



File: A070/19

Applicant: Gismondi Construction Limited

Address: 201 Millway Avenue, Unit #9, Concord

Agent: Joseph Mirabella

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"/>	
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: None.

Background History: None.



Minor Variance  
Application

Agenda Item: 15

A070/19

Ward: 4

Staff Report Prepared By: Lenore Providence, Assistant Secretary Treasurer

Date of Hearing:	Thursday, June 27, 2019
Applicant:	Gismondi Construction Limited
Agent:	Joseph Mirabella
Property:	201 Millway Avenue, Unit #9, Concord
Zoning:	The subject lands are zoned EM1 Prestige Employment Area under By-law 1-88 as amended.
OP Designation:	VOP 2010: "Prestige Employment"
Related Files:	None.
Purpose:	Relief from the by-law is being requested to permit a Building Supply Outlet (use) within Unit #9.

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

By-law Requirement	Proposal
A Building Supply Outlet is not a permitted use.	To permit a Building Supply Outlet as defined under Section 2.0 of the above-noted By-law.

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

Adjournment History: None.

Staff & Agency Comments

Please note that staff/agency comments received after the preparation of this Report will be provided as an addendum item to the Committee. Addendum items will shall only be received by the Secretary Treasurer until 4:00 p.m. on the last business day prior to the day of the scheduled Meeting.

Committee of Adjustment:  
Public notice was mailed on June 12, 2019

Applicant confirmed posting of signage on June 8, 2019

Property Information	
Existing Structures	Year Constructed
Building	2000

Applicant has advised that they cannot comply with By-law for the following reason(s): We require Building Supply Outlet as a permitted use in order to comply to zoning provision for this already established and active business for over 20 Years.

Adjournment Request:  
None.

Building Standards (Zoning Review):  
Stop Work Order(s) and Order(s) to Comply: N/A

If approved a building permit would be required for the interior alteration of the unit.

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

Building Inspections (Septic):  
No comments or concerns

**Development Planning:**  
VOP 2010: "Prestige Employment"

The Owner is requesting permission to continue to operate a Building Supply Outlet in Unit 9 of the existing multi-unit building on the subject lands and to facilitate interior alterations, with the above noted variance. The use is wholly contained within the existing unit with no outdoor storage. The existing building contains 28 units comprising of primarily employment uses and limited commercial uses.

A Building Supply Outlet is a permitted use in the “EM2 General Employment Zone”; however, is not permitted in an “EM1 Prestige Employment Zone”, which the subject lands are zoned.

The existing use is within a unit having a ground floor area of 180.6 m2 with a mezzanine area measuring approximately 60 m2 that is not currently counted towards the gross floor area (GFA). The ground floor is comprised of a 108.4 m2 (60%) warehouse area not accessible to the public and a 71.6 m2 (40%) product demonstration area with accessory sales.

The Owner proposes to convert the mezzanine area into an enclosed office/conference space, which is permitted in the EM1 Zone, which will then increase the total GFA of the unit to 240.6 m2. The Owner also proposes to expand the product demonstration and sales area to 94.3 m2 (39.2% of the total GFA of the unit, which is roughly the same GFA composition as existing).

The EM1 Zone permits accessory retail up to 49% of a unit. With the proposed interior alterations, the Building Supply Outlet use will maintain an accessory retail component that is less than 49% of the unit, and is compatible with the surrounding employment area, while providing ancillary retail that serves the business functions of the employment area. The majority of the uses on the subject lands are being maintained as employment.

The Development Planning Department has no objection to the continued use of the Building Supply Outlet and proposed interior alteration, and 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, provided that the accessory retail sales component is limited to 40% of the total GFA of Unit 9, as shown on the floor plans submitted with this application.

**Cultural Heritage (Urban Design):**  
There are no cultural heritage concerns for this application.

**Development Engineering:**  
The Development Engineering (DE) Department does not object to variance application A070/19.

**Parks Development:**  
No Response.

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

**Financial Planning and Development Finance:**  
No comment no concerns

**Fire Department:**  
A building permit will be required.

**Schedule A – Plans & Sketches**

**Schedule B – Public Correspondence**  
Condo Corporation Authorization.

**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.

**Please Note:**

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

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

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

**Conditions**

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

## Notice to the Applicant – Development Charges

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

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

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

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

## Notice to Public

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

Written submissions can be mailed and/or emailed to:

City of Vaughan  
Committee of Adjustment  
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1  
[CofA@vaughan.ca](mailto:CofA@vaughan.ca)

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

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

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

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

T 905 832 8585 Extension 8394  
E [CofA@vaughan.ca](mailto:CofA@vaughan.ca)

Schedule A: Plans & Sketches

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

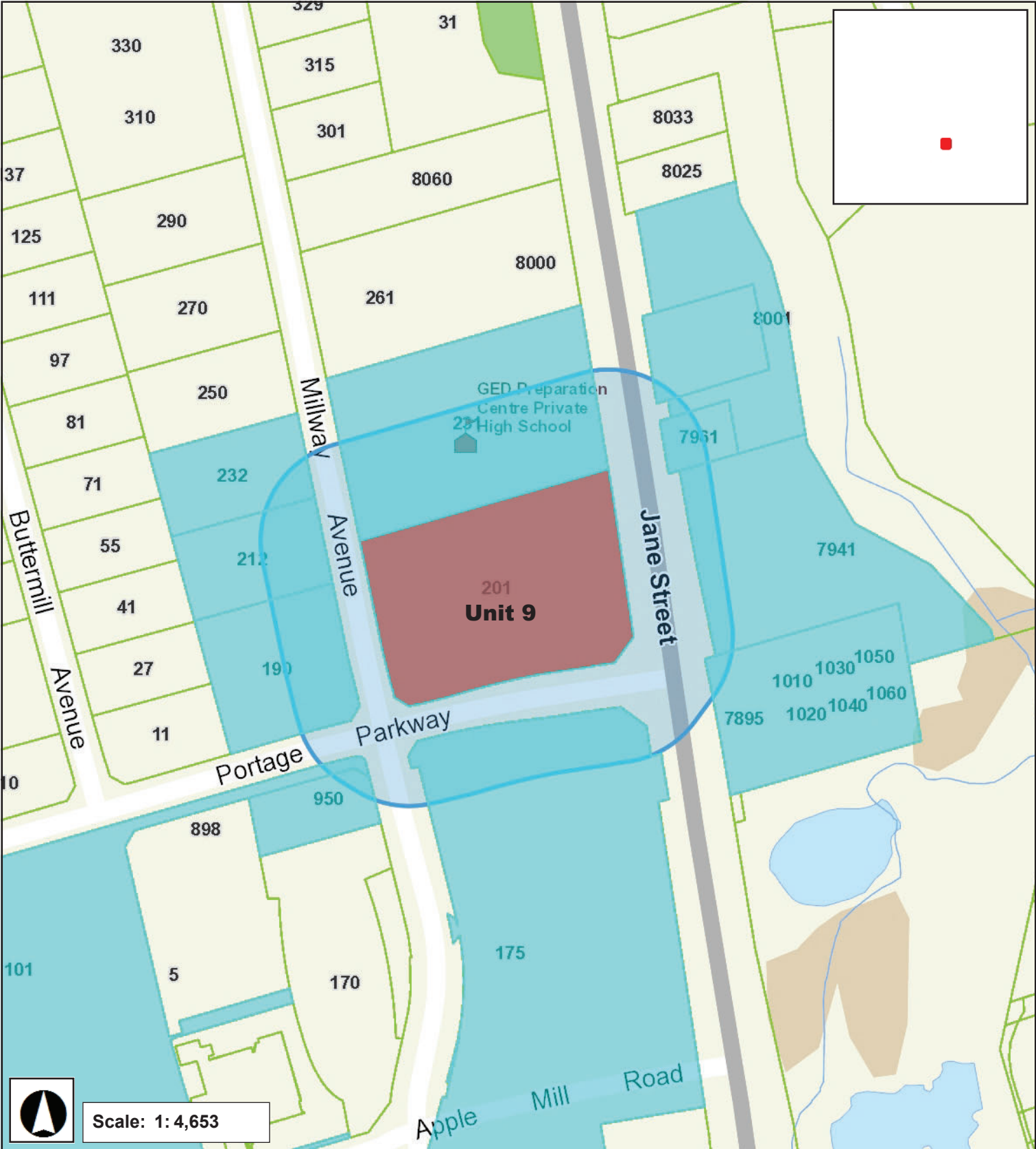
Location Map  
Sketches



LOCATION MAP - A070/19

201 MILLWAY AVENUE, UNIT 9, CONCORD

Langstaff Road



Highway 7

June 11, 2019 12:49 PM







DATE: 4/11/18

# HILTI STORE CONCORD

201 MILLWAY AVE. UNIT #9  
VAUGHAN, ON L4K 5K8

**DOUG DEAN**  
**PROJECT MANAGER**  
5400 SOUTH 122ND EAST AVENUE  
TULSA, OK 74146  
PHONE: 918-872-3872  
CELLULAR: 918-8-19-2877  
EMAIL: DOUGLAS.DEAN@HILTI.COM

A.F.F.  
GA.  
ABOVE FINISH FLOOR  
GAUGE

## C500 COVER SHEET

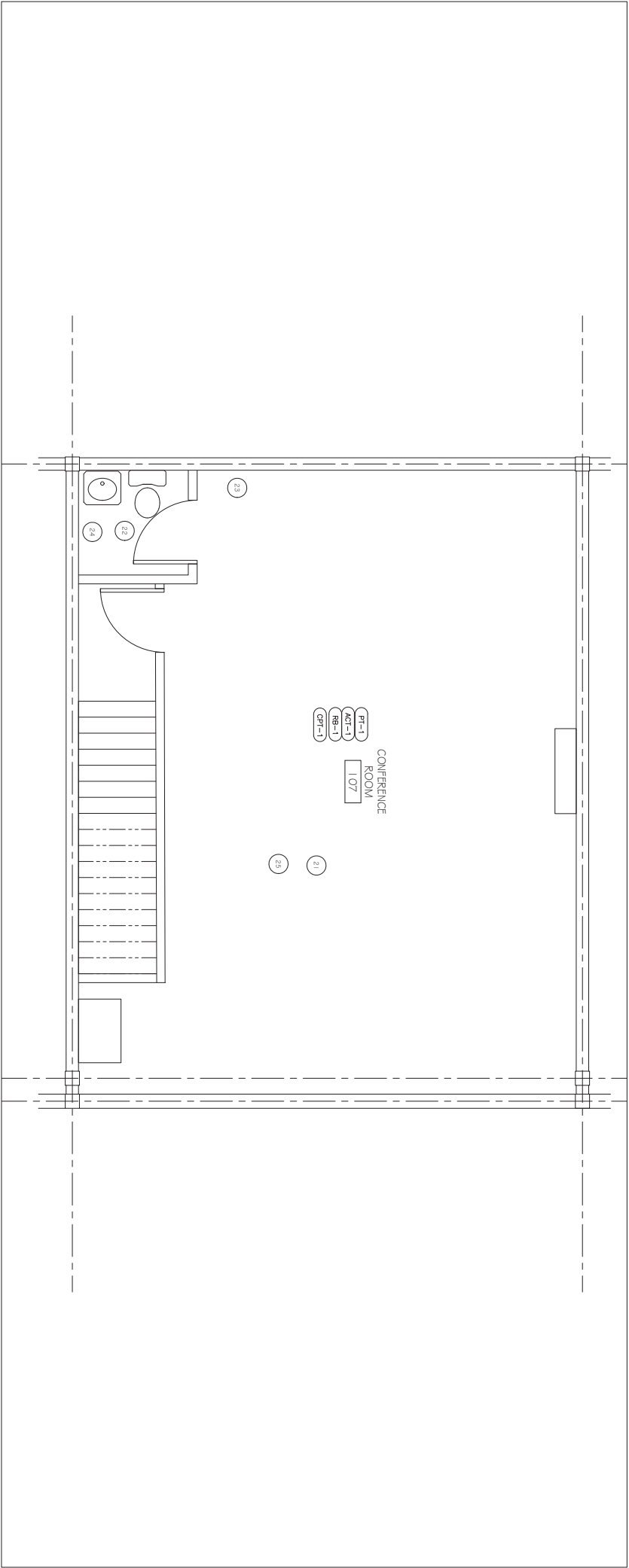
- |  |                          |
|--|--------------------------|
|  | BREAK LINE               |
|  | CEILING HEIGHT           |
|  | CENTERLINE               |
|  | COLUMN INDICATOR         |
|  | DETAIL CALLOUT           |
|  | DOOR NUMBER              |
|  | INTERIOR ELEVATION       |
|  | SECTION MARKER           |
|  | FLOOR FINISH INDICATOR   |
|  | PARTITION TYPE INDICATOR |
|  | REVISION TRIANGLE        |
|  | ROOM NAME AND NUMBER     |
|  | WINDOW INDICATOR         |

C500	COVER SHEET
A101	DEMO PLAN, DETAILS NOTES AND LEGENDS
A201	PROPOSED FLOOR, DETAILS NOTES AND LEGENDS
A301	PROPOSED 2ND FLOOR, DETAILS NOTES AND LEGENDS
A501	PROPOSED MERCHANDISING PLAN DETAILS, NOTES AND LEGENDS
E101	HORIZONTAL STUD DETAIL FOR MERCHANDISE FIXTURES
M101	ELECTRICAL PLAN, DETAILS, NOTES AND LEGENDS
	MECHANICAL

---







- LEGEND
- EXISTING INTERIOR PARTITION
  - EXISTING EXTERIOR PARTITION
  - NEW INTERIOR WALL

- FINISH FLOOR PLAN NOTES
1. ALL FLOOR FINISHES TO BE INSTALLED AND FINISHED AS PER MANUFACTURER'S RECOMMENDATIONS PRIOR TO INSTALLATION OF ANY FLOOR COVERING.
  2. FLOOR COVERING TO BE INSTALLED AT ALL FLOOR COVERING TRANSITIONS.
  3. CONTRACTOR TO PROVIDE A 4" COVE BASE IN ALL ROOMS UNLESS INDICATED OTHERWISE.

- 21. CONTRACTOR TO PATCH/PAINT ALL WALLS.
- 22. CONTRACTOR TO INSULATE RESTROOM WALLS OR ALTERNATE METHOD OF SOUND DAMPENING.
- 23. ALL RECEPTACLE, LIGHTING, AND DATA/VOICE COVERS TO BE WHITE.
- 24. RESTROOM FINISHES TO STAY AS-IS. PAINT WALLS AS ROOM FINISH SCHEDULE STATES. FIX OR REPLACE ANY DEFICIENT RESTROOM FINISHED AND ACCESSORIES.
- 25. CONTRACTOR TO REPLACE ALL CEILING TILES AND CONNECT T-GRID DEVICES.

PROPOSED FLOOR PLAN  
SCALE: 1/8"=1'-0"

PROPOSED  
FLOOR PLAN,  
NOTES & LEGENDS

REVISIONS		
NO.	DATE	DESCRIPTION

HILTI STORE  
CONCORD  
201 MILLWAY AVE  
UNIT #9  
VAUGHAN, ON L4K5K8

5400 S. 122ND EAST AVE.  
TULSA, OK 74146

PHONE: (918) 252-6000; FAX: (918) 254-0522

PROJECT NO.:

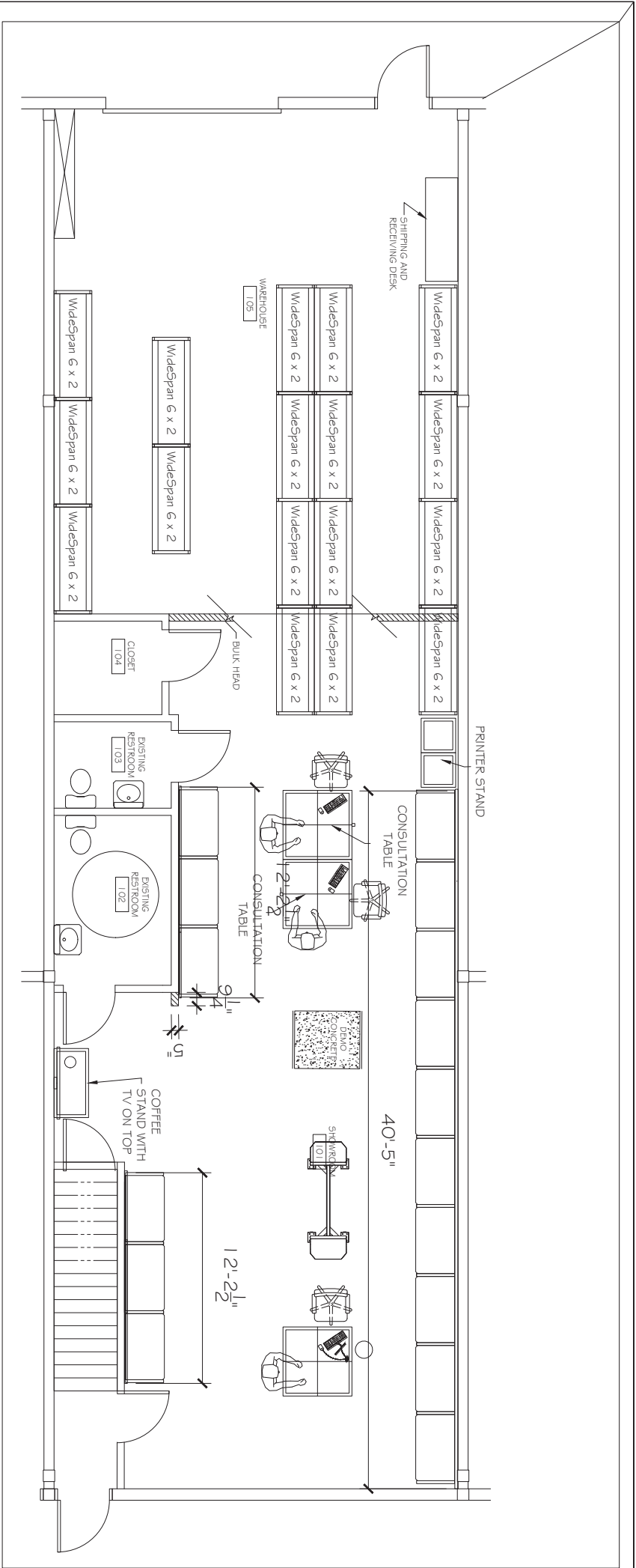
DATE: 04/09/18

DESIGNED BY: D.B.

CHECKED BY: -

SHEET NAME: A301





MERCHANDISING PLAN NOTES



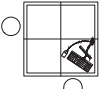
NORTH



TYPICAL 48' LONG CORNER RACKING INSTALLED BY HILTI.



CONTRACTOR TO INSTALL NEW LIGHT DUTY RACKING,  
PROVIDED AND SHIPPED TO SITE BY HILTI.



SALES KIOSK TO BE INSTALLED BY HILTI TEAM.  
CONTRACTOR'S ELECTRICIAN IS TO COMPLETE POWER RUN  
THROUGH SQUARE TUBING THAT COMES WITH THE KIOSK.

FIXTURE PLAN NOTES

1. ALL MERCHANDISE FIXTURES TO BE PROVIDED AND INSTALLED BY HILTI UNLESS STATED OTHERWISE
2. LIGHT DUTY RACKING SUPPLIED BY HILTI AND INSTALLED BY GENERAL CONTRACTOR

1. MERCHANDISING PLAN  
2. ALSO SEE PART 09

SHEET DETAIL:

MERCHANDISING PLAN  
ROOM FINISH  
SCHEDULE  
NOTES & LEGENDS

REVISIONS		
NO.	DATE	DESCRIPTION

HILTI STORE  
CONCORD  
201 MILLWAY AVE  
UNIT #9  
VAUGHAN, ON L4K5K8



5400 S. 122ND EAST AVE.  
TULSA, OK 74146  
PHONE: (918) 252-6000; FAX: (918) 254-0522

PROJECT NO:

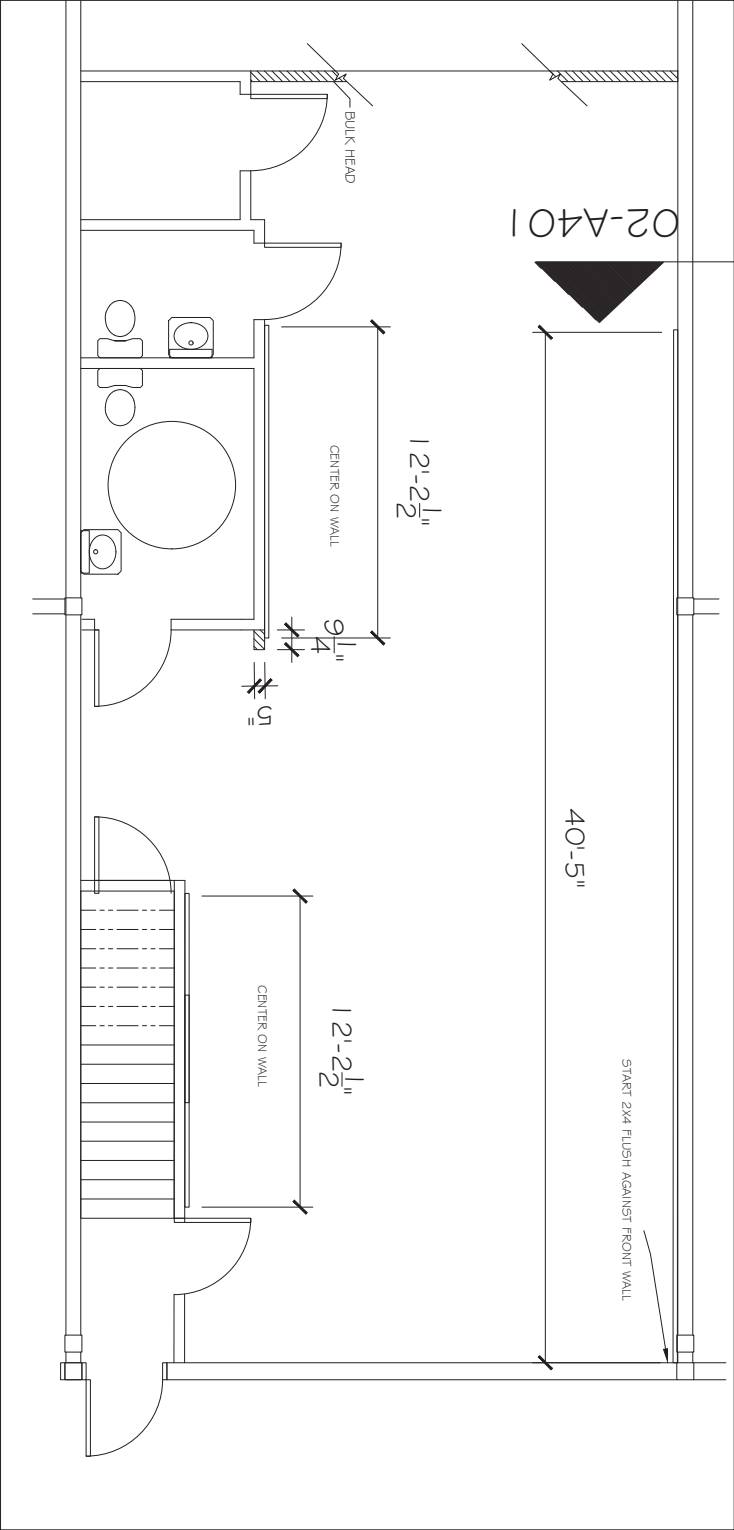
DRAWN BY: DO

CHECKED BY: -

DATE: 04/09/18

SHEET NAME:

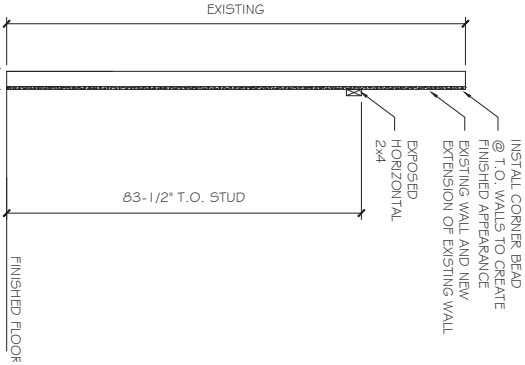
A401



NORTH

2x4 STRAIGHT WOOD STUDS MOUNTED  
@ 83-1/2" A.F.F. PLUMB WHITTI  
MECHANICAL ANCHORS.

1 2x4 HORIZONTAL STUD DIMENSIONS  
1/4" SCALE 3/8"=1'-0"



2 2x4 HORIZONTAL STUD ELEVATION  
1/4" SCALE 3/8"=1'-0"

SHEET DETAIL:

MERCHANDISING  
EXPOSED 2x4  
DETAILS  
NOTES & LEGENDS

REVISIONS

NO.	DATE	DESCRIPTION

HILTI STORE  
CONCORD  
201 MILLWAY AVE  
UNIT #9  
VAUGHAN, ON L4K5K8



5400 S. 122ND EAST AVE.  
TULSA, OK 74146

PHONE: (918) 252-6000; FAX: (918) 254-0522

PROJECT NO.:

DRAWN BY: D.D.

CHECKED BY: -

DATE:

SHEET NAME:

A501



HILTI

5400 S. 122ND EAST AVE.  
TULSA, OK 74146  
PHONE: (918) 252-6000; FAX: (918) 254-0522

HILTI STORE  
CONCORD  
201 MILLWAY AVE  
UNIT #9  
VAUGHAN, ON L4K5K8

REVISIONS		
NO	DATE	DESCRIPTION

SHEET DETAIL:

MECHANICAL PLAN

PROJECT NO.:

DRAWN BY: D.D.

CHECKED BY: -

DATE: 04/09/18

SHEET NAME: M101

9

9

CONTRACTOR TO SUPPLY HVAC  
ALTERATIONS/ADDITIONS  
FOR RETAIL STORE, MARKETING WORKSHOP,  
CONFERENCE ROOM, HALL, AND RESTROOM AREAS

CONTRACTOR TO DELIVER SYSTEM IN BALANCED,  
GOOD WORKING CONDITION. CONTRACTOR IS TO VERIFY  
ALL SITE AND EQUIPMENT CONDITIONS, ETC.

ALL EXHAUST AND PLUMBING VENTILATION BY CONTRACTOR.

THERMOSTAT(S) TO BE PROGRAMMABLE  
AND RELOCATE TO AVOID ANY FIXTURES, ETC.

SPRINKLER DIAGRAM PROVIDED BY CONTRACTOR  
IF EXISTING OR REQUIRED.  
CONTRACTOR TO RE-DISTRIBUTE SPRINKLER SYSTEM  
AS REQUIRED BY CODE

CONTRACTOR TO PERFORM A PREVENTATIVE MAINTENANCE  
SERVICE ON ALL MECHANICAL EQUIPMENT  
INCLUDES NEW BELTS, FILTERS, ETC.

CLEAN ALL SUPPLY AND RETURN AIR VENTS/FILTERS

HVAC PLAN LEGEND

 EXHAUST AIR DUCT - REF. ABOVE

 SUPPLY AIR DUCT - REF. ABOVE

 PROGRAMMABLE THERMOSTAT

 EXHAUST FAN

 WALL-MOUNTED 100 ABC FIRE EXTINGUISHER

HVAC PLAN NOTES

1. CONTRACTOR TO SUPPLY AND INSTALL MINI SPLIT UNIT IN 2ND FLOOR OFFICE AREA.
2. CONTRACTOR TO SUPPLY AND INSTALL NEW EXHAUST FAN IN 2ND FLOOR RESTROOM



**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.

**Condo Corporation Authorization.**



## Argo Property Management Ltd.

603 Millway Avenue, Unit 19  
Concord, ON L4K 3V1

Tel 905 761 7635  
Fax 905 761 7643

Toll free 1 866 533 ARGO  
www.argoproperty.ca

*Managing agents of:*  
**YORK REGION CONDOMINIUM CORPORATION NO. 945**  
**201 MILLWAY AVENUE**

May 16, 2019

Vaughan City Hall  
2141 Major Mackenzie Dr.  
Vaughan, ON L6A 1T1

To Whom it may concern:

Dear Sir or Madam:

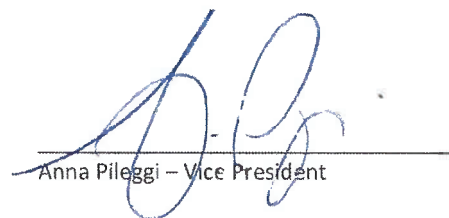
On behalf of the board of directors of York Region Condominium Corporation No. 945 and unit 9 located at 201 Millway Avenue, Vaughan. We are aware that unit 9 (Hilti) may be in the process of requesting permission from City of Vaughan for a Minor Variance adjustment to change the zoning in order to allow their operations as they have for the last 19 years at unit 9 located at 201 Millway Avenue, Vaughan.

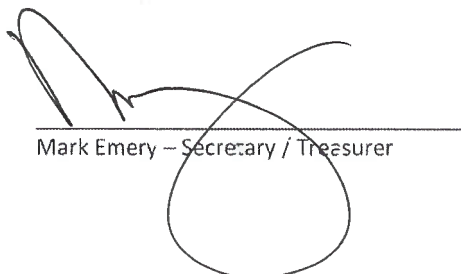
We the board of directors of York Region Condominium Corporation No. 945 have no objection to the above noted proposed request.

If you require further clarification or more information, please contact the management office noted above.

Sincerely,  
The board of directors of  
*For and on behalf of York Region Condominium Corporation No. 945*

  
Lia Cutrara – President

  
Anna Pileggi – Vice President

  
Mark Emery – Secretary / Treasurer

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**



COMMENTS:

☐

We have reviewed the proposed Variance Application and have no comments or objections to its approval.

☒

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

☐

We have reviewed the proposed Variance Application and have the following concerns (attached below).

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

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

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

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

References:

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

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

Mr. Stephen Cranley, C.E.T  
Supervisor, Distribution Design, ICI  
**Phone:** 1-877-963-6900 ext. 31297  
**Fax:** 905-532-4401  
**E-mail:** [stephen.cranley@alectrautilities.com](mailto:stephen.cranley@alectrautilities.com)

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



Providence, Lenore

---

**Subject:** FW: A070/19 - REQUEST FOR COMMENTS (Vaughan - Committee of Adjustment)  
**Attachments:** A070-19 - CIRCULATION2.pdf

**From:** Wong, Tiffany <Tiffany.Wong@york.ca>

**Sent:** June-06-19 10:39 AM

**To:** Providence, Lenore <Lenore.Providence@vaughan.ca>  
**Subject:** FW: A070/19 - REQUEST FOR COMMENTS (Vaughan - Committee of Adjustment)

Hello Lenore,

The Regional Municipality of York has completed its review of the above Minor Variance Application-A070-19 (201 Millway Avenue) and has **no comments**. Please feel free to e-mail me in regards to any questions or concerns.

Thank you,

**Tiffany Wong, B.E.S.** | Associate Planner, Programs and Process Improvement,  
Planning and Economic Development, Corporate Services

---

The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1  
1-877-464-9675 ext. 71521 | [tiffany.wong@york.ca](mailto:tiffany.wong@york.ca) | [www.york.ca](http://www.york.ca)

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



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