

Ward #2

File: A059/19

Applicant: Gemini Holdings Corp.

Address: 325 Vaughan Valley Boulevard,

Woodbridge

Agent: Domenic Rotundo - RQ Partners LLP

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

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

Adjournment History: N/A	
Background History: N/A	

Staff Report Prepared By: Lenore Providence Hearing Date: Thursday, May 30, 2019



Minor Variance Application

Agenda Item: 9

A059/19 Ward: 2

Staff Report Prepared By: Lenore Providence, Assistant Secretary Treasurer

Date of Hearing: Thursday, May 30, 2019

Applicant: Gemini Holdings Corp.

Agent: Domenic Rotundo - RQ Partners LLP

Property: 325 Vaughan Valley Blvd, Woodbridge ON

Zoning: The subject lands are zoned EM1, Prestige Employment Area and subject to the

provisions of Exception 9(1134) under By-law 1-88 as amended

OP Designation: Vaughan Official Plan ('VOP 2010'): General Employment & Natural Areas

Related Files: None.

Purpose: Relief from the by-law is being requested to permit the conversion of the existing

mezzanine into a second floor to support additional office space (for multiple units).

The existing industrial building currently supports a warehouse facility, with ancillary

office space, that is used to store sprinkler products.

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

By-law Requirement	Proposal
A minimum of 47 parking spaces are required.	To permit a total of 43 parking spaces.

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 **4:00 p.m**. on the last business day **prior** to the day of the scheduled Meeting.

Committee of Adjustment:

Public notice was mailed on May 15, 2019

Applicant confirmed posting of signage on May 17, 2019

Property Information		
Existing Structures	Year Constructed	
Building	2006	

Applicant has advised that they cannot comply with By-law for the following reason(s): Parking spaces less than By-law requirement and use is not dependent on parking; Existing building parking was in existence when built.

Adjournment Request: Given the submission date the application, staff were unable to confirm status of comments (from circulated departments/agencies) relating to the application prior to the issuance of statutory public notice.

Building Standards (Zoning Review):

Stop Work Order(s) and Order(s) to Comply: N/A

Building Permit No. 19-000365 for Business and Prof. Office Unit - Interior Unit Alteration, Issue Date: (Not Yet Issued)

Building Permit No. 19-000364 for Business and Prof. Office Unit - Interior Unit Alteration, Issue Date: (Not Yet Issued)

Building Permit No. 19-000286 for Single Use Industrial - Interior Alteration, Issue Date: (Not Yet Issued)

Parking requirements have been reviewed as follows; warehouse 2767.66m2 @ 1/100, second floor office Unit 202, 201.99m2 @ 3.5/100, and Unit 201, 299m2 @ 3.5/100; totaling 47 required parking spaces.

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

The subject lands may be subject to Ontario Regulation 166/06 (TRCA - Toronto and Region Conservation Authority.

Building Inspections (Septic):

No comments or concerns

Development Planning:

Vaughan Official Plan ('VOP 2010'): General Employment & Natural Areas

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

The Development Planning Department recommends approval of the application.

Cultural Heritage (Urban Design):

Cultural Heritage Staff have no heritage concerns with this Minor Variance application for 325 Vaughan Valley Blvd.

Development Engineering:

The Development Engineering Department has reviewed minor variance application A059/19 for 325 Vaughan Valley Boulevard and have no objections.

Parks Development:

No comments or concerns

By-Law and Compliance, Licensing and Permit Services:

No comments or concerns

Financial Planning and Development Finance:

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

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

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

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

Recommended Condition of Approval:

The Owner shall pay to the City, the applicable development charges in accordance with the Development Charges By-laws of the City, Region of York, York Region District and York Catholic School Boards at the time of permit issuance.

Fire Department:

No Response.

Schedule A - Plans & Sketches

Schedule B - Public Correspondence

Agent's cover letter

Schedule C - Agency Comments

TRCA – comments with conditions
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
Development Finance	The Owner shall pay to the City, the applicable development
Nelson Pereira	charges in accordance with the Development Charges By-laws of the City, Region of York, York Region District and York
905-832-8585 x 8393	Catholic School Boards at the time of permit issuance.
nelson.pereira@vaughan.ca	·
TRCA	That the applicant provides the required \$1100.00 review fee for
Anthony Syhlonyk	Minor Variance Application A059/19.
416-661-6600 x 5272 asyhlonyk@trca.on.ca	
	Development Finance Nelson Pereira 905-832-8585 x 8393 nelson.pereira@vaughan.ca TRCA Anthony Syhlonyk 416-661-6600 x 5272

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.

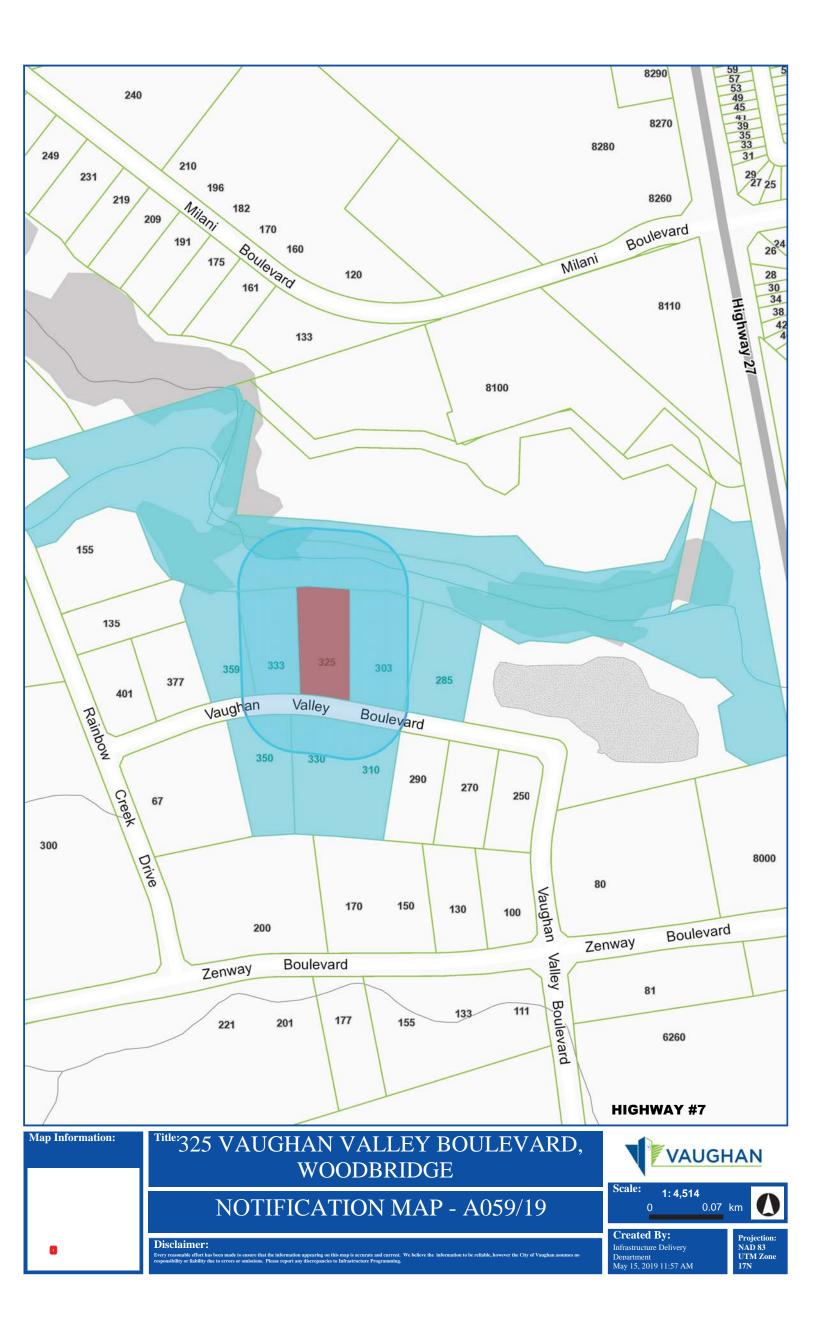
For further information please contact the City of Vaughan, Committee of Adjustment

T 905 832 8585 Extension 8394 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



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.

Agent's cover letter



DELIVERED BY EMAIL

May 14, 2019

City of Vaughan 2141 Major MacKenzie Drive Vaughan, Ontario L6A 1T1 Domenic Rotundo, B.Comm, LL.B.

Extension: 225

drotundo@rqpartners.ca

Enza Iuorio

Extension: 240

eiuorio@rqpartners.ca

Attention:

Christine Vigneault, ACST

Manager of Development Services & Secretary-Treasurer

Lenore Providence, Assistant Secretary Treasurer

RE:

Gemini Holdings Corp., Committee of Adjustments Minor Variance Application,

Your File No. A059/19

I am writing as agent and solicitor on behalf of the Owner Applicant in connection with the above application.

The above referenced application for a minor variance is to permit the existing parking of 43 parking spaces whereas the By-law requirement is 47 spaces; hence a variance of 4 parking spaces. This Building is existing on the Property and the Owner is proposing to carry out interior finishes to the 2nd floor area which is existing in the Building.

The 2nd floor space is currently existing unfinished shown as a mezzanine second floor space and is proposed to be partly occupied (201.99 square metres) as an administrative office and the remainder (299 square metres) by a business and professional office. The application of the By-law parking criteria results in 47 parking spaces being required whereas 43 parking spaces are provided existing on the property.

The requested variance in our opinion is minor in nature and is in keeping with proper planning principles.

Thank you in advance.

RQ PARTNERS LLP

Domenic Roundo

Per

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.

TRCA – comments with conditions
Alectra (Formerly PowerStream) – No concerns or objections
Region of York – No concerns or objections



May 14, 2019 CFN: 60819.10

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

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

Dear Christine:

Re: Minor Variance Application A059/19

325 Vaughan Valley Boulevard

Block 28, Plan 65M-3627

City of Vaughan

Owner: Gemini Holding Corp. Agent: Domenic Rotundo

This letter acknowledges receipt of the above noted application, received by Toronto and Region Conservation Authority (TRCA) on May 9, 2019. TRCA staff has reviewed the application and offers the following comments:

Background

It is our understanding that the purpose of Application A059/19 is to request the following:

1. To permit a total of 43 parking spaces whereas a minimum of 74 47 parking spaces are required.

Applicable TRCA Policies and Regulations

Living City Policies (LCP):

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

Application-Specific Comments

The subject property is an existing developed commercial property with a valley system containing a flood plain in close proximity to the rear property line. The lot is predominantly paved and contains no natural features. TRCA has reviewed the submitted materials and notes that no physical changes or development is being proposed with the current variance.

Fees

By copy of this letter, the applicant is advised that the TRCA has implemented a fee schedule for our planning application review services. This application is subject to a \$1100.00 Variance – Industrial/Commercial/Subdivision/Institutional – Minor review fee. The applicant is responsible for fee payment and should forward the application fee to this office as soon as possible.

Recommendations

Given the existing development on the property and that no physical changes are proposed through the variance TRCA has **no objection** to the approval of Minor Variance A059/19 subject to the following condition:

1) That the applicant provides the required \$1100.00 review fee for Minor Variance Application A059/19.

Please note that if exterior modifications to the property are proposed in the future a permit under Ontario Regulation 166/06 may be required.

Conclusion

We thank you for the opportunity to review the subject application and provide our comments as per our commenting and regulatory role. Further, we trust these comments are of assistance.

TRCA will continue to work closely with the City of Vaughan, the applicant, and their consultants to ensure that TRCA's expectations for meeting comments are met. Should you have any additional questions or comments, please do not hesitate to contact the undersigned.

Sincerely,

Anthony Syhlonyk

Planner I

Planning and Development

Extension 5272

AS/cb



COMMENTS:

	We have reviewed the proposed Variance Application and have no comments or objections to its approval.
X	We have reviewed the proposed Variance Application and have no objections to its approval, subject to the following comments (attached below).
	We have reviewed the proposed Variance Application and have the following concerns (attached below).

Alectra Utilities (formerly PowerStream) has received and reviewed the proposed Variance Application. This review, however, does not imply any approval of the project or plan.

All proposed billboards, signs, and other structures associated with the project or plan must maintain minimum clearances to the existing overhead or underground electrical distribution system as specified by the applicable standards, codes and acts referenced.

In the event that construction commences, and the clearance between any component of the work/structure and the adjacent existing overhead and underground electrical distribution system violates the Occupational Health and Safety Act, the customer will be responsible for 100% of the costs associated with Alectra making the work area safe. All construction work will be required to stop until the safe limits of approach can be established.

In the event construction is completed, and the clearance between the constructed structure and the adjacent existing overhead and underground electrical distribution system violates the any of applicable standards, acts or codes referenced, the customer will be responsible for 100% of Alectra's cost for any relocation work.

References:

- Ontario Electrical Safety Code, latest edition (Clearance of Conductors from Buildings)
- Ontario Health and Safety Act, latest edition (Construction Protection)
- Ontario Building Code, latest edition (Clearance to Buildings)
- PowerStream (Construction Standard 03-1, 03-4), attached
- Canadian Standards Association, latest edition (Basic Clearances)

If more information is required, please contact either of the following:

Mr. Stephen Cranley, C.E.T Supervisor, Distribution Design, ICI **Phone**: 1-877-963-6900 ext. 31297

Fax: 905-532-4401

E-mail: stephen.cranley@alectrautilities.com

Mr. Tony D'Onofrio

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

Fax: 905-532-4401

Email: tony.donofrio@alectrautilities.com

Providence, Lenore

Subject:

FW: MVAR.19.V.0192 (A059/19) - 325 Vaughan Valley Blvd - Gemini Holdings Corp.

From: McMackin, Joseph <Joseph.McMackin@york.ca>

Sent: May-22-19 8:45 AM

To: Providence, Lenore < Lenore. Providence@vaughan.ca>

Cc: MacPherson, Adriana <Adriana.MacPherson@vaughan.ca>; Attwala, Pravina <Pravina.Attwala@vaughan.ca> **Subject:** MVAR.19.V.0192 (A059/19) - 325 Vaughan Valley Blvd - Gemini Holdings Corp.

Hi Lenore,

The Regional Municipality of York has completed its review of the above mentioned Minor Variance Application 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

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