds the 10% maximum, it is our opinion that the 1.2% difference in GFA will still ensure the retail component is maintained as accessory to the primary use.

Based on the foregoing, it is our opinion that the application maintains the intent of the Official Plan.

### 5.3 City of Vaughan By-law 1-88

The City of Vaughan Zoning By-Law 1-88 zones the Subject Property “*Prestige Employment (EM1)*” and “*General Employment Area Zone (EM2)*” which permits a wide range of employment-related uses, including warehousing and accessory retail sales to an employment use. The Subject Property is currently occupied by a warehouse employment use, which is permitted within the EM1 and EM2 zones and which is to be maintained as the primary use on the site.



**Figure 4 - Vaughan Zoning By-law 1-88 Extract**

Section 6.1.3 of Zoning By-law 1-88 addresses accessory retail sales uses, stating that *“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 m<sup>2</sup>, whichever is the lesser, and this floor area shall be separated from the rest of the unit by a solid partition.”*

The proposed Minor Variance application has been submitted in order to seek relief from the by-law to exceed the required maximum of 930 m<sup>2</sup> of accessory retail GFA to allow for the inclusion of the garage overhead doors within the retail area, which is required to serve the functionality and viability of this area. Although exceeding the 930 m<sup>2</sup> maximum requirement, the proposed accessory retail area of 2,234 m<sup>2</sup> is well under the 30% maximum identified by the By-law and is closely keeping with the 10% maximum permitted by the Official Plan.

In accordance with the parking provisions of Zoning By-law 1-88, a total of 352 parking spaces are required to serve the proposed development, including the accessory retail use. A total of 276 parking spaces are existing and are proposed to remain with minor modification to accommodate additional accessible parking spaces in order to meet AODA requirements. As a result, a variance is being sought to address the parking deficiency. Something worth noting is the study that IBI Group undertook to review the parking standards contained within the By-law which identified that the “Parking Requirements” contained within By-law 1-88 demonstrate an auto-oriented approach and have little consideration for the availability of alternative forms of transportation, urban context, or development forms. It was stated that high minimum parking requirements contribute to an

oversupply of parking, inefficient use of land, and dispersed development patterns, which in turn strengthen automobile dependence and discourage alternative forms of transportation, such as transit and walking.

Although it remains in draft, it is our opinion that the parking requirements in City of Vaughan Comprehensive Zoning By-law XX-21 are more aligned with future parking demands. Under the draft comprehensive by-law, a total of 208 parking spaces is required to serve the proposed development, including the accessory retail use. As a total of 265 spaces are proposed, the proposal well exceeds the requirements under the draft comprehensive by-law suggesting the proposed parking rate is suitable and appropriate for the subject property.

It is our opinion that Zoning By-law 1-88 reflects outdated parking requirements that do not reflect current and future parking demands, and that comprehensive Zoning By-law XX-21 better reflects appropriate parking requirements in accordance with the IBI Parking Study. As such, it is our opinion that the proposed parking variance is technical in nature and the proposed development exceeds the parking requirements per the IBI Parking Study and draft comprehensive by-law.

#### 5.4 Tests for Minor Variance

The *Planning Act* sets out the legal framework that governs the consideration of Minor Variance applications. Section 45 of the *Act* authorizes the Committee of Adjustment to make decisions regarding Minor Variance Applications. Pursuant to Section 45(1) of the *Planning Act*, a minor variance must satisfy the following tests:

- The variance requested maintains the general intent and purpose of the Official Plan;
- The variance requested maintains the general intent and purpose of the Zoning By-law;
- The variance is desirable for the appropriate use of the land; and,
- The variance is minor in nature.
- 

#### **1. Maintains the General Intent and Purpose of the Official Plan**

The Subject Property is located within a designated “*Employment Area*” and is designated “*Prestige Employment*” by the City of Vaughan Official Plan. The intent of employment areas is to protect lands for employment uses and ensure the long-term viability and economic well-being of the City. The *Prestige Employment* designation permits a range of employment-related uses, including warehousing and accessory office and retail uses, so long as the combination of accessory office and accessory retail uses do not exceed 49% of the total GFA devoted to the primary use and that the accessory retail use is limited to no more than 10% of the total GFA of the primary use.

The VOP also contains policies which encourage and promote further economic growth and diversification within employment areas. Retail is identified as a key component to achieving these

goals by including an enhanced retail experience that will meet the need of both local and regional shoppers.

The proposed minor variance meets the general intent and purpose of these policies as it allows for the addition of an accessory retail use that will support and enhance the function of the existing primary employment use. The proposed retail use will be accessory to the primary warehouse buildings and will be located within the existing south warehouse building. Furthermore, this addition will provide increased opportunity for economic diversity within the existing employment area which is an important objective for employment lands.

As previously mentioned, there is an existing accessory office use currently located within the south warehouse building and both the existing accessory office and proposed accessory retail uses combined will represent 14.7% of the total primary use GFA, not exceed the maximum 49% permitted by the VOP. Additionally, the proposed accessory retail GFA of 2,234 m<sup>2</sup> represents 11.2% of the total GFA, and although this very slightly exceeds the 10% maximum, this very minor increase reflects the existing configuration of the building and the logical and functional arrangement of the retail space which requires the use of the overhead loading doors located between gridlines 7 and 8 on the site plan. Given that the proposed accessory retail GFA is only 1.2% greater than the permitted maximum 10%, and is required to allow for the overall functionality and viability of the accessory use based on the existing building layout, it is our opinion that the proposed application meets the intent of Policy 9.2.2.11.c.ii.b of the VOP as the retail function will be maintained as accessory and subordinate to the primary warehousing use and will support the larger employment function of the site.

Based on this analysis, the proposed accessory retail use is permitted within the Prestige Employment designation, meets the criteria of the in-force Official Plan policies and can be appropriately achieved through the proposed Minor Variance application. The employment function of the subject property will be maintained and enhanced through the introduction of the proposed accessory retail use in keeping with the employment policies of the VOP.

Based on the above, it is our opinion that the proposed variance maintains the general intent and purpose of the Official Plan and satisfies this test.

## **2. Maintains the General Intent and Purpose of the Zoning By-law**

The City of Vaughan Zoning By-Law 1-88 zones the Subject Property “*Prestige Employment (EM1)*” and “*General Employment Area Zone (EM2)*” which permits a wide range of employment-related uses, including warehousing and accessory retail sales to an employment use.

The proposed minor variance is required to allow for the total GFA of the proposed accessory retail use to be 2,234m<sup>2</sup>, which would exceed the maximum requirement of 930 m<sup>2</sup> permitted by the Zoning By-law. The proposed accessory retail GFA represents 11.2% of the total GFA, which is well below the 30% identified by the Zoning By-law.

The general intent of the Zoning By-law is to maintain employment areas for employment uses in keeping with the direction of the Official Plan. The intent is to limit the size of accessory retail uses within employment areas in order to maintain and enhance the primary employment function of these lands. The proposed accessory retail use is maintained at 11.2% of the total primary GFA, which is in keeping with the intent of the 10% maximum retail GFA permissions set out in the Official Plan and maintains the retail function as accessory and subordinate both in size and function to the primary industrial use.

From a parking perspective, Zoning By-law 1-88 requires a total of 352 parking spaces to accommodate the addition of the proposed accessory retail use, whereas a total of 276 existing spaces are proposed to be maintained. The IBI Parking Study and draft Comprehensive Zoning By-law XX-21 require 208 total parking spaces for the proposed development.

Given that the in-effect Zoning By-law 1-88 is largely outdated as it relates to parking rates and will soon be replaced with the draft comprehensive Zoning By-law XX-21, it is our opinion that the in-effect By-law fails to accurately capture current parking demand and results in a parking rate that is much too high for the nature of this proposal. Given that the IBI Parking Study and comprehensive Zoning By-law XX-21 reflect the future regulatory direction for the City, these parking rates should be considered appropriate. The total proposed parking spaces exceed the requirements of the Parking Study and draft comprehensive By-law, suggesting that the number of proposed parking spaces is appropriate and sufficient to support the proposed development.

On this basis, it is our opinion that the proposed variance maintains the general intent and purpose of the Zoning By-law and satisfies this test.

### **3. Desirable for the Appropriate Development of the Land**

The proposed accessory retail use represents the addition of an accessory use that will improve the efficiency and support the long-term viability of an existing employment use which will aid in promoting the economic vitality of the overall employment area. The accessory retail use is permitted within the “*Prestige Employment*” designation, and is proposed as subordinate in scale and function to the existing warehouse buildings. The accessory retail use will not only diversify the economic base in the area, but would support culture within the community as the products being sold are unique to the Korean culture and offer a “taste from home” to those who have immigrated from Korea and also give the opportunity for others to indulge in new cultures when purchasing KFT food products.

Given the locational context and intent to enhance and support the existing employment function of the Subject Property, it is our opinion that the proposed variance is appropriate and desirable for the Subject Property and satisfies this test.

### **4. Minor in Nature**

The requested variance is minor in nature as the proposed accessory retail use seeks to permit only 2,234 m<sup>2</sup> of additional retail GFA than is permitted by Zoning By-law 1-88, which is in keeping



with intent of the Official Plan to maintain retail uses as accessory to the primary employment use within employment areas. This represents a minor increase that still implements the intent and purpose of both the Official Plan and Zoning By-law. The additional, minimal, retail GFA is essential to allow for the inclusion of the overhead garage doors which are required to achieve the servicing and loading functions of the retail use. Largely, the exterior of the existing warehouse building are proposed to remain unchanged, with a minor alteration to the north side of the south building to allow for the addition of new exterior doors to provide direct access to the accessory retail component. This exterior modification is interior to the site and will have no impact on adjacent properties.

The proposed accessory retail use will support the overall employment function of the existing warehousing use and will be maintained as subordinate to the primary use of the Subject Property. As such, the employment function of the site will be maintained and the introduction of the new accessory use will have minimal, if any, adverse impact on the surrounding employment properties and the function of the employment area as a whole. In fact, the proposal is intended to enhance the existing industrial use, which will support the viability of the site over the long-term.

As a result, it is our opinion that the requested variance is minor in nature and would not adversely impact any uses on site or the surrounding area, thus satisfying this test.

## 6. Conclusion

Based on our analysis and the information provided above, we are of the opinion that the proposed application for Minor Variance meets the general intent and purpose of the Official Plan and Zoning By-law, is desirable and appropriate for the development of the Subject Property, and is minor in nature. In our opinion, the criteria prescribed by Section 45(1) of the *Planning Act* are satisfied.

We are of the opinion that the proposed application has merit and represents good planning, and should be approved. We request that the enclosed application be considered and approved by the Committee of Adjustment.

The following materials have been submitted in support of the proposed Minor Variance application:

- One (1) copy of the signed Minor Variance Application Form (8.5x14);
- A cheque in the amount of \$3,560.00 for the application fee;
- One (1) copy of this Cover Letter and Planning Justification, prepared by Weston Consulting; and,
- One (1) copy of the Site Plan prepared by hj architects inc.

We trust that this information is in order. Should there be any questions or additional information that is required, please do not hesitate to contact the undersigned at ext. 236 or Andrea Vetere at ext. 323.

Yours truly,

**Weston Consulting**

**Per:**

A handwritten signature in black ink, appearing to read 'K. Bechard', with a stylized flourish at the end.

Kevin Bechard, BES, M.Sc., RPP  
Senior Associate

## **Schedule C: Development Planning & 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.-

### **Development Planning Comments**

**Alectra (Formerly PowerStream) – No concerns or objections**

**Region of York – No concerns or objections**

**To:** Christine Vigneault, Committee of Adjustment Secretary Treasurer  
**From:** Nancy Tuckett, Director of Development Planning  
**Date:** November 18, 2021  
**Name of Owner:** RPIG Realty Holdings Ltd.  
**Location:** 8500 Keele Street  
**File No.(s):** A199/21 - *Adjournment*

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**Proposed Variance(s):**

1. To permit a maximum floor area of 2,234 m<sup>2</sup> of retail use accessory to an employment use.
2. To permit a minimum of 265 parking spaces for the 19,921 m<sup>2</sup> employment use.

**By-Law Requirement(s):**

1. A maximum floor area of 930 m<sup>2</sup> of retail use accessory to an employment use is permitted. (Section 6.1.3, By-law 1-88a.a.)
2. A minimum of 315 parking spaces are required. (Section 3.8, by-law 1-88a.a.)

**Official Plan:**

Vaughan Official Plan 2010 ('VOP 2010'): "Prestige Employment"

**Comments:**

The Owner is requesting to permit an increase to the maximum floor area of a retail use accessory to an existing employment building and reduce the minimum amount of parking spaces required.

A minor amendment to previously approved Site Development Applications DA.33.89 & DA.55.86 for the Subject Lands is required prior to commenting on the above noted minor variances as the increase in retail floor area would directly require alterations to the existing elevations of the employment building and parking area, including the addition of accessible parking spaces.

As such, the Development Planning Department deems this application premature until a Minor Site Development Application has been submitted and reviewed by the appropriate Departments.

**Recommendation:**

The Development Planning Department recommends adjournment of the application.

**Conditions of Approval:**

If the Committee finds merit in the application, the following condition of approval is recommended:

None

**Comments Prepared by:**

Roberto Simbana, Planner I  
Chris Cosentino, Senior Planner

**Date:** November 4<sup>th</sup> , 2021

**Attention:** **Christine Vigneault**

**RE:** Request for Comments

**File No.:** **A199-21**

**Related Files:**

**Applicant** Weston Consulting

**Location** 8500 Keele Street



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### 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)

## Pravina Attwala

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**Subject:** FW: A199/21 (8500 KEELE STREET) - REQUEST FOR COMMENTS

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

**Sent:** November-08-21 10:36 AM

**To:** Pravina Attwala <Pravina.Attwala@vaughan.ca>

**Cc:** Committee of Adjustment <CofA@vaughan.ca>

**Subject:** [External] RE: A199/21 (8500 KEELE STREET) - REQUEST FOR COMMENTS

Good morning Pravina,

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)