

File: A022/20

Applicant: Conair Consumer Products

Address: 100 Conair Pkwy Woodbridge

Agent: ZZen Group

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

Commenting Department	<input checked="" type="checkbox"/> Positive Comment	Condition(s) <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
	<input checked="" type="checkbox"/> Negative Comment	
Committee of Adjustment	<input checked="" type="checkbox"/>	
Building Standards	<input checked="" type="checkbox"/>	
Building Inspection	<input checked="" type="checkbox"/>	
Development Planning	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Cultural Heritage (Urban Design)		
Development Engineering	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Parks, Forestry and Horticulture Operations	<input checked="" type="checkbox"/>	
By-law & Compliance	<input checked="" type="checkbox"/>	
Financial Planning & Development	<input checked="" type="checkbox"/>	<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)		

Adjournment History: N/A

Background History: N/A

Staff Report Prepared By: Pravina Attwala
Hearing Date: Thursday, May 28, 2020



Minor Variance
Application

A022/20

Agenda Item: 16

Ward: 2

Staff Report Prepared By: Pravina Attwala, 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 see Important Information on next page for instructions or contact the Committee of Adjustment at cofa@vaughan.ca or 905-832-8585. Ext. 8332.

Written comments and public deputation requests must be received by noon on the last business day before the meeting.

Applicant:

Agent:

Property:

Zoning:

OP Designation:

Related Files:

Purpose:

Conair Consumer Products

ZZen Group

100 Conair Pkwy Woodbridge

The subject lands are zoned EM1 9(1256) and subject to the provisions of Exception under By-law 1-88 as amended.

Vaughan Official Plan 2010 ('VOP 2010'): "General Employment Area", subject to Area Specific Policy 12.12 Huntington Business Park

Development Application DA.06.042 & Part Lot Control PLC.20.001

Relief from the by-law is being requested to facilitate a division of the subject land through Part Lot Control Application PLC.20.001.

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 rear yard setback of 12.0 metres is required.	1. To permit a minimum rear yard setback of 7.5 metres.
2. The definition of a "LOT" shall be complied with.	2. For the purposes of zoning conformity, the subject lands known as Part 4 of Block 2 Plan 65M 3992 and Block 1 Plan 65M 3992, shall be deemed to be one lot regardless of the creation of a new lot by way of condominium, part-lot control, consent or any easements, or other rights or registrations given or made.

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).

Adjournment History: N/A

Staff & Agency Comments

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

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

Applicant confirmed posting of signage on May 1, 2020

Property Information	
Existing Structures	Year Constructed
Industrial Building	2007 (Lands purchased 2006)

Applicant has advised that they cannot comply with By-law for the following reason(s): The front lot line is considered as New Enterprise Way making the rear lot line the newly created severance line at 7.5m to the building. The load area is on the north side of building with a setback of approx. 42 metres and therefore 7.5m is sufficient to accommodate parking and driveway aisle. Also, to provide sufficient rear yard to newly created parcel.

Adjournment Request: N/A

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

Building Permit No. 20-000172 for Warehouse Use Unit - Interior Unit Alteration, Issue Date: (Not Yet Issued).

Easements and agreements may be required on the lots for shared access and parking purposes.

The existing building may require further review at a later date to ensure compliance with the by-law after the proposed site changes have been submitted for Site Plan Approval.

Building Inspections (Septic):
No comments or concerns

Development Planning:
Official Plan: Vaughan Official Plan 2010 ('VOP 2010'): "General Employment Area", subject to Area Specific Policy 12.12 Huntington Business Park

The Owner is requesting the above-noted variances to facilitate property line changes on the subject lands, as proposed through Part Lot Control Application PLC.20.001.

Variance #1 is considered minor in nature as the reduced rear yard is the result of the adjusted property line and maintains the required driveway access and parking along the west property line abutting Part 1 and 3 on the sketch provided. Variance #2 is also minor in nature as the variance permits the entirety of the subject lands to function as one lot for purposes of zoning conformity and will not have any physical impacts to neighbouring properties.

Accordingly, the Development Planning Department has no objection to the proposal and is of the opinion that the requested variances are minor in nature, maintain the general intent and purpose of the Official Plan and Zoning By-law, and are desirable for the appropriate development of the land.

The Development Planning Department recommends approval of the application, subject to the following condition(s):

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

That the Owner of the land shall make an Application to Annex Restrictive Covenants S118 of the Land Titles Act for the registration of a restriction that no transfer or charge of the described lands being Block 1 and Part of Block 2, Plan 65M-3992 (municipally known as 100 Conair Parkway) shall be registered without the written consent of the Corporation of the City of Vaughan.

Development Engineering:
The Development Engineering (DE) Department has reviewed the minor variance application and has identified with the new property line setback to be reduced from 12.0m to 7.5m, it has re-located the service connection of the existing building of 100 Conair Parkway to be located outside of the property limits of the site. After further review, the Development Engineering (DE) Department does not object to variance application A022/20 subject to the following condition(s):

1. The Owner shall arrange to prepare and register a reference plan at their expense showing all required easements for mutual service connections within the proposed severed parcel to the west, all to the satisfaction of DE. The Owner shall submit a draft reference plan to DE for review prior to deposit.
2. The Owner shall provide proof of mutual servicing via transfer of easements (Draft LRO transfers) between the retained and severed parcel of land as described within Part Lot Control Application PLC.20.001. Transfer of easements shall be accompanied with detailed easement descriptions which shall include warning clauses for current and future landowners to confirm acceptance of the risks as noted below for shared servicing:
 - Potential blockages to the common lateral connections within the municipal right-of-way could impact internal private sewer connections for both parcels;
 - Operational risk or legal liability as a result of flooding and property damage due to potential blockages to the common lateral connections within the municipal right-of-way;
 - Potential issues with the enforcement of sewer-use bylaw (e.g. sampling, etc.)

Clearance of the above noted condition shall be subject to final easement registration on the lands for both the retained and severed parcels pursuant to Part Lot Control Application PLC.20.001
3. The Owner/applicant shall submit the Grading Plan, Servicing Plan, and all Engineering reports in support of the proposed shared services within the submitted Draft Reference Plan for Block 2, Registered Plan 65M-3992 prepared by, Shaeffer Dzalbov Bennet LTD, to the satisfaction of the Development Engineering (DE) Department.

Parks, Forestry and Horticulture Operations:

Forestry has no comments at this time.

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 By-laws 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.

The following condition is recommended:

The owner shall pay all property taxes as levied. Payment is to be made by certified cheque, to the satisfaction of the City of Vaughan Financial Planning and Development Finance Department (contact Nelson Pereira to have this condition cleared).

Fire Department:

No Response.

Schedule A – Plans & Sketches

Schedule B – Public Correspondence

Application cover letter

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 Brandon Bell 905-832-8585 x 8112 brandon.bell@vaughan.ca	That the Owner of the land shall make an Application to Annex Restrictive Covenants S118 of the Land Titles Act for the registration of a restriction that no transfer or charge of the described lands being Block 1 and Part of Block 2, Plan 65M-3992 (municipally known as 100 Conair Parkway) shall be registered without the written consent of the Corporation of the City of Vaughan.
2	Development Engineering Jason Pham 905-832-8585 x 8716 Jason.pham@vaughan.ca	<div>1. The Owner shall arrange to prepare and register a reference plan at their expense showing all required easements for mutual service connections within the proposed severed parcel to the west, all to the satisfaction of DE. The Owner shall submit a draft reference plan to DE for review prior to deposit.</div> <div>2. The Owner shall provide proof of mutual servicing via transfer of easements (Draft LRO transfers) between the retained and severed parcel of land as described within Part Lot Control Application PLC.20.001. Transfer of easements shall be accompanied with detailed easement descriptions which shall include warning clauses for current and future landowners to confirm acceptance of the risks as noted below for shared servicing: • Potential blockages to the common lateral connections within the municipal right-of-way could impact internal private sewer connections for both parcels; • Operational risk or legal liability as a result of flooding and property damage due to potential blockages to the common lateral connections within the municipal right-of-way; • Potential issues with the enforcement of sewer-use bylaw (e.g. sampling, etc.) Clearance of the above noted condition shall be subject to final easement registration on the lands for both the retained and severed parcels pursuant to Part Lot Control Application PLC.20.001</div> <div>3. The Owner/applicant shall submit the Grading Plan, Servicing Plan, and all Engineering reports in support of the proposed shared services within the submitted Draft Reference Plan for Block 2, Registered Plan 65M-3992 prepared by, Shaeffer Dzalbov Bennet LTD, to the satisfaction of the Development Engineering (DE) Department.</div>
3	Development Finance Nelson Pereira 905-832-8585 x 8393 nelson.pereira@vaughan.ca	The owner shall pay all property taxes as levied. Payment is to be made by certified cheque, to the satisfaction of the City of Vaughan Financial Planning and Development Finance Department (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

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

T 905 832 8585 Extension 8002
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.

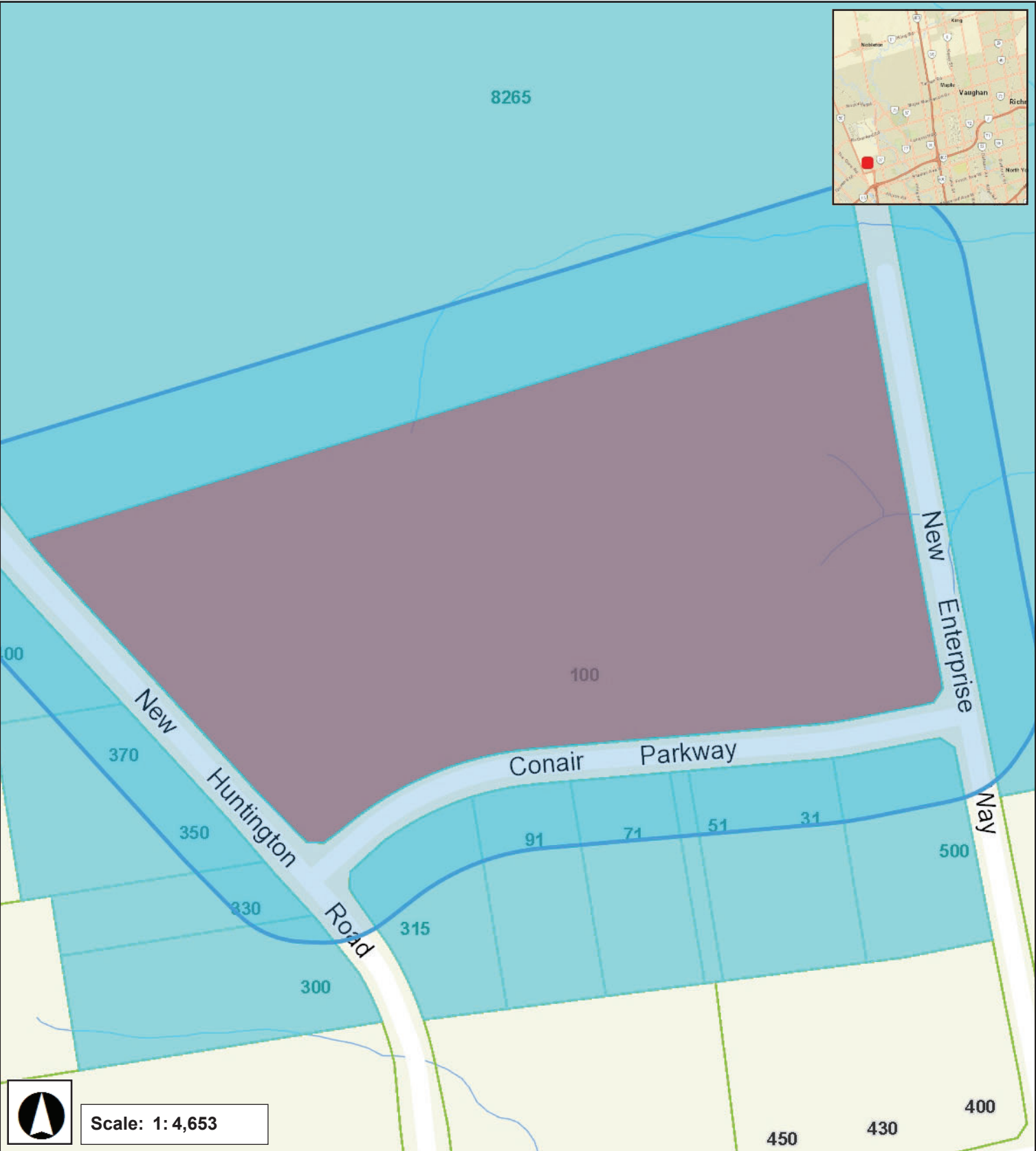
Location Map
Sketches



LOCATION MAP - A022/20

100 CONAIR PARKWAY, WOODBRIDGE

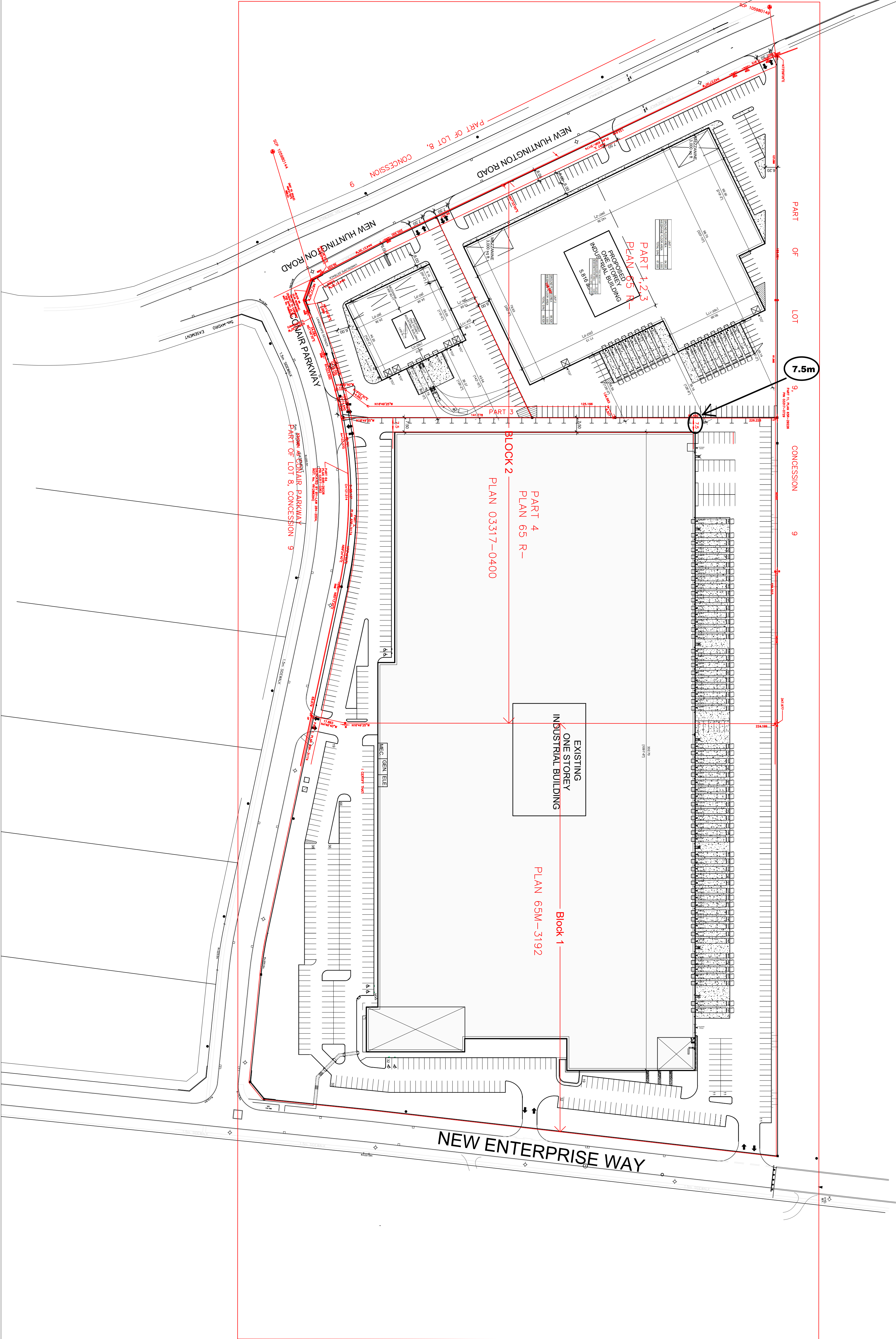
Langstaff Road



Highway 7

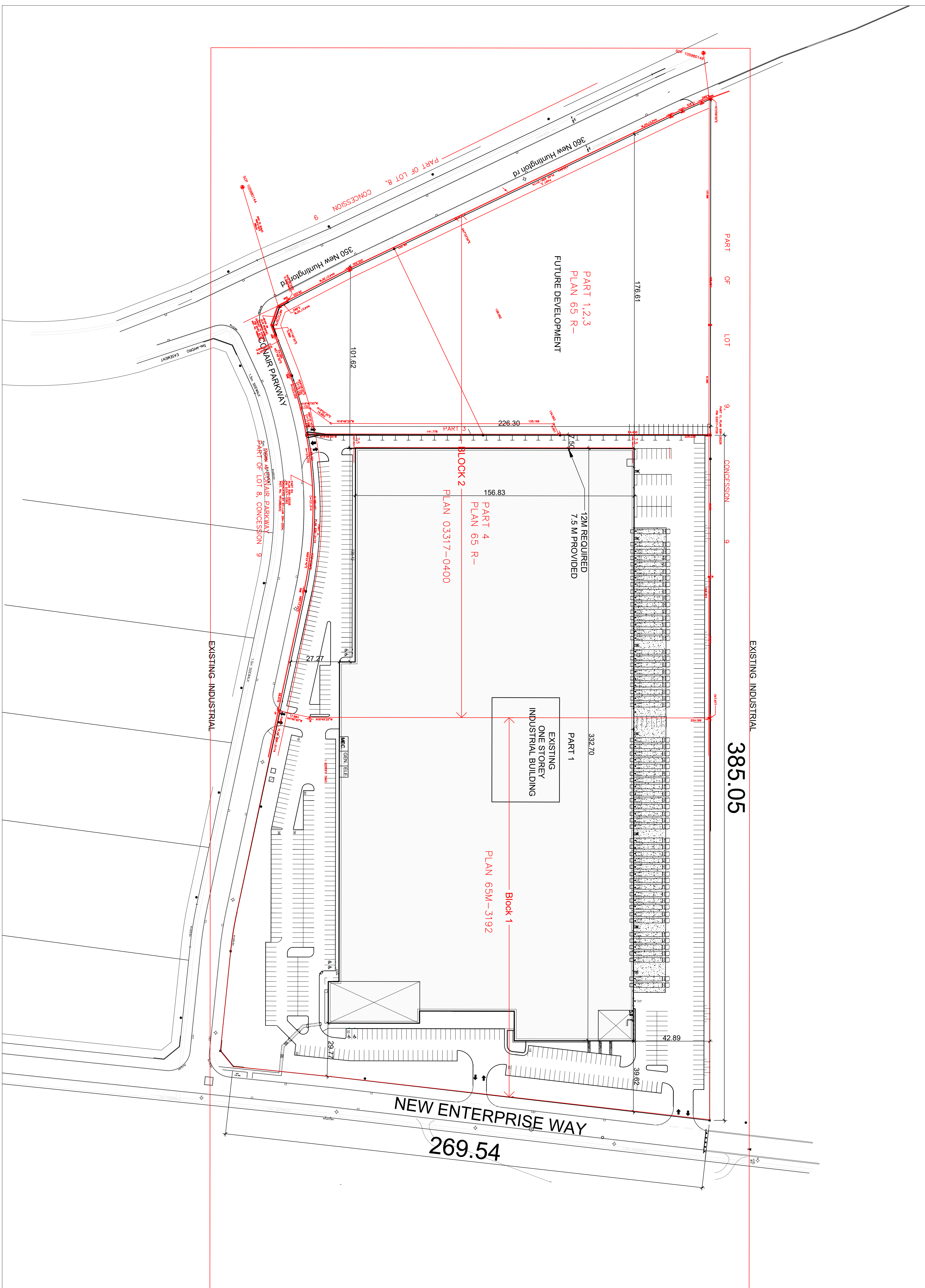
March 2, 2020 11:38 AM

Subject lands known as Part 4 of Block 2 Plan 65M-3992 & Block 1 Plan 65M-3992, shall be deemed to be one lot regardless of the creation of a new lot by way of condominium, part lot control, consent or any easements, or other rights or registrations given or made



SITE STATISTICS		ACRES	SQ. M	SQ. FEET
ZONE				
PART 1			91612.58	
PART 2			31,423.96	
BUILDING AREA				
GROUND FLOOR			M2	
			52,925.00	
MEZZ			1,564.00	
TOTAL GFA			54,479.00	
PARKING				
TOTAL REQUIRED				575.0
PROVIDED (INCLUDING H.C.)				578.00





SITE STATISTICS		ACRES	SQ.M	SQ.FEET
ZONE				
PART 1			91612.58	
PART 2			31,423.96	
BUILDING AREA			M2	
GROUND FLOOR			52,925.00	
MEZZ			1,554.00	
TOTAL GFA			54,479.00	
PARKING				
TOTAL REQUIRED				575.00
PROVIDED (INCLUDING H.C)				578.00





CONAIR PARKWAY AND NEW HUNTINGTON RD, VAUGHAN, ONT

SCALE: NTS

#

PROPOSED ONE STORY INDUSTRIAL BUILDING

AREA	FOOTPRINT	MEZZANINE	TOTAL
FOOTPRINT	589,670 SQ. FT.	16,724.14 SQ. FT.	606,394.14 SQ. FT.
MEZZANINE	3,007 SQ. FT.	-	3,007 SQ. FT.
TOTAL	592,677.14 SQ. FT.	16,724.14 SQ. FT.	609,401.28 SQ. FT.

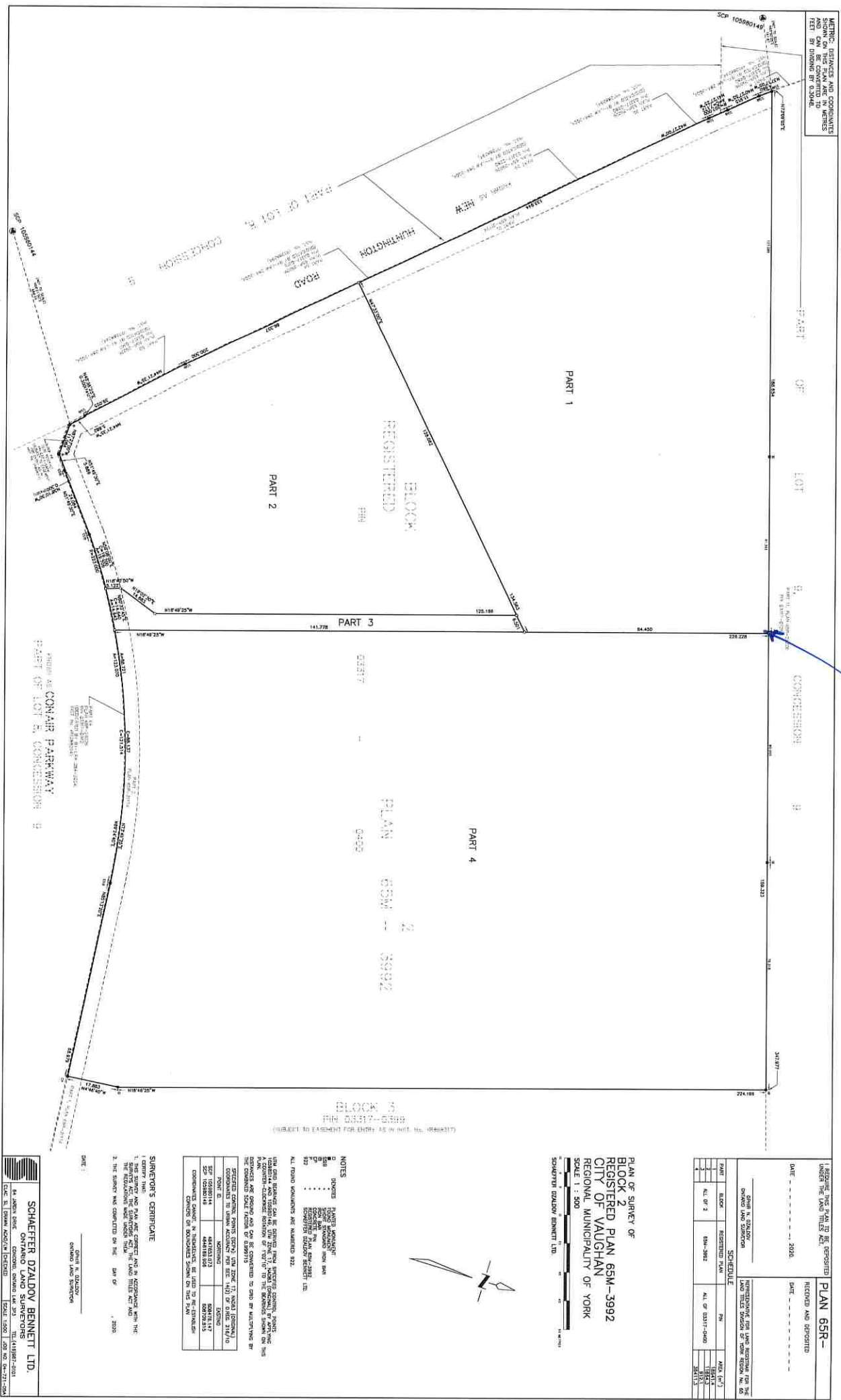
EXISTING ONE STORY INDUSTRIAL BUILDING

AREA	FOOTPRINT	MEZZANINE	TOTAL
FOOTPRINT	589,670 SQ. FT.	16,724.14 SQ. FT.	606,394.14 SQ. FT.
MEZZANINE	3,007 SQ. FT.	-	3,007 SQ. FT.
TOTAL	592,677.14 SQ. FT.	16,724.14 SQ. FT.	609,401.28 SQ. FT.

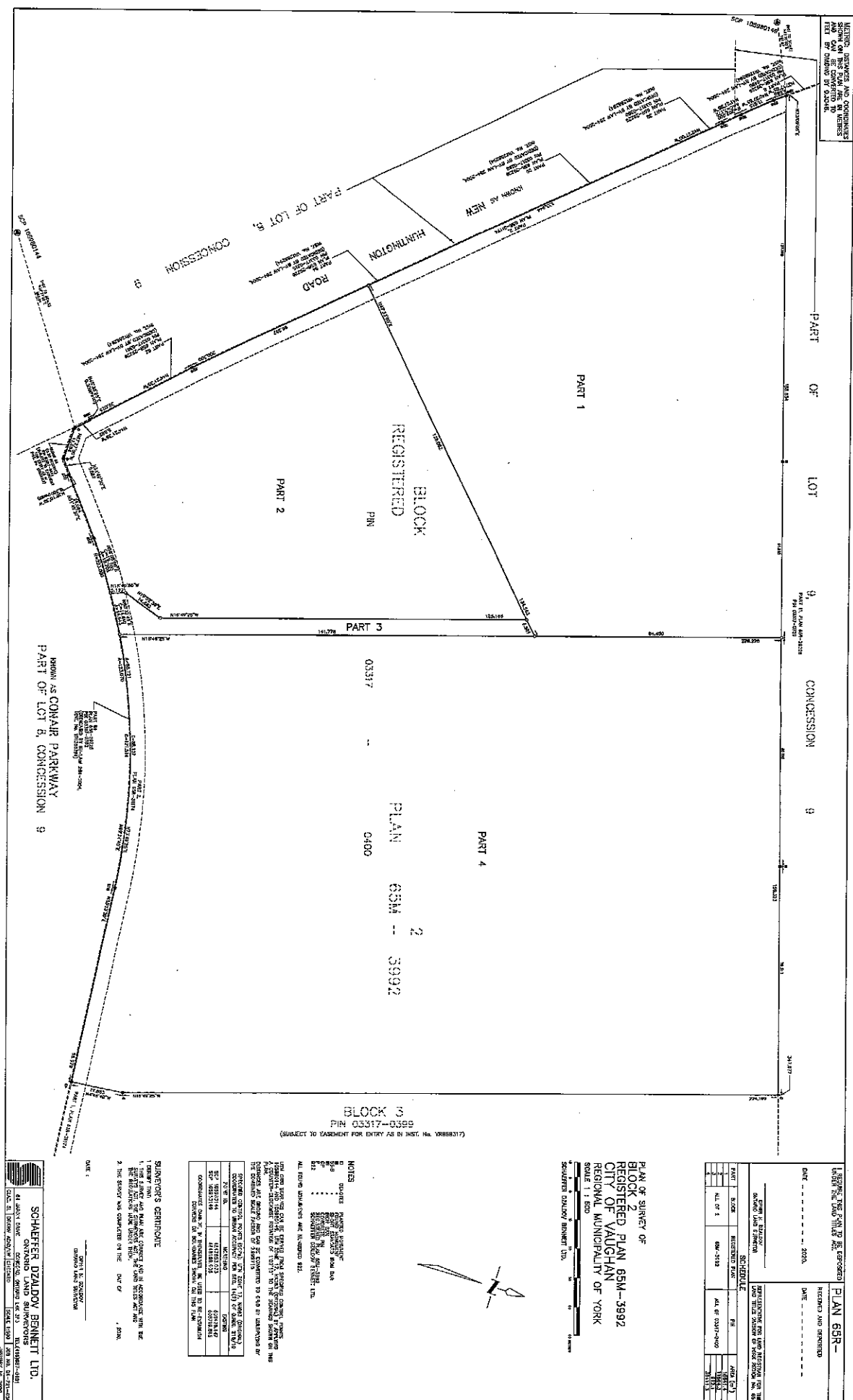
PARKING REQUIREMENTS AND PROVIDED SPACES

TYPE	REQUIRED	PROVIDED
TOTAL PARKING REQUIRED	575	575
TOTAL PARKING PROVIDED	-	575

Proposed New Parcels







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

100 Zenway Boulevard
Woodbridge, Ontario
Canada L4H 2Y7



A022/20

Tel: 905-264-5962
Fax: 905-264-9354
www.zzengroup.com

Via: email
February 24, 2020

City of Vaughan
Office of the City Clerk
2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1t1

Attention: Ms. Pravina Attwala, Assistant Secretary to Committee of Adjustment

Dear Ms. Attwala,

**Re: Minor Variance Application
100 Conair Parkway,
File No. A022/20**

On behalf of the Conair Consumer Products, the "Owners" we wish to confirm that the above captioned minor variance application is to seek relief from the minimum rear yard setback requirement to 7.5 m rather than the 12.0 m requirement as set out in By law 1-88 as amend. The Owner has owned the property since 2007 with the aspiration of building out on the entire land holdings. However, the market has changed and the need for future expansion to the existing 54,479 sq.m. building, is no longer required. Therefore, the Owner is proposing to sever the most westerly portion of the subject lands, thru part lot control exemption by law (File No. PLC.20.001).

The subject lands currently faces three roads, Conair Parkway, New Enterprise Way and New Huntington Road. By severing the most westerly portion of the subject lands, the actual lot front lot line is consider as New Enterprise Way, making the newly created severance line the rear lot line with a 7.5 m rear yard setback. As the loading area is on the north side of the building with a setback of approximately 42 meters, the 7.5 meter setback is sufficient to accommodate parking and a driveway aisle on the west side of the existing building. In addition by reducing this new rear yard setback by 4.5, it provides for additional land area to be added to the new created parcel and will accommodate for a larger building and proper vehicle truck circulation for the newly proposed buildings . (Refer to attached site plan).

In consideration of the existing building configuration, location of the loading areas and the fact that the proposed request does not have any negative impact or need for further relief from the bylaw for the subject lands, it is our submission that the said request can be considered minor in nature.

Should you require any additional information pertaining to the subject land s or this application, please contact me.

Regards

A handwritten signature in blue ink, appearing to read "Sam Speranza", is written over the word "Regards".

Sam Speranza, MCIP
Director of Developments

Cc: Mr. Clem MacMillan, Conair Consumer Products

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

Attwala, Pravina

Subject: FW: A022/20 - REQUEST FOR COMMENTS

From: Development Services <developmentservices@york.ca>

Sent: March-02-20 11:27 AM

To: Attwala, Pravina <Pravina.Attwala@vaughan.ca>; Providence, Lenore <Lenore.Providence@vaughan.ca>; MacPherson, Adriana <Adriana.MacPherson@vaughan.ca>

Subject: [External] RE: A022/20 - REQUEST FOR COMMENTS

Good Morning Pravina,

The Regional Municipality of York has completed its review of the above minor variance and has no comments.

Regards,