

**File:** A161/20

**Applicant:** 1191621 Ontario Inc.

**Address:** 90 Snidercroft Rd Concord

**Agent:** Nestico Architect Inc

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

Commenting Department	<input checked="" type="checkbox"/> Positive Comment	Condition(s) <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
	<input checked="" type="checkbox"/> Negative Comment	
Committee of Adjustment	<input checked="" type="checkbox"/>	
Building Standards	<input checked="" type="checkbox"/>	
Building Inspection	<input checked="" type="checkbox"/>	
Development Planning		
Cultural Heritage (Urban Design)		
Development Engineering	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Parks, Forestry and Horticulture Operations	<input checked="" type="checkbox"/>	
By-law & Compliance		
Financial Planning & Development	<input checked="" type="checkbox"/>	
Fire Department	<input checked="" type="checkbox"/>	
TRCA		
Ministry of Transportation		
Region of York	<input checked="" type="checkbox"/>	
Alectra (Formerly PowerStream)	<input checked="" type="checkbox"/>	
Public Correspondence (see Schedule B)	<input checked="" type="checkbox"/>	

Adjournment History: N/A

Background History: A197/99 (see next page for details)

Staff Report Prepared By: Pravina Attwala  
Hearing Date: Thursday, February 4, 2021



Minor Variance  
Application

Agenda Item: 22

A161/20

Ward: 4

Staff Report Prepared By: Pravina Attwala, Assistant Secretary Treasurer

**Date & Time of Live Stream Hearing:** Thursday, February 4, 2021 at 6:00 p.m.

As a result of COVID-19, Vaughan City Hall and all other City facilities are closed to the public at this time.

A live stream of the meeting is available at [Vaughan.ca/LiveCouncil](http://Vaughan.ca/LiveCouncil)

Please submit written comments by mail or email to:

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

To make an electronic deputation at the meeting please contact the Committee of Adjustment at [cofa@vaughan.ca](mailto:cofa@vaughan.ca) or 905-832-8504. Ext. 8332

Written comments or requests to make a deputation must be received by noon on the last business day before the meeting.

**Applicant:** 1191621 Ontario Inc.

**Agent:** Nestico Architect Inc

**Property:** 90 Snidercroft Rd Concord

**Zoning:** The subject lands are zoned PBM1 and subject to the provisions of Exception 9(1346) under By-law 1-88 as amended

**OP Designation:** Vaughan Official Plan 2010 ('VOP 2010'): "General Employment" And "Prestige Employment"

**Related Files:** DA.20.043

**Purpose:** Relief from By-law 1-88, as amended, is being requested to permit the construction of an addition to the existing automotive parts manufacturing facility and to facilitate Site Plan Application DA.20.043.

The addition will consist of an electrical room (Unit 2), three (3) areas to be used for automotive parts manufacturing (Units 3, 4 & 5) and an outdoor covered concrete amenity space area (for staff).

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

By-law Requirement	Proposal
Maximum 20% of lot coverage is permitted.	To permit a maximum lot coverage of 53.55%. (Structure 1: 49.39%; Structure 2: 0.10%; Structure 3: 0.41%; Structure 4: 3.20%; Structure 5: 0.45%)

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

Application No.:	Description:	Status of Approval: Approved/Refused/Withdrawn/ OMB/Concurrent
A197/99	Landscape strip along a lot line which abuts the street line of a Provincial arterial road will be 1.5m (Additional Parking Spaces)	Approved June 10, 1999

For information on the previous approvals listed above please visit [www.vaughan.ca](http://www.vaughan.ca). To search for a file number, enter it using quotes around it. For example, "A001/17".

To search property address, enter street number and street name using quotes. For example, “2141 Major Mackenzie”. Do not include street type (i.e. drive).

Adjournment History: N/A

Staff & Agency Comments

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

Committee of Adjustment:

Public notice was mailed on January 21, 2021

Applicant confirmed posting of signage on January 19, 2021

Property Information	
Existing Structures	Year Constructed
Industrial Building	1983 (Purchased 1998)

Applicant has advised that they cannot comply with By-law for the following reason(s): Economic growth and job creation strategies needed by the tenant cannot be accommodated within the existing Building area.

Adjournment Request: Given the timing of the submission, the applicant was provided an opportunity to adjourn the application prior to the issuance of public notice.

Building Standards (Zoning Review):

Stop Work Order(s) and Order(s) to Comply: There are no outstanding Orders on file

Building Permit No. 01-005786 for Manufacturing Use Unit - Alteration, Issue Date: Jan 07, 2002

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:

Application Under Review

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 A161/20 subject to the following condition(s):

1. The Owner/applicant shall demonstrate appropriate LID (Low-impact Development) measures to the satisfaction of DE to address the requirements of increased lot coverage area from 20% to 53.55% in order to mitigate potential impacts on the municipal stormwater system.
2. The Owner/applicant shall obtain approval for the related Site Development Application (DA.20.043) from the Development Engineering (DE) Department.

Parks Development - Forestry:

No comments or concerns

By-Law and Compliance, Licensing and Permit Services:

No comments.

Financial Planning and Development Finance:

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

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

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

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

**Fire Department:**

Please note that the applicant will have to address the following as part of the permit process:

- 1) fire alarm
- 2) sprinkler system
- 3) ensure building construction meets the requirements of OBC and applicable standards

**Schedule A – Plans & Sketches**

**Schedule B – Public Correspondence**

Application Cover Letter

**Schedule C - Agency Comments**

Alectra (Formerly PowerStream) – No concerns or objections

Region of York – No concerns or objections

**Schedule D - Previous Approvals (Notice of Decision)**

Minor Variance A197/99

**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 **adjourn** this application the following condition(s) is required:

	Department/Agency	Condition
1	Committee of Adjustment Christine Vigneault  905-832-8585 x 8332 <a href="mailto:christine.vigneault@vaughan.ca">christine.vigneault@vaughan.ca</a>	Applicant to provide payment of Adjournment Fee (see Fee Schedule) prior to the rescheduling of Application A161/20, if required.

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 Engineering Farzana Khan  905-832-8585 x 3608 <a href="mailto:Farzana.khan@vaughan.ca">Farzana.khan@vaughan.ca</a>	1. The Owner/applicant shall demonstrate appropriate LID (Low-impact Development) measures to the satisfaction of DE to address the requirements of increased lot coverage area from 20% to 53.55% in order to mitigate potential impacts on the municipal stormwater system. 2. The Owner/applicant shall obtain approval for the related Site Development Application (DA.20.043) from the Development Engineering (DE) Department.
2	Development Planning Roberto Simbana  905-832-8585 x 8810 <a href="mailto:roberto.simbana@vaughan.ca">roberto.simbana@vaughan.ca</a>	Application Under Review

## 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.

### 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.

### Notice to the Applicant – Development Charges

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

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

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

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

### Notice to Public

**PLEASE NOTE:** As a result of COVID-19, Vaughan City Hall and all other City facilities are closed to the public at this time.

**PUBLIC CONSULTATION DURING OFFICE CLOSURE:** Any person who supports or opposes this application, but is unable to attend the hearing, may make a written submission, together with reasons for support or opposition. Written submissions on an Application shall only be received until **noon** on the last business day **prior** to the day of the scheduled hearing. Written submissions can be mailed and/or emailed to:

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

**ELECTRONIC PARTICIPATION:** During the COVID-19 emergency, residents can view a live stream of the meeting [Vaughan.ca/LiveCouncil](https://vaughan.ca/LiveCouncil). To make an electronic deputation, residents must complete and submit a [Public Deputation Form](#) no later than **noon** on the last business prior to the scheduled hearing. To obtain a Public Deputation Form please contact our office or visit [www.vaughan.ca](https://www.vaughan.ca)

Presentations to the Committee are generally limited to 5 minutes in length. Please note that Committee of Adjustment meetings may be audio/video recorded. Your name, address comments and any other personal information will form part of the public record pertaining to this application.

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

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

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

T 905 832 8585 Extension 8002  
E [CofA@vaughan.ca](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.

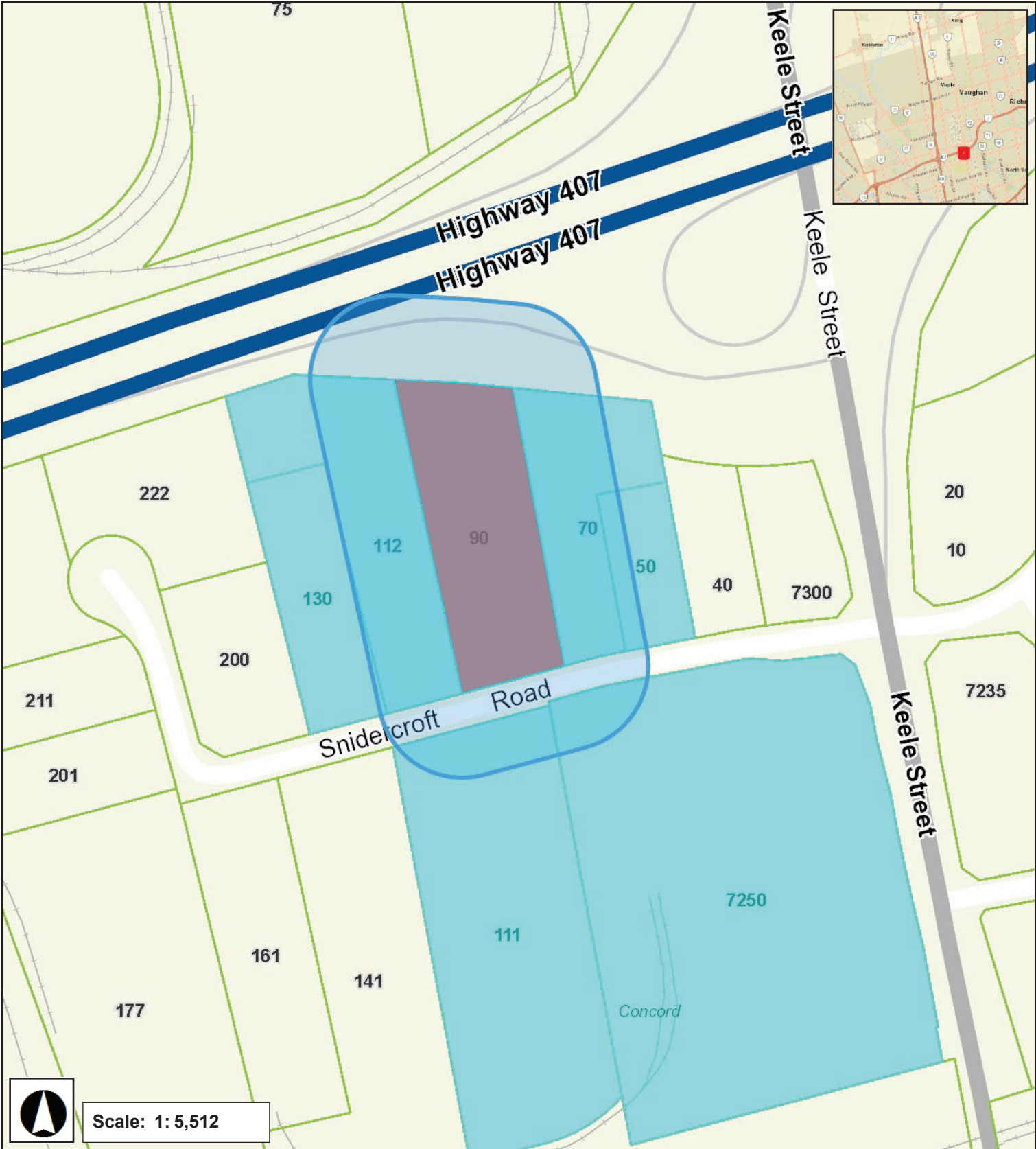
Location Map  
Plans & Sketches





# LOCATION MAP - A161/20

90 SNIDERCROFT ROAD, CONCORD



Scale: 1: 5,512

**Steeles Avenue**

January 21, 2021 10:10 AM

RECEIVED

January 19, 2021

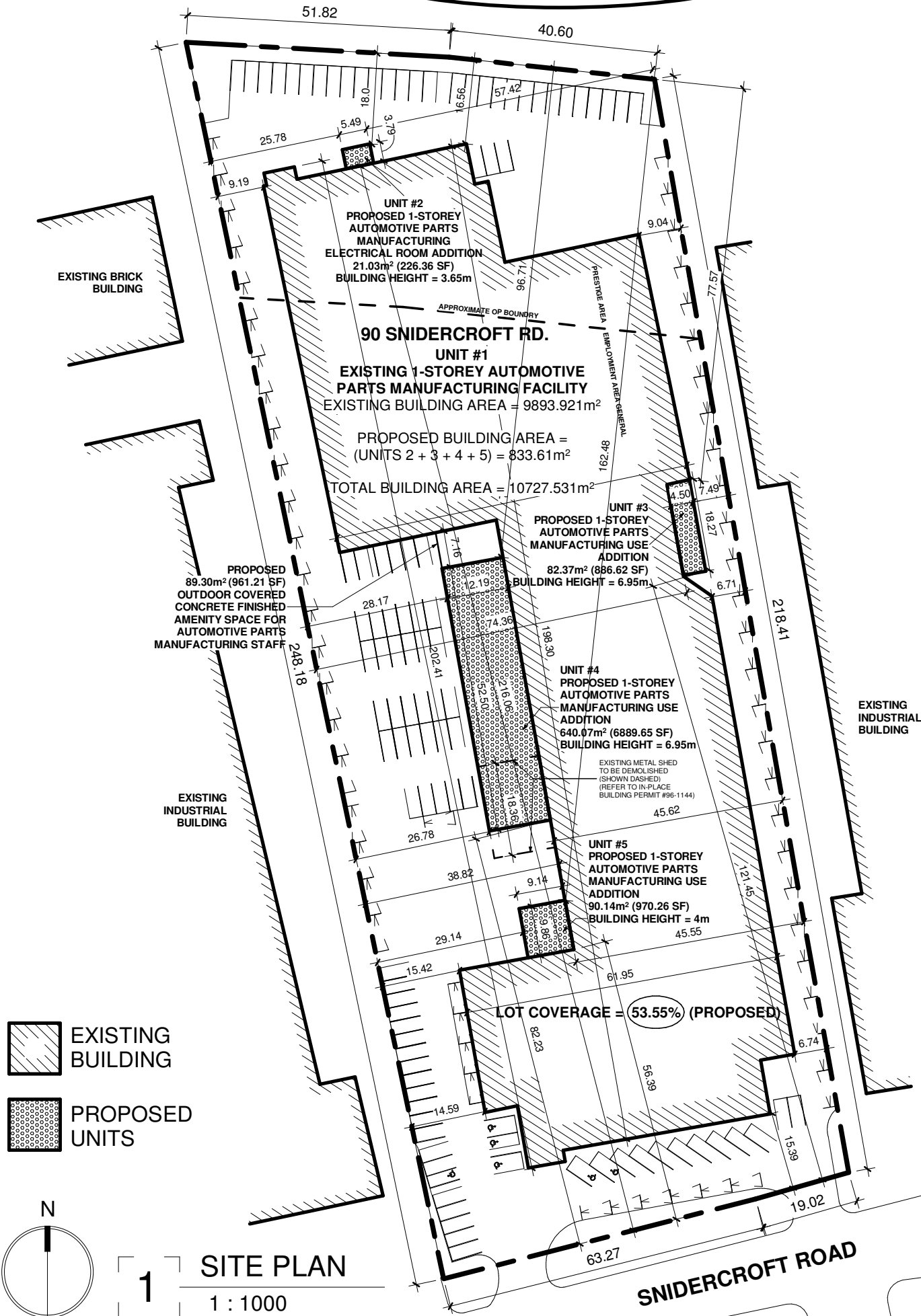
Committee of Adjustment

HIGHWAY 407

A161/20

LOT COVERAGE = 53.55%

(#1: 49.39%; #2: 0.10%; #3: 0.41%; #4: 3.20%; #5: 0.45%)



Nestico Architect Inc.

7-3000 Langstaff Road  
VAUGHAN, ON CA L4K 4R7

Phone: 905.669.7000  
Email: mail@NesticoArchitect.on.ca  
Website: www.NesticoArchitect.on.ca

PROPOSED ADDITIONS TO EXISTING 1-STOREY INDUSTRIAL BUILDING

90 Snidercroft Road, Vaughan, Ontario

SITE PLAN		RE-ISSUED FOR MINOR VARIANCE APPLICATION			
DATE	SCALE	REVISION NO.	JOB NO.	DRAWING NO.	
2021.01.18	1 : 1000	1	20730	AD1	



**Schedule B: Public Correspondence Received**

Please note that the correspondence listed in Schedule B is not comprehensive. Written submissions received after the preparation of this staff report will be provided as an addendum.

**Application Cover Letter**

## Cover Letter

Date: 2021.01.18

To: Christine Vigneault, AMP, ACST  
Manager, Development Services & Secretary  
Treasurer to the Committee of Adjustment  
905-832-2281, ext. 8332  
[christine.vigneault@vaughan.ca](mailto:christine.vigneault@vaughan.ca)  
  
City of Vaughan | Office of the City Clerk  
2141 Major Mackenzie Dr., Vaughan ON L6A 1T1  
[vaughan.ca](http://vaughan.ca)

# RECEIVED

**January 19, 2021**

Committee of Adjustment

**Nestico Architect Inc.**

**A161/20**

City file number : A161/20

Project: Proposed Additions to Existing Industrial Building  
90 Snidercroft Road, Vaughan, ON.

Nestico Architect Inc., Project No.: 20730

Thank you for reviewing our application to finalize our public notice to be mailed this week.

This cover letter and attached site plan drawing has been prepared in support of providing more details regarding this proposal for the Committee to better understand the application including the history on the site, including previous approvals:

The following dialogue describes the history that I have on file for this site:

- A. Per the Township of Vaughan by-law 2523 dated 1960.11.21,  
[https://www.vaughan.ca/services/business/zoning\\_by\\_law\\_and\\_opas/188/By-law%202523/By-Law%202523.pdf](https://www.vaughan.ca/services/business/zoning_by_law_and_opas/188/By-law%202523/By-Law%202523.pdf),  
these lands were dually zoned M1 and M2 (refer to Zoning Map 22), and permitted a maximum building area coverage of 50% in both zoning designations.
- B. Per Parkway Belt Planning and Development Act O.Reg 475/73 dated 1973.08.08), noted these lands remained zoned M1 + M2;
- C. Per Parkway Belt Planning and Development Act O.Reg 546/83 dated 1983.08.24, noted these lands remained zoned M1 + M2 and per Sentence 1, permitted a 'maximum area covered by the existing building and additional building to 50% of lot';
- D. Per Parkway Belt Planning and Development Act O.Reg 315/84 dated 1984.05.17, noted that O.Reg 546/83 was revoked, and
- E. Per Schedule 'A', City of Vaughan By-law 1-88 dated 1989.07.17,  
[https://www.vaughan.ca/services/business/zoning\\_by\\_law\\_and\\_opas/188/bylaw1-88\\_2012\\_VOL\\_Dec.%203\\_2018.pdf](https://www.vaughan.ca/services/business/zoning_by_law_and_opas/188/bylaw1-88_2012_VOL_Dec.%203_2018.pdf),  
noted these lands lost their M1 + M2 designation and became an industrial use PBM1 zoned land limiting the lot coverage to 20%, which we find clearly confusing as the existing built structure in-place prior to the By-law 1-88 was nearing 50% lot coverage.

The following dialogue provides insight to previous approvals included the following:

- i) Site Plan (Section 41) DA 99-080, and
- ii) Zoning By-law amendment Z.09.041 dated 2010.09.07

The on-going in progress approval includes Site Plan (Section 41) DA 20.043, of which I am part of with Carol Birch as planner.

The previous building permit numbers and dates of the base building are:

- 1. Building Permit #83-1098 dated 1983.08.04
- 2. Building Permit # 84-2997 dated 1984.11.19;
- 3. Building Permit # 85-2582 dated 1985.09.03, and
- 4. Building Permit # 96-1144, 1996.05.29

Since then, numerous interior alterations building permits were issued over time of which none affected the lot coverage.

In closing, the overview of the present day proposal is to construct one automotive parts manufacturing use addition (to the existing automotive parts manufacturing use building) comprising of 4 separate units each one-storey in height.

The purpose of the minor variance application is to permit an increase to the maximum permitted lot coverage percentage, to construct the aforementioned automotive parts manufacturing use areas to support the economic growth and job creation efforts of the tenant, which is not possible within the existing building area of the facility.

Kindly contact me at your convenience if you or / and any members of the Committee have any enquiries for me on this file.

*Sam Nestico*

**Sam Nestico, Architect**

**Nestico Architect Inc.**  
7-3000 Langstaff Road,  
VAUGHAN, ON. L4K 4R7  
Phone: 905-669-7000  
Email: [mail@NesticoArchitect.on.ca](mailto:mail@NesticoArchitect.on.ca)  
Website: [www.NesticoArchitect.on.ca](http://www.NesticoArchitect.on.ca)

Schedule C: Agency Comments

Please note that the correspondence listed in Schedule C is not comprehensive. Comments received after the preparation of this staff report will be provided as an addendum.-

Alectra (Formerly PowerStream) – No concerns or objections  
Region of York – No concerns or objections

**COMMENTS:**

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

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

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

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

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

**References:**

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

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

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

**E-mail:** [stephen.cranley@alectrautilities.com](mailto:stephen.cranley@alectrautilities.com)

Mr. Tony D'Onofrio  
Supervisor, Subdivisions (Alectra East)  
**Phone:** 1-877-963-6900 ext. 24419

**Email:** [tony.donofrio@alectrautilities.com](mailto:tony.donofrio@alectrautilities.com)

## Attwala, Pravina

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**Subject:** FW: A161/20 - REQUEST FOR COMMENTS

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**From:** Development Services <developmentservices@york.ca>

**Sent:** January-19-21 10:55 AM

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

**Subject:** [External] RE: A161/20 - REQUEST FOR COMMENTS

Good morning Pravina,

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

Regards,

*Gabrielle*

**Gabrielle Hurst MCIP RPP** | Community Planning and Development Services | The Regional Municipality of York | 1-877 464 9675 ext 71538 | [Gabrielle.hurst@york.ca](mailto:Gabrielle.hurst@york.ca) | [www.york.ca](http://www.york.ca)



Schedule D: Previous Approvals (Notice of Decision)

Minor Variance Application A197/99

COMMITTEE OF ADJUSTMENT  
(VARIANCES)

# NOTICE OF DECISION

**FILE NO: A197/99**

IN THE MATTER OF Subsection 45 of the Planning Act.

**During the applicant's submission it was agreed to amend the application,  
sketch and notice of application as follows:**

**"landscape strip required along a lot line which abuts the street line  
of a Provincial arterial road will be 1.5m NOT deleted 0.0m "**

THEREFORE IN THE MATTER OF an application by **M.I. DEVELOPMENTS**, owner of Part of Lot 3, Concession 4, municipally known as 90 Snidercroft Road.

By-law 1-88 zones this parcel "PBM1" Parkway Belt Restricted Industrial.

The applicant is requesting a variance to permit the construction of proposed additional parking spaces, notwithstanding, the landscape strip required along a lot line which abuts the street line of a Provincial arterial road will be deleted 0.0m rather than the By-law requires the landscape strip to be 9.0m. A sketch is attached illustrating the request.

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. **A197/99, M.I. DEVELOPMENTS**, be **APPROVED as amended**, subject to the following conditions:

1. That the existing site plan agreement be amended, if required, to the satisfaction of the Building Standards Department;
2. That the applicant maintain the swale running through the rear of the property, if required, to the satisfaction of the Department of Urban Design and Environment;
3. That the applicant will plant eight 80mm cal. Columnar Maple in lieu of the trees being removed, if required, to the satisfaction of the Department of Urban Design and Environment;
4. That the applicant provide a scaled landscape plan indicating the existing and proposed conditions, if required, to the satisfaction of the Department of Urban Design and Environment;
5. That a landscape plan be submitted, if required, to the satisfaction of the Community Planning Department;
6. That if the conditions listed above are not fulfilled 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.

**IMPORTANT: ALL CONDITIONS MUST BE FULFILLED.**  
**Please contact each Agency and/or Department listed above  
whether "if required" appears in the condition or not.**

File No. A197/99

Applicant: M.I. DEVELOPMENTS

Members concurring in this decision:

\_\_\_\_\_  
M. Mauti,  
Chair,


\_\_\_\_\_  
T. DeCicco  
Vice Chair,

\_\_\_\_\_  
L. Fluxgold,  
Member,

\_\_\_\_\_  
S. Perrella,  
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.

  
Dianne E.L. Grout, A.M.C.T.,  
Secretary-Treasurer  
Committee of Adjustment  
City of Vaughan

**DATE OF HEARING: JUNE 10, 1999**

**LAST DATE OF APPEAL: JUNE 30, 1999**

**APPEALS MUST BE RECEIVED BY THIS OFFICE NO LATER THAN 4:30P.M . ON JUNE 30, 1999.**

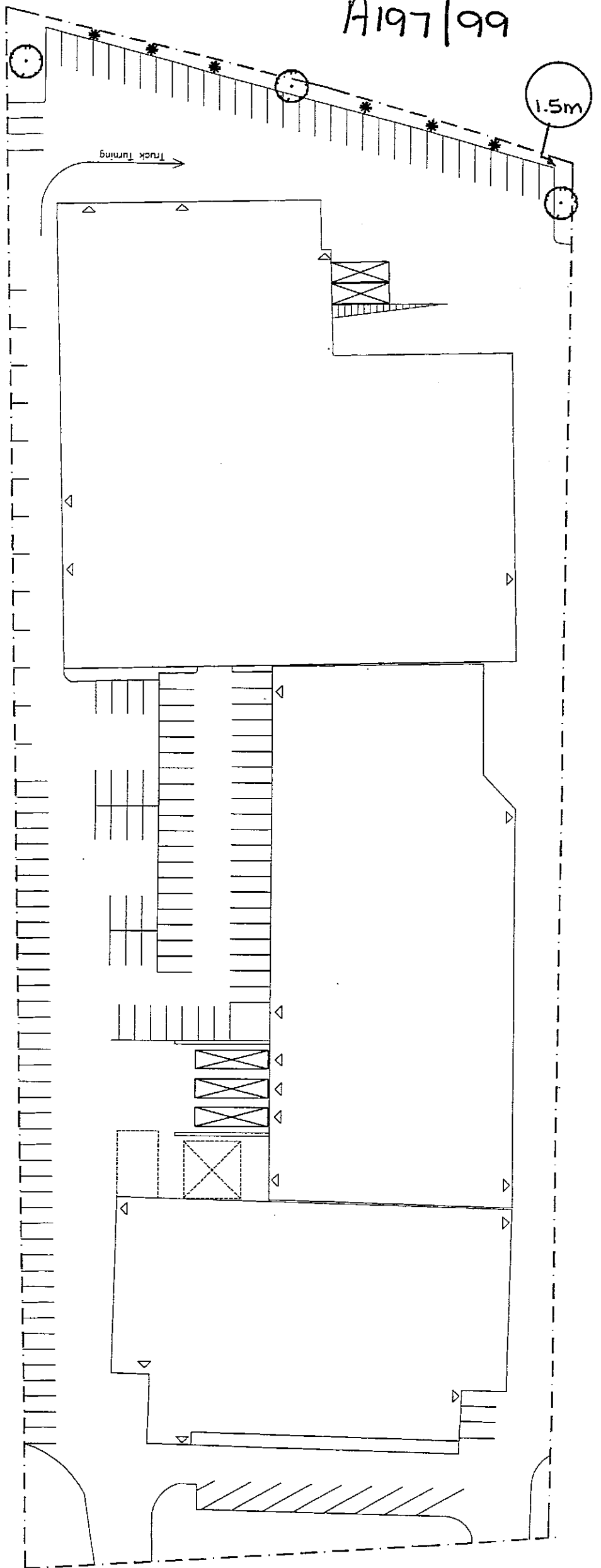
NOTE: The Planning Act provides for appeals to be filed by "persons". As groups or associations, such as residents or ratepayers groups which do not have incorporated status, may not be considered "persons" for the purposes of the Act, groups wishing to appeal this decision should do so in the name of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

A197/99

1.5m



Truck turning

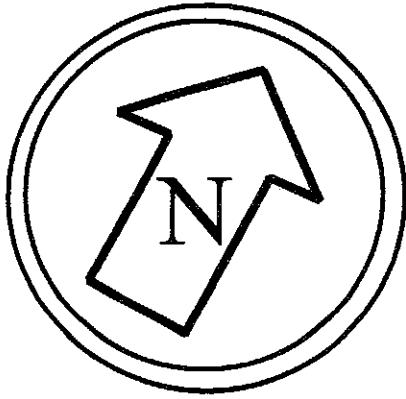


SNIDERCROFT ROAD

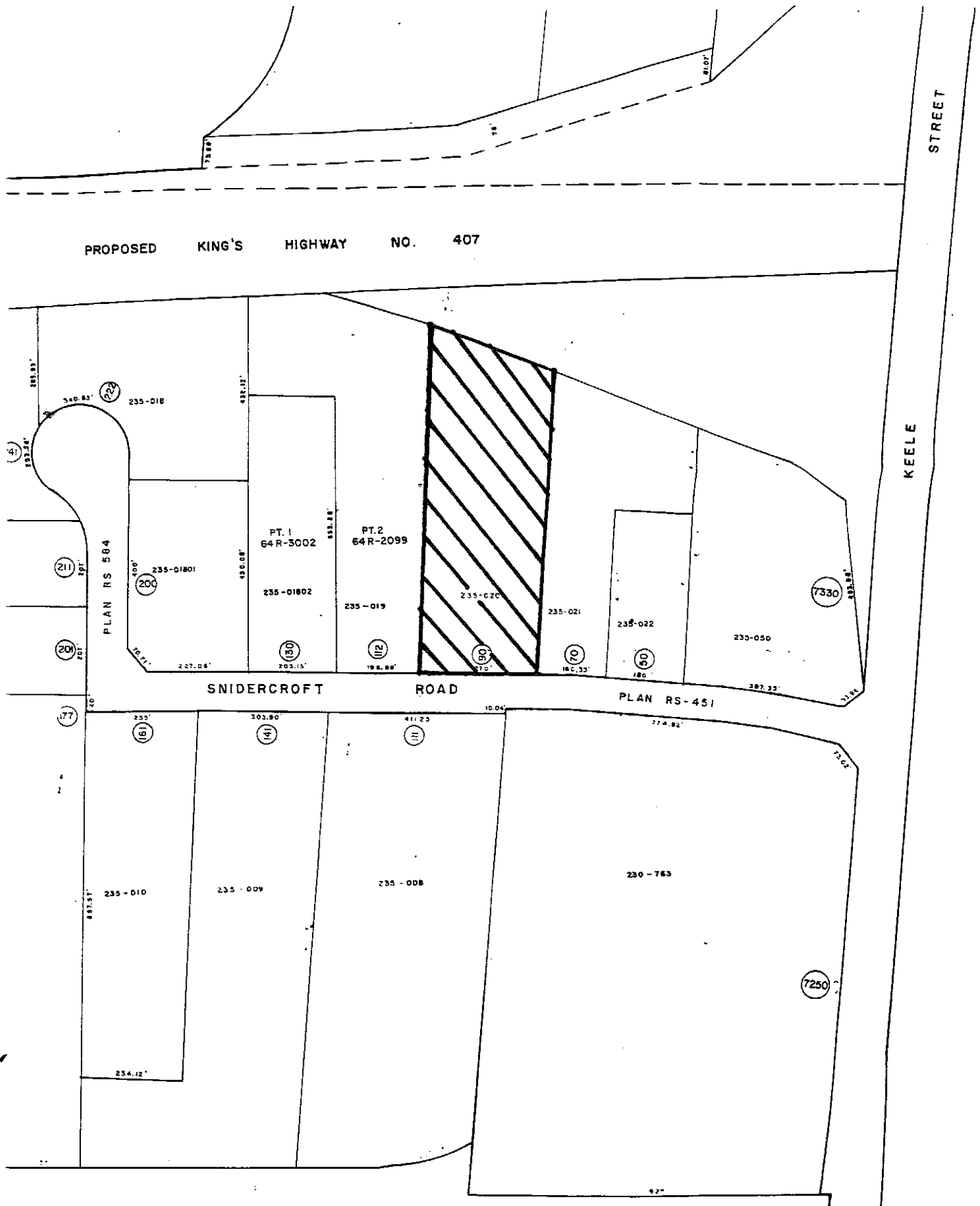
# COMMITTEE OF ADJUSTMENT

File No: **A197/99**

Applicant: **M.I. DEVELOPMENTS**



Municipal Address: **90 SNIDERCROFT RD.**  
Subject Area



## PLANNING ACT

### Subsection 45 - 20 inclusive

- (12) The applicant, the Minister or any other person who has an interest in the matter may within twenty days of the making of the decision appeal to the Municipal Board against the decision of the Committee by serving personally on or sending by registered mail to the Secretary-Treasurer of the Committee a notice of appeal setting out the objection to the decision and the reasons in support of the objection accompanied by payment to the Secretary-Treasurer of the fee prescribed by the Municipal Board\* under the Ontario Municipal Board Act as payable on an appeal from a Committee of Adjustment to the Board.
- (13) The Secretary-Treasurer of a Committee, upon receipt of a notice of appeal served or sent to him/her under subsection (12) shall forthwith forward the notice of appeal and the amount of the fee mentioned in Subsection (12) to the Municipal Board by registered mail, together with all papers and documents filed with the Committee of Adjustment relating to the matter appealed from and such other documents and papers as may be required by the Board.
- (14) If within such twenty days no notice of appeal is given, the decision of the Committee is final and binding, and the Secretary-Treasurer shall notify the applicant and shall file a certified copy of the decision with the Clerk of the Municipality.
- (15) Where all appeals to the Municipal Board are withdrawn by the persons who gave notice of appeal, the decision of the Committee is final and Binding and the Secretary of the Board shall notify the Secretary-Treasurer of the Committee who in turn shall notify the applicant and file a certified copy of the decision with the Clerk of the Municipality.
- (16) On an appeal to the Municipal Board, the Board shall except as provided in Subsections (15) and (17), hold a hearing of which notice shall be given to the applicant, the appellant, and Secretary-Treasurer of the Committee and to such other persons and in such manner as the Board may determine.
- (17) Despite the *Statutory Powers Procedure Act* and subsection (16), the Municipal Board may dismiss all or part of an appeal without holding a hearing, on its own motion or on the motion of any party if,
- (a) it is of the opinion that,
    - (i) the reasons set out in the notice of appeal do not disclose any apparent land use planning ground upon which the Board could allow all or part of the appeal,
    - (ii) the appeal is not made in good faith or is frivolous or vexatious, or
    - (iii) the appeal is made only for the purpose of delay;
  - (b) the appellant has not provided written reasons for the appeal;
  - (c) the appellant has not paid the fee prescribed under the *Ontario Municipal Board Act*; or
  - (d) the appellant has not responded to a request by the Municipal Board for further information within the time specified by the Board.
- (17.1) Before dismissing an appeal, the Municipal Board shall notify the appellant and give the appellant an opportunity to make representation in respect of the appeal and the Board may dismiss an appeal after holding a hearing or without holding a hearing on the motion, as it considers appropriate.
- (18) The Municipal Board may dismiss the appeal and may make any decision that the Committee could have made on the original application.
- (18.1) On an appeal, the Municipal Board may make a decision on an application which has been amended from the original application if, before issuing its order, written notice is given to the persons and public bodies who received notice of the original application under subsection (5) and to other persons and agencies prescribed under that subsection.
- (18.2) Any person or public body who receives notice under subsection (18.1) may, not later than thirty days after the day that written notice was given, notify the Board of an intention to appear at the hearing or the resumption of the hearing, as the case may be.
- (18.3) If, after the expiry of the time period in subsection (18.2), no notice of intent has been received, the Board may issue its order.
- (18.4) If a notice of intent under subsection (18.2) is received, the Board may hold a hearing or resume the hearing on the amended application.
- (19) When the Municipal Board makes an order on an appeal, the secretary of the Board shall send a copy thereof to the applicant, the appellant and the Secretary-Treasurer of the Committee.
- (20) The Secretary-Treasurer shall file a copy of the order of the Municipal Board with the Clerk of the Municipality.

\*\$125.00 for the primary variance appeal and \$25.00 for each related variance appeal.