

File: A149/18

Applicant: U-Mac Holdings Inc.

Address: 166 Bowes Rd Concord

Agent: Moss Sund Inc.

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

Commenting Department	<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"/>	
Cultural Heritage (Urban Design)	<input checked="" type="checkbox"/>	
Development Engineering	<input checked="" type="checkbox"/>	
Parks Department		
By-law & Compliance		
Financial Planning & Development	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Fire Department	<input checked="" type="checkbox"/>	
TRCA		
Ministry of Transportation	<input checked="" type="checkbox"/>	
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 16, 2019



Minor Variance
Application

Agenda Item: 23

A149/18

Ward: 4

Staff Report Prepared By: Pravina Attwala, Assistant Secretary Treasurer

Date of Hearing: Thursday, May 16, 2019

Applicant: U-Mac Holdings Inc.

Agent: Moss Sund Inc.

Property: 166 Bowes Rd Concord

Zoning: The subject lands are zoned EM2 under By-law 1-88 as amended.

OP Designation: VOP 2010: "General Employment"

Related Files: None

Purpose: Relief from the by-law is requested to permit the construction of a proposed second floor addition to the existing one storey industrial building to support additional office and shop space.

Relief is also being sought to permit three (3) existing accessory (storage) structures located onsite.

** The site is currently functioning as a roofing contractor.*

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 12.0m to Accessory Building 1 is required.	1. To permit a minimum rear yard setback of 1.64m to Accessory Building 1.
2. A minimum rear yard setback of 12.0m to Accessory Building 2 is required.	2. To permit a minimum rear yard setback of 1.98m to Accessory Building 2.
3. A minimum interior side yard setback of 6.0m to the Main Dwelling is required.	3. To permit minimum interior side yard setback of 4.15m to the Main Dwelling.
4. A minimum interior side yard setback of 6.0m to Accessory Building 1 is required.	4. To permit minimum interior side yard setback of 1.38m to Accessory Building 1.
5. A minimum interior side yard setback of 6.0m to Accessory Building 3 is required.	5. To permit minimum interior side yard setback of 1.38m to Accessory Building 3.
6. A minimum exterior side yard setback of 9.0 to Accessory Building 2 is required.	6. To permit a minimum exterior side yard setback of 3.15m to Accessory Building 2.

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

For information on the previous approvals listed above please visit www.vaughan.ca. 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 comments received after the preparation of this Staff Report (up until 12:00 p.m. on the scheduled hearing date) will be provided as an addendum.

Committee of Adjustment:
Public notice was mailed on May 1, 2019

Applicant confirmed posting of signage on May 3, 2019

Property Information	
Existing Structures	Year Constructed
Building	1960 (purchased 2010)

Applicant has advised that they cannot comply with By-law for the following reason(s): The company is a roofing contractor. They require additional office and shop space. The proposal is for a second-floor extension that is essentially in line with the existing building. The side yard, rear yard and exterior yard setback variances are required to allow the contractor to continue using accessory storage buildings in their locations, which allow the contractor's vehicles adequate space to manoeuvre the yard and access the accessory storage structure for loading and unloading of materials and supplies. Additional interior storage space is being provided as part of the proposed construction.

Building Standards (Zoning Review):

Stop Work Order(s) and Order(s) to Comply: None

A Building Permit has not been issued. The Ontario Building Code requires a building permit for structures that exceed 10m²

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

Where office uses accessory to an industrial employment use are permitted, the floor area of the accessory office use shall not exceed forty-nine percent (49%) of the gross floor area of the entire unit devoted to the industrial employment use and this floor area shall be separated from the rest of the unit by a solid partition.

Building height is measure from the average finished grade at the front of the building (Section 2, By-law 1-88a.a.).

Outside Storage is not permitted.

Building Inspections (Septic):

No comments or concerns

Development Planning:

VOP 2010: "General Employment"

The Owner is requesting permission to construct a 2nd storey addition to the existing 1-storey industrial building, and to maintain 3 accessory buildings for storage with the above noted variances.

The Subject Lands currently contains outside storage, which is not permitted on a corner lot, and a number of accessory buildings for storage. Through the subject application, the Owner has agreed to remove all outside storage and consolidate the various accessory buildings into 3 buildings. A 2 m high solid wood fence and new tree plantings are proposed around the perimeter of the property to provide screening and mitigate any visual impacts of the accessory buildings on the streetscape. As such, the Development Planning Department has no objection to the requested rear, interior and exterior side yard setbacks associated with accessory Buildings 1, 2 and 3.

A 1-storey employment building currently exists on the Subject Lands with an interior side yard setback of 4.15 m. The Owner is proposing to construct a 2nd storey addition to the existing employment building on the same footprint and will not further decrease the existing interior side yard setback. As such, the Development Planning Department has no objection to the requested interior side yard setback to the main employment building.

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 Owner shall be required to install the 2 m high solid wood fence and new tree plantings in accordance with the submitted Site Plan (A003) and Site Layout Plan (A004), both dated March 22, 2019 and prepared by MOSS SUND Inc.

The Development Planning Department recommends approval of the application in accordance with the submitted Site Plan (A003) and Site Layout Plan (A004), both dated March 22, 2019 and prepared by MOSS SUND Inc.

Cultural Heritage (Urban Design):

There are no cultural heritage concerns for this application.

Development Engineering:

The Development Engineering Department has no objections to minor variance application A149/18 for 166 Bowes Road but offers these advisory comments going forward with the building permit:

1. The applicant shall receive site servicing and grading plan approval from the Development Engineering Department. The SWM report will be reviewed at the same time in conjunction with the site servicing and grading.
2. The owner shall be responsible for any service connection fees should they be necessary.

Parks Development:
No Response.

By-Law and Compliance, Licensing and Permit Services:
No Response.

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 Development Charges 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.

Financial Planning and Development Finance Condition:
Recommended condition of approval:

Prior to issuance of the Building Permit, the owner shall pay to the City applicable Development Charges in accordance with the Development Charges By-laws of the City of Vaughan, Region of York, York Region District School Board and York Catholic District School Board.

Fire Department:
Provisions for firefighting shall comply with OBC 3.2.5.

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
MTO – Located outside of MTO permit control area

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 Finance Nelson Pereira 905-832-8585 x 8393 nelson.pereira@vaughan.ca	Prior to issuance of the Building Permit, the owner shall pay to the City applicable Development Charges in accordance with the Development Charges By-laws of the City of Vaughan, Region of York, York Region District School Board and York Catholic District School Board.

Please Note:

Relief granted from the City's Zoning By-law is determined to be the building envelope considered and approved by the Committee of Adjustment.

Development outside of the approved building envelope (subject to this application) must comply with the provisions of the City's Zoning By-law or additional variances may be required.

Elevation drawings are provided to reflect the style of roof to which building height has been applied (i.e. flat, mansard, gable etc.) as per By-law 1-88 and the Committee of Adjustment approval. Please note, that architectural design features (i.e. window placement), that do not impact the style of roof approved by the Committee, are not regulated by this decision.

Conditions

It is the responsibility of the owner/applicant and/or authorized agent to obtain and provide a clearance letter from respective department and/or agency. This letter must be provided to the Secretary-Treasurer to be finalized. All conditions must be cleared prior to the issuance of a Building Permit.

Notice to the Applicant – Development Charges

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

That the payment of the City Development Charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the City's Development Charges By-law in effect at the time of payment.

That the payment of the Education Development Charge if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the Boards of Education By-laws in effect at the time of payment

That the payment of Special Area Development charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and The City's Development Charge By-law in effect at the time of Building permit issuance to the satisfaction of the Reserves/Capital Department;

Notice to Public

WRITTEN SUBMISSIONS: Any person who supports or opposes this application, but is unable to attend the hearing, may make a written submission, together with reasons for support or opposition. Public written submissions on an Application shall only be received by the Secretary Treasurer until **4:00 p.m.** on the last business day **prior** to the day of the scheduled Meeting.

Written submissions can be mailed and/or emailed to:

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

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

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

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

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

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. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

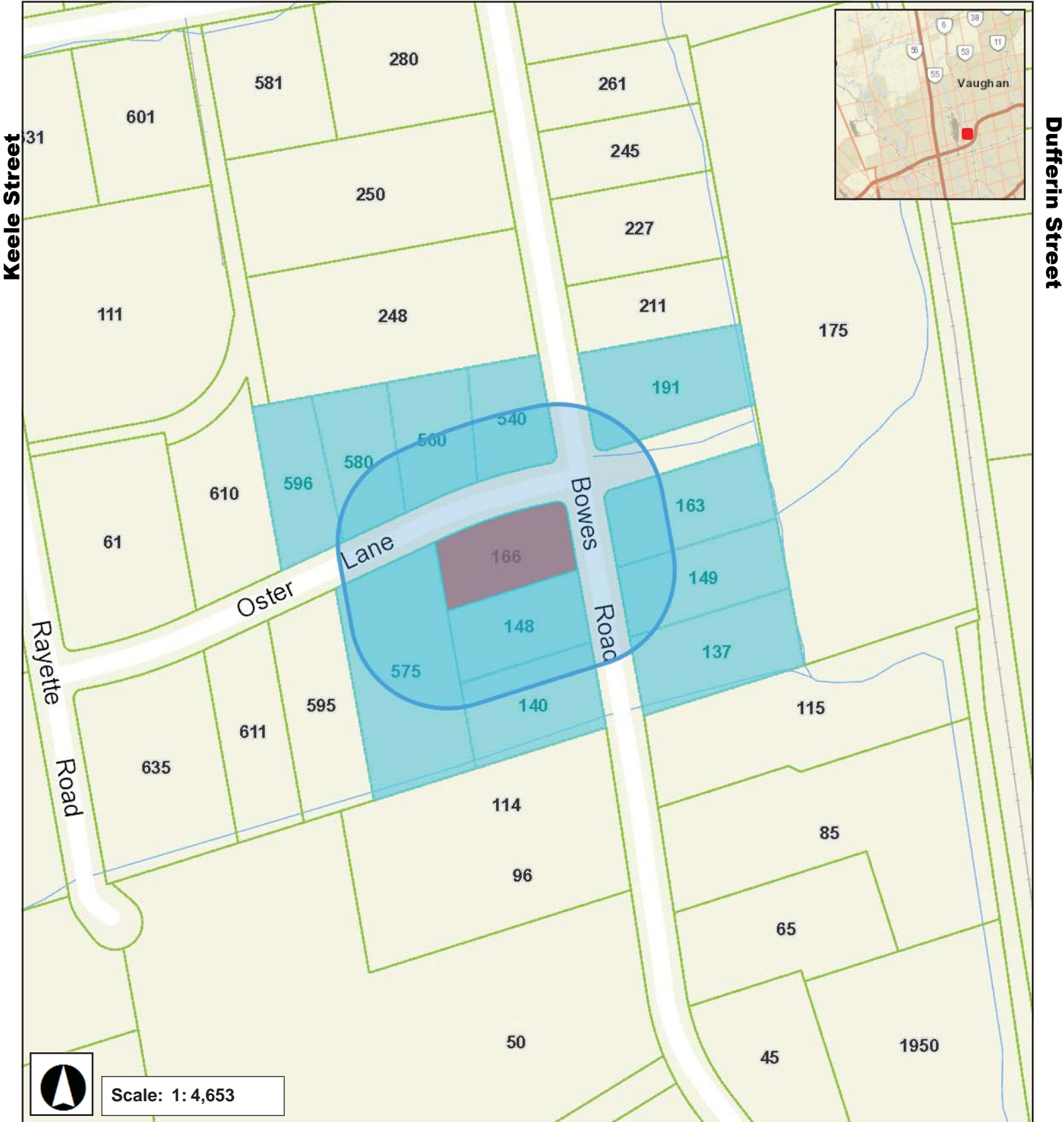
Location Map
Sketches



LOCATION MAP - A149/18

166 BOWES ROAD, CONCORD

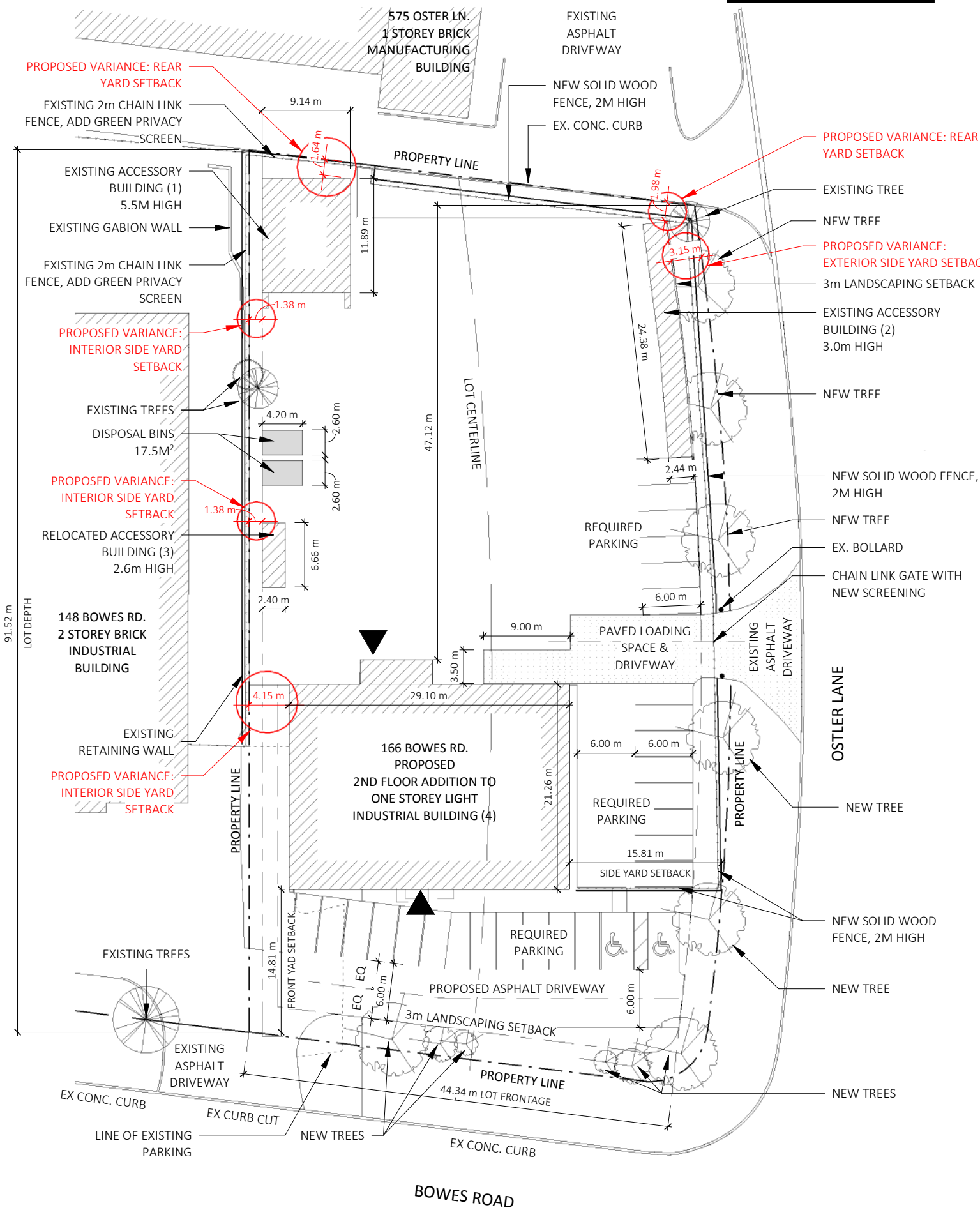
Langstaff Road

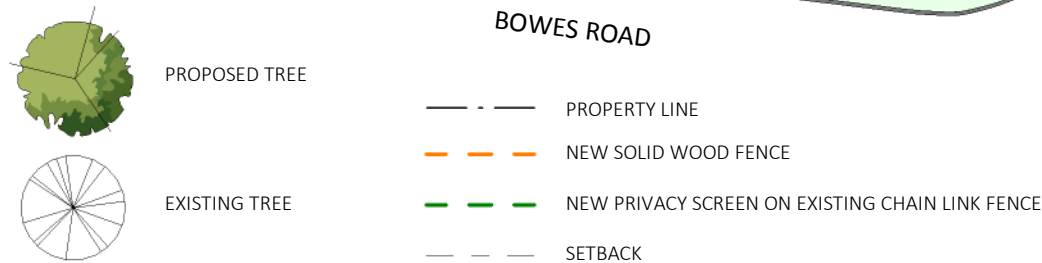


Scale: 1: 4,653

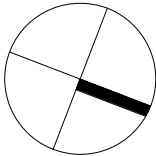
Centre Street

September 19, 2018 2:53 PM





STORAGE SCHEDULE						
ITEM	NAME	CONTENT	WIDTH (M)	LENGTH (M)	TOTAL AREA (M ²)	HEIGHT (M)
1	ACCESSORY STORAGE 1	LIGHT EQUIPMENT, WHEELBARROWS, DOLLIES, SCAFFOLDING, HOISTS, SITE FENCING	9.14	11.89	108.67	5.5
2	ACCESSORY STORAGE 2	ROLLED ROOFING, NEW INSULATION	2.44	24.38	59.49	3.0
3	ACCESSORY STORAGE 3	PROPANE TANKS, OLD INSULATION	2.40	6.40	15.36	2.6
4	NEW INDOOR STORAGE	PAILS, ROOFING MATERIALS, MISC. MATERIALS	VARIES	VARIES	92.7	4.63
	DISPOSAL BINS	METAL, MIXED	5.0	3.5	17.5	N/A



ZONING BY-LAW NO.1-88
ZONE 3B

LOT : 10
PLAN : 7925
LOT AREA: 4464.15 m2

	EXISTING	PROPOSED
LOT FRONTAGE:	44.34m	No Change
NUMBER OF STORIES:	1	2
HEIGHT:	5.05m	10.63m
DEPTH:	20.15m(66.1ft)	Gnd: 20.71 2nd: 21.26m
LENGTH:	20.15m(66.1ft)	Gnd: 20.71 2nd: 21.26m
EMPLOYMENT//INDUSTRIAL:	354.5m² 63%	654.7m² 51.9%
ACCESSORY OFFICE:	211.8m² 37%	604.6m² 48.1%

PARKING:

PARKING SIZE: STANDARD =2.7mx6.0m
ACCESSIBLE- TYPE A =3.4mx6.0m
ACCESSIBLE- TYPE B =3.2mx6.0m

2.0 SPACES PER 100m²
PARKING SPACES REQUIRED: (1255.36m²/100m²) x 2 = 25.11

PARKING SPACES PROVIDED: 24 + 2 ACCESSIBLE = 26

GROSS FLOOR AREA CALCULATION

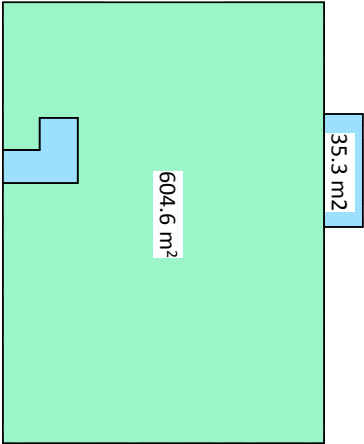
	EXISTING	PROPOSED
GROUND GFA:	565.8m2	619.40m2
SECOND GFA:	0.0m2	635.96m2
TOTAL GFA:	565.8m2	1255.36m2
LOT COVERAGE:	12.67%	18.35%

ACCESSORY BUILDINGS:

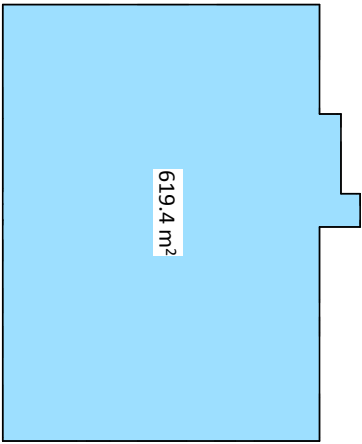
1	108.67m²	108.67m²
2	59.49m²	59.49m²
3	15.36m²	15.36m²

LANDSCAPED AREA:



MIN. 10%
LANDSCAPED AREA PROVIDED: 14%



USE DIAGRAM - SECOND FL



USE DIAGRAM - GROUND FL

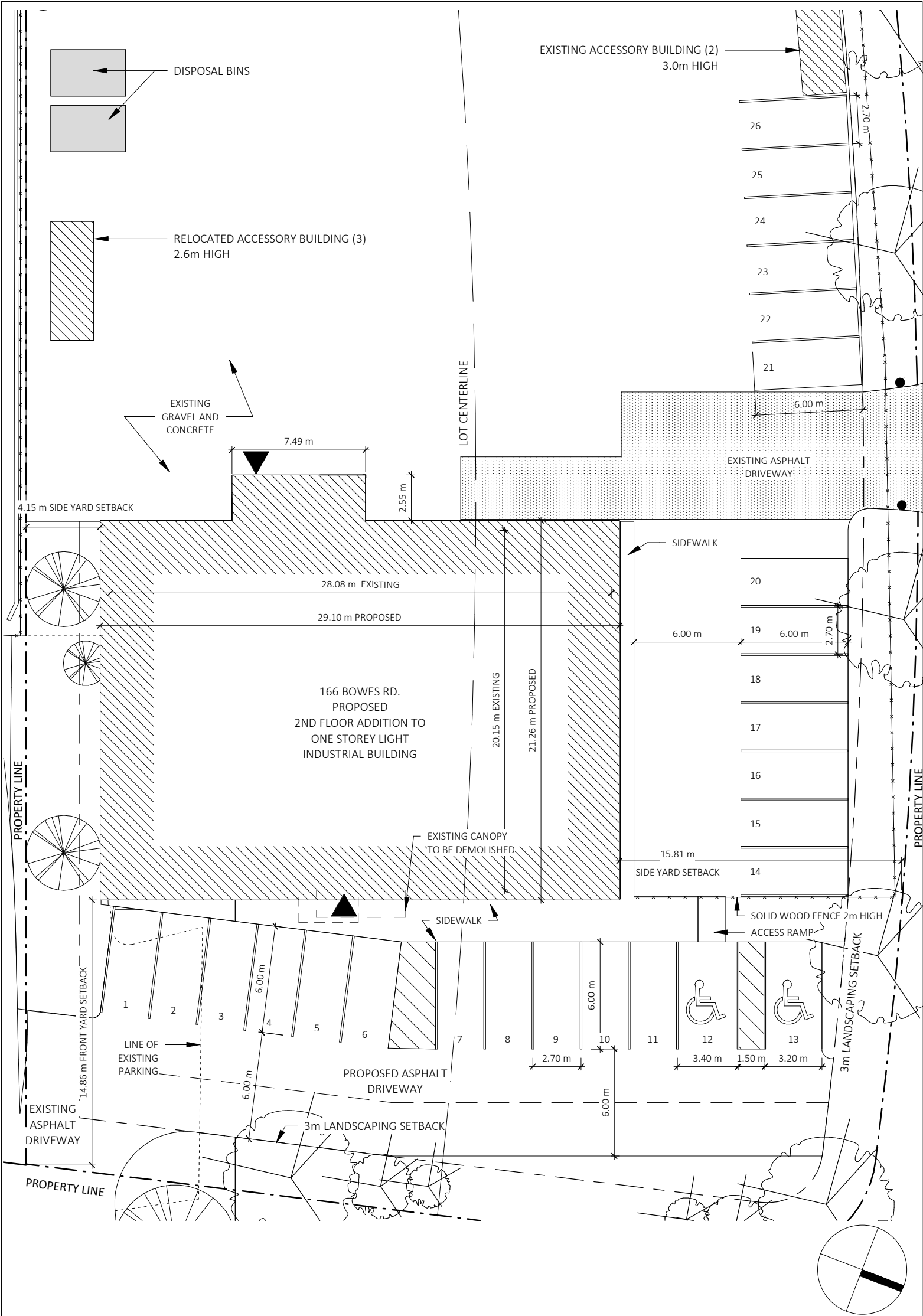
GROSS FLOOR AREA LEGEND	
	EMPLOYMENT//INDUSTRIAL
	ACCESSORY OFFICE

ZONING DATA

8	MAR 22 2019	REISSUED FOR C OF A	CM
7	JAN 30 2019	REISSUED FOR C OF A	CM
REF	DATE	DESCRIPTION	CH'D
JOB NO.:		2017 11	SHEET NO.: A002
DRAWN:		LL	
DATE:		09/27/2018	
SCALE:		As indicated	

PROVINCIAL ROOFING
166 BOWES RD. VAUGHAN, ON

ZONING DATA AND
STATISTICS



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
- MTO – Located outside of MTO permit control area



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: Resubmission - MVAR.18.V.0441 (A149/18) - 166 Bowes Road - U-MacHoldings Inc.
Attachments: A149-18 - Circulation.pdf

From: McMackin, Joseph <Joseph.McMackin@york.ca>
Sent: February-26-19 3:12 PM
To: Attwala, Pravina <Pravina.Attwala@vaughan.ca>
Subject: Resubmission - MVAR.18.V.0441 (A149/18) - 166 Bowes Road - U-MacHoldings Inc.

Hi Pravina,

The Regional Municipality of York has completed its review of the above mentioned Minor Variance Application (Re-submission) and has no comment.

Please feel free to contact me if you have any further questions or concerns.

Best,

Joseph McMackin, B.URPI | Associate Planner
Planning and Economic Development Branch, Corporate Services Dept.

The Regional Municipality of York| 17250 Yonge Street | Newmarket, ON L3Y 6Z1
O: 1-877-464-9675 ext. 71516 | joseph.mcmackin@york.ca | www.york.ca

*Our Values: Integrity, **Commitment**, **Accountability**, **Respect**, **Excellence***

Please consider the environment before printing this email.

Attwala, Pravina

Subject: FW: FILE: A-149/18, 166 Bowes Rd.

From: Caple, Corey (MTO) <Corey.Caple@ontario.ca>

Sent: February-25-19 1:29 PM

To: Committee of Adjustment <CofA@vaughan.ca>

Cc: Mazzotta, Rob (MTO) <Rob.Mazzotta@ontario.ca>; Della Mora, Dan (MTO) <Dan.DellaMora@ontario.ca>

Subject: FILE: A-149/18, 166 Bowes Rd.

To The Committee of Adjustments, City of Vaughan.

RE: FILE: A-149/18, 166 Bowes Rd.

The above property-project is outside the permit control area (PCA) therefore the MTO has no comments, at this time.

Regards,

Mr. Corey Caple

Corridor Management Officer

Ministry of Transportation
Central Region, Corridor Management Section
159 Sir William Hearst Ave., 7th Floor
Toronto, Ontario
M3M 0B7
Tel. 416-235-4351
Fax. 416-235-4267