

October 26, 2020

Brandon Correia  
City of Vaughan  
2141 Major Mackenzie Drive  
Vaughan, Ontario  
L6A 1T1

Dear Mr. Correia:

**RE: CITY OF VAUGHAN ZONING BY-LAW REVIEW – THIRD DRAFT  
THIRD COMMENT LETTER – HOME DEPOT OF CANADA INC.  
55 CITYVIEW BOULEVARD, VAUGHAN  
OUR FILE: 9316HA-11**

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On behalf of our client, Home Depot of Canada Inc. (hereinafter “Home Depot”), we have reviewed the most recent City of Vaughan proposed Third Draft of the Comprehensive Zoning By-law in the context of our client’s lands located at 55 Cityview Boulevard (“the subject lands”).

On August 14, 2019, and February 19, 2020, we submitted comments in relation to the subject lands proposed first draft and second draft Zoning By-laws respectively. Based on our review of the current Third Draft Zoning By-law, we understand that the subject lands are proposed to be rezoned to “Employment Commercial Mixed Use (EMU)”, and subject to “Site-Specific Exception Number 865” (which is new since the previous two draft Zoning By-laws, a copy of which has been enclosed with this letter for convenience).

On this basis, and while we appreciate the City’s efforts to recognize our client’s lands through the noted site-specific exception, we still have the following comments for the City’s consideration and clarification in this respect:

1. Firstly – there are a few erroneous references with respect to [Figure E-1347](#) (which is the correct schedule that has been included with this site-specific exception), as follows:
  - Section 14.865.1.1 (i.e. permitted uses) of the site-specific exception makes reference to “Figure E-1374”;
  - Section 14.865.1.2 (i.e. accessory uses) of the site-specific exception makes reference to “Figure E-1346”;
  - Section 14.865.2.1 (i.e. lot and building requirements) of the site-specific exception also makes reference to “Figure E-1346”; and
  - Section 14.865.3.1 (i.e. parking) of the site-specific exception makes reference to “Figure E-1344”.

These erroneous references should all be corrected to accurately reference “Figure E-1347” accordingly, and to err on the side of caution, the City should check all other Figure references in this site-specific exception (even those that do not apply to the subject lands).

2. Throughout Site-Specific Exception Number 865, there are several references to “Street A”, which actually applies to “Cityview Boulevard”. As such, all references to Street A should be replaced with Cityview Boulevard accordingly, which is also consistent with the streets and road labeled on Figure E-1347 of the site-specific exception.
3. Section 14.865.1.1 (i.e. permitted uses) of Site-Specific Exception Number 865 should be revised to add “**Garden Centre**”, “**Outdoor Display Area**” and “**Outside Storage**” to the permitted uses list, given that these uses are recognized and defined in the Third Draft Zoning By-law, and that Home Depot operates portions of its store for garden centre, outdoor display area and outside storage purposes. This would ensure that the existing Home Depot garden centre, outdoor display area and outside storage components of the store operations are each permitted on the subject lands as-of-right by the Zoning By-law.

In addition, enclosed with this letter please find two (2) Minor Variance Decisions that have been approved for the subject lands on April 10, 2014 (City File No. A170/09), and April 16, 2015 (City File No. A107/15) respectively, each of which permits the following with respect to outdoor display area and outside storage permissions:

- To permit outdoor display and sales areas as shown on the sketch enclosed with the decision (see April 10, 2014 Decision); and
- To permit outdoor storage of gas bottle racks within the existing parking area (see April 16, 2015 Decision).

On this basis, the request to include outdoor display area and outside storage as part of the as-of-right permitted uses within Section 14.865.1.1 of Site-Specific Exception Number 865 serves to implement the existing minor variance approvals in place for the subject lands with respect to these two land uses.

4. We request that the following language in **bold** be added to Section 14.865.2.1 (i.e. lot and building requirements) of Site-Specific Exception Number 865:

*“**Notwithstanding the provisions of Sections 4.24.2 and 8.2.2 of this By-law, the following provisions shall apply to the lands labelled “C2” on Figure E-1346:**”*

Inclusion of this “notwithstanding” language serves to prevent the existing Home Depot store from being subject to other restrictive provisions of Third Draft Zoning By-law, which would potentially cause Home Depot to become a legal non-conforming use, and these include (but are not limited to) the following zoning provisions:

- Required 45 degree angular plane in Section 8.2.2
- New minimum landscape open space of 10% in Section 8.2.2
- New required build-to-zone of 5-10m in Section 8.2.2
- New minimum required build-to-line for corner lots of 55% in Section 8.2.2
- Surface parking prohibition in all yards in Section 8.2.2
- Enclosed Waste Storage in Section 4.24.2

5. Section 14.865.2.1.f.i ((i.e. lot and building requirements) should be revised to read as follows with respect to the permitted maximum building height (proposed revision is shown in **bold** below):

*f. The maximum building height shall be:*

*i. **11.3 m** for a commercial or retail use.*

This requested revision is also based on the enclosed April 10, 2014 Minor Variance Decision for the subject lands, which permits a maximum building height of 11.3 metres, not 11 metres as per the current wording in Site-Specific Exception Number 865. As such, this revision implements the existing minor variance approval in place for the subject lands with respect to maximum building height.

6. Section 14.865.3.2 (i.e. parking/loading) of Site-Specific Exception Number 865 should be revised to add the following site-specific provision (or similar) to read as follows with respect to loading permissions:

***“Notwithstanding the provisions of this Zoning By-law, loading and unloading shall be permitted to take place between a building and Highway 400 for the lands municipally addressed as 55 Cityview Boulevard.”***

The basis for this request is also the attached April 10, 2014 Minor Variance Decision for the subject lands, which granted approval to permit loading and unloading as described above. As such, inclusion of this language (or similar) would recognize and implement the existing loading/unloading permissions already in place for the subject lands.

7. It is requested that Section 14.865.3 (i.e. parking) of Site-Specific Exception Number 865 be revised to add the following two (2) provisions and exceptions (or similar) with respect to vehicular and bicycle parking in association with the subject lands:

- ***“Notwithstanding the provisions of this Zoning By-law, the minimum number of parking spaces required for the lands municipally addressed as 55 Cityview Boulevard shall be provided at a rate of 3.5 parking spaces/100m<sup>2</sup> of gross floor area.”***

Please be advised that this requested revision reflects the approved minimum parking rate for this site (i.e. 3.5 spaces/100 m<sup>2</sup>) as granted by the attached April 10, 2014 Minor Variance Decision for the subject lands.

- ***“Notwithstanding Section 6.5 of this Zoning By-law, no bicycle parking spaces shall be required for the lands municipally addressed as 55 Cityview Boulevard”.***

Provision of these two (2) additional provisions to Site-Specific Exception Number 865 (or similar) avoids the current Home Depot site from becoming a legal non-conforming use relative to the vehicular and bicycle parking requirements of the proposed Third Draft Zoning By-law.

In addition, bicycle parking is not typically associated with a use such as Home Depot whereby bulky and heavy goods are common (and not feasible to transport via bicycle), and thus the request to be exempt from these rates altogether.

As per our previous two comment submission letters and as described above, we wish to reiterate the fact that the subject lands have existing permissions which should be contained within the new Zoning By-law in their entirety. There should be no removal of these permissions, nor should there be any additional restrictions placed on the subject lands which would unduly and unnecessarily impact or impede Home Depot's operations (which could potentially cause Home Depot to become a legal non-conforming use).

Based on the above, we would appreciate that the City addresses these comments prior to formal adoption of the proposed Third Draft Zoning By-law at City Council.

Should you any further questions please do not hesitate to contact the undersigned.

Yours truly,

**MHBC**



David A. McKay, MSc, MLAI, MCIP, RPP  
Vice President and Partner



Andrew Palumbo, HBA, MCIP, RPP  
Associate

cc.: *Kimberly Koenig, Home Depot of Canada Inc.*

**14.865**

<b>Exception Number 865</b>	<b>Legal Description: 11-147 Argento Crescent, 11-93 Trudeau Drive, 170-232 Retreat Boulevard, 1-86 Orion Avenue, 1-98 Manordale Crescent, 3420-3560 Major Mackenzie Drive West, 55-277 Cityview Boulevard</b>
<b>Applicable Parent Zone: EM1, EMU, OS1, R3, R4, R5, RT, U</b>	
<b>Schedule A Reference: 164, 183</b>	<b>Figure E Link (if applicable)</b>
<b>By-law / Tribunal Decision Reference</b>	<b>Figure T Link (if applicable)</b>
14.865.1 Permitted Uses	
<p>1. The following additional uses shall be permitted in the area labelled “C2” on Figure E-1374:</p> <ul style="list-style-type: none"><li>a. Business service;</li><li>b. Clinic;</li><li>c. Employment use;</li><li>d. Financial institution;</li><li>e. Health and fitness centre;</li><li>f. Hospital;</li><li>g. Laboratory;</li><li>h. Nursing home;</li><li>i. Office building;</li><li>j. Personal service;</li><li>k. Pharmacy;</li><li>l. Restaurant;</li><li>m. Retail;</li><li>n. Service and repair shop; and,</li><li>o. Veterinary clinic, provided that all boarding of animals is within a wholly enclosed building.</li></ul>	

2. The following additional accessory uses shall be permitted in the area labelled “C2” on Figure E-1346:
  - a. Drive-through, accessory to a financial institution, pharmacy or restaurant; and,
  - b. Outdoor patio, accessory to a restaurant.
3. A drive-through is permitted subject to the provisions of this by-law and shall not be located between a building and abutting Street “A.”

#### 14.865.2 Lot and Building Requirements

1. The following provisions shall apply to the lands labelled “C2” on Figure E-1346:
  - a. The minimum building setback to Highway 400 for all above and below grade structures shall be 14.0 m;
  - b. The minimum setback to Street “A” shall be 10.0 m;
  - c. The minimum setback to Major Mackenzie Drive shall be 6.0 m;
  - d. The minimum rear yard shall be 6.0 m;
  - e. The maximum lot coverage shall be 60%;
  - f. The maximum building height shall be:
    - i. 11.0 m for a commercial or retail use; and
    - ii. 15.0 m for an employment use.
  - g. The minimum setback from any Residential Zone shall be 20.0 m;
  - h. The minimum required setback from a noise attenuation feature (i.e. fence, berm etc.) to Highway 400 shall be 0.3 m;
  - i. The minimum width of a landscape strip shall be:
    - i. 9.0m abutting Highway 400;
    - ii. 6.0 m abutting Major Mackenzie Drive; and,
    - iii. 6.0 m abutting Street “A”.
2. The minimum setbacks in an EM1 Zone shall be:
  - a. 14.0 m from Highway 400; and,

- b. 10.0 m from Street "A."
3. The maximum interior garage width may be increased on a lot with a frontage less than 11.0 m provided the increased width shall:
    - a. Only occur on an interior wall;
    - b. Have a maximum width of 1.8 m; and,
    - c. Not occur within the first 1.2 m immediately behind the garage door.
  4. The maximum number of townhouse in a row on Blocks 1 and 2 shall be 7.
  5. The minimum interior side yard setback to a door that provides access to the dwelling or an attached garage may be reduced to 1.2 m provided that no stairs or risers used to access the door are located within the minimum required yard.
  6. The minimum interior or exterior yard requirement in a Residential Zone may be reduced to 3.0 m where it abutting a greenway as shown on Figure E-1347.
  7. The following provisions shall apply to a single detached dwelling in the area shown as "RS1" on Figure E-1347:
    - a. The minimum lot frontage shall be 7.5 m;
    - b. The minimum lot area shall be 202.0 m<sup>2</sup>;
    - c. The minimum front yard shall be 4.5 m;
      - i. The minimum front yard setback to an attached garage facing a lot line shall be 6.0 m.
    - d. The minimum rear yard shall be 7.5 m;
    - e. The minimum interior side yard shall be 1.2 m;
      - i. The minimum interior side yard on a lot abutting a non-residential use, including a walkway, greenway, and buffer block or stormwater management pond, shall be 3.5 m; and,
      - ii. The minimum interior side yard setback on one side may be reduced to 0.45 m, where it abuts a minimum yard of 1.2 m, except where it abuts a non-residential use, including a greenway, walkway, buffer block or stormwater management pond.
    - f. The minimum exterior side yard shall be 4.5 m;

i. The minimum exterior side yard setback to an attached garage facing a lot line shall be 6.0 m.

g. The minimum lot depth shall be 27.0 m; and,

h. The maximum building height shall be 2 storeys and 9.5 m.

#### 14.865.3 Parking

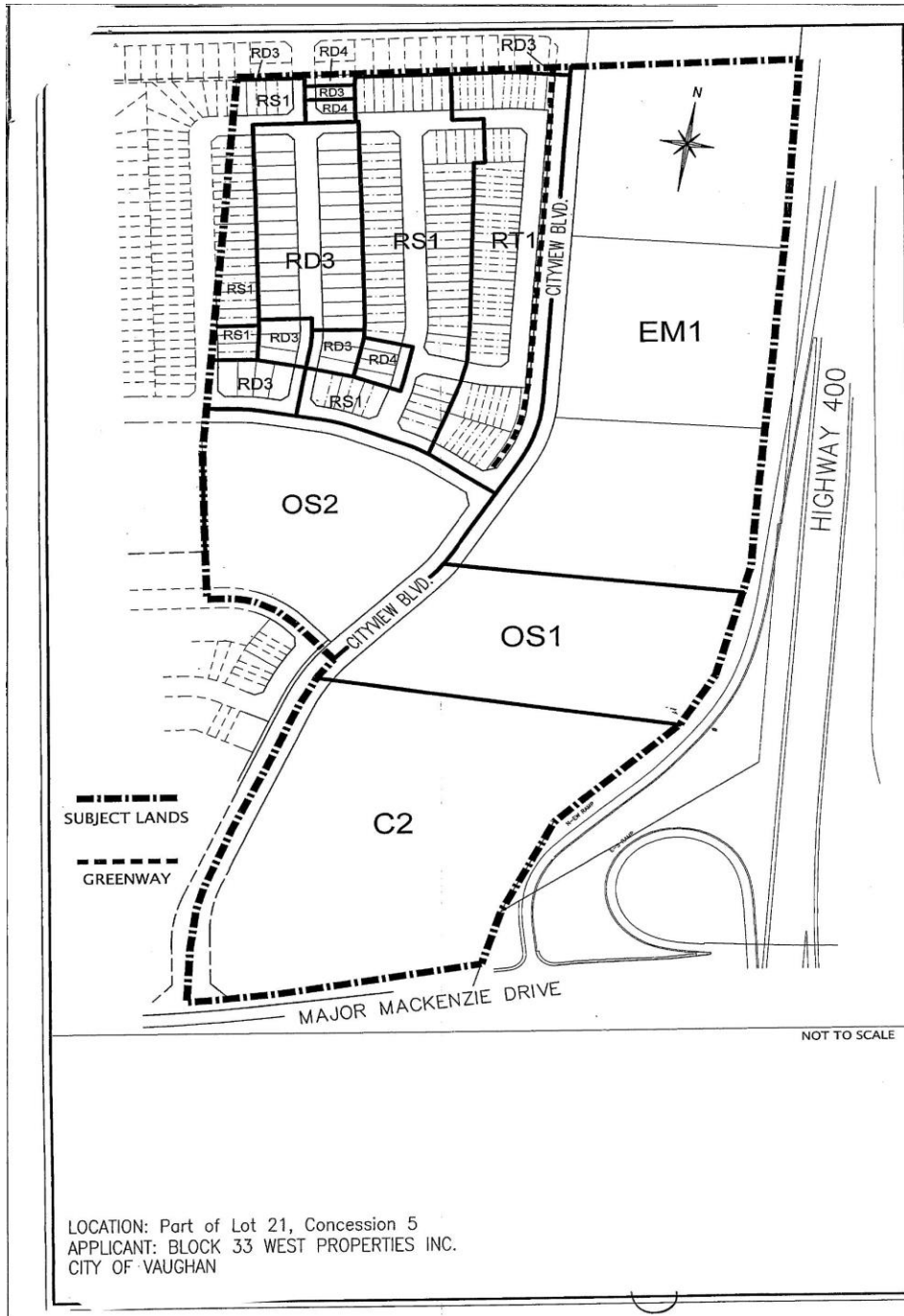
1. Parking in the labelled “C2” on Figure E-1344 shall be provided in accordance with Section 6 of this by-law except where a building or a unified group of buildings is designed, developed and managed as a single operating unit, for which parking is provided in common off-street areas, in which case it shall be treated as a shopping centre and the minimum number of required parking spaces shall be calculated at a rate of 6.0 parking spaces per 100.0 m<sup>2</sup> of gross floor area.
2. Loading and unloading shall take place anywhere on the lot except between a building and abutting Highway 400 a building and abutting Street “A” or a building and abutting Major Mackenzie Drive.
3. The minimum number of parking spaces per single detached dwelling in the area labelled “RS1” on Figure E-1347 shall be 2.
4. No garage shall project into the front yard or exterior yard more than 1.0 m beyond the most distant point of any wall of the dwelling facing the street at the ground floor level and a maximum of 2.0 m where there is a covered and unenclosed porch or a covered and enclosed porch.

#### 14.865.4 Other Provisions

1. On a corner lot, where the garage faces the front lot line, the most distant point of any wall facing the street shall not include any part of the wall forming part of the flankage elevation of the dwelling.
2. For the purposes of Subsection 14.1221.2, a greenway shall mean a strip of land abutting a public highway (Street “A”) used for the purpose of a landscaped area and allowing vehicular access to a public highway. A greenway shall not form part of a public highway and is not a reserve.



Figure E-1347



LOCATION: Part of Lot 21, Concession 5  
APPLICANT: BLOCK 33 WEST PROPERTIES INC.  
CITY OF VAUGHAN

# NOTICE OF DECISION

## MINOR VARIANCES

**FILE NUMBER:** A170/09

**APPLICANT:** HOME DEPOT HOLDINGS INC.

**PROPERTY:** Part of Lot 21, Concession 5 (Lot 64, Registered Plan 65M-3885) municipally known as 55 Cityview Blvd., Woodbridge

**ZONING:** The subject lands are zoned C2, General Commercial Zone and subject to the provisions of Exception 9(1221) under By-law 1-88 as amended.

**PURPOSE:** To permit the construction of a Home Depot store and retail building, as follows:

**PROPOSAL:**

1. To permit a building height of 11.3 metres.
2. To permit a minimum of 3.5 parking spaces / 100m<sup>2</sup> of gross floor area for all uses on the subject lands.
3. To permit loading and unloading between a building and Hwy 400.
4. To permit outdoor display and sales areas as shown on the attached sketch.

**BY-LAW REQUIREMENT:**

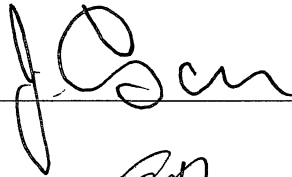
1. A maximum building height of 11.0 metres is permitted.
2. A minimum of 6.0 parking spaces / 100m<sup>2</sup> of gross floor area is required.
3. Loading and unloading shall not be permitted between a building and Hwy 400.
4. Outdoor display and sales is not permitted.

**BACKGROUND INFORMATION:** Other Planning Act Applications  
The land which is the subject in this application was also the subject of another application under the Planning Act:

B009/09 - APPROVED August 15, 2013 - creation of a lot and easement in favour of the lands to the north.  
B010/09 - APPROVED August 15, 2013 - easement in favour of the lands to the south.  
A025/09 - APPROVED August 15, 2013 - to permit shared access with the lands to the south.  
A169/09 - APPROVED August 15, 2013 - to permit shared access with the lands to the north.  
Site Plan Application DA.08.001 - currently under review.

Sketches are attached illustrating the request.

**MOVED BY:** \_\_\_\_\_



**SECONDED BY:** \_\_\_\_\_



THAT the Committee is of the opinion that the variances sought, can be considered minor and are desirable for the appropriate development and use of the land. The general intent and purpose of the By-law and the Official Plan will be maintained.

THAT Application No. **A170/09, HOME DEPOT HOLDINGS INC.**, be **APPROVED**, in accordance with the sketches attached and subject to the following conditions:

1. That the associated Site Development Application DA.08.001 be approved by Vaughan Council, if required to the satisfaction of the Development Planning Department;
2. That if the condition(s) listed above is/are not fulfilled and the Building Permit is not applied for within twelve (12) months of the date this decision becomes final and binding, the said decision shall expire and shall be deemed to have been annulled and rescinded by the Committee. **(PLEASE NOTE THAT THIS TIME PERIOD CANNOT BE EXTENDED IN ANY WAY, FAILURE TO MEET THIS DEADLINE WILL RESULT IN REQUIRING A NEW APPLICATION AND FEE.)**

**VERY IMPORTANT: IT IS THE RESPONSIBILITY OF THE OWNER/APPLICANT AND/OR AGENT TO OBTAIN AND PROVIDE A CLEARANCE LETTER FROM EACH AGENCY AND/OR DEPARTMENT LISTED IN THE CONDITIONS WHETHER "IF REQUIRED" APPEARS IN THE CONDITION OR NOT, AND FORWARD THIS CLEARANCE LETTER TO THE SECRETARY-TREASURER AS SOON AS THE CONDITIONS ARE FULFILLED.**

**FAILURE TO COMPLY WITH THIS PROCEDURE WILL RESULT IN A LETTER BEING FORWARDED BY THE SECRETARY-TREASURER INDICATING THIS FILE HAS LAPSED AND, THEREFORE, WILL NECESSITATE THAT A NEW APPLICATION BE SUBMITTED TO LEGALIZE THIS PROPERTY.**

**THIS MINOR VARIANCE DECISION IS NOT A BUILDING PERMIT AUTHORIZING CONSTRUCTION UNDER THE BUILDING CODE ACT, R.S.O. 1990, AS AMENDED. A BUILDING PERMIT MAY BE REQUIRED. PLEASE CONTACT THE BUILDING STANDARDS DEPARTMENT IN THE EVENT THAT YOU REQUIRE FURTHER CLARIFICATION.**

**CARRIED.**

**CHAIR:** *Perrella*

Signed by all members present who concur in this decision:

*Perrella*  
A. Perrella,  
Chair

*H. Zheng*  
H. Zheng,  
Vice Chair

*J. Cesario*  
J. Cesario,  
Member

*L. Fluxgold*  
L. Fluxgold,  
Member

*M. Mauti*  
M. Mauti,  
Member

**CERTIFICATION**

I hereby certify this to be a true copy of the decision of the Committee of Adjustment, and this decision was concurred in by a majority of the members who heard this application.

*T. Coles*  
Todd Coles, BES, MCIP, RPP  
Manager of Development Services  
and Secretary-Treasurer to  
Committee of Adjustment

**Date of Hearing: APRIL 10, 2014**  
**Last Date of Appeal: APRIL 30, 2014**

**APPEALS**

**APPEALS MUST BE RECEIVED BY THIS OFFICE NO LATER THAN 4:30 P.M. ON THE LAST DATE OF APPEAL NOTED ABOVE.**

Should you decide to appeal this decision to the Ontario Municipal Board, a copy of an appeal form is available for download in Microsoft Word and Adobe Acrobat versions from the Ontario Municipal Board website at [www.omb.gov.on.ca](http://www.omb.gov.on.ca). If you do not have Internet access, these forms can be picked up at the City of Vaughan, Committee of Adjustment offices.

Please fill out Form A1 and follow the instructions as provided by the Ontario Municipal Board and submit your appeal to the City of Vaughan, Committee of Adjustment on or before the date stated above. You must enclose the completed form with the \$650.00 processing fee, paid by certified cheque or money order, to the "TREASURER, CITY OF VAUGHAN" and the appeal fee of \$125.00 for each application appealed, paid by certified cheque or money order, made payable to the "ONTARIO MINISTER OF FINANCE".

**NOTE:** The Planning Act provides for appeals to be filed by "persons". As groups or associations, such as residents or ratepayers groups which do not have incorporated status, may not be considered "persons" for the purposes of the Act, groups wishing to appeal this decision should do so in the name of individual group members, and not in the name of the group.

**CONDITIONS**

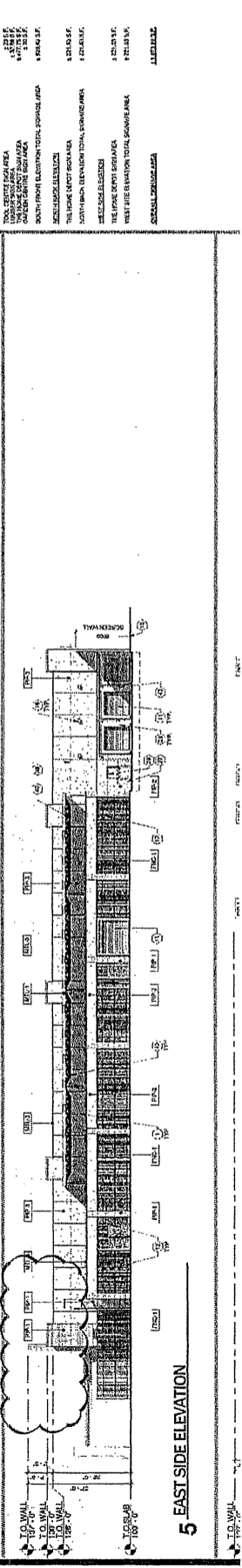
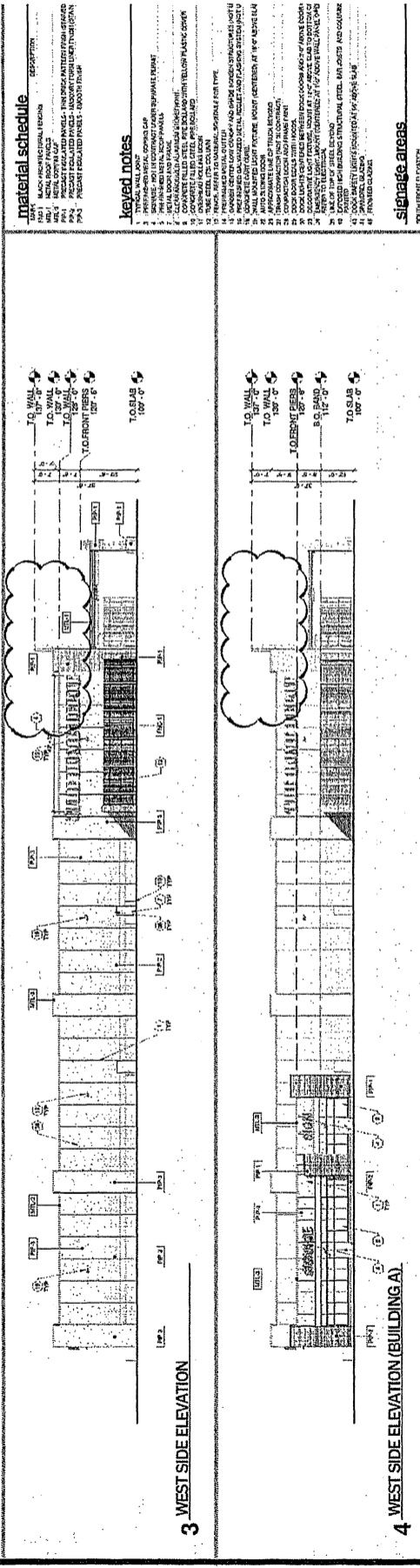
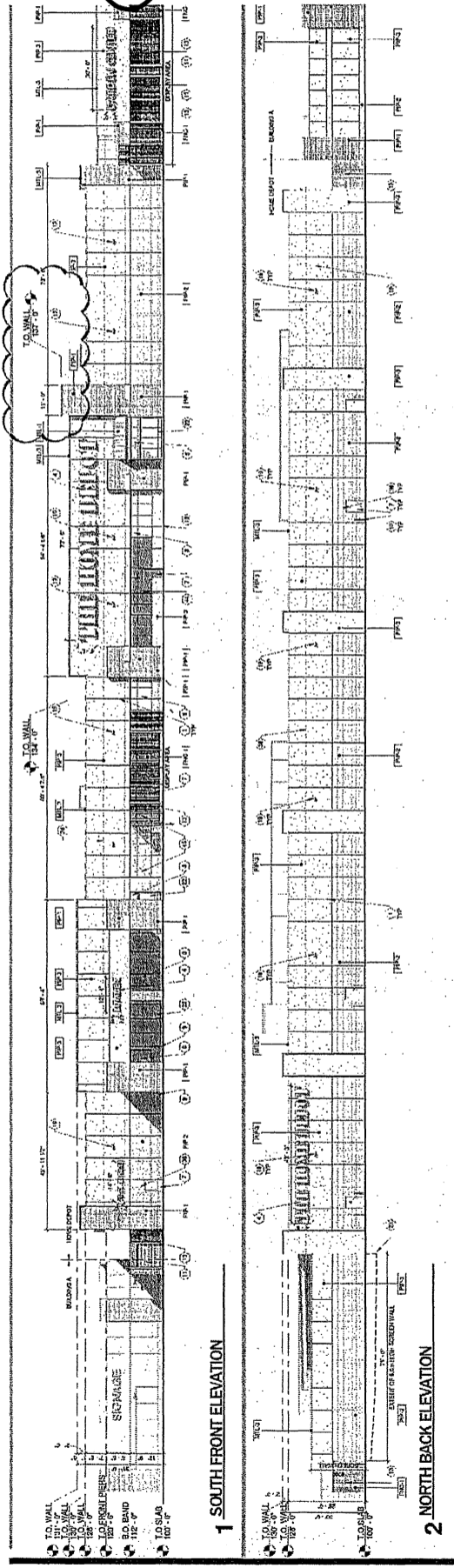
**IF ANY CONDITIONS ARE IMPOSED ON THIS APPLICATION, THE FINAL DATE FOR FULFILLING THEM IS:**  
**APRIL 30, 2015**

**MINOR VARIANCE SKETCH**  
 55 CITYVIEW BLVD,  
 VAUGHAN, ON  
 HIGHWAY #400 & MAJOR MACKENZIE

A minor variance to increase the maximum building height from 11.0m to 11.3m is required for approval

**BUILDING HEIGHT = 11.3M**

DATE: February 12, 2014  
 NOT TO SCALE



**material schedule**

NO.	DESCRIPTION
1	WOOD MECHANICAL FINISH
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**keyed notes**

1. REFER TO MATERIAL SCHEDULE FOR FINISH TYPE.
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**signage areas**

NO.	DESCRIPTION	AREA (SQ. FT.)
1	TO SIGNAGE AREA	1200.00
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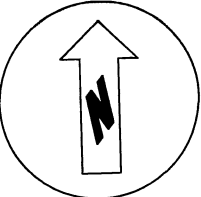





**COMMITTEE OF ADJUSTMENT**

2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1

Phone: (905)832-8585 Fax: (905)832-8535

	<b>FILE NUMBER:</b>	<b>A170/09</b>
	<b>APPLICANT:</b>	<b>HOME DEPOT HOLDINGS INC.</b>
		<b>Subject Area</b> Municipally known as 55 Cityview Blvd., Woodbridge

**NOTICE OF DECISION**  
**MINOR VARIANCES**

**FILE NUMBER:** A107/15  
**APPLICANT:** HOME DEPOT HOLDINGS INC.  
**PROPERTY:** Part of Lot 21, Concession 5 (Lot 64, Registered Plan No. 65M-3885) municipally known as 55 Cityview Boulevard, Woodbridge

IN THE MATTER OF the application that has been submitted, the provisions of Subsection 45 of the Planning Act, predecessors, as amended, for authorization of variances;

Heard by this Committee of Adjustment on **APRIL 16, 2015**

Enclosed is a Certified Copy of the Decision of the Committee. Notice of appeal must be sent within twenty (20) days of the making of the decision, and that if no notice of appeal has been given within that period, the decision of the Committee is final and binding.

Notice of appeal must be personally served or sent by **REGISTERED MAIL** to:

Secretary-Treasurer to Committee of Adjustment,  
City Clerk's Office  
City of Vaughan,  
2141 Major Mackenzie Drive,  
Vaughan, Ontario L6A 1T1

**APPEALS MUST BE SUBMITTED**  
**NO LATER THAN 4:30P.M. ON**

**May 6, 2015**

being the last date for notice of appeal.

Together with two (2) separate **certified cheques / money orders** in the amount of:

**\$690.00**, processing fee, payable to the **TREASURER CITY OF VAUGHAN**

**AND;**

**\$125.00** for the primary variance appeal and, if necessary, **\$25.00** for each related variance appeal

payable to the **MINISTER OF FINANCE**.

Should you decide to appeal this decision to the Ontario Municipal Board, a copy of an appeal form is available for download in Microsoft Word and Adobe Acrobat versions from the Ontario Municipal Board website at [www.omb.gov.on.ca](http://www.omb.gov.on.ca). If you do not have Internet access, these forms can be picked up at the City of Vaughan, Committee of Adjustment offices.

Please fill out Form A1 and follow the instructions as provided by the Ontario Municipal Board and submit your appeal to the City of Vaughan, Committee of Adjustment on or before the date stated above. You must enclose the completed form with the cheques.

Only individuals, corporation and public bodies may appeal decisions in respect of applications for consent to the Ontario Municipal Board. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

DATE of sending this Notice:

**April 24, 2015**



Todd Coles, ACST(A), MCIP, RPP  
Manager of Development Services and  
Secretary-Treasurer to Committee of Adjustment  
City of Vaughan

Marcus Gagliardi  
7050 Weston Road, Suite 230  
Vaughan, ON L4L 8G7

# NOTICE OF DECISION

## MINOR VARIANCES

**FILE NUMBER:** A107/15

**APPLICANT:** HOME DEPOT HOLDINGS INC.

**PROPERTY:** Part of Lot 21, Concession 5 (Lot 64, Registered Plan No. 65M-3885) municipally known as 55 Cityview Boulevard, Woodbridge

**ZONING:** The subject lands are zoned C2, General Commercial Zone, subject to Exception 9(1221), under By-law 1-88, as amended.

**PURPOSE:** To permit the construction of an outdoor storage area within the existing parking area of the Home Depot.

**PROPOSAL:** 1. To permit outdoor storage of gas bottle racks within the existing parking area.

**BY-LAW REQUIREMENT:** 1. The site specific exception does not permit outside storage.

**BACKGROUND INFORMATION:** Other Planning Act Applications  
The land which is the subject in this application was also the subject of another application under the Planning Act:

**Consent Applications:**

B009/09 - APPROVED August 15, 2013 - creation of a lot and easement in favour of the lands to the north.

B010/09 - APPROVED August 15, 2013 - easement in favour of the lands to the south.

**Minor Variance Applications:**

A025/09 - APPROVED August 15, 2013 - to permit shared access with the lands to the south.


A169/09 - APPROVED August 15, 2013 - to permit shared access with the lands to the north.

A170/09 - APPROVED April 10, 2014 - To permit a building height of 11.3 metres. To permit a minimum of 3.5 parking spaces / 100m<sup>2</sup> of gross floor area for all uses on the subject lands. To permit loading and unloading between a building and Hwy 400. To permit outdoor display and sales areas as shown on the attached sketch.


Site Plan Application DA.08.001 - currently under review.

Sketches are attached illustrating the request.

**MOVED BY:**

  
\_\_\_\_\_

**SECONDED BY:**

  
\_\_\_\_\_

THAT the Committee is of the opinion that the variances sought, can be considered minor and are desirable for the appropriate development and use of the land. The general intent and purpose of the By-law and the Official Plan will be maintained.

THAT Application No. **A107/15, HOME DEPOT HOLDINGS INC.**, be **APPROVED**, in accordance with the sketches attached



THIS MINOR VARIANCE DECISION IS NOT A BUILDING PERMIT AUTHORIZING CONSTRUCTION UNDER THE BUILDING CODE ACT, R.S.O. 1990, AS AMENDED. A BUILDING PERMIT MAY BE REQUIRED. PLEASE CONTACT THE BUILDING STANDARDS DEPARTMENT IN THE EVENT THAT YOU REQUIRE FURTHER CLARIFICATION.

CARRIED.

CHAIR: *Perrella*

Signed by all members present who concur in this decision:

*Perrella*  
A. Perrella,  
Chair

*H. Zheng*  
H. Zheng,  
Vice Chair

*R. Buckler*  
R. Buckler,  
Member

*J. Cesario*  
J. Cesario,  
Member

*M. Mauti*  
M. Mauti,  
Member

**CERTIFICATION**

I hereby certify this to be a true copy of the decision of the Committee of Adjustment, and this decision was concurred in by a majority of the members who heard this application.

*T. Coles*  
Todd Coles, BES, MCIP, RPP  
Manager of Development Services  
and Secretary-Treasurer to  
Committee of Adjustment

<b>Date of Hearing:</b>	<b>APRIL 16, 2015</b>
<b>Last Date of Appeal:</b>	<b>MAY 6, 2015</b>

**APPEALS**

**APPEALS MUST BE RECEIVED BY THIS OFFICE NO LATER THAN 4:30 P.M. ON THE LAST DATE OF APPEAL NOTED ABOVE.**

Should you decide to appeal this decision to the Ontario Municipal Board, a copy of an appeal form is available for download in Microsoft Word and Adobe Acrobat versions from the Ontario Municipal Board website at [www.omb.gov.on.ca](http://www.omb.gov.on.ca). If you do not have Internet access, these forms can be picked up at the City of Vaughan, Committee of Adjustment offices.

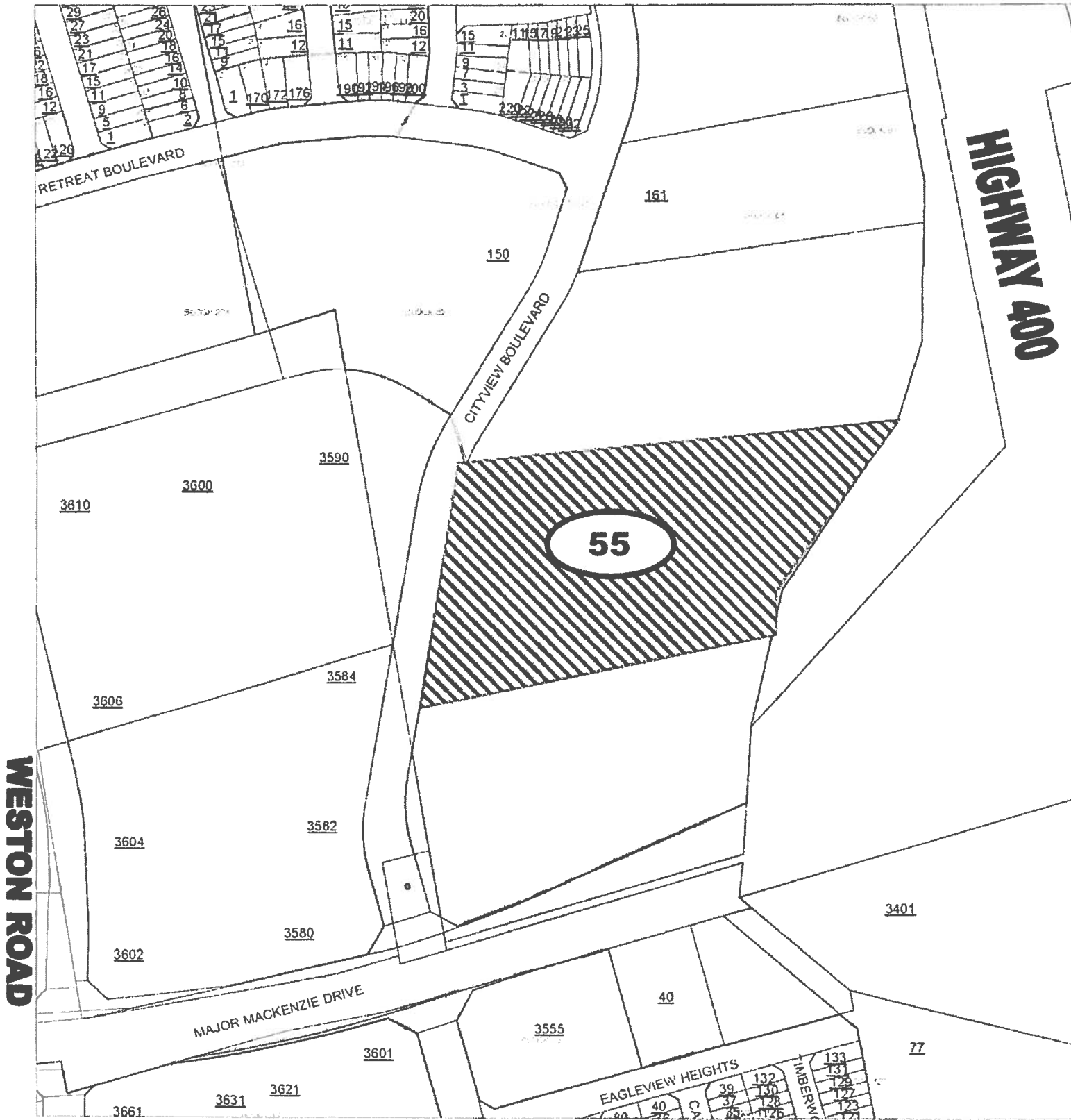
Please fill out Form A1 and follow the instructions as provided by the Ontario Municipal Board and submit your appeal to the City of Vaughan, Committee of Adjustment on or before the date stated above. You must enclose the completed form with the \$690.00 processing fee, paid by **certified cheque** or **money order**, to the "TREASURER, CITY OF VAUGHAN" and the appeal fee of \$125.00 for each application appealed, paid by **certified cheque** or **money order**, made payable to the "ONTARIO MINISTER OF FINANCE".

**NOTE:** The Planning Act provides for appeals to be filed by "persons". As groups or associations, such as residents or ratepayers groups which do not have incorporated status, may not be considered "persons" for the purposes of the Act, groups wishing to appeal this decision should do so in the name of individual group members, and not in the name of the group.

**CONDITIONS**

IF ANY CONDITIONS ARE IMPOSED ON THIS APPLICATION, THE FINAL DATE FOR FULFILLING THEM IS:  
**MAY 6, 2016**





COMMITTEE OF ADJUSTMENT  
 2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1  
 Phone: (905)832-8585 Fax: (905)832-8535

	FILE NUMBER:	<b>A107/15</b>
	APPLICANT:	<b>HOME DEPOT HOLDINGS INC</b>
		<b>Subject Area</b> Municipally known as <b>55 Cityview Boulevard,</b> <b>Woodbridge</b>