



File: A167/19

Applicant: 311 Bowes Road Ltd.

Address: 311 Bowes Road, Unit 12B, Concord

Agent: Matviy Korolyov

Please note that comments received after the preparation of this Staff Report (up until 4:00 p.m. 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)<br><input checked="" type="checkbox"/> <input checked="" type="checkbox"/> |
|---|--|---|
|   | <input checked="" type="checkbox"/> Negative Comment |   |
| Committee of Adjustment                     | <input checked="" type="checkbox"/>                  |   |
| Building Standards                          | <input checked="" type="checkbox"/>                  |   |
| Building Inspection                         | <input checked="" type="checkbox"/>                  |   |
| Development Planning                        | <input checked="" type="checkbox"/>                  |   |
| Cultural Heritage (Urban Design)            | <input checked="" type="checkbox"/>                  |   |
| Development Engineering                     | <input checked="" type="checkbox"/>                  |   |
| Parks, Forestry and Horticulture Operations |  |   |
| By-law & Compliance                         |  |   |
| Financial Planning & Development            | <input checked="" type="checkbox"/>                  |   |
| Fire Department                             |  |   |
| TRCA  | <input checked="" type="checkbox"/>                  |   |
| Ministry of Transportation                  |  |   |
| Region of York                              | <input checked="" type="checkbox"/>                  |   |
| Alectra (Formerly PowerStream)              | <input checked="" type="checkbox"/>                  |   |
| Public Correspondence                       |  |   |

Adjournment History: None

Background History: None



Minor Variance  
Application

Agenda Item: 16

A167/19

Ward: 4

Staff Report Prepared By: Adriana MacPherson, Assistant Secretary Treasurer

|                  |   |
|------------------|---|
| Date of Hearing: | Thursday, February 27, 2020   |
| Applicant:       | 311 Bowes Road Ltd.   |
| Agent:           | Matviy Korolyov   |
| Property:        | 311 Bowes Road, Unit 12B, Concord   |
| Zoning:          | The subject lands are zoned EM2 9(185) and subject to the provisions of Exception under By-law 1-88 as amended. |
| OP Designation:  | Vaughan Official Plan 2010: General Employment  |
| Related Files:   | None  |
| Purpose:         | Relief from the By-Law is being requested to permit the use of a garage in unit 12B.                            |

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

| By-law Requirement   | Proposal  |
|--|---|
| The use of a Public Garage is not permitted in the subject unit, as a requirement of Exception 9(185). | To permit the use of a Public Garage in Unit B12, in the existing building as shown on Schedule E-191 under Exception 9(185). |

Background (previous applications approved by the Committee on the subject land): None

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

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

Adjournment History: None

Staff & Agency Comments

Please note that staff/agency comments received after the preparation of this Report will be provided as an addendum item to the Committee. Addendum items will shall only be received by the Secretary Treasurer until 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 February 12, 2020

Applicant confirmed posting of signage on February 10, 2020

| Property Information |                  |
|----------------------|------------------|
| Existing Structures  | Year Constructed |
| Building             | 1975             |

Applicant has advised that they cannot comply with By-law for the following reason(s): Exemption 9 (185)

Adjournment Request: N/A

Building Standards (Zoning Review):  
Stop Work Order(s) and Order(s) to Comply: Order No. 19-000428, Order to Comply for Construction of a repair garage located Unit 12B, has been undertaken prior to obtaining the required building permit., Issue Date: Nov 13, 2019.

Building Permit(s) Issued:  
Building Permit No. 08-004129 for Manufacturing Use Unit - Interior Unit Alteration, Issue Date: Sep 19, 2008  
Building Permit No. 11-001966 for Manufacturing Use Unit - Interior Unit Alteration, Issue Date: Jul 20, 2011  
Building Permit No. 11-001966 for Manufacturing Use Unit - Interior Unit Alteration, Issue Date: Jul 06, 2017  
Building Permit No. 19-002116 for Warehouse Use Unit - Interior Unit Alteration, Issue Date: Nov 22, 2019

Building Permit No. 16-002747 for Manufacturing Use Unit - Interior Unit Alteration, Issue Date: Sep 08, 2016  
Building Permit No. 19-002116 for Warehouse Use Unit - Interior Unit Alteration, Issue Date: (Not Yet Issued)

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: General Employment

The Owner is proposed to permit a public garage in Unit B12 where the Site-Specific Exception 9(185) solely permits a Public Garage in Unit B10. The Subject Lands are designated "General Employment" which identifies a broad range of employment uses. The Subject Lands are zoned EM2 General Employment which as per Zoning By-law 1-88 a Public Garage is a permitted use however the site-specific exception restricts a public garage to Unit 10 only.

The Subject Property was built prior to the enactment of By-law 1-88. The proposed variance does not trigger any additional variances in relation to parking and the Development Engineering Department has reviewed the variance and does not object to the proposal.

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 for the minor variance application.

**Cultural Heritage (Urban Design):**

No Response.

**Development Engineering:**

The Development Engineering (DE) Department does not object to variance application A167/19.

**Parks, Forestry and Horticulture Operations:**

No Response.

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

No Response.

**Financial Planning and Development Finance:**

No comment, no concerns

**Fire Department:**

No Response.

**Schedule A – Plans & Sketches****Schedule B – Public Correspondence**

None

**Schedule C - Agency Comments**

Alectra (Formerly PowerStream) – No concerns or objections

Region of York – No concerns or objections

TRCA – No concerns with condition (fee paid)

**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 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: N/A

**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](mailto: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**

**Adriana MacPherson**

T 905 832 8585 Extension 8360

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

Schedule A: Plans & Sketches

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

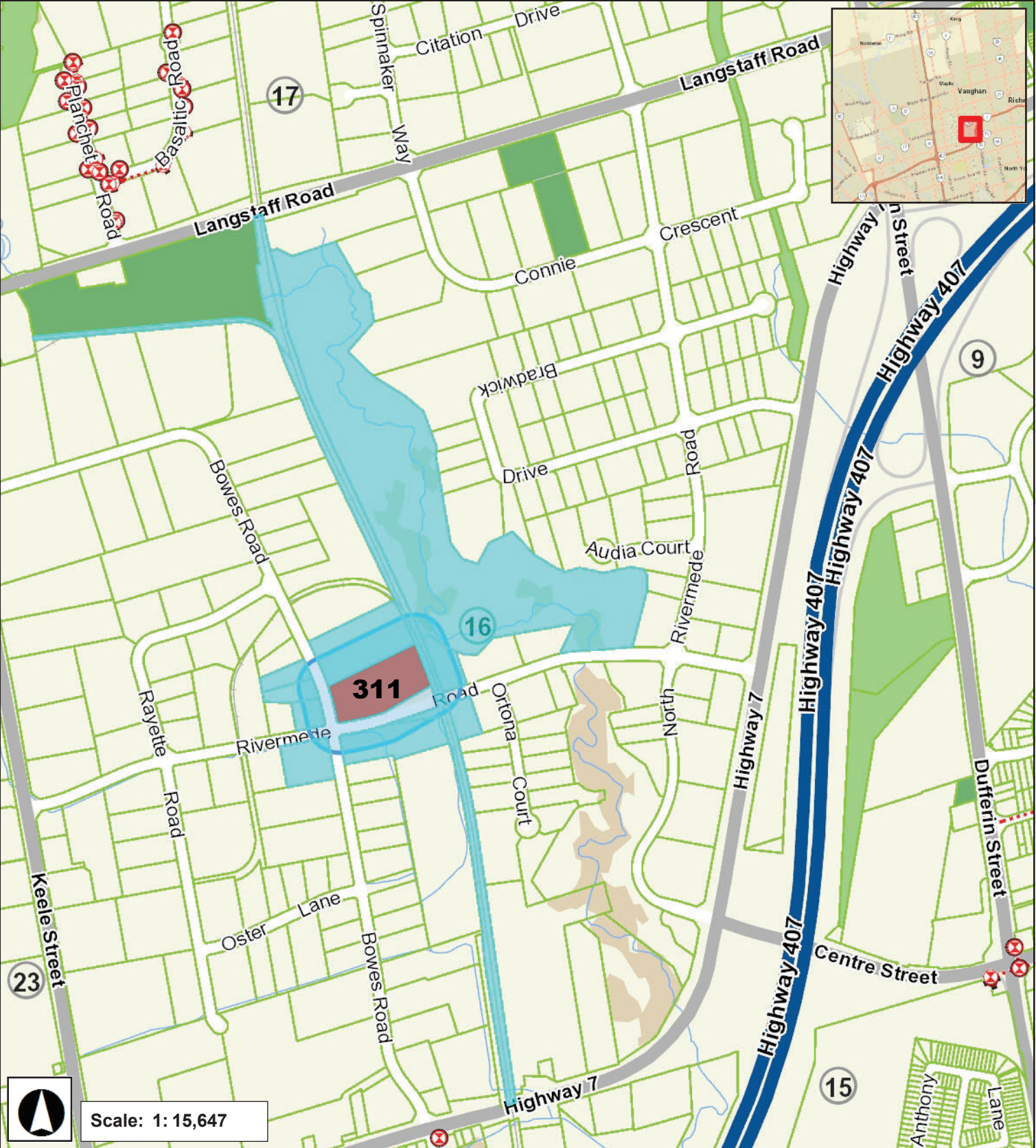
Location Map  
Sketches





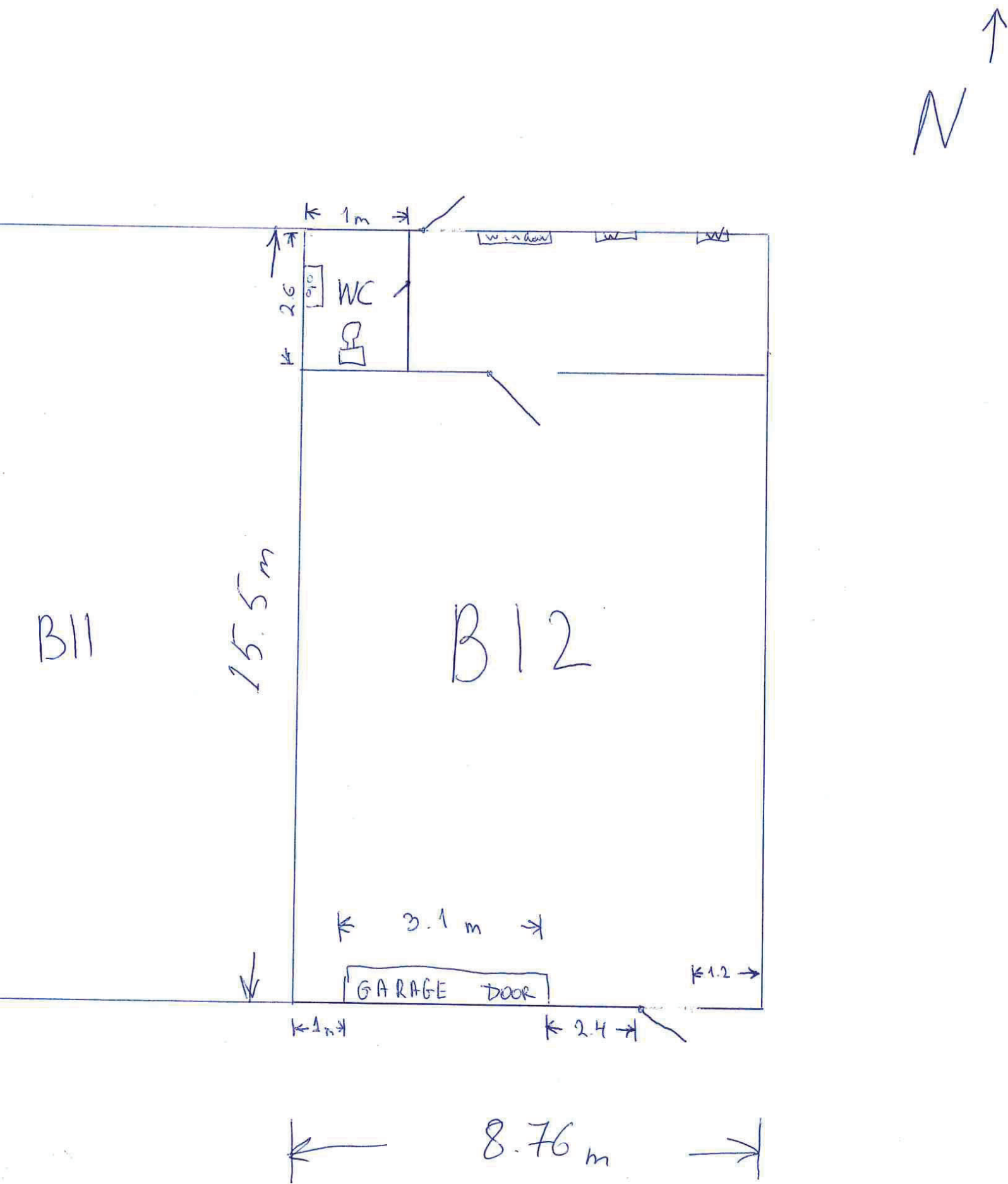
A167/19 - Notification Map

311 Bowes Road, Unit 12B, Concord



To permit the use of a Public Garage in Unit B12, in the existing building as shown on Schedule E 191 under Exception 9(185).

A167/19



Rivermede Road



LEGEND

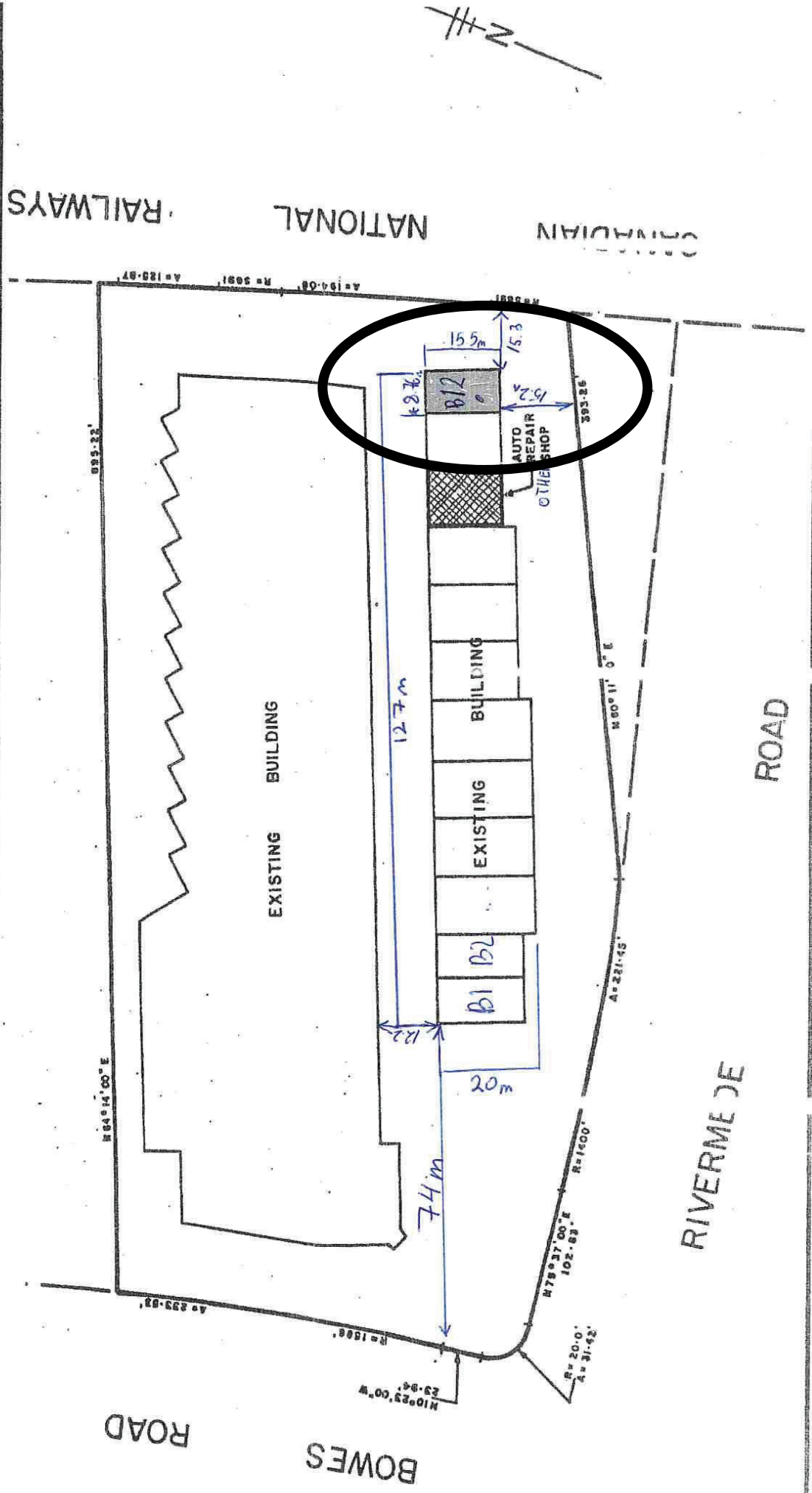
 SUBJECT LANDS

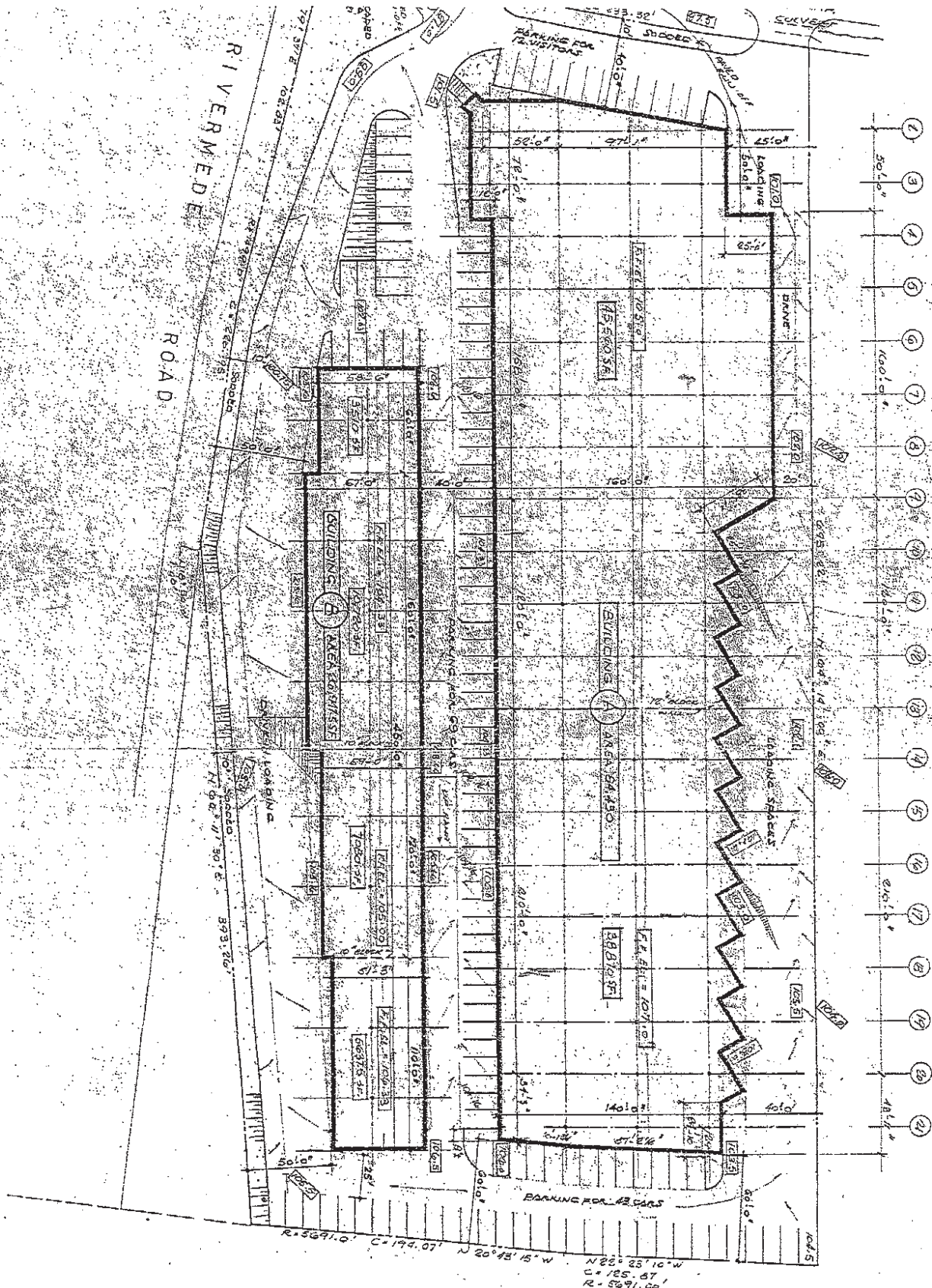
LOCATION: PART LOT 18,

R.P. 7925

THIS IS SCHEDULE 'F'  
TO BY-LAW 1-81  
SECTION 9(185)

09-  
E-19

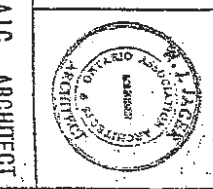




**SITE ANALYSIS**  
**LOT AREA** 5,303.4 ACRES  
**BLDG. COVERAGE** 11,377.5 SF  
**PARKING** 124 CARS

**NOTE:**  
 NORTH EAST SIDE OF BOWES RD. & RIVERMEDE RD.,  
 TOWN OF WATKINSON LOT 19 - ON PL AN 79.25.

| REVISIONS |                           |
|-----------|---------------------------|
| NO.       | DESCRIPTION               |
| 1         | REVISED CHANGES NO. 2020. |
| 2         | REVISED CHANGES NO. 2020. |
| 3         | REVISED CHANGES NO. 2020. |



W. J. JAGGER M.R.A.I.N. ARCHITECT

15775

**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
- Region of York – No concerns or objections
- TRCA – No concerns with Conditions (fee paid)





**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  
**Phone:** 1-877-963-6900 ext. 31297  
**Fax:** 905-532-4401  
**E-mail:** [stephen.cranley@alectrautilities.com](mailto: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](mailto:tony.donofrio@alectrautilities.com)



**MacPherson, Adriana**

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**Subject:** FW: A167/19 - Request for Comments

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**From:** Hurst, Gabrielle <Gabrielle.Hurst@york.ca>  
**Sent:** January-07-20 2:53 PM  
**To:** MacPherson, Adriana <Adriana.MacPherson@vaughan.ca>; Providence, Lenore <Lenore.Providence@vaughan.ca>; Attwala, Pravina <Pravina.Attwala@vaughan.ca>  
**Subject:** RE: A167/19 - Request for Comments

Good afternoon Adriana,  
The Regional Municipality of York has completed its review of the above minor variance application and has no comments.  
Regards,

*Gabrielle*

**Gabrielle Hurst** | MCIP, RPP, Planning and Economic Development, Corporate Services  
-----  
1-877-464-9675 ext. 71538

Our Mission: **Working together to serve our thriving communities – today and tomorrow**

January 22, 2020

CFN 62574.01

**BY E-MAIL: Christine.Vigneault@vaughan.ca**

Christine Vigneault  
Secretary Treasurer  
Committee of Adjustment  
City of Vaughan  
2141 Major Mackenzie Drive  
Vaughan, Ontario L6A 1T1

Dear Christine:

**Re: Minor Variance Application A167/19  
311 Bowes Road – Unit B12  
Part of Lot 8 Concession 3  
City of Vaughan  
311 Bowes Road Ltd. (Agent: Mativiy Korolyov)**

This letter will acknowledge receipt of the above noted application on December 20, 2019. Toronto and Region Conservation Authority (TRCA) staff reviewed the application and offer the following comments.

**Background**

It is our understanding that the purpose of the above-noted application is to request the following variances:

1. To permit the use of a Public Garage in Unit B12, in the existing building as shown on Schedule E-191 under Exception 9(185).

**Applicable Policies and Regulations**

*Ontario Regulation 166/06:*

A portion of the subject property is located within TRCA's Regulated Area of the Don River Watershed due to the presence of an estimated Regional Storm floodplain on the west and southwest corner of the subject land. Under Ontario Regulation 166/06, development, interference or alteration may be permitted in the Regulated Area where it can be demonstrated to TRCA's satisfaction that the control of flooding, erosion, dynamic beaches, pollution, or the conservation of land will not be affected. In this regard, TRCA must be contacted prior to any works taking place in the Regulated Area.

*Living City Policies (LCP):*

The Living Policies for Planning and Development in the Watersheds of the Toronto and Region Conservation Authority (LCP) describes a 'Natural System' made up of natural features and areas, water resources, natural hazards, potential natural cover and/or buffers. The LCP recommends that development not be permitted within the Natural System and that it be conveyed into public ownership for its long-term protection and enhancement. The LCP also provides policies for developing adjacent to, and in, the Natural System (where permitted), while meeting natural hazard management requirements, and maintaining and enhancing the functions of the protected Natural System. These policies also seek to integrate the natural and built environments, maximizing opportunities for ecosystem services from across the entire landscape. It is these policies that guide TRCA's review of the subject application, along with those found in other Provincial and municipal plans, documents and guidelines.

**Application Specific Comments**

As noted above, a portion of the subject property is located within TRCA's Regulated Area due to an estimated Regional Storm floodplain on the west and southwest corner of the

subject land. Based on a review of the submitted materials, the unit subject to this application is not located within the estimated Regional Storm Flood plain and is outside of TRCA Regulated Area. As such the current proposal will not impact any natural features or associated hazards and TRCA's policy interests are not affected; therefore, TRCA staff have no concern regarding the proposed variance.

**Fees**

By copy of this letter, the applicant is advised that the TRCA has implemented a fee schedule for our planning application review services. This application is subject to a \$105.00 (Screening Letter-Minor Projects) review fee. The applicant is responsible for fee payment and should forward the application fee to this office as soon as possible.

**Recommendations**

Based on the comments noted above, TRCA has **no objection** to the approval of Minor Variance Application A167/19 subject to the following condition:

1. That the applicant provides the required fee amount of \$105.00 payable to the Toronto and Region Conservation Authority. Fee has been paid

We trust these comments are of assistance. Should you have any questions, please contact me at extension 5256 or at [Hamedeh.Razavi@trca.ca](mailto:Hamedeh.Razavi@trca.ca)

Sincerely,



Hamedeh Razavi  
Planner I  
Development Planning and Permits

HR/jb

Cc: MacPherson, Adriana <[Adriana.MacPherson@vaughan.ca](mailto:Adriana.MacPherson@vaughan.ca)>  
Di Febo, Michael <[Michael.DiFebo@vaughan.ca](mailto:Michael.DiFebo@vaughan.ca)>