

# VAUGHAN Staff Report Summary

# Item # 10

Ward #2

File: A155/19

**Applicant:** 1687239 Ontario Inc.

#8-101 Innovation Drive, Woodbridge ON Address:

Scott Shedden - The Scott Group Ltd. Agent:

Please note that comments received after the preparation of this Staff Report (up until 12:00 p.m. on the scheduled hearing date) will be provided as an addendum.

Commenting Department	Positive Comment	Condition(s)
	Negative Comment	<b>√</b> ×
Committee of Adjustment	V	
Building Standards	V	
Building Inspection	$\overline{\checkmark}$	
Development Planning	$\overline{\checkmark}$	
Cultural Heritage (Urban Design)	$\overline{\checkmark}$	
Development Engineering	$\overline{\checkmark}$	
Parks Department		
By-law & Compliance	V	
Financial Planning & Development	$\overline{\mathbf{V}}$	$\overline{\mathbf{A}}$
Fire Department		
TRCA		
Ministry of Transportation		
Region of York		
Alectra (Formerly PowerStream)		
Public Correspondence (see Schedule B)		

Adjournment History: None.
Background History: A236/15, A119/08, A017/09 and A249/09 (see next page for details)

Staff Report Prepared By: Lenore Providence Hearing Date: Thursday, January 16, 2020



Minor Variance Application

Agenda Item: 10

**A155/19** Ward: 2

Staff Report Prepared By: Lenore Providence, Assistant Secretary Treasurer

Date of Hearing: Thursday, January 16, 2020

**Applicant:** 1687239 Ontario Inc.

Agent: Scott Shedden - The Scott Group Ltd.

Property: #8-101 Innovation Drive, Woodbridge ON

**Zoning:** The subject lands are zoned EM2 9(1258) and subject to the provisions of

Exception under By-law 1-88 as amended.

**OP Designation:** "General Employment" by City of Vaughan Official Plan 2010 (VOP 2010).

Related Files: None.

**Purpose:** Relief from the by-law is being requested to permit the construction of a proposed

second floor mezzanine within Unit #8. The proposed mezzanine is to be used for

office purposes.

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

By-law Requirement	Proposal
1. A minimum of 71 parking stalls are required.	1. To permit a minimum of 63 of parking stalls.

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

Application No.:	Description:	Status of Approval: Approved/Refused/Withdrawn/
		OMB/Concurrent
A236/15	To permit the construction of a proposed second floor office	APPROVED – Aug. 27, 2015
	space addition.	
	1. To permit a minimum of 63 parking spaces.	
	2. To permit an Employment Use with an accessory office	
	use not exceeding 60.87% of the gross floor area of the	
	entire unit devoted to the industrial employment use.	
A249/09	To permit an interior alteration, converting the existing	APPROVED – Nov. 12, 2009
	mezzanine into a second floor, within Unit #1, of the existing	
	industrial building.	
	1. To permit a minimum number of 63 parking spaces.	
A017/09	The applicant is requesting variances to permit the	Withdrawn
	construction of a one storey restaurant (unit 1) in a multi unit	
	building, as follows:	
	1. To permit an eating establishment with a maximum gross	
	floor area of 513.41 m2•	
	2. To permit off site parking of vehicles - (off-site parking	
	spaces 53 in Block 12)	
	3. A total of 61 parking spaces have been provided on site.	
A119/08	The applicant is requesting a variance to permit the	APPROVED - June 5, 2008
	continued construction of a multi unit building, one on each	
	block, as follows:	
	1. A 0.0m landscape strip abutting an Open Space zone.	

For information on the previous approvals listed above please visit <a href="www.vaughan.ca">www.vaughan.ca</a>. 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 **4:00 p.m**. on the last business day **prior** to the day of the scheduled Meeting.

# **Committee of Adjustment:**

Public notice was mailed on December 19, 2019

Applicant confirmed posting of signage on November 26, 2019

Property Information				
Existing Structures Year Constructed				
Dwelling	2009			

Applicant has advised that they cannot comply with By-law for the following reason(s): The parking spaces allotted by builder are not sufficient require three (3) additional spaces.

# Adjournment Request: N/A

# **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 10m2.

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

# **Building Inspections (Septic):**

No comments or concerns

## **Development Planning:**

Vaughan Official Plan 2010 ('VOP 2010'): General Employment

The Owner is requesting permission to construct office space within the existing mezzanine with the abovenoted variance. In 2015, the Committee of Adjustment approved minor variance application A236/15 for Unit #1 which proposed a minimum of 63 parking spaces whereas 68 were required for the addition of a mezzanine.

The change in use from open storage to office space in Unit #8 increases the parking requirement to 71 spaces, whereas 63 are provided on site. The Transportation Division of the Development Engineering Department has reviewed the Parking Justification Letter, prepared by Trans-Plan Transportation Inc., dated December 6, 2019, and has no objection to the reduction in parking spaces.

Accordingly, the Development Planning Department is of the opinion that the proposal is minor in nature, maintains the general intent and purpose of the Official Plan and Zoning By-Law and is desirable for the appropriate development of the land.

The Development Planning Department recommends approval of the application.

# Cultural Heritage (Urban Design):

No Response.

# **Development Engineering:**

The Transportation Department of Development Engineering has reviewed the submitted Letter of Justification for the proposed 63 parking spaces when the By-Law requirement is 71 parking spaces.

The Development Engineering (DE) Department does not object to the variance application A155/19.

# **Parks Development:**

No Response.

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

No comments or concerns

# **Financial Planning and Development Finance:**

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

That the payment of Region of York Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and Regional Development Charges Bylaws in effect at time of payment.

That the payment of Education Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Education Act and York Region District School Board and York Catholic District School Board Development Charges By-laws in effect at time of payment

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

# **Fire Department:**

No Response.

Schedule A - Plans & Sketches

Schedule B – Public Correspondence

None.

# Schedule C - Agency Comments

Alectra (Formerly PowerStream) - No concerns or objections

# Schedule D - Previous Approvals (Notice of Decision)

Minor Variance Application A236/15

Minor Variance Application A249/09

Minor Variance Application A017/09

Minor Variance Application A119/08

# **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	Development Finance	The owner shall pay any applicable development charges prior to
	Nelson Pereira	the issuance of a building permit in accordance with the
		Development Charges By-laws of the City, Region of York, York
	905-832-8585 x 8393	Region District School Board and York Catholic District School
	nelson.pereira@vaughan.ca	Board in effect at the time of payment (contact Nelson Pereira to
		have this condition cleared).

# 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.

# **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.

# 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**

**WRITTEN SUBMISSIONS:** 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. Public written submissions on an Application shall only be received by the Secretary Treasurer until **4:00 p.m**. on the last business day **prior** to the day of the scheduled Meeting.

Written submissions can be mailed and/or emailed to:

City of Vaughan
Committee of Adjustment
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1
CofA@vaughan.ca

**ORAL SUBMISSIONS:** If you wish to attend the meeting you will be given an opportunity to make an oral submission. Presentations to the Committee are generally limited to 5 minutes in length. Please note that Committee of Adjustment meetings are audio recorded. Your name, address comments and any other personal information will form part of the public record pertaining to this application.

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

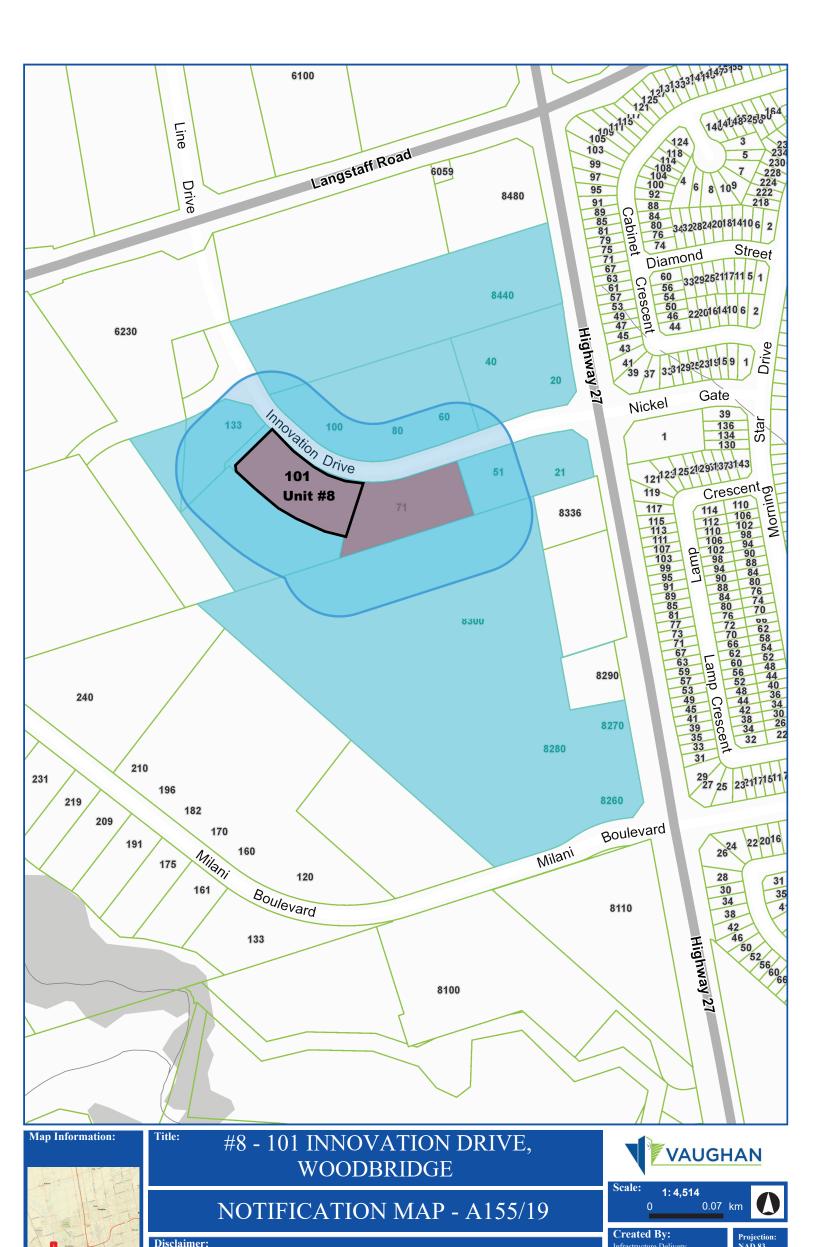
**NOTICE OF DECISION:** If you wish to be notified of the decision in respect to this application or a related Local Planning Appeal Tribunal (LPAT) hearing you must complete a Request for Decision form and submit to the Secretary Treasurer (ask staff for details). In the absence of a written request to be notified of the Committee's decision you will **not** receive notice.

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

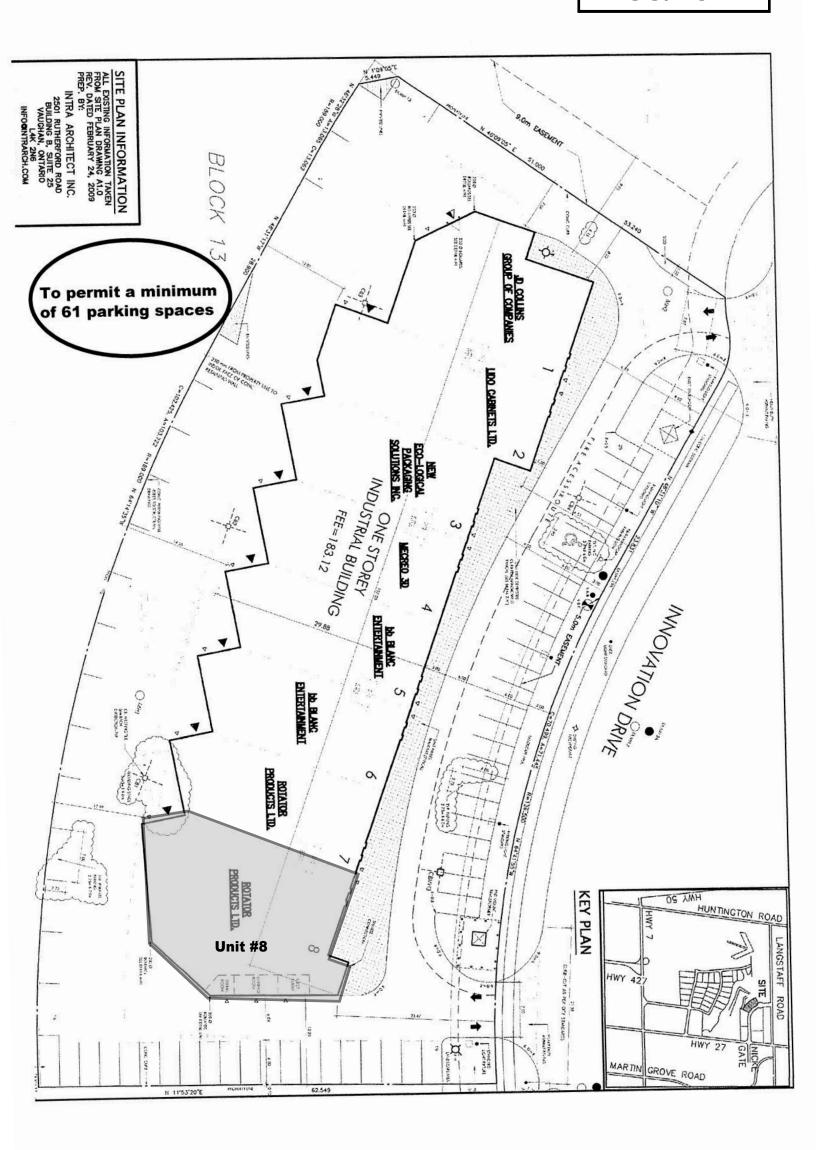
# Schedule A: Plans & Sketches

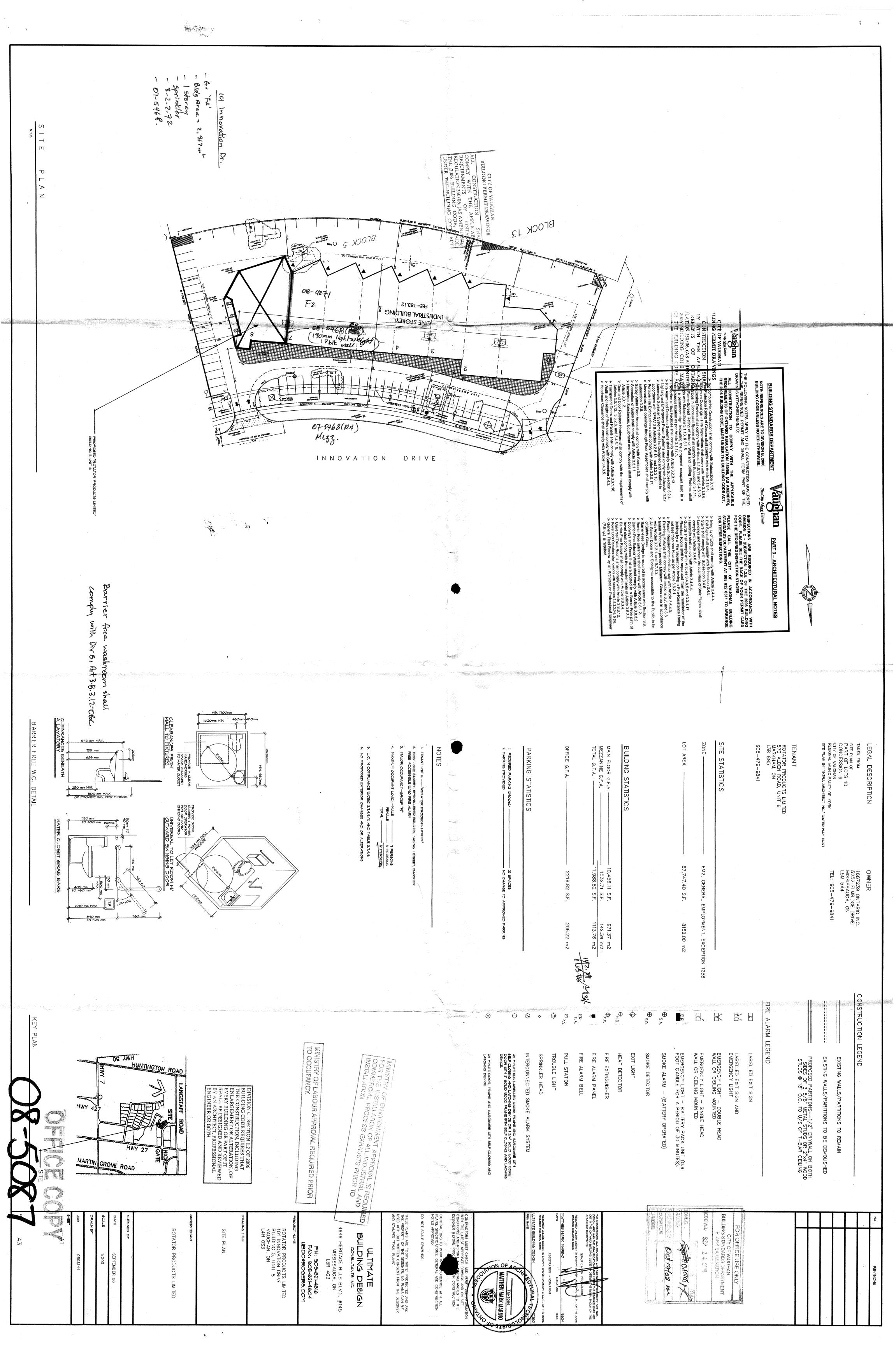
Please note that the correspondence listed in Schedule A is not comprehensive. Plans & sketches received after the preparation of this staff report will be provided as an addendum. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

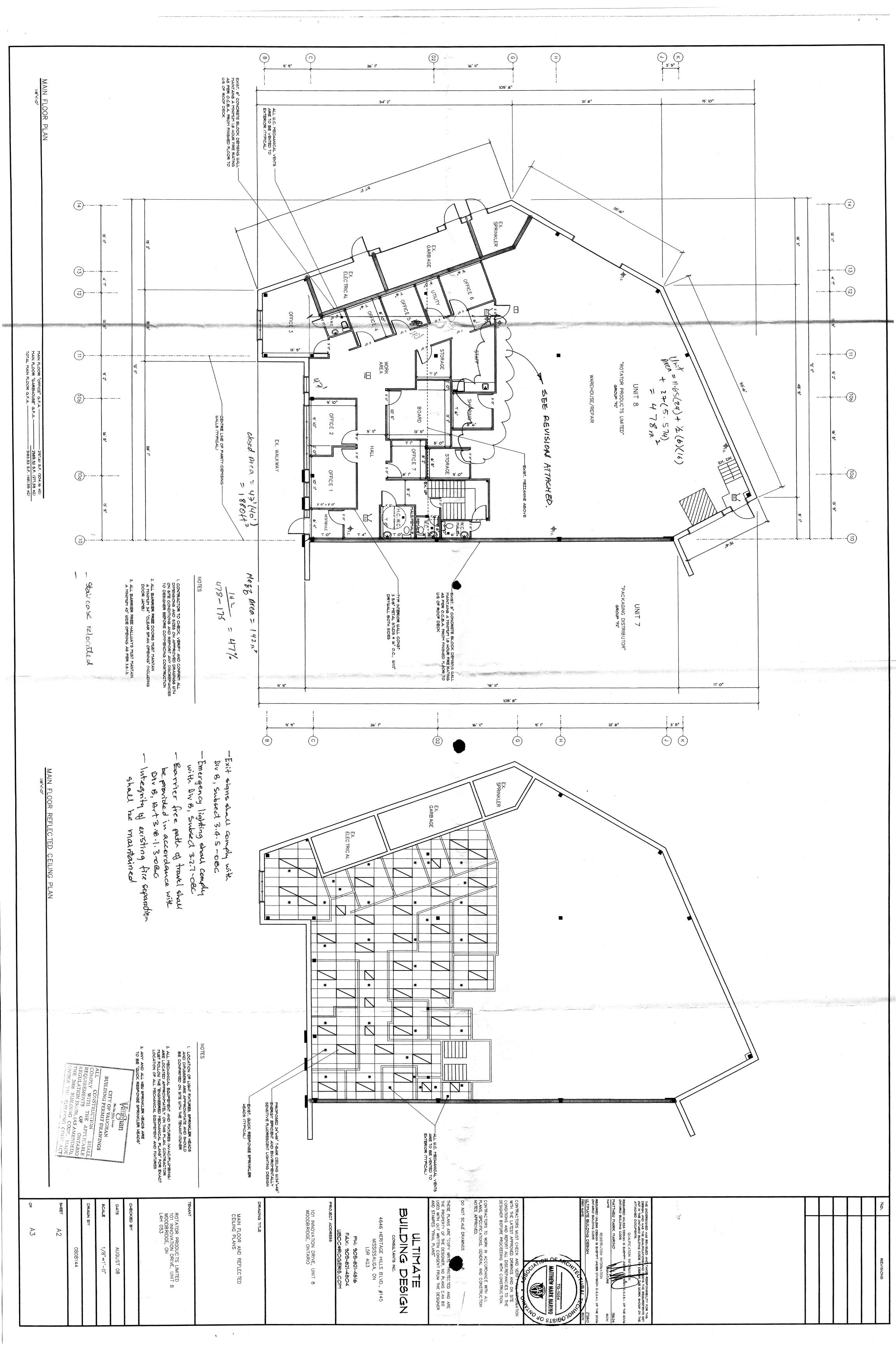
Location Map Sketches

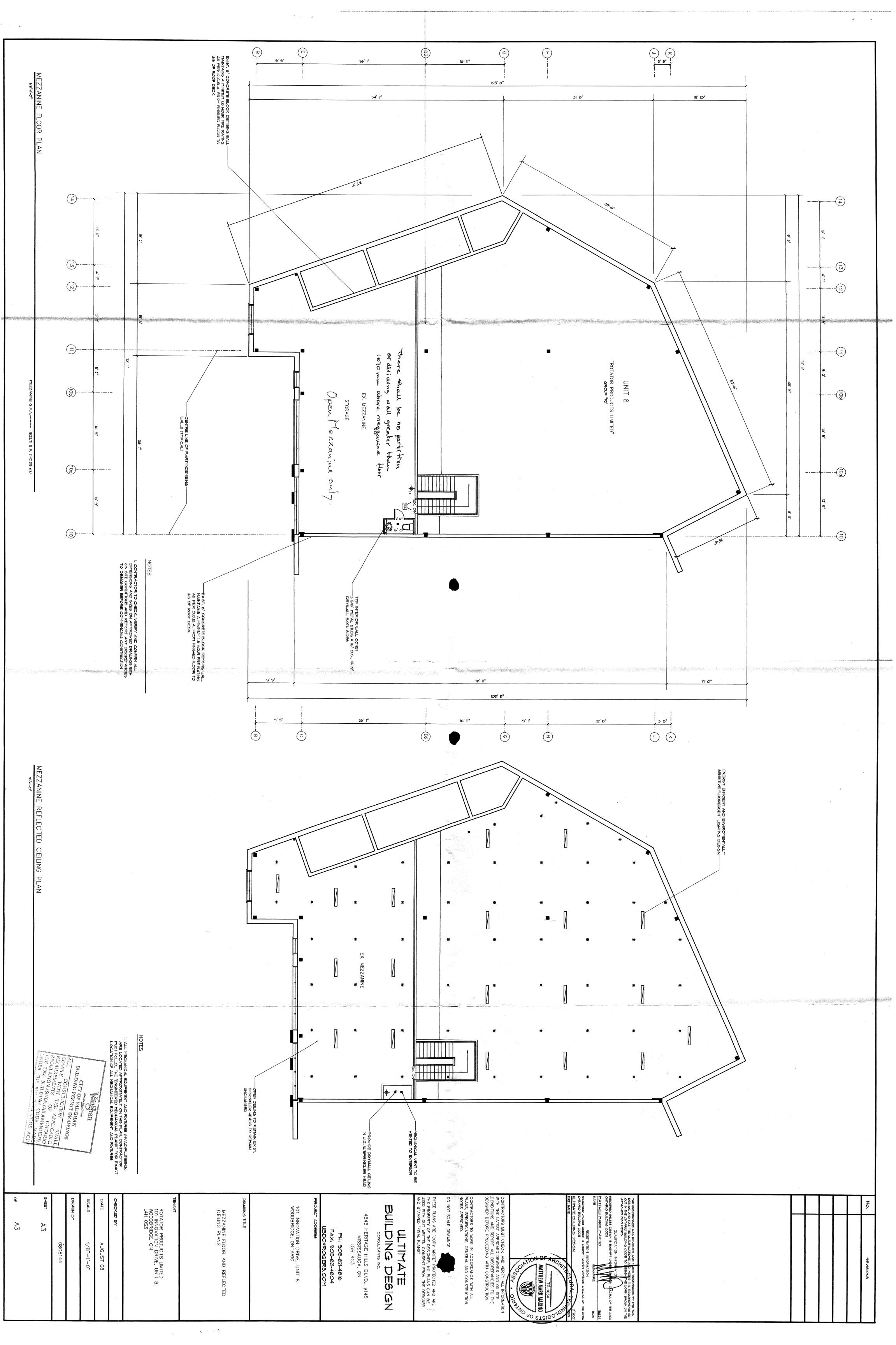


# A155/19









# OFFICE INTERIOR LAYOUT, AT UNIT 8 - 101 INNOVATION DRIVE VAI

# LSI QF **DRAWINGS:**

# COVER SHEET + LIST OF DWGS + KEY PLAN

- GENERAL NOTES
   EXISTING FLOOR PLAN
   PROPOSED FLOOR PLAN
   INTERIOR ELEVATIONS AND SECTIONS

- A01 - A02 - A03 - A04 - A05



# NOTE:

CONTRACTOR TO CAREFULLY READ THESE NOTES AND FOLLOW DURING CONSTRUCTION. CHANGES/SUBSTITUTION WILL NOT BE ACCEPTABLE WITHOUT ARCHITECTS APPROVAL. ENSURE COMPLIANCE WITH ALL THE NOTES.

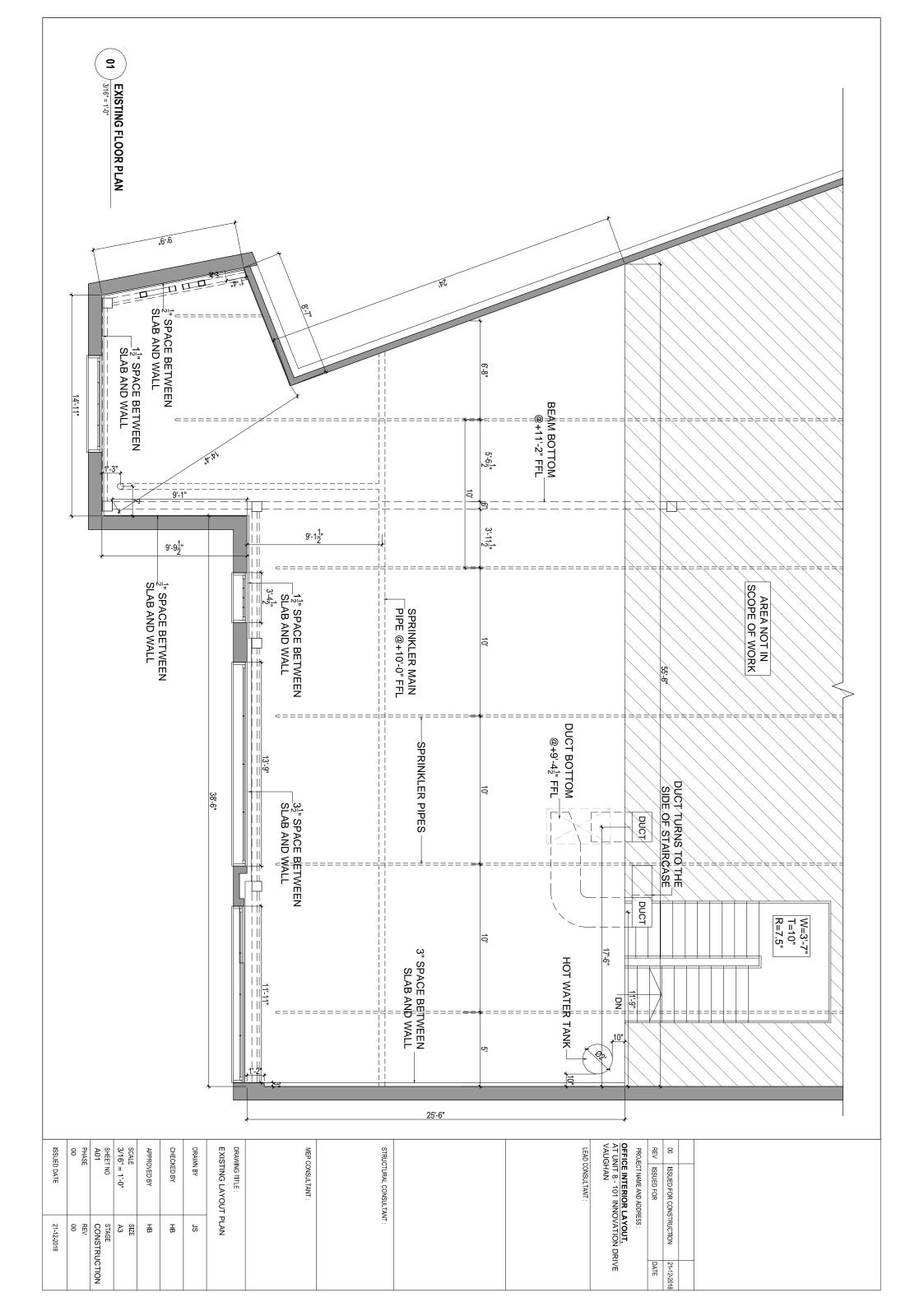
DO NOT SCALE DRAWING. CONCLUSIONS DERIVED BY SCALING OF DRAWINGS WILL NOT BE ACCEPTED. PLEASE VERIFY INFORMATION WITH THE ARCHITECT OF RECORD.

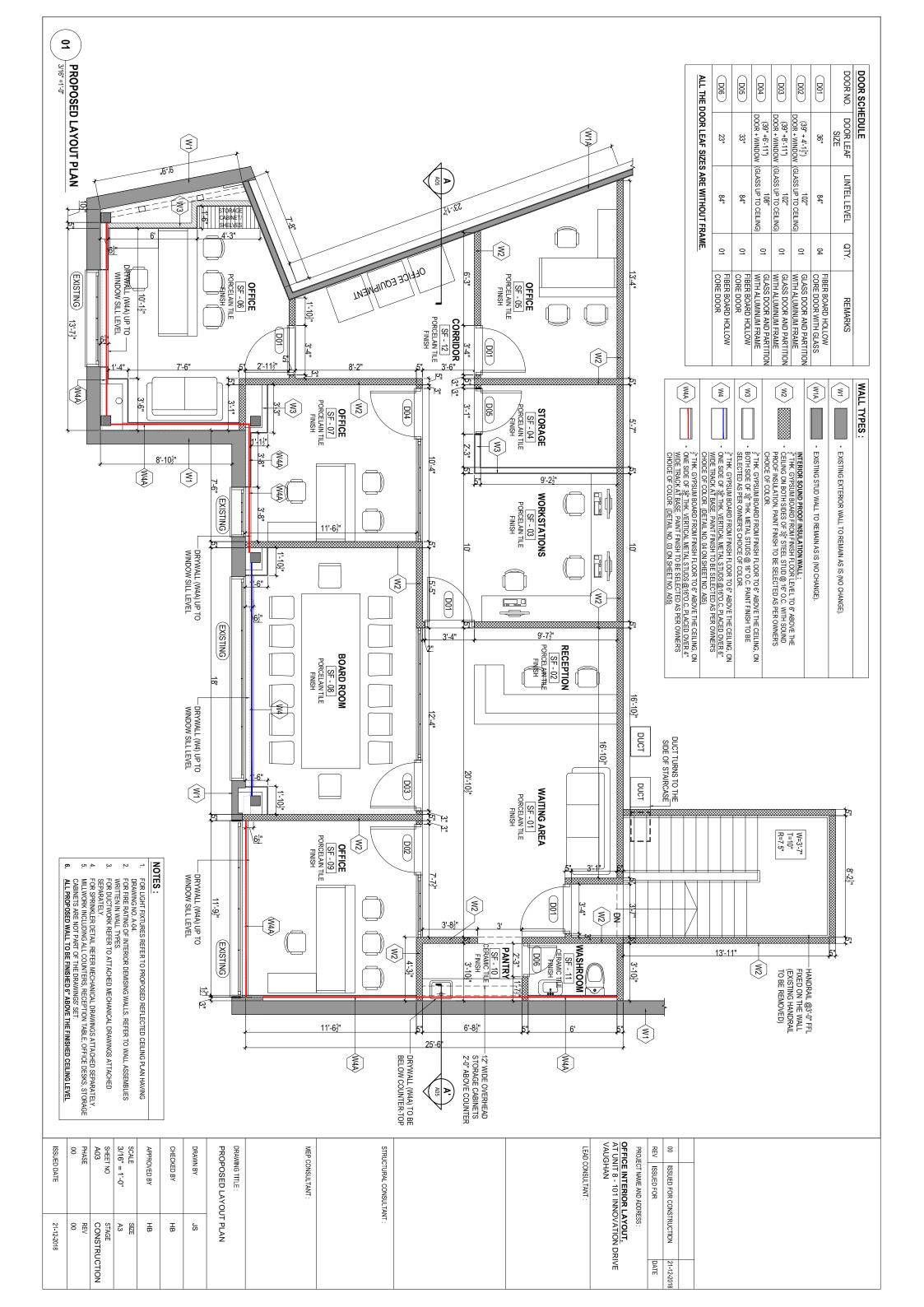
# GENERAL NOTES:

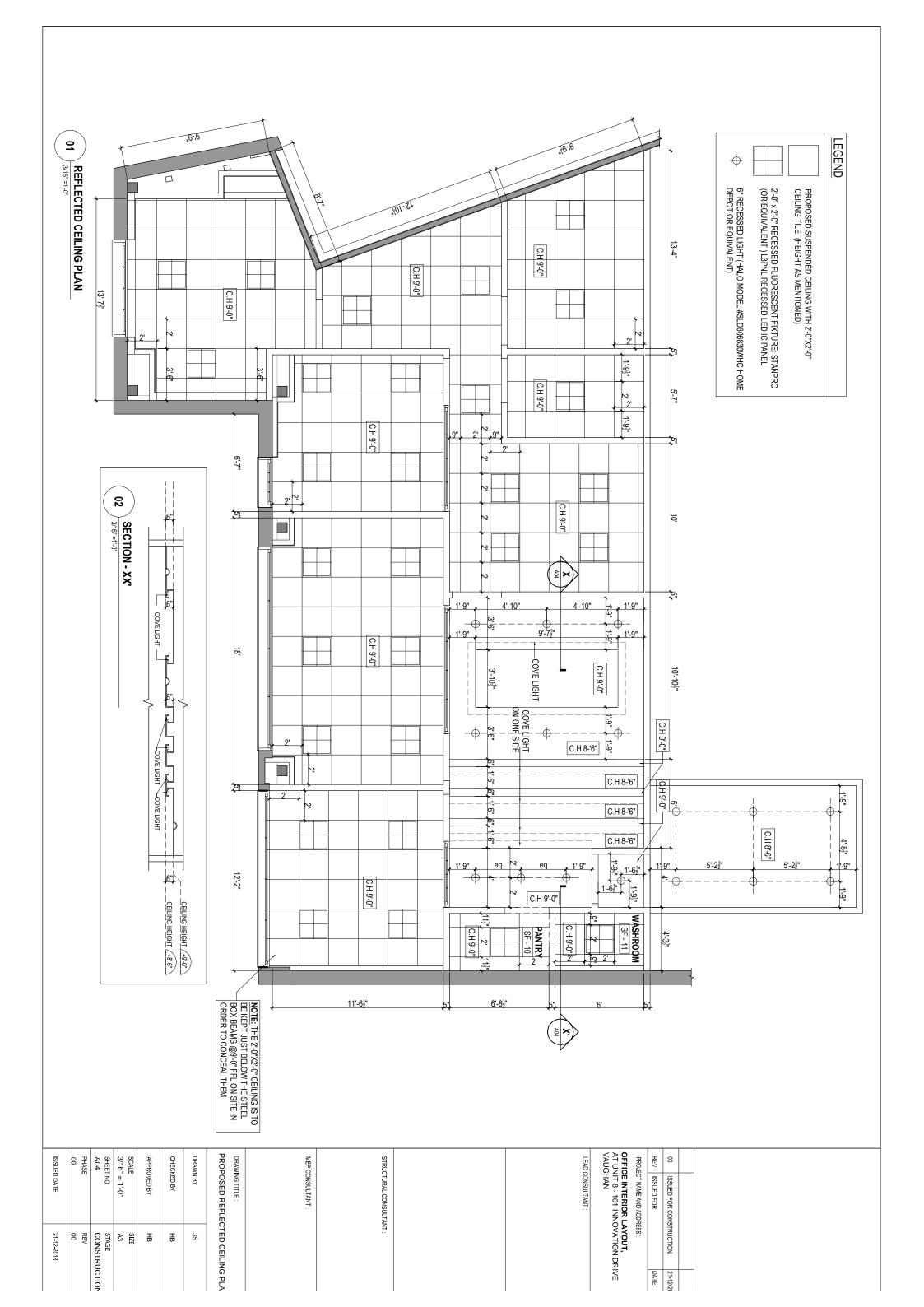
- 01. CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS ON SITE AND REPORT ANY DISCREPANCIES TO THE ARCHITECT PRIOR TO PROCEEDING WITH OFFICE LAYOUT AND DESIGN WORK.
- $_{
  m 02.}$  ALL FLOORS TO BE LEVEL THROUGHOUT AND HAVE SMOOTH FINISH
- 03. CONTRACTOR TO CO-ORDINATE WITH MECH. AND ELECT. CONTRACTORS FOR LOCATION AND SIZES OF ALL WALLS, FLOORS & CEILING OPENINGS, EQUIPMENT ETC.
- 04. THE CONTRACTOR SHALL LOCATE AND VERIFY ALL EXISTING SERVICES (EXPOSED AND CONCEALED) PRIOR TO ANY DEMOLITION, CUTTING DRILLING OR DIGGING. SERVICES CUT OR DAMAGED AND ANY RESULTING DAMAGE TO PREMISES CAUSED FROM FAILURE TO DO SO WILL BE THE RESPONSIBILITY OF THE CONTRACTOR.
- 05. ANY EXISTING SPRAYED FIREPROOFING DAMAGED OR REMOVED IS TO BE REPAIRED AND ITS REPAIR APPROVED BY THE ARCHITECT.
- 06. FOR FINISHES SPECIFICATIONS, COORDINATE WITH TENANT.
- 07. STUD WALL DESIGN SHOULD ACCOMMODATE ANY EXPECTED DEFLECTION OF THE EXISTING FLOOR STRUCTURE AS REQUIRED
- 08. SECURE STRUCTURAL STUDS TOP AND BOTTOM TO THE EXISTING STRUCTURE. BRACE STUDS ADEQUATELY TO THE EXISTING STRUCTURE.
- 09. ALL EXPOSED GYPSUM BOARD CORNER CONDITIONS TO HAVE CORNER BEAD (TYP.)

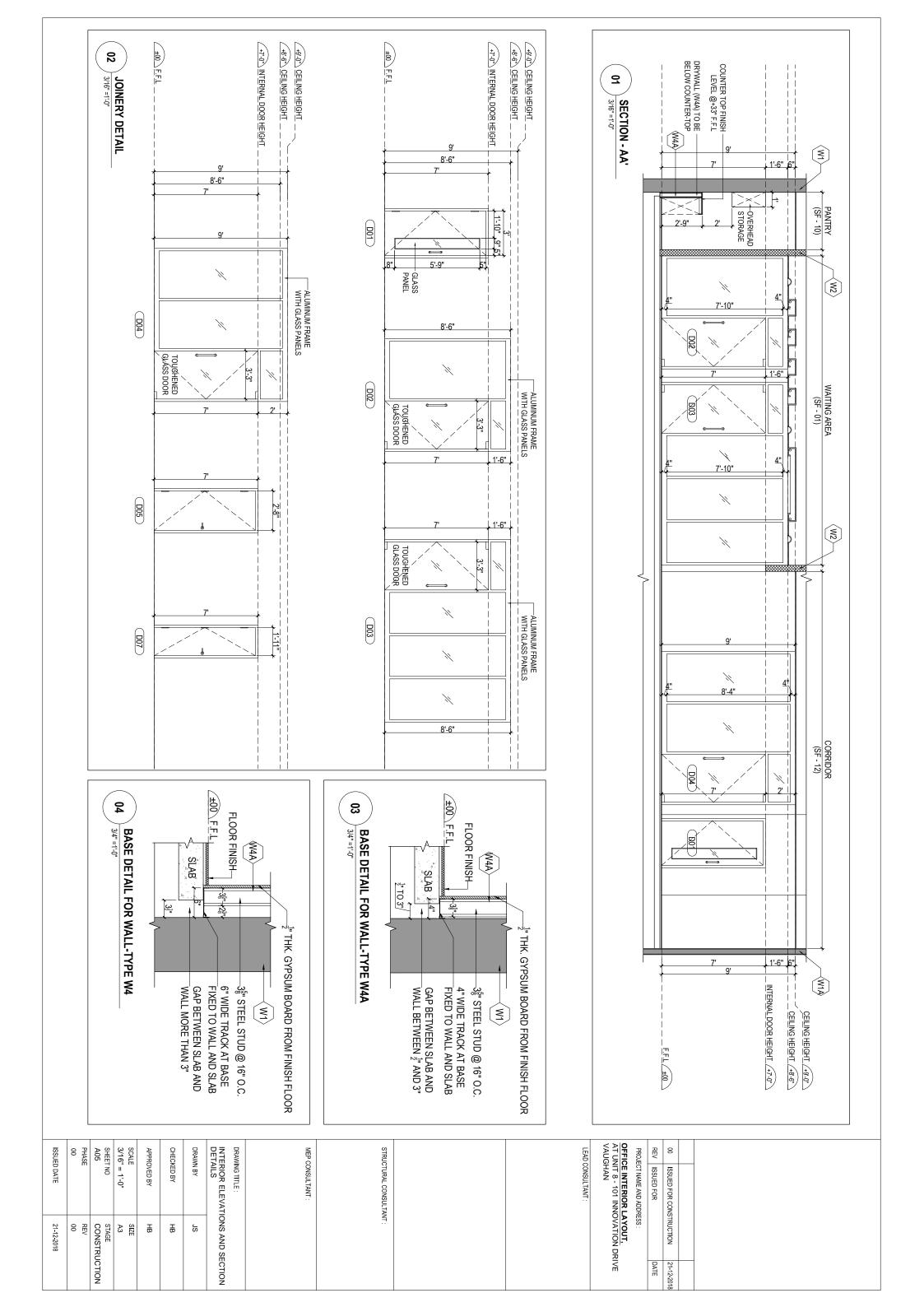
- 10. ALL DOOR HARDWARE MUST HAVE A SHAPE THAT IS EASY TO GRASP WITH ONE HAND AND DOES NOT REQUIRE TIGHT GRASPING, TIGHT PINCHING, OR TWISTING OF THE WRIST TO OPERATE.
- 11. ALL ELECTRICAL WORK SHALL BE PERFORMED BY SKILLED LICENSED ELECTRICIANS IN ACCORDANCE WITH THE BEST PRACTICES OF THE TRADE, MEETING THE REQUIREMENT OF THE LATEST EDITION OF THE NATIONAL ELECTRICAL CODE, APPLICABLE FEDERAL PROVINCIAL & LOCAL CODES.
- 12. BUILDING SERVICE CONTROLS I.E SWITCHES, THERMOSTATS, ETC, SHALL BE MOUNTED BETWEEN 900MM AND 1200MM ABOVE FINISH FLOOR. REF# 3.8.1.5.(1). OF DIV B.
- 13. BUILDING SERVICES PENETRATING ALL FIRE SEPARATION SHALL BE COMPLETED WITH FIRE STOPPING MEASURES IN CONFORMANCE WITH 'DIVISION B' SUB SECTION 3.1.9. OF THE ONTARIO BUILDING CODE 2012. MAINTAIN ALL EXISTING FIRE SEPARATION C/W REQUIRED FIRE RESISTANCE RATING.
- ALL INTERIOR FINISHES TO HAVE A MAXIMUM 150 FLAME 14. SPREAD RATING AS PER 3.1.13.2 OF DIVISION B. FLOOR FINISHES SHALL BE TIGHT, SMOOTH AND NON ABSORBENT
- 15. FOR FINISHES SPECIFICATIONS, COORDINATE WITH TENANT.
- 16. ALL DOORS AND FRAMES TO BE PAINTED
- 17. ALL EXISTING SURFACES TO REMAIN ARE TO BE PROTECTED THROUGHOUT DEMOLITION AND CONSTRUCTION.
- 18. PORTABLE FIRE EXTINGUISHER PER NFPA-10 INSTALLED BY GC ON SITE AND SUBJECT TO LOCAL JURISDICTION APPROVAL. 10LBS IN KITCHEN, 5LBS ELSEWHERE.
- 19. COORDINATE WITH OWNER FOR LOCATION OF ANY SHELVING IF REQUIRED AND PROVIDE BLOCKING ACCORDINGLY.

PHASE 00	SHEET NO A01	SCALE Not to	APPR	CHEC	DRAWN BY	DRAW	MEP C	STRUC	LEAD	PROJE OFFIC AT UN VAUG	REV	00		
	ΓNO	o Scale	APPROVED BY	CHECKED BY	ΝBΥ	DRAWING TITLE : GENERAL NOTES	CONSULTANT:	STRUCTURAL CONSULTANT:	EAD CONSULTANT:	PROJECT NAME AND ADDRESS:  OFFICE INTERIOR LAYOUT, AT UNIT 8 - 101 INNOVATION DRIVE VAUGHAN	ISSUED FOR	ISSUED FOR CONSTRUCTION		
OO REV	STAGE CONSTRU	SIZE A3	ВН	HB	SL			NT:		ESS: <b>AYOUT,</b> DVATION DRI				
	CTION									IVE	DATE	21-12-2018		









# 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. Written submissions from the public will only be accepted / processed until 12:00 p.m. on the date of the scheduled hearing.

None.

# **Schedule C: Agency Comments**

Please note that the correspondence listed in Schedule C is not comprehensive. Comments received after the preparation of this staff report will be provided as an addendum. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

Alectra (Formerly PowerStream) – No concerns or objections



# **COMMENTS:**

	We have reviewed the proposed Variance Application and have no comments or objections to its approval.
X	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 **Phone**: 1-877-963-6900 ext. 31297

*Fax*: 905-532-4401

*E-mail*: stephen.cranley@alectrautilities.com

Mr. Tony D'Onofrio

Supervisor, Subdivisions & New Services *Phone*: 1-877-963-6900 ext. 24419

*Fax:* 905-532-4401

Email: tony.donofrio@alectrautilities.com

# Schedule D: Previous Approvals (Notice of Decision)

Minor Variance Application A236/15 Minor Variance Application A249/09 Minor Variance Application A017/09 Minor Variance Application A119/08



# COMMITTEE OF ADJUSTMENT

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

# NOTICE OF DECISION

# **MINOR VARIANCES**

FILE NUMBER:

A236/15

APPLICANT:

**UNIT 3 INNOVATION DR. INC.** 

PROPERTY:

Part of Lot 10, Concession 9, (Block 5, Registered Plan 65M-4044, Part of YRCC

1152), municipally known as 101 Innovation Drive, Unit #3, Woodbridge.

**ZONING:** 

The subject lands are zoned EM2, General Employment Area Zone and subject to the provisions of Exception 9(1258) under By-law 1-88 as amended.

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

1. To permit a minimum of 63 parking spaces NOT 61 parking spaces.

**PURPOSE:** 

To permit the construction of a proposed second floor office space addition.

PROPOSAL:

1. To permit a minimum of 63 parking spaces.

2. To permit an Employment Use with an accessory office use not exceeding 60.87% of the gross floor area of the entire unit devoted to the industrial employment use.

**BY-LAW** 

1. Minimum 68 parking spaces are required.

**REQUIREMENT:** 

2. The floor area of an accessory office use shall not exceed 49% of the gross floor area of the entire unit devoted to the industrial employment use.

Other Planning Act Applications

BACKGROUND INFORMATION:

The land which is the subject in this application was also the subject of another application

under the Planning Act:

MINOR VARIANCE APPLICATIONS:

A249/09 APPROVED Nov. 12/09 – Min. of 63 parking spaces.

A017/09 WITHDRAWN on April 22/09, requested permission to allow an eating

establishment with a max. GFA of 513.41 m2, To permit off site parking of vehicles – (off-site parking spaces 53 in Block 12) and A total of 61 parking

spaces provided on site (submitted by1491965 Ontario Ltd.)

A119/08 APPROVED June 5, 2008, for a 0.0m landscape strip abutting an Open Space zone.

(submitted by Innovation Commercial Centre Inc.)

A sketch is 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 Bylaw and the Official Plan will be maintained.

THAT Application No. A236/15, UNIT 3 INNOVATION DR. INC., be APPROVED, as amended 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:

Perrella. Chair

H. Zheng, Vice Chair Member

lulla

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

**Date of Hearing:** 

**AUGUST 27, 2015** 

Last Date of Appeal:

**SEPTEMBER 16, 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".

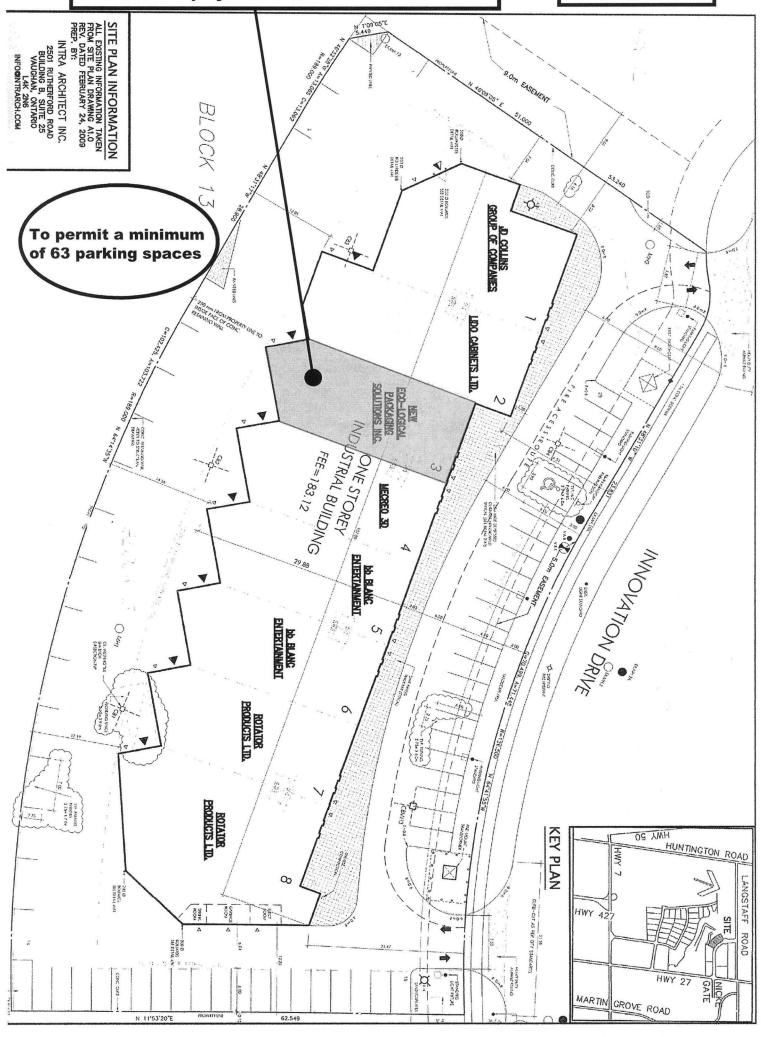
NOTE: The Planning Act provides for appeals to be filed by "persons". As groups or associations, such as residents or ratepayers groups which do not have incorporated status, may not be considered "persons" for the purposes of the Act, groups wishing to appeal this decision should do so in the name of 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 **SEPTEMBER 16, 2016** THEM IS:

To permit an Employment Use with an accessory office use not exceeding 60.87% of the gross floor area of the entire unit devoted to the industrial employment use

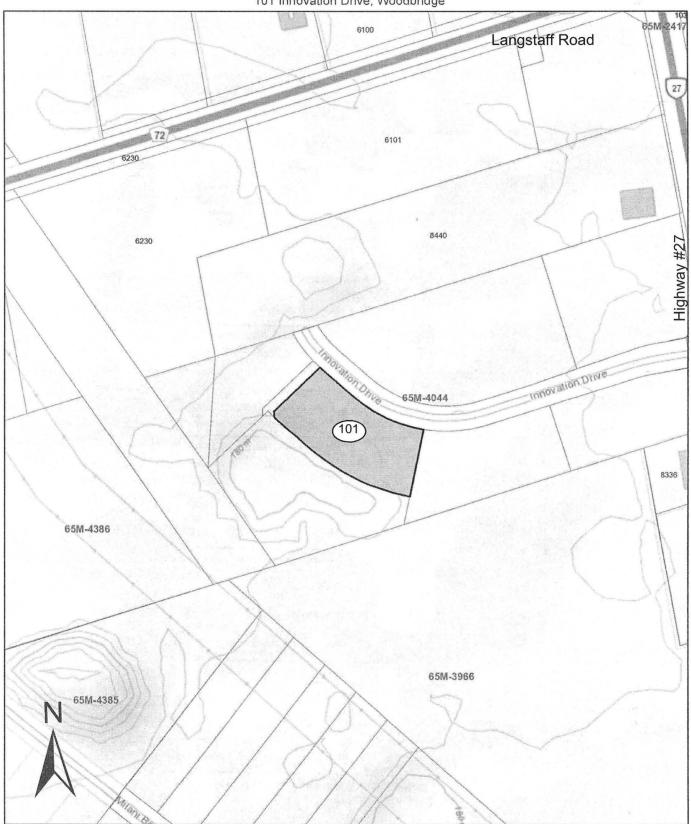
A236/15





# VAUGHAN Location Map - A236/15

101 Innovation Drive, Woodbridge



Sources: Esri, HERE, DeLorme, Intermap, increment P

# MINOR VARIANCE PUBLIC HEARING:

Cont'd...

Item 13.

FILE NUMBER:

A249/09

APPLICANT:

2195285 ONTARIO INC.

PROPERTY:

Part of Lot 10, Concession 9, (Block 5, Registered Plan 65M-4044, Municipally known as 101 Innovation Drive, Unit #1, Woodbridge).

ZONING:

The subject lands are zoned EM2, Prestige Employment Zone, subject to Exception

9(1258), under By-law 1-88, as amended.

**PURPOSE:** 

To permit an interior alteration, converting the existing mezzanine into a second floor, within Unit #1, of the existing industrial building.

PROPOSAL:

To permit a minimum number of 63 parking spaces.

REQUIREMENT:

A minimum number of 65 parking spaces are required

BACKGROUND INFORMATION:

The land Planning Act:

Minor Variance A File No. A017/09

WITHDRAWN on April 22/09, requested permission to allow an eating establishment with a max. GFA of 513.41 m², To permit off site parking of vehicles – (off-site parking spaces 53 in Block 12) and A total of 61 parking spaces provided on site (submitted by1491965 Ontario Ltd.)

APPROVED June 5, 2008, for a 0.0m landscape strip abutting an Open Space zone. (submitted by Innovation Commercial Centre-Inc.)

File No. A119/08

Centre Inc.)

Wes Surdyka, the agent, appeared on behalf of the applicant.

No one appeared before the Committee either in support of or in opposition to the request

A request for decision was received from Sylvia Bukovscak of Simerra Property Management, 89 Skyway Avenue, Suite 200, Toronto, Ontario, M9W 6R4.

There were no comments/objections from any Departments or Agencies.

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.

MOVED by M. Mauti Seconded by S. Krcmar

THAT Application No. A249/09, 2195285 ONTARIO INC., be APPROVED, in accordance with the attached sketch.

CARRIED

Item 14.

FILE NUMBER:

A254/09

APPLICANT:

R. A. BRANCA

PROPERTY:

Part of Lot 11, Concession 3, (Lot 37, Part of 38, Registered Plan No. 65M-2043,

municipally known as 129 Fernstaff Court, Concord.)

ZONING:

The subject lands are zoned EM1, Prestige Employment Zone under By-Law 1-88 as

PURPOSE:

The applicant is requesting a variance to permit the maintenance of a one storey

industrial building, as follows:

PROPOSAL:

1. Minimum landscape strip abutting a street (Dufferin St.) 6.0m

BY-LAW

REQUIREMENTS:

1. Minimum landscape strip abutting a street (Dufferin St.) 9.0m

# ADJOURNMENTS AND/OR DEFERRALS

### Cont'd.

"The request to permit off-site parking on the lands to the west of the subject property is considered to be premature. The lands to the west are not developed or subject to any development approvals and the Development Planning Department cannot properly assess the variance to permit off-site parking."

"For the aforementioned reasons, the Development Planning Department does not support the requested variances."

On March 3, 3009 the applicant sent an agreement document between Innovation Commercial Centre Inc. and 1491965 Ontario Inc., with respect to the off-site parking spaces.

MOVED by L. Fluxgold Seconded by J. Cesario

That Item # 9, File No. A017/09, 1491965 ONTARIO LTD., ATTEN: ANTONIO PIRONE., be ADJOURNED: TO THE MARCH 19, 2009 MEETING.

CARRIED

## A017/09 - A RECAP FROM THE MARCH 19, 2009 MEETING

A request for adjournment was received March 19, 2009 requesting that Item # 8, File No. A017/09 - 14919 ONTARIO LTD., be ADJOURNED, to the APRIL 23, 2009 MEETING, as the application was to be revised making re-circulation and a new Notice of Application necessary.

MOVED by S. Krcmar Seconded by M. Mauti

THAT Item # 8, File No. A017/09 - 1491965 ONTARIO LTD., be ADJOURNED, to the APRIL 23, 2009 MEETING.

CARRIED

# **APPLICATION WITHDRAWN**

FILE NUMBER:

A017/09

APPLICANT:

1491965 ONTARIO LTD., ATTEN: ANTONIO PIRONE

PROPERTY:

Part of Lot 10 Concession 9, (Block 5, Registered Plan No. 65M-4044, municipally known as 101 Innovation Drive, Unit 1, Woodbridge.)

ZONING:

The subject lands are zoned EM2, General Employment Zone, subject to Exception 9(1258), under By-law 1-88, as amended.

**PURPOSE:** 

The applicant is requesting variances to permit the construction of a one storey restaurant (unit 1) in a multi unit building, as follows:

PROPOSALS:

To permit an eating establishment with a maximum gross floor area of

513.41 m<sup>2</sup>

To permit off site parking of vehicles – (off-site parking spaces 53 in Block 2.

A total of 61 parking spaces have been provided on site.

BY-LAW REQUIREMENTS: A maximum gross floor area of 185  $\mathrm{m}^2$  is permitted for one eating establishment in a multi-unit building

Parking spaces shall be provided and maintained on the lot on which the

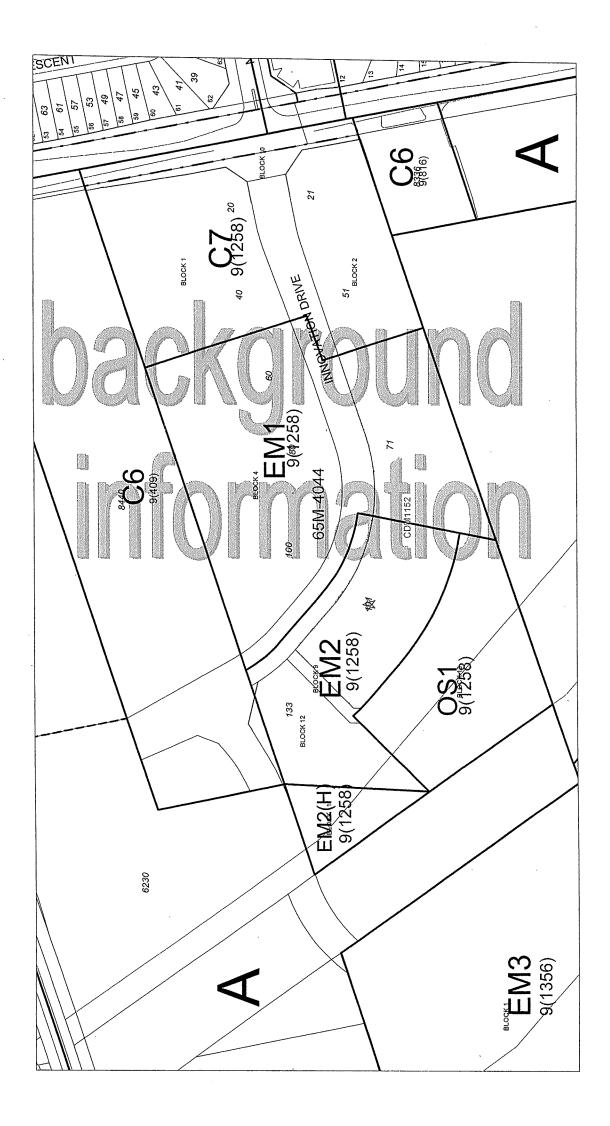
building is erected.
A total of 114 parking spaces are required (53 additional spaces including 1 handicapped space).

**BACKGROUND:** 

The land which is subject to this application was also the subject of another application under the Planning Act:

Minor Variance Application File No. A119/08 - APPROVED June 5, 2008, for a 0.0m landscape strip abutting an Open Space zone. (submitted by Innovation Commercial Centre Inc.)

On April 22<sup>nd</sup>. & 23<sup>rd</sup>., 2009, a request from the agent was received, that Item # 6, File No. A017/09 - 1491965 ONTARIO LTD., be WITHDRAWN.



# 1258) Notwithstanding the provisions of:

- Subparagraphs 6.1.1, 6.2.1 and 6.3.1 respecting uses permitted in the EM1 Prestige Employment Area Zone and EM2 General Employment Area Zone;
- b) Subparagraph 5.1.1 (b) respecting landscaping requirements in a C7 Service Commercial Zone;
- c) Schedule "A" respecting minimum yard setbacks on lands adjacent to a valley corridor zoned OS1 Open Space Conservation Zone;

The following provisions shall apply to the lands shown as Subject Lands on Schedule "E-1386":

- Lands zoned EM1(H) Prestige Employment Area Zone with the Holding Symbol (H) and EM2(H) General Employment Area Zone with the Holding Symbol (H) shall be used only for the production of field crops or a use legally existing as of the date of the enactment of By-law 147-2006, until the Holding Symbol (H) is removed. The Holding Symbol (H) shall be removed from said lands upon being combined with other part blocks to form full developable blocks, and/or upon the determination of the final alignment of the Highway #427 extension and crossover, to the satisfaction of the Ministry of Transportation Ontario.
- bi) A minimum 9.0 m wide strip of land shall be provided along a lot line which abuts Hwy #27, and shall be used for no other purpose than landscaping. This shall not prevent the provision of access driveways across said strip;
- The minimum 10.0 m setback to any building or structure is required on lands zoned EM1 Prestige Employment Area Zone and EM2 General Employment Area Zone to an OS1 Open Space Conservation Zone.

The subject lands
are designated
"General Employment"
by Vaughan
Official Plan 2010
max building height 15 m.