

File: A180/19

Applicant: 1792104 Ontario Limited

Address: 196 Drumlin Circle, Concord

Agent: Humphries Planning Group Inc

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 <input checked="" type="checkbox"/> Negative Comment	Condition(s) <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
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"/>	<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		
Ministry of Transportation		
Region of York	<input checked="" type="checkbox"/>	
Alectra (Formerly PowerStream)	<input checked="" type="checkbox"/>	
Public Correspondence (see Schedule B)	<input checked="" type="checkbox"/>	

Adjournment History: None

Background History: None

Staff Report Prepared By: Adriana MacPherson
 Hearing Date: Thursday, May 28, 2020



**Minor Variance
Application**

A180/19

Agenda Item: 10

Ward: 4

Staff Report Prepared By: Adriana MacPherson, Assistant Secretary Treasurer

Date & Time of Live Stream Hearing: Thursday, May 28, 2020 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](https://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

To make an electronic deputation at the meeting please contact the Committee of Adjustment at 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:** 1792104 Ontario Limited
- Agent:** Humphries Planning Group Inc
- Property:** 196 Drumlin Circle, Concord
- Zoning:** The subject lands are zoned EM1 Prestige Employment Area, 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 temporary use of an existing outdoor storage area for a period of three (3) years. The outdoor storage area is required to support a manufacturing business (Granite Concepts Inc.) and is to be located at the rear of the property.

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

By-law Requirement	Proposal
1. Accessory Outside Storage is not a permitted use.	1. To permit the temporary use of accessory outside storage for a period of three (3) years for the unit located on the east side of the building, in the location as shown on the attached sketch.
2. The outside storage area shall be completely enclosed by a stone or masonry wall or chain link fence with appropriate landscaping screen and no such enclosure shall be less than 2 metres in height.	2. The outside storage area may not be completely enclosed by a stone or masonry wall or chain link fence with appropriate landscape screen and less than 2 metres in height.
3. A minimum of 21 parking spaces are required on site.	3. To permit a minimum of 19 parking spaces on site.

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. 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). Page 002

Adjournment History: None

Staff & Agency Comments

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

Committee of Adjustment:
Public notice was mailed on May 13, 2020

Applicant confirmed posting of signage on May 1, 2020

Property Information	
Existing Structures	Year Constructed
Building	1989
Outside Storage Area	2009

Applicant has advised that they cannot comply with By-law for the following reason(s): The owner requires outside storage to store materials related to the manufacturing of the monuments his business produces.

Revised site plan submitted on February 24, 2020 to addresses Planning staff request to have the outdoor storage area moved 2 parking spaces west to ensure the entirety of the outdoor storage is concealed by the existing building.

Adjournment Request: N/A

Building Standards (Zoning Review):
Stop Work Order(s) and Order(s) to Comply: There are no outstanding Orders on file.

The applicant has confirmed that the other outside storage requirements in Section 6.3.2 will be in compliance.

Building Inspections (Septic):
No comments or concerns

Development Planning:
Vaughan Official Plan 2010 ('VOP 2010'): "General Employment"

The Owner is proposing to permit the continued maintenance of outside storage in the rear of the property, in the location shown on the attached sketch through the above-noted variances.
The Owner is proposing to permit accessory outside storage for a maximum of 3-years (Variance #1) that is not enclosed as required by By-law 1-88 (Variance #2). The subject lands are designated "General Employment" by the VOP 2010 which allows for outside storage.

The outside storage is measuring approximately 6 m by 21 m (as shown on the attached sketch) having an area of 120 m2 and less than 5% of the total lot area. The outside storage is completely in the rear of the building, and not visible. The Owner has fenced off the rear perimeter of the property to further reduce the visibility of the outside storage. The proposal is minor in nature, temporary in nature, and appropriate for the general development of the lands.

The Owner is also proposing a minimum of 19 parking spaces on the subject lands where 21 parking spaces are required (Variance #3). This reduction in parking spaces is as a result of the existing outside storage and the Development Engineering Department has reviewed the proposal 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 to permit the outside storage to a maximum area gross floor area of 120 m2 in a footprint measuring 6 metres by 21 metres, in the location shown on the attached sketch for a maximum period of 3-years.

If the Committee finds merit in the application, the following conditions of approval are recommended:

That Minor Variance Application A180/19 be restricted to a temporary approval of 3 years to permit the outside storage of 120 m2 as shown on the attached sketch from the date of approval at the Committee of Adjustment.

Cultural Heritage (Urban Design):
No response.

Development Engineering:
The Development Engineering (DE) Department does not object to variance application A180/19.

Parks, Forestry and Horticulture Operations:
No comments.

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
Application Cover Letter
Applicant Presentation to Committee

Schedule C - Agency Comments
Alectra (Formerly PowerStream) – No concerns or objections
Region of York – No concerns or objections

Schedule D - Previous Approvals (Notice of Decision)
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:

	Department/Agency	Condition
1	Development Planning Michael DiFebo 905-832-8585 x 8990 Michae.difebo@vaughan.ca	That Minor Variance Application A180/19 be restricted to a temporary approval of 3 years to permit the outside storage of 120 m2 as shown on the attached sketch from the date of approval at the Committee of Adjustment.

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

ELECTRONIC PARTICIPATION: During the COVID-19 emergency, residents can view a live stream of the meeting at vaughan.ca/LiveCouncil To make an electronic deputation, residents must contact the Committee of Adjustment no later than **noon** on the last business prior to the day of the scheduled hearing (see above for contact details).

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 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

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.

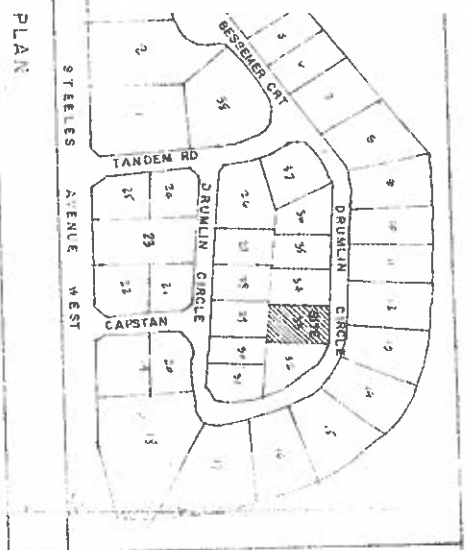
Location Map
Plans & Sketches

[illegible]

Page 007

1. To permit the temporary use of accessory outside storage for a period of three (3) years for the unit located on the east side of the building, in the location as shown on the attached sketch.
2. The outside storage area may not be completely enclosed by a stone or masonry wall or chain link fence with appropriate landscape screen and less than 2 metres in height.
3. To permit a minimum of 19 parking spaces on site.

Committee of Adjustment



ATION FOR SITE PLAN TAKEN FROM
OF SUBDIVISION 2F
OF LOT 1, CONCESSION 3
OF VANDAN
MUNICIPALITY OF WORK
TERED PLAN 65-M-2157
BY SCHAEFER & REUTHALER LIMITED
SEPT. 28, 1981

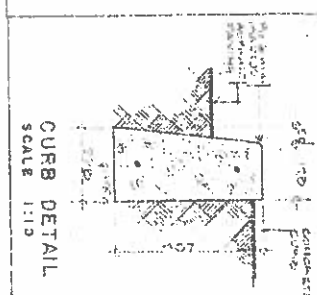
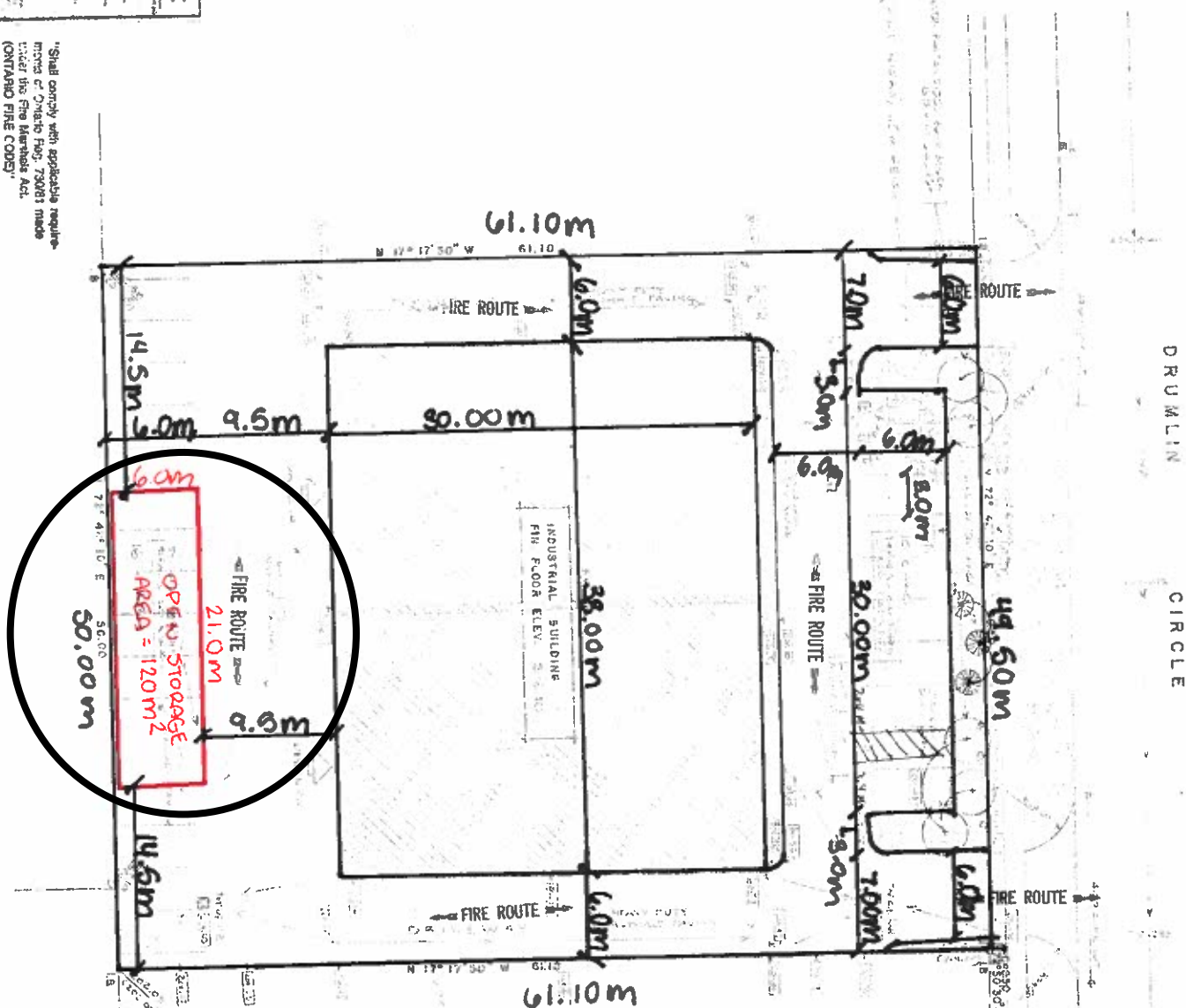
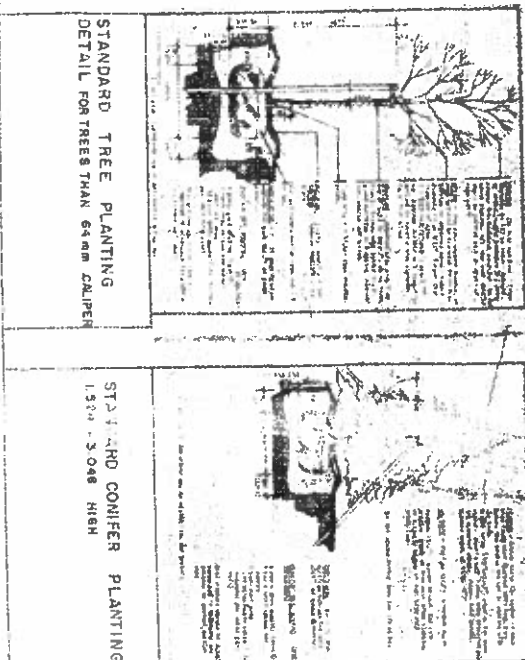
AREAS
FOLLOWED
PROVIDED
2ND FLOOR AREA
GROUND FLOOR
MEZZANINE
INDUSTRIAL AREA

ING
REQUIRED
PROVIDED

3,053.00	m ²
1,537.79	m ²
1140.00	m ²
204.00	m ²
204.00	m ²

48. m²

25 CARS
26 CARS



NAME: SPECIFICATIONS

1. DUTY RATING: 1

2. DUTY RATING: 2

3. DUTY RATING: 3

4. DUTY RATING: 4

5. DUTY RATING: 5

6. DUTY RATING: 6

7. DUTY RATING: 7

8. DUTY RATING: 8

9. DUTY RATING: 9

10. DUTY RATING: 10

11. DUTY RATING: 11

12. DUTY RATING: 12

13. DUTY RATING: 13

14. DUTY RATING: 14

15. DUTY RATING: 15

16. DUTY RATING: 16

17. DUTY RATING: 17

18. DUTY RATING: 18

19. DUTY RATING: 19

20. DUTY RATING: 20

21. DUTY RATING: 21

22. DUTY RATING: 22

23. DUTY RATING: 23

24. DUTY RATING: 24

25. DUTY RATING: 25

26. DUTY RATING: 26

27. DUTY RATING: 27

28. DUTY RATING: 28

29. DUTY RATING: 29

30. DUTY RATING: 30

31. DUTY RATING: 31

32. DUTY RATING: 32

33. DUTY RATING: 33

34. DUTY RATING: 34

35. DUTY RATING: 35

36. DUTY RATING: 36

37. DUTY RATING: 37

38. DUTY RATING: 38

39. DUTY RATING: 39

40. DUTY RATING: 40

41. DUTY RATING: 41

42. DUTY RATING: 42

43. DUTY RATING: 43

44. DUTY RATING: 44

45. DUTY RATING: 45

46. DUTY RATING: 46

47. DUTY RATING: 47

48. DUTY RATING: 48

49. DUTY RATING: 49

50. DUTY RATING: 50

51. DUTY RATING: 51

52. DUTY RATING: 52

53. DUTY RATING: 53

54. DUTY RATING: 54

55. DUTY RATING: 55

56. DUTY RATING: 56

57. DUTY RATING: 57

58. DUTY RATING: 58

59. DUTY RATING: 59

60. DUTY RATING: 60

61. DUTY RATING: 61

62. DUTY RATING: 62

63. DUTY RATING: 63

64. DUTY RATING: 64

65. DUTY RATING: 65

66. DUTY RATING: 66

67. DUTY RATING: 67

68. DUTY RATING: 68

69. DUTY RATING: 69

70. DUTY RATING: 70

71. DUTY RATING: 71

72. DUTY RATING: 72

73. DUTY RATING: 73

74. DUTY RATING: 74

75. DUTY RATING: 75

76. DUTY RATING: 76

77. DUTY RATING: 77

78. DUTY RATING: 78

79. DUTY RATING: 79

80. DUTY RATING: 80

81. DUTY RATING: 81

82. DUTY RATING: 82

83. DUTY RATING: 83

84. DUTY RATING: 84

85. DUTY RATING: 85

86. DUTY RATING: 86

87. DUTY RATING: 87

88. DUTY RATING: 88

89. DUTY RATING: 89

90. DUTY RATING: 90

91. DUTY RATING: 91

92. DUTY RATING: 92

93. DUTY RATING: 93

94. DUTY RATING: 94

95. DUTY RATING: 95

96. DUTY RATING: 96

97. DUTY RATING: 97

98. DUTY RATING: 98

99. DUTY RATING: 99

100. DUTY RATING: 100

NOTE
A sketch of survey prepared by St. Ontario Land Survey

Part 2, Subsection 2.5 of the Ontario Regulation 553/83 requires Architect or Engineer to both be responsible for the field review of the building/s during the course of construction to ensure conformance to the design.

THE REGION PLUMBING PERMIT REQUIRED FOR
O. CO. WAREHOUSE OF PLUMBING WORKS,
BAYVIEW
NOTED OUT AS AVOIDED PERMITS A PERMIT
FOR REGION PLUMBING
5 HARTWELL
MONTGOMERY HILL, ONTARIO
HON. M-1442


ALL CONSTRUCTION TO COMPLY WITH
THE APPLICABLE REQUIREMENTS OF
THE ONTARIO REG. 583/83
MADE UNDER THE BUILDING CODE
ACT 1990.

TOWN OF VAUGHAN, BUILDING
STANDARD DEPARTMENT
"PLANS EXAMINATION"
BIDD CODE
ZONING
SECURITY
CHIEF OFFICIAL

The Budget Form is issued on the basis of information from the Budget Office and is intended to be completed in accordance with a Form 13 Budgetary Control as provided with the Form of Budgetary Control Standards.

BUDGET AREA: 140 C.M.
C. include future prep)
BUDGET YEAR: 2 STR LKS
BUDGET PERIOD: 3, 7, 10, 13, 16, 19, 22, 25, 28, 31, 34, 37, 40, 43, 46, 49, 52, 55, 58, 61, 64, 67, 70, 73, 76, 79, 82, 85, 88, 91, 94, 97, 100, 103, 106, 109, 112, 115, 118, 121, 124, 127, 130, 133, 136, 139, 142, 145, 148, 151, 154, 157, 160, 163, 166, 169, 172, 175, 178, 181, 184, 187, 190, 193, 196, 199, 202, 205, 208, 211, 214, 217, 220, 223, 226, 229, 232, 235, 238, 241, 244, 247, 250, 253, 256, 259, 262, 265, 268, 271, 274, 277, 280, 283, 286, 289, 292, 295, 298, 301, 304, 307, 310, 313, 316, 319, 322, 325, 328, 331, 334, 337, 340, 343, 346, 349, 352, 355, 358, 361, 364, 367, 370, 373, 376, 379, 382, 385, 388, 391, 394, 397, 400, 403, 406, 409, 412, 415, 418, 421, 424, 427, 430, 433, 436, 439, 442, 445, 448, 451, 454, 457, 460, 463, 466, 469, 472, 475, 478, 481, 484, 487, 490, 493, 496, 499, 502, 505, 508, 511, 514, 517, 520, 523, 526, 529, 532, 535, 538, 541, 544, 547, 550, 553, 556, 559, 562, 565, 568, 571, 574, 577, 580, 583, 586, 589, 592, 595, 598, 601, 604, 607, 610, 613, 616, 619, 622, 625, 628, 631, 634, 637, 640, 643, 646, 649, 652, 655, 658, 661, 664, 667, 670, 673, 676, 679, 682, 685, 688, 691, 694, 697, 700, 703, 706, 709, 712, 715, 718, 721, 724, 727, 730, 733, 736, 739, 742, 745, 748, 751, 754, 757, 760, 763, 766, 769, 772, 775, 778, 781, 784, 787, 790, 793, 796, 799, 802, 805, 808, 811, 814, 817, 820, 823, 826, 829, 832, 835, 838, 841, 844, 847, 850, 853, 856, 859, 862, 865, 868, 871, 874, 877, 880, 883, 886, 889, 892, 895, 898, 901, 904, 907, 910, 913, 916, 919, 922, 925, 928, 931, 934, 937, 940, 943, 946, 949, 952, 955, 958, 961, 964, 967, 970, 973, 976, 979, 982, 985, 988, 991, 994, 997, 1000, 1003, 1006, 1009, 1012, 1015, 1018, 1021, 1024, 1027, 1030, 1033, 1036, 1039, 1042, 1045, 1048, 1051, 1054, 1057, 1060, 1063, 1066, 1069, 1072, 1075, 1078, 1081, 1084, 1087, 1090, 1093, 1096, 1099, 1102, 1105, 1108, 1111, 1114, 1117, 1120, 1123, 1126, 1129, 1132, 1135, 1138, 1141, 1144, 1147, 1150, 1153, 1156, 1159, 1162, 1165, 1168, 1171, 1174, 1177, 1180, 1183, 1186, 1189, 1192, 1195, 1198, 1201, 1204, 1207, 1210, 1213, 1216, 1219, 1222, 1225, 1228, 1231, 1234, 1237, 1240, 1243, 1246, 1249, 1252, 1255, 1258, 1261, 1264, 1267, 1270, 1273, 1276, 1279, 1282, 1285, 1288, 1291, 1294, 1297, 1300, 1303, 1306, 1309, 1312, 1315, 1318, 1321, 1324, 1327, 1330, 1333, 1336, 1339, 1342, 1345, 1348, 1351, 1354, 1357, 1360, 1363, 1366, 1369, 1372, 1375, 1378, 1381, 1384, 1387, 1390, 1393, 1396, 1399, 1402, 1405, 1408, 1411, 1414, 1417, 1420, 1423, 1426, 1429, 1432, 1435, 1438, 1441, 1444, 1447, 1450, 1453, 1456, 1459, 1462, 1465, 1468, 1471, 1474, 1477, 1480, 1483, 1486, 1489, 1492, 1495, 1498, 1501, 1504, 1507, 1510, 1513, 1516, 1519, 1522, 1525, 1528, 1531, 1534, 1537, 1540, 1543, 1546, 1549, 1552, 1555, 1558, 1561, 1564, 1567, 1570, 1573, 1576, 1579, 1582, 1585, 1588, 1591, 1594, 1597, 1600, 1603, 1606, 1609, 1612, 1615, 1618, 1621, 1624, 1627, 1630, 1633, 1636, 1639, 1642, 1645, 1648, 1651, 1654, 1657, 1660, 1663, 1666, 1669, 1672, 1675, 1678, 1681, 1684, 1687, 1690, 1693, 1696, 1699, 1702, 1705, 1708, 1711, 1714, 1717, 1720, 1723, 1726, 1729, 1732, 1735, 1738, 1741, 1744, 1747, 1750, 1753, 1756, 1759, 1762, 1765, 1768, 1771, 1774, 1777, 1780, 1783, 1786, 1789, 1792, 1795, 1798, 1801, 1804, 1807, 1810, 1813, 1816, 1819, 1822, 1825, 1828, 1831, 1834, 1837, 1840, 1843, 1846, 1849, 1852, 1855, 1858, 1861, 1864, 1867, 1870, 1873, 1876, 1879, 1882, 1885, 1888, 1891, 1894, 1897, 1900, 1903, 1906, 1909, 1912, 1915, 1918, 1921, 1924, 1927, 1930, 1933, 1936, 1939, 1942, 1945, 1948, 1951, 1954, 1957, 1960, 1963, 1966, 1969, 1972, 1975, 1978, 1981, 1984, 1987, 1990, 1993, 1996, 1999, 2002, 2005, 2008, 2011, 2014, 2017, 2020, 2023, 2026, 2029, 2032, 2035, 2038, 2041, 2044, 2047, 2050, 2053, 2056, 2059, 2062, 2065, 2068, 2071, 2074, 2077, 2080, 2083, 2086, 2089, 2092, 2095, 2098, 2101, 2104, 2107, 2110, 2113, 2116, 2119, 2122, 2125, 2128, 2131, 2134, 2137, 2140, 2143, 2146, 2149, 2152, 2155, 2158, 2161, 2164, 2167, 2170, 2173, 2176, 2179, 2182, 2185, 2188, 2191, 2194, 2197, 2200, 2203, 2206, 2209, 2212

INDUSTRIAL BUILDING
FOR LAMEZIA AUTO GARAGE
PRIMUM CIRCLE
TOWN OF VAUGHAN
SITE PLAN



ELIE CATSAROS
A M C H I T E C T
876 EGLINTON AVENUE EAST, UNIT 30
TORONTO ONTARIO M4M 1B7 TEL 463 2777

CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS ON THE JOB AND REPORT A CORRECTION TO THE ARCHITECT BEFORE PROCEEDING WITH THE WORK.

DRAWINGS ARE NOT TO BE SCALE.

DRAWING NUMBER
 DETAIL NOTATION
 KEY TO DETAIL LOCATION

DISCONTINUED

ed by an Ontario Land Services
the budgets) on the last month
of the year. The Ontario Land Services
of the Ontario Land Services reads

design.

Part 2, Sub-section 2.5 of the Ontario Regulation 553/83 requires the Architect or Engineer to both be responsible for the field review of the building(s) during the course of construction to ensure that the

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.

Application Cover Letter
Applicant Presentation to Committee

HUMPHRIES PLANNING GROUP INC.

FOUNDED IN 2003

December 13th 2019
HPGI: 19630

**Committee of Adjustment
City of Vaughan**
Vaughan City Hall
2141 Major Mackenzie Drive
Vaughan, Ontario, Canada
L6A 1T1

Attn: Secretary-Treasurer of the Committee of Adjustment

**Re: 196 Drumlin Circle
Application for Minor Variance
1792104 Ontario Limited.**

Humphries Planning Group Inc. (HPGI) has been retained by 1792104 Ontario Limited, owner of land located at 196 Drumlin Circle in the City of Vaughan (the "Property"), legally described as Part of Lot 1, Concession 3 on Registered Plan 65M-2157.

On behalf of the owner, HPGI is submitting a Minor Variance Application to allow a temporary use permission for accessory outside storage for a period of three (3) years.

Description of Property and Background

The Property is located in an Employment Area on the south side of Drumlin Circle, located north of Steeles Avenue West. The owner purchased the property in 2009. The Property features two industrial units operating within the existing building which are being used for motor vehicle repair in the west side unit and monument manufacturing within the east side unit. The Property is located immediately adjacent to properties zoned Prestige Employment (EM1) and directly across from properties zoned General Employment (EM2). The surrounding properties contain various permitted industrial uses including but not limited to: automobile repairs, transportation, distribution, manufacturers, offices, and retail.

The owner owns and operates the business located in the east unit of the site, Granite Concepts Inc. This business manufactures statues, headstones and monuments for graves and is the subject of the minor variance application. The owner requires outside storage to store materials related to the manufacturing of the monuments.

It was brought to the owner's attention that the outdoor storage on the Property was not permitted under the current zoning. The owner met with the City on November 6th, 2019 to discuss the contravention and how it may be addressed. During this meeting, it was determined that an application for minor variance permitting temporary outside storage use for a period of 3 years is appropriate as long as the requirements for outdoor storage, under regulation 6.3.2. are maintained. The owner has moved the outside storage to the south eastern corner of the Property (the rear). Screening has been erected along the easterly property line and an access gate located at the rear east corner of the building extending toward the property line is proposed pending approval of this application.

Application

This minor variance application is to request permission for a temporary use permission for accessory outside storage for a period of three (3) years for the monuments manufacturing contained in the east unit. The temporary outside storage will not be applicable to the other uses contained on the Property.

During discussions with City Staff the following condition was requested:

- A site plan identifying the required open storage screening to be approved to the satisfaction of the Development Planning Department.

If granted permission, the owner intends to ensure that the outside storage will comply with the requirements for outside storage listed under the regulation 6.3.2 in the EM2 zone. Provided below is a table outlining the regulation and the adherence to that regulation:

6.3.2 Outside Storage Requirements	
Regulation	Adherence
i) Outside accessory storage to a permitted use, shall not exceed thirty (30%) of the lot area;	The outside storage comprises 3% of the total lot area.
ii) Outside storage is not permitted on any lot unless there is an existing building with a gross floor area of at least 550 square metres;	The existing building on the Property has a gross floor area of 1,026 square metres
iii) No outside storage shall be located in any front yard, exterior side yard, or between any main building and a street line,	The outside storage is located at the eastern rear corner of the Property and further than 20 metres from the street.

and further shall be no closer than twenty (20) metres to any street line;	
iv) The outside storage area shall be completely enclosed by a stone or masonry wall or chain link fence with appropriate landscaping screen and no such enclosure shall be less than two (2) metres in height;	The required enclosure will be accomplished through the incorporation of a gate from the south east corner of the building face to the property line.
v) If a lot has a frontage of less than 45.5 metres, no part of any open storage shall be in the side yard;	The Property has a frontage of 49.5 metres
vi) No outside storage shall be permitted on any corner lot;	The Property is not located on a corner lot.
vii) If a lot upon which outside storage is permitted abuts the boundary of a Residential or Open Space Zone, screening shall be provided along such boundary within the Industrial Zone. Screening shall consist of a solid fence a minimum of two (2) metres in height;	The Property does not abut a Residential or Open Space Zone. There is screening along the east and south property lines.
viii) No outside storage other than the storage of machinery and equipment shall exceed three (3) metres in height;	None of the materials stored outside will exceed 3 metres in height.
ix) The outside storage of any goods or materials which are obnoxious, visually or otherwise, including derelict or scrap motor vehicles or machinery and worn-out appliances or equipment shall not be permitted.	None of the materials stored outside are visually obnoxious and do not include the restricted materials listed in sub ix)

Four Tests of Variance

Under the *Planning Act* applications for minor variance are required to adhere to the four tests of variance, which include:

1. The general intent and purpose of the Official Plan is maintained.
2. The general intent and purpose of the Zoning By-law is maintained.
3. The variances are desirable for the appropriate development of the land.
4. The variances are minor

It is our opinion that the enclosed application meets the four tests outlined above. An evaluation of the application as it relates to the four tests is provided below.

The general intent and purpose of the Official Plan is maintained.

The Property is located within an Employment Area and designated General Employment under the City of Vaughan Official Plan (2010). The uses permitted

in this designation include various industrial uses including manufacturing and warehousing and may include incidental outdoor storage, as long as the property on which the incidental outdoor storage is contained is not a corner lot. The current uses contained on the Property is permitted under this designation including incidental/accessory outdoor storage. The outdoor storage use is incidental to the use contained within the building on the Property and is tied to the manufacturing of the monuments on site. The Property is also not located on a corner lot. All other applicable policies applicable to the Property are adhered to. Based on the permissions outlined under the General Employment designation it is our opinion that the general intent and purpose of the Official Plan is maintained.

The general intent and purpose of the Zoning By-law is maintained.

The Property is zoned EM1 under the City of Vaughan Zoning By-law 1-88 (the "Zoning By-law"). Though outdoor storage is not permitted under the EM1 zone it is permitted under the EM2 zone, pending the compliance of the accessory outside storage requirements listed under regulation 6.3.2. The Property is located immediately across from properties zoned EM2 and therefore has this permission as of right. The owner has agreed that the temporary outside storage will adhere to the use requirements provided in the EM2 zone. The requirements ensure that the outdoor storage has minimal visual impact on adjacent properties. Since the outside storage will adhere to those use requirements, it is our opinion that the application maintains the general intent and purpose of the Zoning By-law.

The variance is desirable for the appropriate development(use) of the land

The outside storage allows for the effective functioning of the existing business currently on-site. The variance allows for the owner to make more permanent accommodations for storage purposes for the length of the temporary use. Based on the nature of the use, the construction of grave monuments, the temporary outside storage use is incidental to the use of the Property. For these reasons it is our opinion that the variance permitted temporary outside storage use is desirable for the appropriate use of the land.

The variance is minor

The outside storage is located in the rear corner of the Property and comprises a total area of approximately 90m² which makes up around 3% of the lot area. The owner has also undertaken the necessary steps for appropriate screening of the outside storage to ensure minimal impact on adjacent properties. The owner is also only requiring temporary permission for the outside storage, permissions will be limited to 3 years and do not impact the regulations applicable to the Property passed this period. The outside storage use is also only for the purposes of a use that comprises half of the Property. For these reasons it is our opinion that the variance allowing for a temporary outside storage use is minor.

Application Materials

In support of this application, the following materials are being submitted:

- 1 copy of this letter;
- 1 cheque in the order of \$3,359.00, made out to the City of Vaughan to satisfy the City's Minor Variance Application review fee;
- 1 copy of the Site Plan, prepared by Elie Catsaros Architect, dated January 29, 1989 and annotated December 13, 2019;
- 1 copy of the Context Plan circulated with City Staff during the November 6th, 2019 meeting; and,
- 1 USB containing all materials listed above.

We trust the materials provided satisfy your submission requirements and look forward to hearing from you in the near future. Should you have any questions please feel free to contact the undersigned.


Yours truly,

HUMPHRIES PLANNING GROUP INC.



Rosemarie L. Humphries BA, MCIP, RPP
President

cc. 1792104 Ontario Limited
Orly Kahane-Rapport, Sherman Brown, Barristers & Solicitors



**1792104 ONTARIO LIMITED
A180/19 – 196 DRUMLIN CIRCLE**

**COMMITTEE OF ADJUSTMENT
MAY 28 2020**

HUMPHRIES PLANNING GROUP INC.

PURPOSE OF APPLICATION

- The purpose of the minor variance application currently before the Committee is to obtain permission to obtain:
 - Relief from the By-law to permit the temporary use of an existing outdoor storage area for a period of three (3) years. The outdoor storage area is required to support a manufacturing business (Granite Concepts Inc.) and is to be located at the rear of the property.

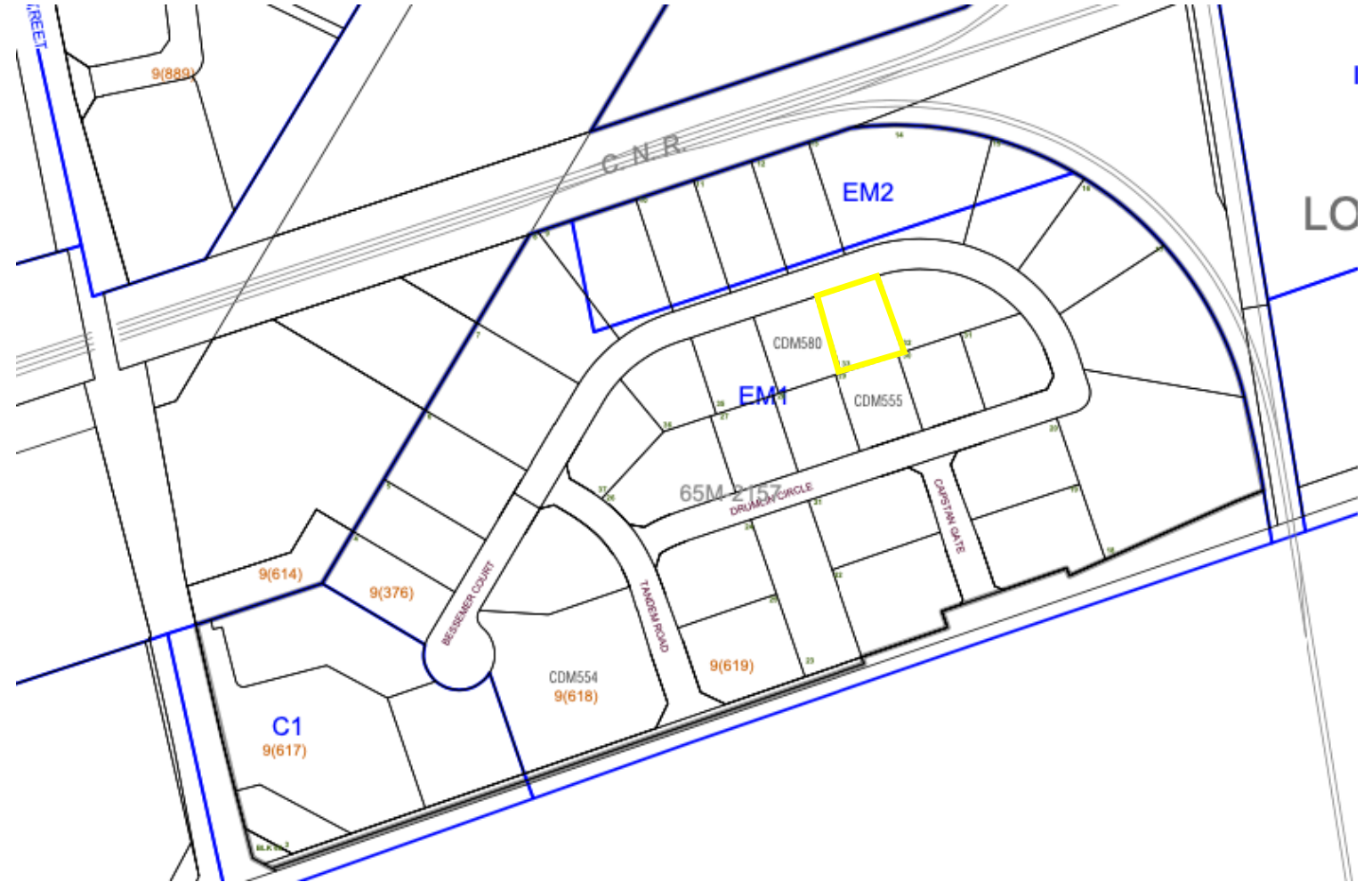
SUBJECT LANDS

- Subject lands are in an employment area on the south side of Drumlin Circle.
- Purchased by 1792104 Ontario Limited in 2009.
- Features two industrial units operating within the existing building;
 - West side unit – motor repair
 - East side unit – monument manufacturing
- Surrounding properties contain various permitted industrial uses such as automobile repairs, transportation, distribution, manufacturers, offices and retail.



SUBJECT LANDS

- The Property is zoned Prestige Employment (EM1).
- Immediately adjacent to properties zoned Prestige Employment (EM1).
- Directly across from properties zoned General Employment (EM2).



SUBJECT LANDS

- Outdoor storage of tomb stones & granite material currently exists on the Property.
- It was brought to the owner's attention that outdoor storage is not permitted on the Property under current zoning.
- Following discussions with City Staff - an application for minor variance permitting temporary outside storage for a 3 year period is appropriate.
- The owner intends to adhere to the outdoor storage requirements under regulation 6.3.2.
- The Property currently features screening along the eastern property line (see pictures).
- The rear property line features an approximately 2m high stone wall.



PROPOSED VARIANCE

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

By-law Requirement	Proposal
1. Accessory Outside Storage is not a permitted use.	1. To permit the temporary use of accessory outside storage for a period of three (3) years for the unit located on the east side of the building, in the location as shown on the attached sketch.
2. The outside storage area shall be completely enclosed by a stone or masonry wall or chain link fence with appropriate landscaping screen and no such enclosure shall be less than 2 metres in height.	2. The outside storage area may not be completely enclosed by a stone or masonry wall or chain link fence with appropriate landscape screen and less than 2 metres in height.
3. A minimum of 21 parking spaces are required on	3. To permit a minimum of 19 parking spaces on site. site.

Outside Storage Requirements

Regulation (Regulation 6.3.2)	Adherence
i) Outside accessory storage to a permitted use, shall not exceed thirty 30% of the lot area;	outside storage comprises 3% of the total area.
ii) Outside storage is not permitted on any lot unless there is an existing building with a gross floor area of at least 550 square metres;	Existing building has a g.f.a of 1,026 sq.m.
iii) No outside storage shall be located in any front yard, exterior side yard, or between any main building and a street line, and further shall be no closer than twenty (20) metres to any street line;	The storage is located at the rear, behind the building and further than 20m from the street.
iv) The outside storage area shall be completely enclosed by a stone or masonry wall or chain link fence with appropriate landscaping screen and no such enclosure shall be less than two (2) metres in height;	Addressed through proposed variance.
v) If a lot has a frontage of less than 45.5 metres, no part of any open storage shall be in the side yard;	Frontage is 49.5m
vi) No outside storage shall be permitted on any corner lot;	Not a corner lot
vii) If a lot upon which outside storage is permitted abuts the boundary of a Residential or Open Space Zone, screening shall be provided along such boundary within the Industrial Zone. Screening shall consist of a solid fence a minimum of two (2) metres in height;	Does not abut a residential or open space zone. Screening exists
viii) No outside storage other than the storage of machinery and equipment shall exceed three (3) metres in height;	None of the stored materials will exceed 3m
ix) The outside storage of any goods or materials which are obnoxious, visually or otherwise, including derelict or scrap motor vehicles or machinery and worn-out appliances or equipment shall not be permitted.	The materials are not considered to be visually obnoxious and do not include restricted materials listed.

**A180/19 – 196 DRUMLIN CIRCLE
COMMITTEE OF ADJUSTMENT
MAY 28 2020**



SUMMARY

It is our opinion that the variance subject to the application before the Committee meets the the 4 tests of variance under the *Planning Act*:

1. The variance maintains the general intent and purpose of the Official Plan.
2. The variance maintains the general intent and purpose of the Zoning By-law.
3. The variance is desirable for the appropriate development of the land.
4. The variance is minor.

THANK YOU

Schedule C: Agency Comments

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

Alectra (Formerly PowerStream) – No concerns or objections
Region of York – No concerns or objections



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

Mr. Tony D'Onofrio
Supervisor, Subdivisions & New Services
Phone: 1-877-963-6900 ext. 24419
Fax: 905-532-4401
Email: tony.donofrio@alectrautilities.com

MacPherson, Adriana

Subject: FW: RESPONSE: A180/19 - Request for Comments

From: Development Services <developmentservices@york.ca>
Sent: January-09-20 9:52 AM
To: MacPherson, Adriana <Adriana.MacPherson@vaughan.ca>; Providence, Lenore <Lenore.Providence@vaughan.ca>; Attwala, Pravina <Pravina.Attwala@vaughan.ca>
Subject: RESPONSE: A180/19 - Request for Comments

Good Morning Adriana,
The Regional Municipality of York has completed its review of the above minor variance application and has no comment.
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**