



**File:** A146/21

**Applicant:** 1114308 Ontario Limited

**Address:** 326 Jevlan Drive, Woodbridge

**Agent:** Francesco Fiorani

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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	<input checked="" type="checkbox"/>	
Development Engineering	<input checked="" type="checkbox"/>	
Parks, Forestry and Horticulture Operations		
By-law & Compliance		
Financial Planning & Development	<input checked="" type="checkbox"/>	
Fire Department		
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: None

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Background History: None

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Staff Report Prepared By: Adriana MacPherson  
Hearing Date: Thursday, August 12, 2021

*\*Please note that additional comments may be received after the publication of the Staff Report. These comments will be processed as an addendum (see website for details).*



**Minor Variance Application**

Agenda Item: 9

**A146/21**

Ward: 3

**Staff Report Prepared By: Adriana MacPherson, Assistant Secretary Treasurer**

**Date & Time of Live Stream Hearing:** Thursday, August 12, 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:** 1114308 Ontario Limited
- Agent:** Francesco Fiorani
- Property:** **326 Jevlan Drive, Woodbridge**
- Zoning:** The subject lands are zoned C7 Service Commercial and subject to the provisions of Exception No. 9(462H) under By-law 1-88 as amended.
- OP Designation:** Vaughan Official Plan 2010 ('VOP 2010'): "Employment Commercial Mixed-Use", with a maximum permitted height of 5-storeys and floor space index ('FSI') of 2.5 times the area of the lot.
- Related Files:** None
- Purpose:** Relief from By-law 1-88, as amended, is being requested to permit the construction of a proposed commercial industrial building.

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

By-law Requirement	Proposal
1. An "Employment Use" as defined under Section 2.0 of By-law 1-88 a.a. is not a permitted use under the current zoning designation.	1. To permit an "Employment Use" as defined by Section 2.0 of Zoning By-law 1-88 a.a.
2. Section 6.1 "General Provisions" of By-law 1-88 a.a. is not permitted under the current zoning designation.	2. To permit "General Provisions" under Section 6.1 of Zoning By-law 1-88 a.a.
3. A maximum building height of 11.0 metres is permitted to the highest point of the building. (Schedule A)	3. To permit a maximum building height, as defined, of 15.0 metres to the highest point of the building.

**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](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: 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 **noon** on the last business day **prior** to the day of the scheduled Meeting.

**Committee of Adjustment:**

Public notice was mailed on July 28, 2021

Applicant confirmed posting of signage on July 22, 2021

Property Information	
Existing Structures	Year Constructed
Office Building	TBC

Applicant has advised that they cannot comply with By-law for the following reason(s): The subject property is zoned C7 which does not permit "employment use" or the "general provisions" of Employment Area Zones under Section 6.1 of By-law 1-88.

It is important to note that the Subject property is bounded by sites under the EM1 and EM2 zones, which both permit "employment use" and general provisions of Employment Area Zones.

**Adjournment Request:** The applicant was provided an opportunity to adjourn the application prior to the issuance of public notice to permit time to address Development Planning Department concerns below:

The Development Planning Department is not in position to support Variances 1 and 2 to permit an "Employment Use" as defined by Section 2.0 of Zoning By-law 1-88 a.a, and "General Provisions" under Section 6.1 of Zoning By-law 1-88 a.a, as the proposal does not maintain the general intent and purpose of the Official Plan and Zoning By-law.

**Building Standards (Zoning Review):**

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

Building Permit(s) Issued: None

The applicant confirms that a development application will be applied for.

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:**

Vaughan Official Plan 2010 ('VOP 2010'): "Employment Commercial Mixed-Use", with a maximum permitted height of 5-storeys and floor space index ('FSI') of 2.5 times the area of the lot.

The Owner is requesting permission to construct a 6646 m<sup>2</sup> industrial building with ancillary office uses on a vacant lot with the above-noted variances.

The subject lands are partially occupied by a parking lot accessory to a building south of the subject lands located on 8201 Weston Road which contains a banquet hall, daycare, nail salon and photo studio. The proposed industrial building will contain ancillary office (10% of the total gross floor area) uses fronting onto Weston Road and employment uses at the rear fronting Jevlan Drive.

The subject lands are located within the City's Urban Structure Map as "Employment Area" on Schedule 1 of VOP 2010. "Employment Areas" are planned to function with economic activity related to industrial, manufacturing, warehousing and, where appropriate, some office uses. Limited retail uses may be located within "Employment Areas" to serve the day-to-day needs of surrounding businesses and their employees, in accordance with the policies of VOP 2010. Ultimately, the direction on the use of land and permitted building types are identified through the Schedule 13 land use designation map, and Policies 9.2.1, 9.2.2 and 9.2.3 of VOP 2010.

The subject lands are designated "Employment Commercial Mixed-Use" and are not located within an "Intensification Area" as identified on Schedules 1 and 13 of VOP 2010. The "Employment Commercial Mixed-Use" designation, as per Policy 9.2.2.7.c.ii. of VOP 2010, permits within "Non-Intensification Areas" office uses to a maximum of 12,500 m<sup>2</sup>, cultural and entertainment uses, retail uses; provided that no retail unit shall exceed a gross floor area of 3,500 m<sup>2</sup>, and gas stations. The policies of VOP 2010 do not permit industrial uses on the subject lands.

The subject lands are zoned “C7 Service Commercial Zone” (‘C7 Zone’), subject to Site-Specific Exception 9(462H) by Zoning By-law 1-88. Permitted uses in a C7 Zone includes a range of office and retail uses. In addition to the uses permitted, Site-Specific Exception 9(462H) also permits a photography studio, gift store, party supply store and florist shop on the subject lands. The proposed industrial building which is identified as an “Employment Use” by Zoning By-law 1-88 is not a use permitted within the C7 Zone or through Site-Specific Exception 9(462H).

A Planning Justification Report prepared by Brutto Consulting dated June 24, 2021 was submitted in support of the application and identified several previous decisions by the Committee of Adjustment (‘Committee’) which have approved similar requests for changes of use. These decisions include:

1. Minor Variance File A027/16 to permit a warehouse (multi-unit self-storage facility) with accessory retail uses at 8201 Weston Road (lands to the south of the subject lands), which is also within an “Employment Commercial Mixed-Use” designation and C7 Zone where the use was not permitted. The application was supported by Development Planning and approved by the Committee.
2. Minor Variance File A097/17 requesting relief to permit a Motor Vehicle Sales Establishment with accessory outside storage for the sale and display of motor vehicles which was not permitted in the “Prestige Employment” area designation of VOP 2010 and “EM1” Zone. The application was approved by the Committee but was not supported by Development Planning.
3. Minor Variance Files A251/15 and A259/15 which were approved by the Committee and supported by Development Planning to permit the construction of two Motor Vehicle Sales Establishments which function as one facility with no outside storage in a “Prestige Employment” area.
4. Minor Variance File A089/18 to permit retail warehousing of power storage products, branded merchandise, solar panels, battery charges and also to permit a car brokerage for the sale, leasing and servicing and repairs of electric vehicles. It should be noted that the lands are zoned “EM3” and the site-specific exception limited retail warehousing for specific commodities related to the previous user. If not for the site-specific exception, the subject lands would be permitted to retail a wider range of commodities and operate as a car brokerage as-of-right. The application was supported by Development Planning and approved by the Committee.

The proposed industrial building is not a permitted use identified under the “Employment Commercial Mixed-Use” designation of VOP 2010 and the C7 Zone of Zoning By-law 1-88. As such, the proposal does not meet the general intent and purpose of the Official Plan and Zoning By-law. To facilitate the proposal, the Development Planning Department requires an Official Plan Amendment and Zoning By-law Amendment to permit the proposed industrial building, subject to review by City staff and approval by Council.

Accordingly, the Development Planning Department is of the opinion that the proposal is not minor in nature, does not maintain the general intent and purpose of the Official Plan and Zoning By-law, and is not desirable for the appropriate development of the land.

The Development Planning Department recommends **refusal** of the application.

#### **Development Engineering:**

The Development Engineering (DE) Department does not object to variance application A146/21.

#### **Parks Development - Forestry:**

Applicant/owner shall obtain a “Private Property Tree Removal & Protection” permit, for the removal or injury of any public or private tree, through the forestry division prior to building permit approval.

#### **By-Law and Compliance, Licensing and Permit Services:**

No comments received to date

#### **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:**

No comments received to date

**Schedule A – Plans & Sketches**

**Schedule B – Public Correspondence**

Applicant Correspondence – Planning Justification Report

**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.

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

	<b>Department/Agency</b>	<b>Condition</b>
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 (\$562.00) prior to the rescheduling of Application A146/21.

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: N/A

**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](http://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](http://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 Ontario Land Tribunal (OLT) 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**

**Adriana MacPherson**

T 905 832 8585 Extension 8360

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**



THE GENERAL CONTRACTOR SHALL REPORT AND VERIFY ALL DIMENSIONS AND REMOVE ERRORS AND OMISSIONS TO THE ARCHITECT. DIMENSIONS MUST NOT BE SCALED.  
 THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNLESS SO STATED THEREON BY THE ARCHITECT.

Consultant  
 Address  
 Phone  
 Fax  
 e-mail

DA # DA14.0087 (RELATED FILE: ZH4.035)

ONTARIO ASSOCIATION OF ARCHITECTS  
 1000 SHEPPARD AVENUE EAST  
 SUITE 100  
 SCARBOROUGH, ONTARIO M1S 1T6  
 TEL: 416-491-1111  
 FAX: 416-491-1112  
 www.oaa.on.ca



No.	Description	Date
1	Issued for OWNER'S REVIEW	20160309
2	Revised for OWNER'S REVIEW	20160304
3	Issued for OWNER'S REVIEW	20160414
4	Revised for REVIEW	20160707

326 Jewlan Dr.  
 Woodbridge, On L4L 8E3  
 Proposed Industrial Building

SITE PLAN & STATISTICS

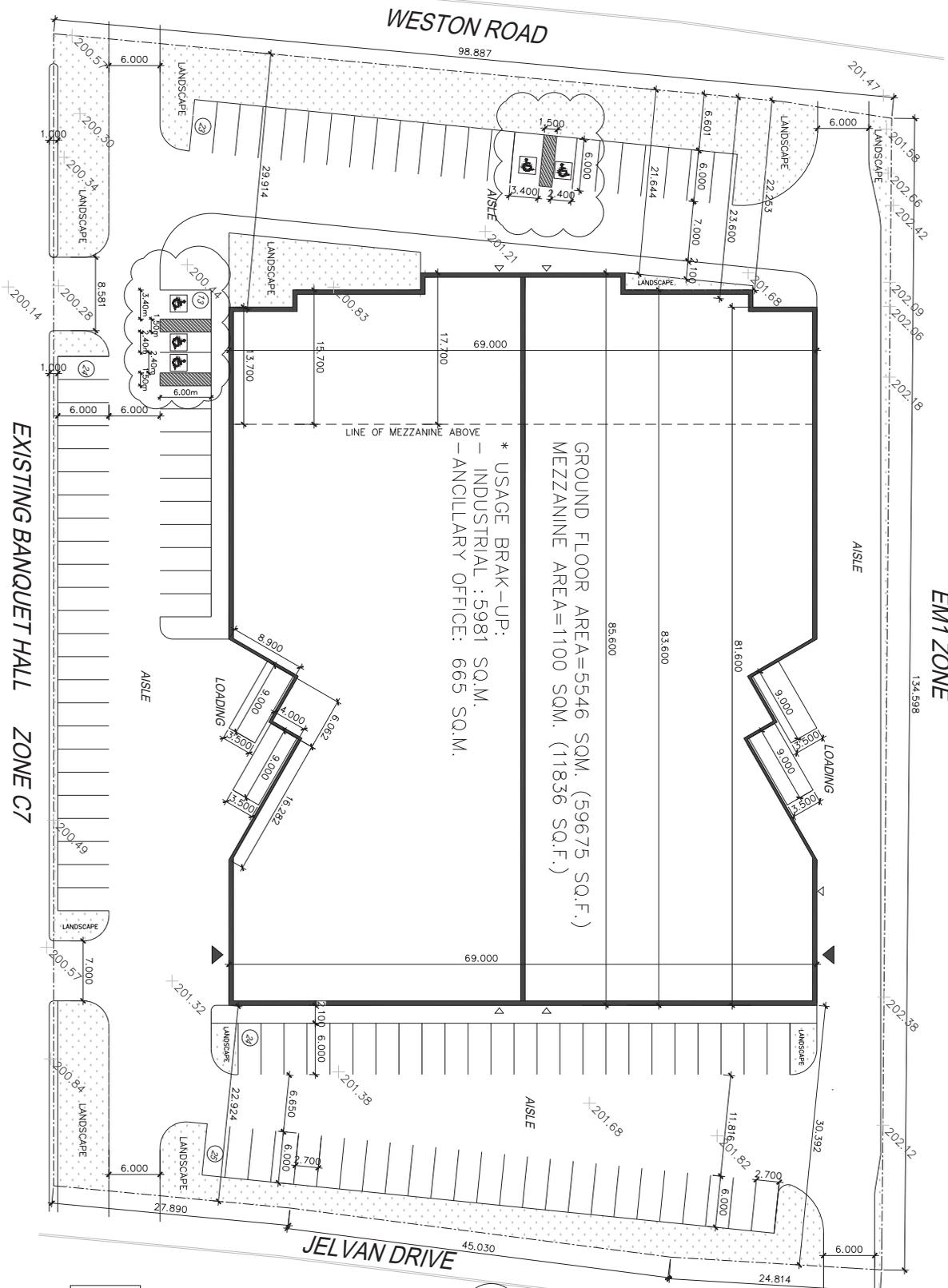
Project number  
 DATE: MAR 2016  
 Drawn by: L.P.  
 Checked by: G.G.

Scale: 1:1000  
 A1  
 48x rolled

AREA STATISTICS

	SQ.M	SQ FT
LOT AREA:	13,232.04	142,376.8
BUILDING AREA:	5,546	59,675
COVERARGE	41.92 %	
GROSS FLOOR AREA:		
MAIN FLOOR	5546	59,675
MEZZANINE	1100	11,836
TOTAL GROSS FLOOR AREA=	6646	71,511
FLOOR SPACE INDEX:	0.5	
BASEMENT AREA:		

PARKING REQUIRED:  
 -INDUSTRIAL USE @ 0.15 SPACES/100 SQ.M = 90 SPACES  
 -ANCILLARY OFFICE USE @ 0.2 SPACES/100 SQ.M = 13 SPACES  
 TOTAL PARKING REQUIRED = 103 SPACES  
 PARKING PROVIDED = 109 SPACES  
 (INCLUDING 5 ACCESSIBLE SPACES)  
 PROPOSED LANDSCAPE AREA: 1516 SQ.M @ 11.45%



1 SITE PLAN - A1-1  
 SCALE = 1:1000







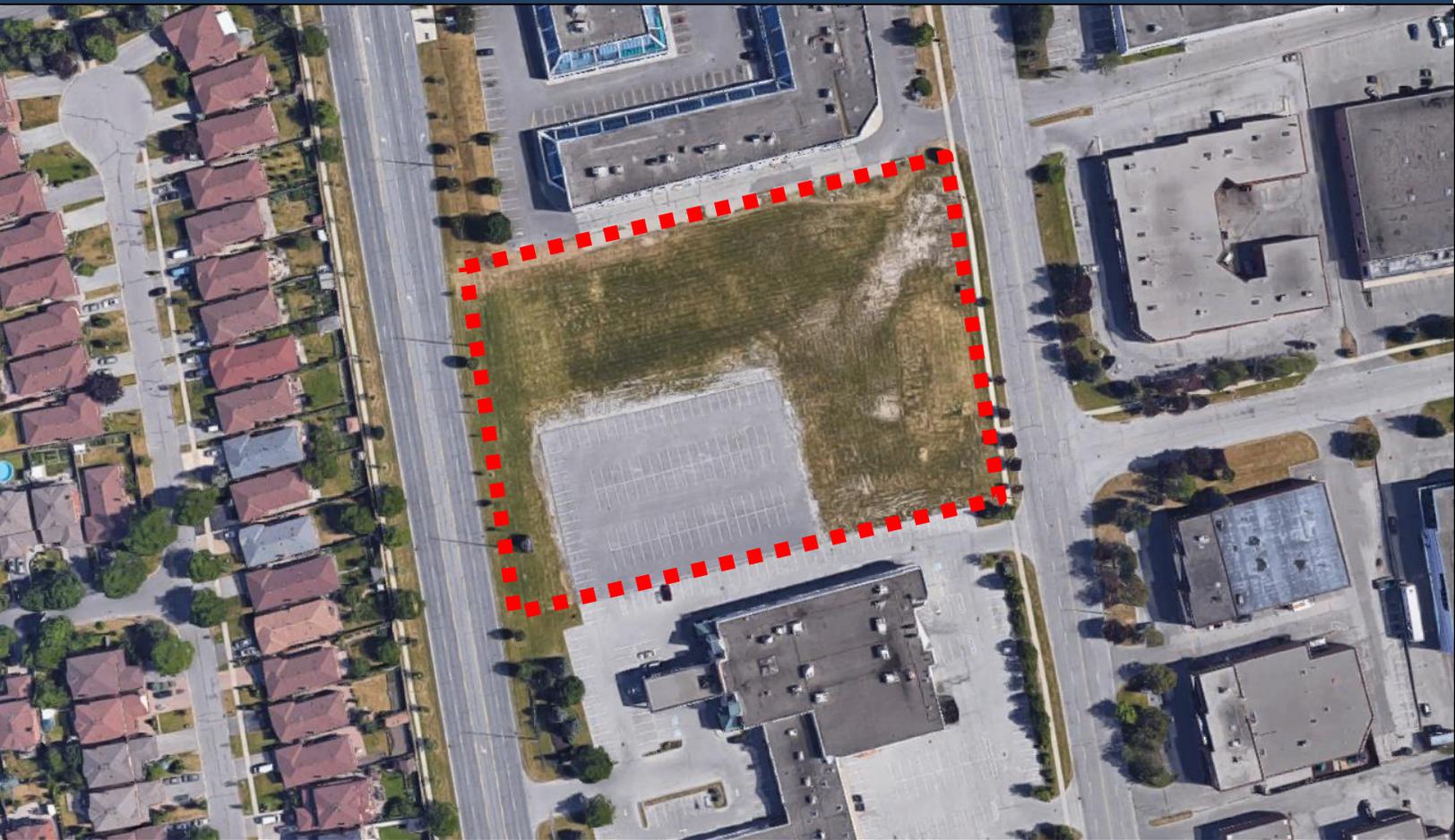
## **Schedule B: Public Correspondence Received**

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.

### **Applicant Correspondence – Planning Justification Report**

# Planning Justification Report

Minor Variance Application (City File No. A146/21)  
326 Jevlan Drive, City of Vaughan



Prepared for: 1114308 Ontario Ltd.

June 24<sup>th</sup>, 2021

*Brutto Consulting*

113 Miranda Avenue  
Toronto, ON M6B 3W8

## 1.0 Introduction

Brutto Consulting has prepared this Planning Justification Report regarding the Minor Variance application (City File No. A146/21) for the Subject Property located at 326 Jevlan Drive, City of Vaughan. We are the authorized Planning Consultant for the owners of the Subject Lands and are hereby submitting a Minor Variance application to the City of Vaughan Committee of Adjustment, seeking relief to Zoning By-law 1-88.

The requested variance is required to permit the “General Provisions” under Section 6.1 as well as the “Employment Use” component of the EM1 Zone within the proposed building. The proposed use is an industrial building with employment and ancillary office uses. The existing C7 permissions would remain as entitlements as of right.

To address the needs of this assignment the following activities were undertaken:

- a) Review Relevant Background Material.
- b) Attend a Site Visit to identify Physical Characteristics of Property.
- c) Undertook wind shield survey of property context and surrounding area.
- d) Review applicable City of Vaughan land use policies.
- e) Researched similar and approved requests of the Committee of Adjustment that are equally applicable to this site.

This Planning Justification Report contains a review of the pertinent planning policies for the proposed minor variances including land use policies set out by the City Official Plan (VOP 2010) and the City Zoning By-law 1-88.

## 2.0 Site Context

The Subject Property is located at 326 Jevlan Drive. It is a vacant lot. The nearest major intersection is Weston Road and Roytec Road. The Subject Lands have a frontage of 98.88 metres on and a depth of 134.59 metres, and a lot area of 13,232.04 sq. metres (3.27 acres). The property has direct frontage onto both Weston Road and Jevlan Drive.

The land use context surrounding the Subject Lands is described as follows (*See Figure 1: Site Context*):

**North:** To the immediate north of the subject property is an employment commercial plaza under the Prestige Employment Zone – EM1. This plaza includes retail and office establishments accessory to employment uses as well as small scale financial institutions, spas, insurance agencies, and hair salons.

**East:** To the immediate east of the subject property is Jevlan Drive followed by an abundance of industrial properties under the General Employment Area Zone – EM2. It is noted that the EM2 zone permits open storage.

**South:** To the immediate south of the subject property is an existing banquet hall as well as a daycare, nail salon and photo studio.

**West:** To the immediate west of the subject property is Weston Road followed by a residential neighbourhood.



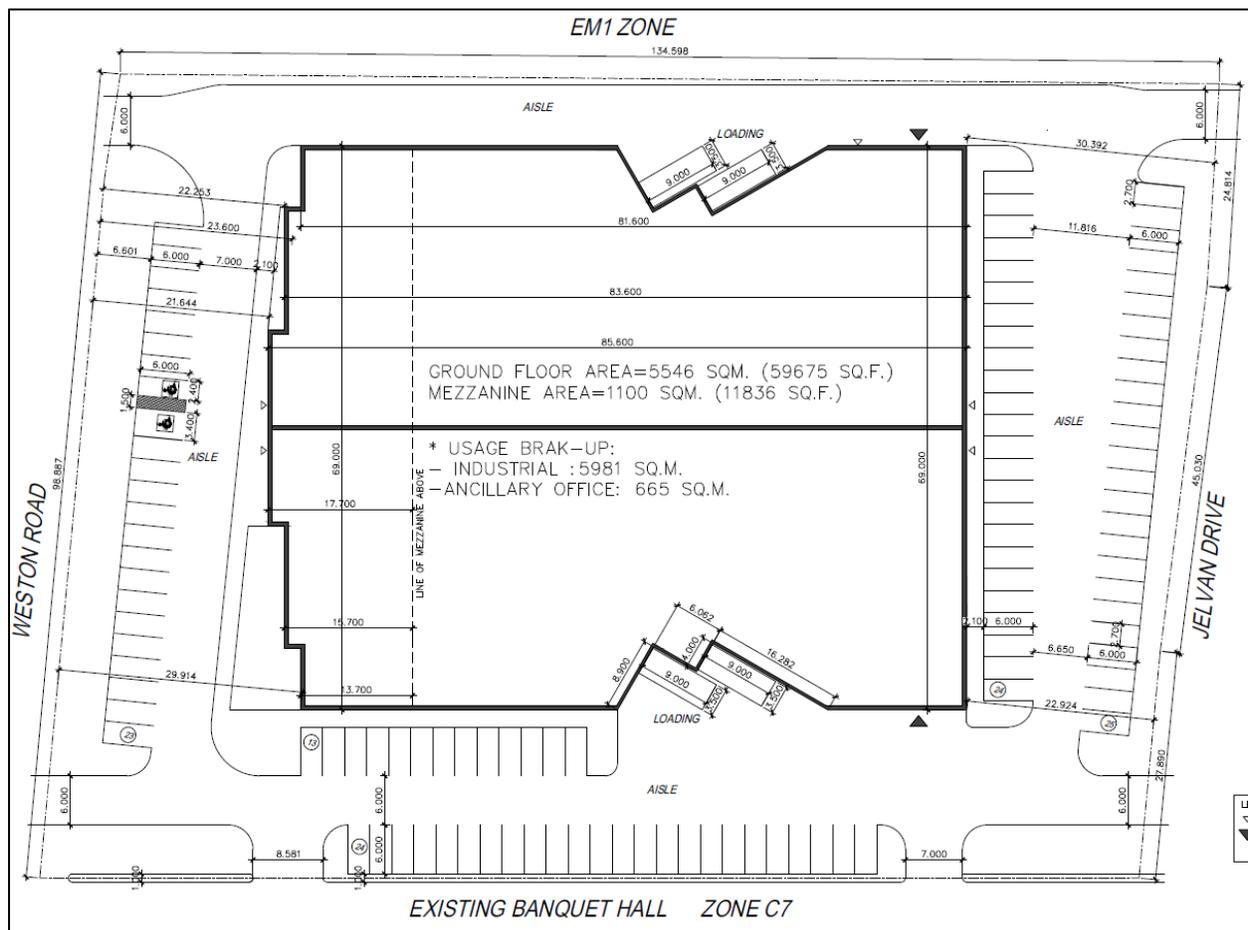
Figure 1: Site Context (Source: Google Maps, 2021)

### 3.0 Proposed Development

The proposed development on the Subject Property is to build a commercial industrial building with office uses fronting onto Weston Road and employment uses in the rear facing Jevlan Drive. Please refer to *Figure 2- Proposed Conceptual Site Plan* for reference.

The proposed building will have a total gross floor area (GFA) of 6,646.0 sq. metres of which 5,546.0 sq. metres will be on the ground-floor and 1,100 sq. metres will be a mezzanine. The usage of the building will be 5,981 sq. metres for employment uses and 665 sq. metres for ancillary office uses. A total of 109 parking spaces, including 2 accessible spaces, will be provided which is above the parking requirement of 103 spaces. The site will have 4 access driveways (two on Weston Road and two on Jevlan Drive).

The site also has access to full municipal services existing on Jevlan Drive including water supply, sanitary sewage and storm sewers.



**Figure 2: Proposed Conceptual Site Plan**

## 4.0 Policy Context – Zoning and Official Plan

### City of Vaughan Zoning By-law (1-88)

The City of Vaughan Zoning By-law 1-88 contains provisions for regulating the zoning for the Subject Property. The lands are zoned as Service Commercial Zone – C7 (See Figure 3 – Zoning Map). The C7 zone permits a wide array of uses, some of which cater to the needs of the surrounding employment area.

Site-specific zoning exception 462(H) – See Figure 4 - also applies to the Subject Property which in addition to the uses permitted in the C7 Zone it also permits a photography studio, gift store, party supply store, florist shop, and does not permit a retail convenience store. This exception also includes provision for the lands to have a minimum 3.0m landscape buffer abutting Jevlan Drive, and a minimum rear yard of 17.0 metres.

The application seeks to add a minor provision within the C7 zone to permit the “General Provisions” for Employment Area Zones under Section 6.1 of Zoning By-law 1-88 which we are also seeking in order to facilitate the proposed development.

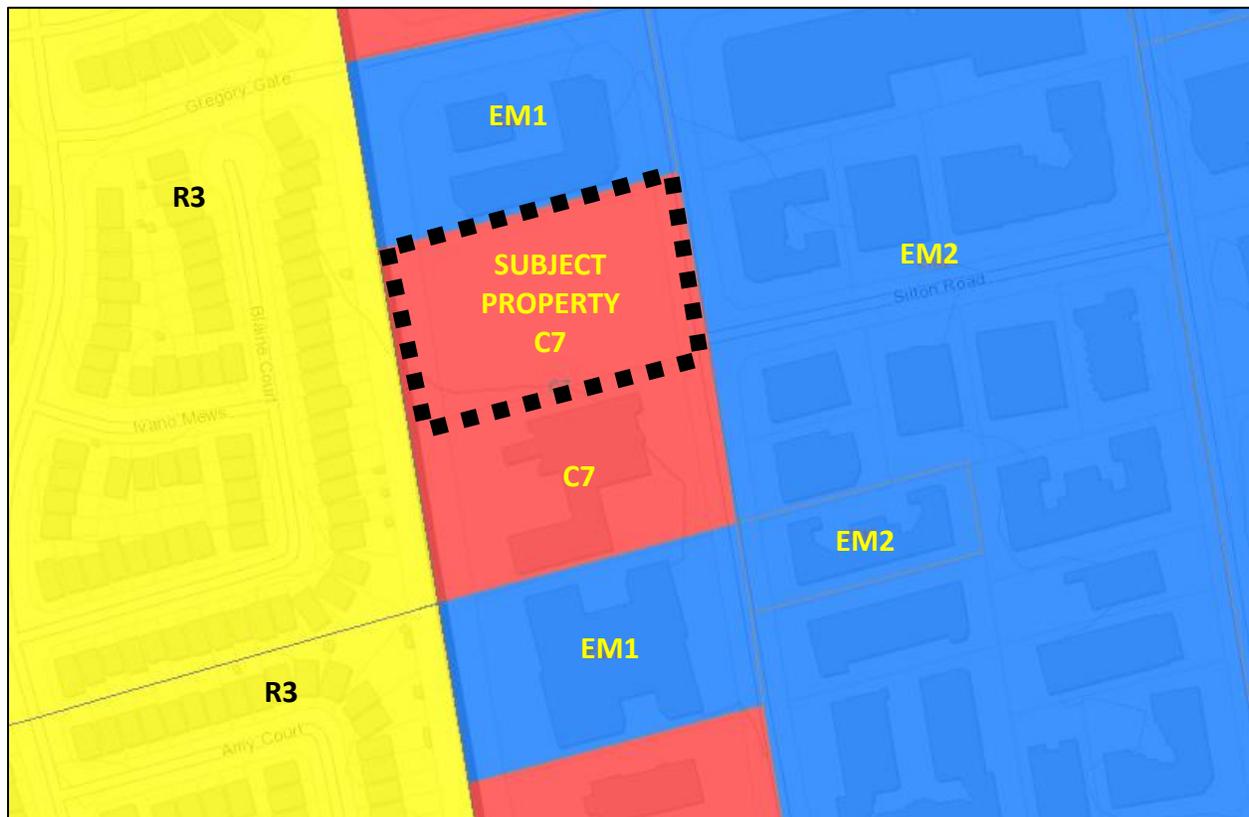


Figure 3: Zoning Map (Source: City of Vaughan, 2021)

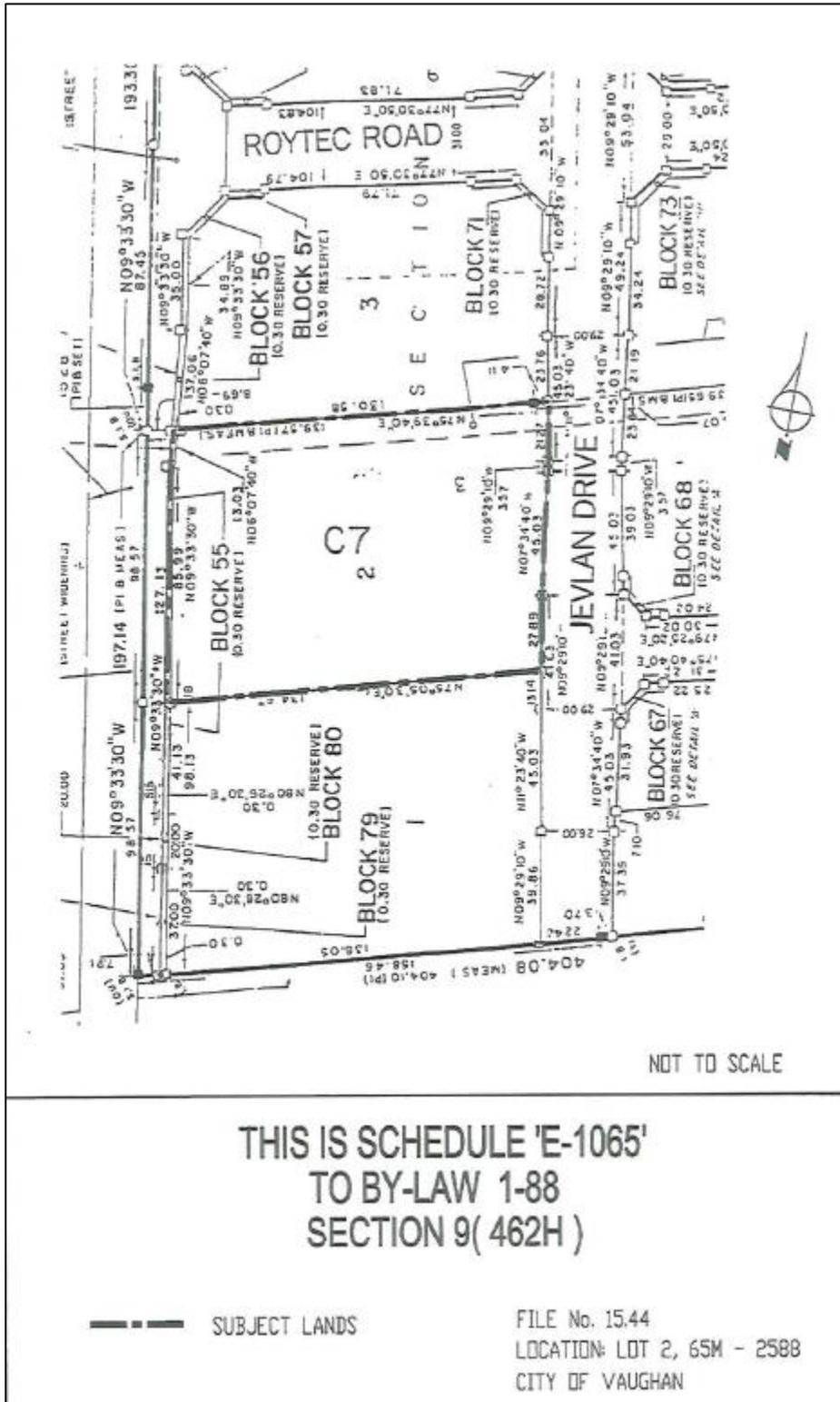


Figure 4: Schedule E-1065 To Zoning By-law 1-88 (Source: City of Vaughan, 2021)

## City of Vaughan Official Plan (2010)

The City of Vaughan Official Plan (VOP, 2010) locate the Subject Property within an “Employment Area”, as per Schedule 1 – Urban Structure of the VOP 2010 (See Figure 5). This makes the property subject to the policies of Section 2.2.4 of the Official Plan, which intend “Employment Areas” to have a planned function in the City to support economic activity by supplying land for a wide range of industrial, manufacturing, warehousing, ancillary office uses, and some retail uses that serve the day-to-day needs of Employment Areas. It is also City policy to protect the planned function of Employment Areas from non-employment uses such as residential and major retail uses.

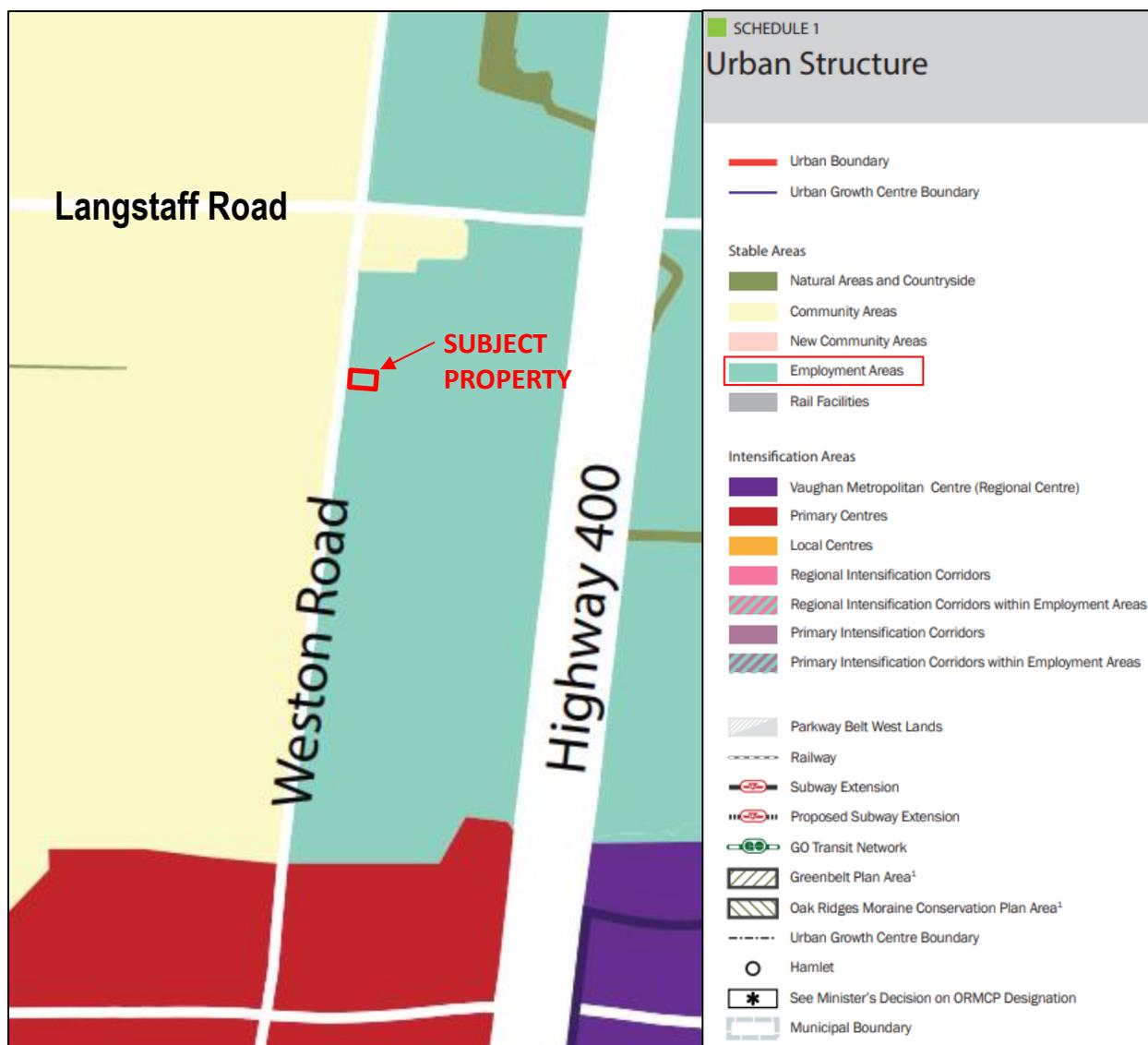


Figure 5: Schedule 1 – Urban Structure (Source: City of Vaughan Official Plan, May 2020)

The City Official Plan also designates the lands located at 326 Jevlan Drive as “Employment Commercial Mixed-Use” illustrated within Schedule 13 - Land Use (See Figure 6). As per Section 9.2.2.7 of the Official Plan, the intent of this land use designation is to develop commercial buildings that allow a wide range of businesses to be in close proximity to each other. Also, as per policy 9.2.2.7.b) ii) lands under this designation are intended to provide ancillary uses that serve businesses and employees within Employment Areas. Policy 9.2.2.7.b) iii) further states that this designation will provide focus for business activity large and comprehensive concentrations of supporting ancillary uses (including large scale ancillary uses) and amenities for Employment Areas. The Employment Commercial Mixed-Use Area also permits buildings with a maximum height of 5-storeys.

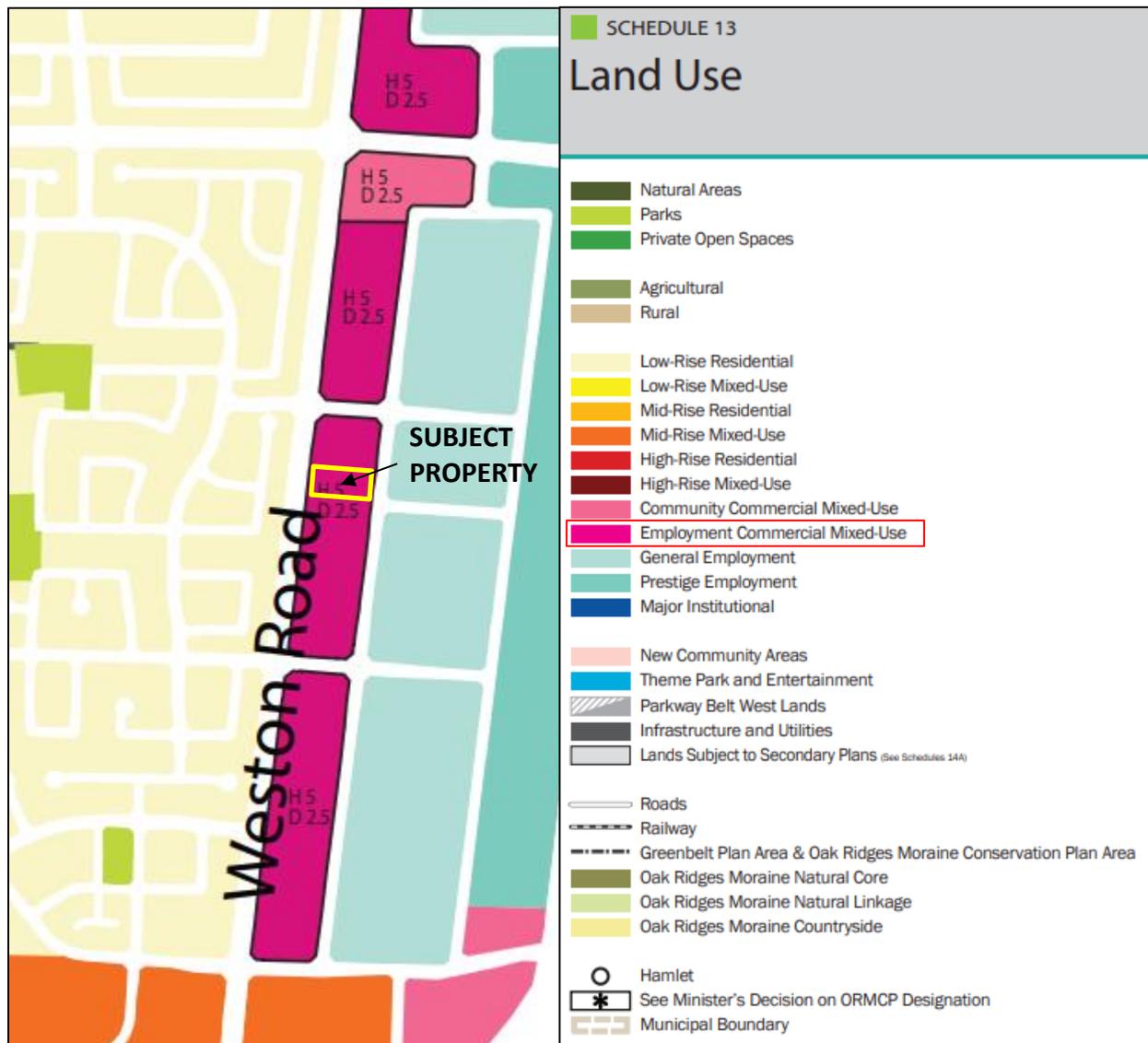


Figure 6: Schedule 13 – Land Use (Source: City of Vaughan Official Plan, January 2021)

## Requested Variance

The purpose of this minor variance application is to seek minor relief from the City of Vaughan Zoning By-law 1-88 to permit for the proposed employment and ancillary office building to operate in compliance with the Zoning By-law.

### Requested Variances to the City of Vaughan Zoning By-law 1-88:

1. To permit "Employment Use" as defined by Section 2.0 of Zoning By-law 1-88.
2. To permit "General Provisions" for Employment Zones under Section 6.1 of Zoning By-law 1-88.

## 5.0 Meeting the Four Tests set out in the Planning Act

To assist in justifying the merits of the proposed variance and meeting the four (4) tests set out by Section V, Subsection 45 (1), Powers of the Committee (of Adjustment), we reviewed all planning policies relevant to the site. It is our professional planning opinion that the variance as currently constituted and filed with the City of Vaughan meets all four tests set out in the Planning Act, Part V, and Section 45 (1). Those four tests as set out in subsection 45(1) are articulated herein and addressed as required.

### 5.1 Will the Variances maintain the General Intent and of the Vaughan Official Plan (2010)?

The City of Vaughan Official Plan designates the lands located at 326 Jevlan Drive as "Employment Commercial Mixed-Use", illustrated within Schedule 13 - Land Use (*See Figure 6*). Also, the Subject property is situated within a designated "Employment Area" as per Schedule 1 – Urban Structure of the City Official Plan. The Subject Property is not subject to any site-specific policies and is not located within any secondary plan areas.

As previously noted, Section 2.2.4 of the Official Plan states that "Employment Areas" are intended to facilitate economic growth and stimulate significant job creation in the City of Vaughan. These areas are considered *Stable Areas* within the City's urban structure and are planned for economic activity that relates to industrial, warehousing, manufacturing and office related land uses. The proposed industrial building with ancillary office use conforms to this policy direction and meets the general intent of Employment Areas.

Section 9.2.2.7.b) of the Official Plan indicates that “Employment Commercial Mixed-Use” will contribute to Employment Areas in the following manner:

- ii. *Contribute to the provision of ancillary uses, which primarily serve the needs of businesses and employees in the Employment Areas;*
- iii. *Providing for the largest and most comprehensive concentrations of supporting ancillary uses and amenities in the Employment Areas, including larger scale ancillary uses;*
- v. *Be carefully designed with a high standard of public realm and urban built form to contribute to the creation of an urban environment with a strong pedestrian orientation and attractive streetscapes in respect of the high-profile locations of this designation;*

The proposed development meets the intent of the policy directions noted above. The proposal includes an ancillary office use fronting onto Weston Road that will directly contribute to serving the needs of the proposed employment use on the rear of the lands facing Jevlan Drive and of the adjacent Employment Area.

The proposed building will also be designed with high quality architecture as well as wide landscape buffers along both Weston Road and Jevlan Drive (*Please refer to Figures 2 and 6*) which will provide a significant urban design improvement along the frontage of a major arterial road. The primary façade, main entrance and office portion of the building will be fronting Weston Road, thereby meeting the intent of Section 9.2.2.7.b)v) to create an attractive streetscape along the high-profile location of the property. The proposed building will exhibit attractive architectural and urban design details.

Furthermore, Section 9.2.2.7.c) ii) permits the following uses in *non-Intensification Areas*:

- *Office Uses to a maximum of 12,500 m<sup>2</sup> GFA per lot;*
- *Cultural and Entertainment Uses;*
- *Retail Uses; provided that no Retail unit shall exceed a Gross Floor Area of 3,500 square metres; and*
- *Gas Stations, subject to Policy 5.2.3.12.*

As per the above the proposed ancillary office use is specifically permitted on the Subject Property. While the “Employment Commercial Mixed Use” designation does not specify employment or industrial uses, it is noteworthy to advise that Employment Areas within the City of Vaughan primarily contain industrial uses which is the primary function of these areas as per Section 2.2.4 of the VOP 2010. As previously mentioned, the Official Plan requires Employment

Areas to primarily be composed of uses related to industrial, manufacturing, warehousing, and ancillary office uses. Thus, the general intent and purpose of the Official Plan is maintained considering that the general polices for Employment Areas permit these types of employment uses and also considering that a commercial office use ancillary to the employment area is being proposed.



**Figure 7: Proposed Building Rendering**

It is also important to advise that a previous minor variance application to permit a warehouse (A027/16) for 8201 Weston Road – immediately south of the Subject Property - was approved by the City’s Committee of Adjustment on the condition that a Site Development Application be submitted. This property has the same “Employment Commercial Mixed-Use” designation as the Subject Property located at 326 Jevlan Drive. Please refer to *Appendix 1 – A027/16* for reference.

In that case, the proposal was to build a 3-storey addition to the existing 2-storey building at 8201 Weston Road to facilitate the development of a 5-storey self-storage warehouse with accessory retail uses. The City indicated in their recommendation and justification to approve the proposal that the subject lands were *located adjacent to an Employment Area containing a number of varying employment uses*. This made the employment use suitable to the site and therefore to the area in general. The City also expressed no concerns with regards to the proposed warehouse use which is considered an employment use as per policy 2.2.4 of the Official Plan. While the Committee of Adjustment approval lapsed for this application as a result of the owner not pursuing a Site Plan application, it is noteworthy nonetheless that planning staff and the Committee approved the application to allow the employment use.

As such we believe that there is sufficient planning rationale to also support the minor variances that are being sought for employment use and general provisions for employment zones. The proposed minor variances do not require an Official Plan Amendment as the Subject Property, like 8201 Weston Road, is designated “Employment Commercial Mixed-Use”.

As was the case with 8201 Weston Road (A027/16), the City Official Plan (2010) contains latitude for employment uses that are directly supportive of the primary function of employment areas, which in this case was for a self-storage warehouse. It is our opinion that the proposed employment and office use on the Subject Property is a use that is complementary to the immediately surrounding Employment Area.

The proposed development may be considered as a use that will not adversely affect or be affected by the surrounding land uses. The proposed height of the building also does not exceed the maximum height prescribed in the Employment Commercial Mixed-Use designation.

Overall, the proposed variances will maintain the General Intent and Purpose of the Official Plan.

## **5.2 Do the Variances Maintain the General and Purpose of Vaughan Zoning By-law 1-88?**

The subject lands are currently zoned as Service Commercial Zone (C7). The Service Commercial Zone supports a wide array of commercial uses. The variances requested would permit employment uses or the general provisions for employment zones of Section 6.1. In this regard, “Employment Uses” are defined as the following within Section 2.0 of Zoning By-law 1-88:

*Means the use of land, buildings or structures for the warehousing, manufacturing, processing or assembly of materials to finished products or by products, and may include other similar operations such as, but not limited to, data processing, research and development, and printing and publishing.*

The intent of the proposed minor variance to permit “Employment Use” within the C7 Zone of the Subject Property is to ensure that additional land uses assist in employment generation. Permitted uses within the C7 Zone currently include the following:

- Automobile Service Station, Automobile Gas Bar, Car Wash
- Automotive Retail Store
- Bank and Financial Institution
- Banquet Hall, including an eating establishment (not to exceed 20% GFA of banquet hall)
- Business and Professional Office
- Car Rental Service

- Club or Health Centre
- Day Nursery
- Eating Establishment/Outdoor Patio, subject to Section 5.1.6
- Eating Establishment, Convenience with Drive-Thru/Outdoor Patio subject to S. 5.1.6
- Eating Establishment, Take Out/Outdoor Patio, subject to Section 5.1.6
- Education or Training Facility
- Hotel, Motel, Convention Centre
- Office Building
- Office and Stationary Supply, Sales, Service, Rental
- Parks and Open Space
- Pet Grooming Establishment, to be contained within a wholly enclosed building
- Print Shop Accessory Retail Sales
- Parking Garage
- Place of Entertainment
- Personal Service Shop
- One (1) Convenience Retail Store (*not allowed as per Exception 462H*)
- One (1) Pharmacy
- Recreational Use as Defined in Section 2.0
- Service or Repair Shop
- Tavern
- Technical School
- Video Store
- Veterinary Clinic

Site-specific Zoning Exception 462H) also permits the following additional uses:

- Photography studio
- Gift store
- Party supply store
- Florist shop
- Does not permit retail convenience store

It is highly noteworthy to advise that the Subject Property is surrounded by employment areas to the north, east and south and as such the minor variances being sought conform to and are in harmony with the existing character of the area.

## Relevant Examples of Committee of Adjustment Decisions

There are a number of examples within the City's Employment Areas where Planning Staff and the Committee of Adjustment that have dealt with and approved similar requests to the variances being sought by this application. We cite 4 of those herein and have attached the decisions in Appendices 1 through 4.

### 1. 8201 Weston Road (A027/16)

As previously mentioned, the minor variance application for 8201 Weston Road (A027/16) was approved by the Committee of Adjustment to permit a warehouse use within the C7 Zone subject to submitting a Site Plan application. This application is immediately south of the Subject property at 326 Jevlan Drive. Also, during the processing of application A027/16 it is noted that the Subject Property (326 Jevlan Dr) is identified as Lot 2 of Plan 65M-2588 while 8201 Weston Road as Lot 1 of Plan 65M-2588, and both properties are defined as one lot for the purpose of site-specific exception 462H) to Zoning By-law 1-88. As such, the same minor variance uses being sought by this application should be conferred at 326 Jevlan Drive by way of Committee of Adjustment. Please refer to *Appendix 1 – A027/16* for reference.

### 2. Cityview Boulevard (A097/17)

At Cityview Blvd (A097/17) the applicant was seeking to permit the construction of a Motor Vehicle Sales Establishment (Toyota/Lexus Car Dealership) as well as outdoor storage within the EM1 Zone and "Prestige Employment" land use designation. In this case, the Prestige Employment designation did not permit outdoor storage, while the EM1 Zone did not permit either use. The Committee of Adjustment approved the minor variance application by adding a use to permit Motor Vehicle Sales Establishment along the Highway 400 corridor. This was approved by the Committee of Adjustment. *Please refer to Appendix 2 (A097/17) for reference.*

### 3. 105 and 131 Four Valley Drive (A251/15 and A259/15)

At 105 & 131 Four Valley Drive (A251/15 and A259/15) two Motor Vehicle Sales Establishments (Pfaff Porsche Car Dealership) were approved by the Committee of Adjustment. The proposed use was not permitted within the EM1 Zone. Please refer to *Appendix 3 – A251/15 and A259/15* for reference.

#### 4. 2 Chrislea Road (A089/18)

The Subject Property is the Tesla Dealership (A089/18) located at 2 Chrislea Road. The purpose of this application was to seek relief from By-law 1-88 to permit a retail warehouse facility use within the existing building to support the Tesla establishment with an accessory use. This use was not permitted. The Committee of Adjustment approved the application. Please see *Appendix 4 – A089/18* for reference.

Overall, the purpose of referencing the above noted applications is to demonstrate that the City of Vaughan Committee of Adjustment has recommended approval of minor variances that propose land uses not specifically included in their respective Zone category. That is because they are in fact minor and do not result in change in use that is in complete contradiction to the Official Plan Employment designations and the overall intent of the zoning by-law.

It is reasonable to consider that the proposed “Employment Use” and “General Provisions” being requested meet the general intent of Zoning By-law 1-88 as the site is within an employment area and is also immediately adjacent to properties with employment and office uses.

On a site-specific basis the proposed employment and ancillary office building does not undermine the Service Commercial (C7) Zone as it is not an isolated parcel with respect to the surrounding employment and commercial properties and is immediately surrounded by sites zoned EM1 and EM2 which both permit “Employment Use” as well as general provisions for employment uses. In our opinion the intent of the by-law is not compromised.

Given the zoning permissions that have been appropriately approved by the Committee of Adjustment and which have occurred on similar sites within the City’s Employment Areas we can opine that the proposed use is in conformity with the surrounding land uses as it would provide both an employment and commercial function.

#### **5.3 Are the variances minor in nature?**

It is our opinion that the requested variances are minor in nature. The variances sought for the Subject Property are compatible with the surrounding Employment Area and will not have any adverse impacts on adjacent properties. The proposed office and employment uses are typically found within Employment Areas in the City of Vaughan and are appropriate for the site context.

Aside from the proposed uses and general provisions being sought, the proposed development does not exceed and nor is deficient in any other provisions of the Zoning By-law. As previously mentioned, the proposal conforms with the frontage, height, parking, and yard setbacks of the Zoning By-law.

The existing C7 Zone permissions can still be pursued without issue on site. All of the uses adjacent or nearby to the subject site are of an industrial EM1 and EM2 type as well as some C7 service commercial type. The variances that are being sought for the Subject Property therefore do not represent an isolated or outlier request. As noted herein, there have been similar Committee of Adjustment approved applications within designated employment areas in the past. In our opinion the variance is minor.

#### **5.4 Is the Variance Desirable for the Appropriate Development of the Land?**

In our opinion the proposed variance is desirable and an appropriate use of land. The proposed building on the subject property will operate without any negative impacts to the surrounding community, while utilizing the lands to its highest and best use.

The proposed variances provide an opportunity to expand the range and provisions of permitted uses on a site that is within an employment area and bounded by existing employment uses of both industrial and commercial character. The proposed use of the Subject Property is considered compatible with the surrounding employment character of the area.

The proposed use is permitted by the City Official Plan and will directly serve the planned function of Employment Areas by creating new jobs, generating a mix of employment and ancillary office uses, and designing an attractive façade fronting onto Weston Road (*See Figure 7*). The proposed building frontage will become one of the most attractive buildings along this stretch of Weston Road and will significantly improve the presently unused parcel of land.

As such, we opine that the proposed variances are desirable for the appropriate development of the property. They will assist to maximize and efficiently use the lands and facilitate a compatible built form with the surrounding area.

## **6.0 Submission Materials**

In support of this application, we have submitted the following information to the City of Vaughan:

1. One (1) completed and signed application form and fee for a minor variance;
2. One (1) copy of the Key Map, Site Plan, and Elevation Plan prepared by Giancarlo Garofalo Architect Inc; and,
3. One (1) copy of the Colour Rendering, prepared by Giancarlo Garofalo Architect Inc.

## 7.0 Concluding Statement and Recommendation

In our professional planning opinion, the variances being sought meet the statutory four tests set out in subsection 45(1) the Ontario Planning Act. The application represents good planning and should be supported by Planning Staff and the Committee of Adjustment.

If there are any questions or if further information is required the undersigned may be reached at any time.

Yours Truly,



**Francesco Fiorani, BURPI**  
Planner/Project Manager  
Brutto Planning Consultant Ltd.



**Claudio P. Brutto, MCIP, RPP**  
President  
Brutto Planning Consultant Ltd.

# **APPENDIX 1**

**A027/16 – 8201 WESTON RD**

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

**FILE NUMBER:** A027/16

**APPLICANT:** WESTPLEX CENTRE INC.

**PROPERTY:** Part of Lot 9, Concession 5 (Part of Block 1N, Registered Plan 65M-2588, Part of YRCC 660, 739 & 768) municipally known as 8201 Weston Road, Unit 6, Woodbridge.

**ZONING:** The subject lands are zoned C7, Service Commercial and subject to the provisions of Exception 9(462E) under By-law 1-88 as amended.

**PURPOSE:** To permit the construction of a five (5) storey warehouse (multi-unit self storage facility) with accessory retail uses, as follows:

**PROPOSAL:**

1. To permit a warehouse (multi-unit self-storage facility) with accessory retail uses.
2. To permit an interior side yard setback of 6.0 metres from the southerly lot line.

**BY-LAW REQUIREMENT:**

1. A warehouse is not a permitted use.
2. A minimum interior side yard setback of 10.15 metres is required based on a building height of 19.3 metres.

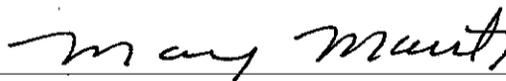
**BACKGROUND INFORMATION:** Other Planning Act Applications  
The land which is the subject in this application was also the subject of another application under the Planning Act:  
Minor Variance:  
A139/15 - APPROVED May 14, 2015 - Bingo Hall with banquet hall.  
A064/95 - APPROVED March 23, 1995 - 198 parking spaces with 6.0m parking space depth.

A sketch is 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. **A027/16, WESTPLEX CENTRE INC.**, be **APPROVED**, in accordance with the sketches and subject to the following conditions:

1. That the Owner submit a Site Development Application for the conversion of the existing 2-storey building into a warehouse building (multi-unit self-storage facility) having a maximum height of five (5) storeys, with accessory retail uses on the existing footprint, for approval by Vaughan Council, 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.**

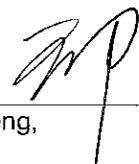
**THIS MINOR VARIANCE DECISION IS NOT A BUILDING PERMIT AUTHORIZING CONSTRUCTION UNDER THE BUILDING CODE ACT, R.S.O. 1990, AS AMENDED. A BUILDING PERMIT MAY BE REQUIRED. PLEASE CONTACT THE BUILDING STANDARDS DEPARTMENT IN THE EVENT THAT YOU REQUIRE FURTHER CLARIFICATION.**

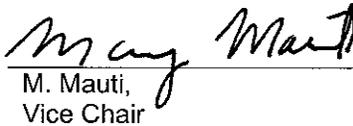
**CARRIED.**

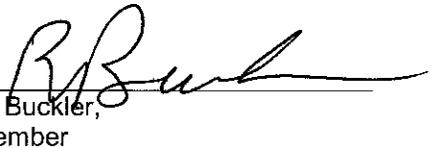
CHAIR:

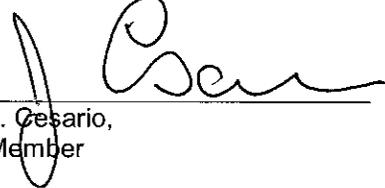


Signed by all members present who concur in this decision:

  
H. Zheng,  
Chair

  
M. Mauti,  
Vice Chair

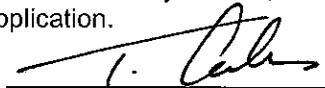
  
R. Buckler,  
Member

  
J. Cesario,  
Member

  
A. 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.



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

**Date of Hearing:                   JANUARY 28, 2016**  
**Last Date of Appeal:           FEBRUARY 17, 2016**

**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 \$708.00 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:**  
**FEBRUARY 17, 2017**



# LANGSTAFF ROAD



# HIGHWAY 7

JANE STREET



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

	FILE NUMBER:	<b>A027/16</b>
	APPLICANT:	<b>WESTPLEX CENTRE INC.</b>
		<b>Subject Area</b> Municipally known as 8201 Weston Road, Unit 6, Woodbridge



# **APPENDIX 2**

**A097/17 – CITYVIEW BLVD**

# NOTICE OF DECISION

## MINOR VARIANCES

**FILE NUMBER:** A097/17

**APPLICANT:** 2544892 ONTARIO INC

**PROPERTY:** Block 59 of Registered Plan 65M-3885) municipally known as Cityview Blvd, Woodbridge.

**ZONING:** The subject lands are zoned EM1 and subject to the provisions of Exception 9(1221) under By-law 1-88 as amended.

**PURPOSE:** To permit the construction of a Motor Vehicle Sales Establishment.

**PROPOSAL:** 1. To permit the use of a Motor Vehicle Sales Establishment.

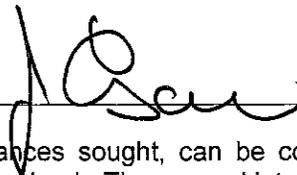
**BY-LAW REQUIREMENT:** 1. A Motor Vehicle Sales Establishment is not permitted.

A sketch is attached illustrating the request.

**MOVED BY:**

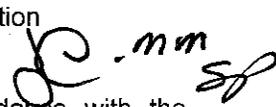


**SECONDED BY:**



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.

The Committee of Adjustment received written and/or oral submissions before and/or during the hearing and have taken these submissions into consideration when making the decision.

THAT Application No.A097/17, 2544892 ONTARIO INC, be **APPROVED**<sup>as amended</sup> in accordance with the sketches and conditions attached 

1. The Owner submit a Site Development Application to the Development Planning Department for approval, if required to the satisfaction of the Development Planning department.
2. ~~That the proposal be modified to increase the amount of industrial uses (manufacturing, warehousing, processing, and distribution uses) and office uses that are more reflective of the intended land use, if required to the satisfaction of the Development Planning department.~~ (See Condition #2 on next page)
3. No outside storage be permitted on the site and all motor vehicles be located wholly within an enclosed building, if required to the satisfaction of the Development Planning department.
4. 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.)**

**FILE NUMBER:** A097/17

**APPLICANT:** 2544892 Ontario Inc (Mohan Janakiraman)

**PROPERTY:** Block 59 of Registered Plan 65M-3885) municipally known as Cityview Blvd,  
Woodbridge.

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**Conditions of Approval**

2. That office areas be a minimum of 39.1% of the total space and the service shop and parts storage be a minimum of 38.3% of the total space, to the satisfaction of the Development Planning Department.

**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: Mary Mauti

Signed by all members present who concur in this decision:

Mary Mauti  
M. Mauti,  
Chair

J. Cesario  
J. Cesario,  
Vice Chair

**ABSENT**  
R. Buckler  
R. Buckler,  
Member

**ABSENT**  
H. Zheng  
H. Zheng,  
Member

A. Perrella  
A. 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.

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

**Date of Hearing: April 27, 2017**  
**Last Date of Appeal: May 17, 2017**

**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. 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 \$708.00 processing fee, paid by certified cheque or money order, to the "TREASURER,

**COMMITTEE OF ADJUSTMENT VARIANCE**

**A097/17**

CITY OF VAUGHAN" and the appeal fee of \$300.00 for each application appealed, paid by certified cheque or money order, made payable to the "ONTARIO MINISTER OF FINANCE".

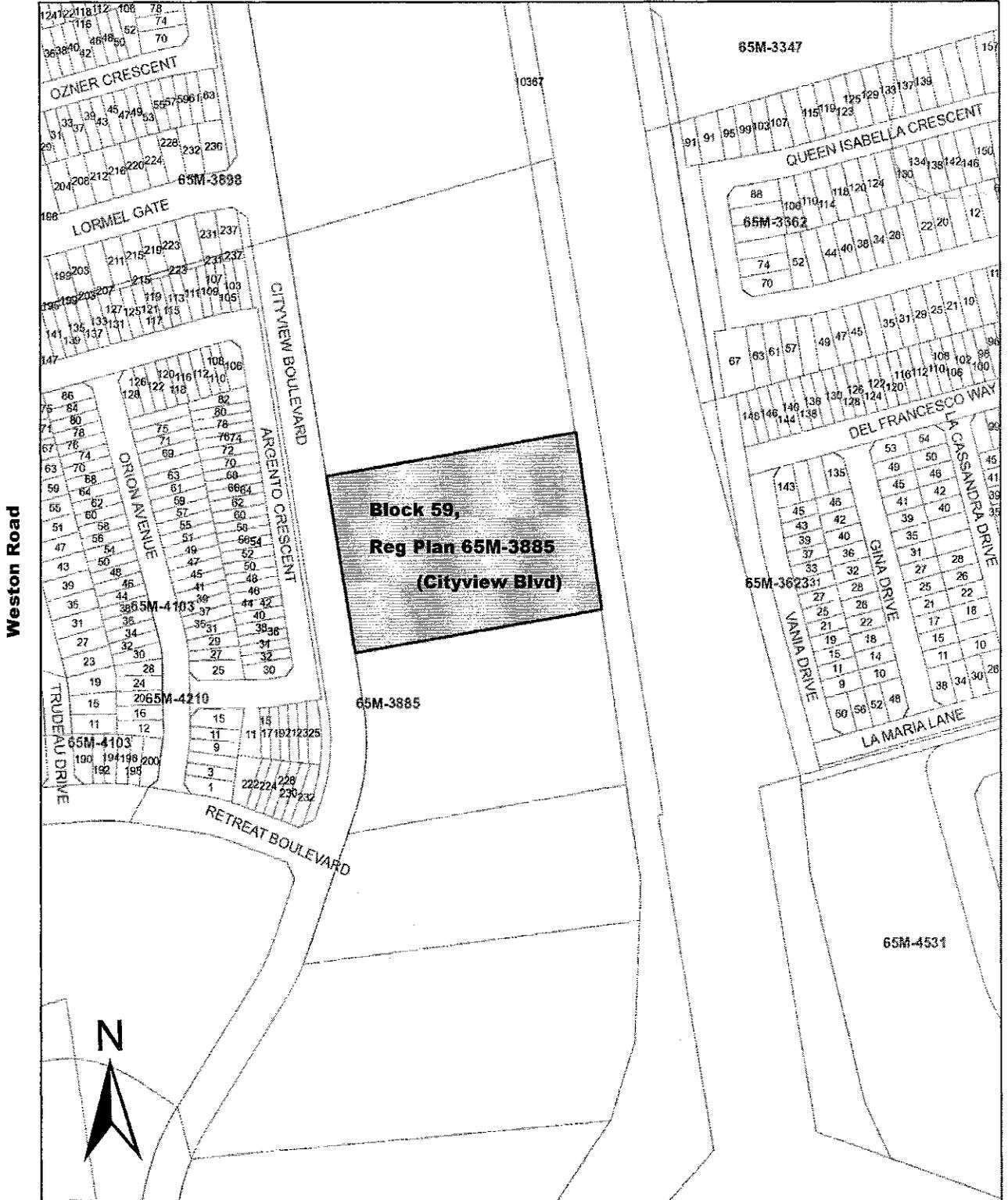
NOTE: The Planning Act provides for appeals to be filed by "persons". As groups or associations, such as residents or ratepayers groups which do not have incorporated status, may not be considered "persons" for the purposes of the Act, groups wishing to appeal this decision should do so in the name of 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 17, 2018**



Cityview Blvd, Woodbridge



The City of Vaughan makes every effort to ensure that this map is free of errors but does not warrant that the map or its features are spatially, tabularly, or temporarily accurate or fit for a particular use. This map is provided by the City of Vaughan without warranties of any kind, either expressed or implied.



# **APPENDIX 3**

**A251/15 & A259/15**

**105 & 131 FOUR VALLEY DR**

# **NOTICE OF DECISION**

## **MINOR VARIANCES**

**FILE NUMBER:** A251/15

**APPLICANT:** PLAYACOR HOLDINGS LTD.

**PROPERTY:** Part of Lot 12, Concession 5 (Block 1, Registered Plan 65M-3537) municipally known as 105 Four Valley Drive, Concord.

**ZONING:** The subject lands are zoned EM1, Prestige Employment Zone under By-law 1-88 as amended.

**PURPOSE:** To permit the construction of a car brokerage, as follows:

**PROPOSAL:**

1. To permit a Motor Vehicle Sales Establishment.
2. To permit northerly interior side yard setback of 0.0 metres (abutting 131 Four Valley Drive).

**BY-LAW REQUIREMENT:**

1. A Motor Vehicle Sales Establishment is not a permitted use.
2. A minimum interior side yard setback of 6.0 metres is required.

**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:  
Draft Plan approved and registered as Plan 65M-3537.

Sketches are attached illustrating the request.

**MOVED BY:**



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**SECONDED BY:**



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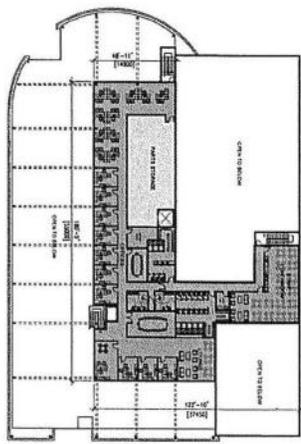
THAT the Committee is of the opinion that the variances sought, can be considered minor and are desirable for the appropriate development and use of the land. The general intent and purpose of the By-law and the Official Plan will be maintained.

THAT Application No. **A251/15, PLAYACOR HOLDINGS LTD.**, 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.**

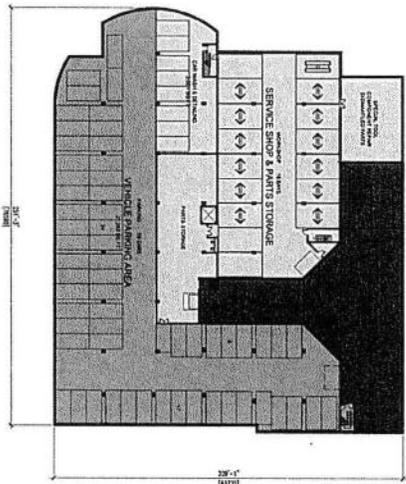
**CARRIED.**





**SECOND LEVEL FLOOR PLAN**  
GROSS FLOOR AREA: 11,832 sq.ft.

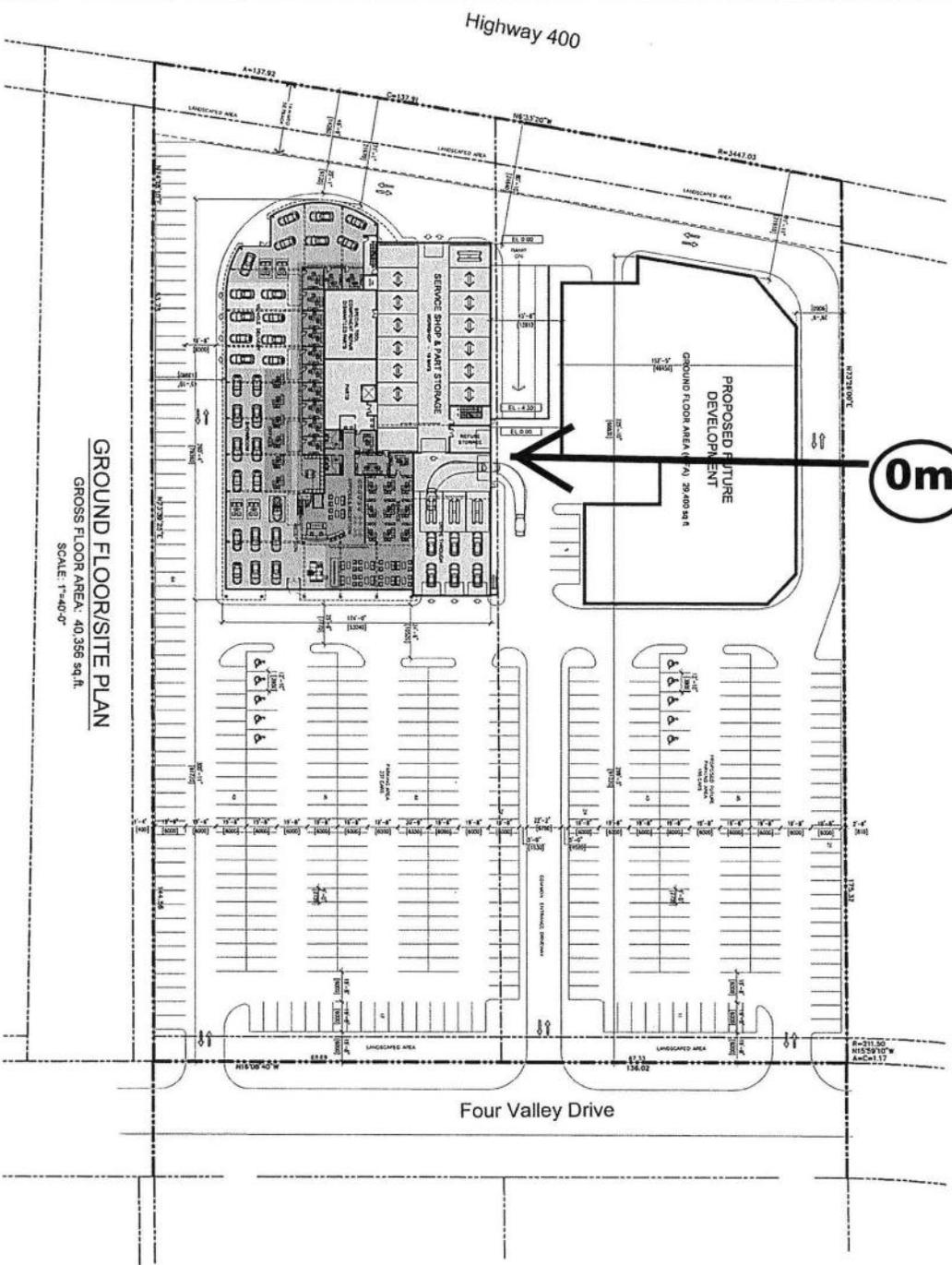
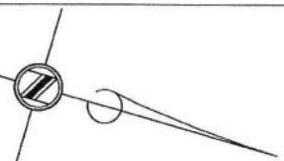
SCALE: 1"=40'-0"



**BASEMENT LEVEL FLOOR PLAN**  
GROSS FLOOR AREA: 48,331 sq.ft.

SCALE: 1"=40'-0"

## To permit a motor vehicle sales establishment



**GROUND FLOOR/SITE PLAN**  
GROSS FLOOR AREA: 40,366 sq.ft.

SCALE: 1"=40'-0"

Pfaff Porsche - Building Use Analysis			
Phase 1	Use	Area (sq.ft.)	Area (sq.m.)
Ground Floor Level	Service Shop & Parts Storage	20,759	1928.6
	Product Showroom & Retail	9,029	838.8
	Offices & Reception	10,568	981.8
	Sub-total	40,356	3749.2
Second Floor Level	Parts Storage	1,989	184.8
	Offices	9,843	914.4
	Sub-total	11,832	1099.2
Basement Level	Service Shop, Parts Storage & Prep Area	18,447	1713.8
	Vehicle Parking	21,263	1975.4
	Shipping & Receiving	8,621	800.9
	Sub-total	48,331	4490.1
<b>Total Gross Floor Area</b>		<b>100,519</b>	<b>9338.5</b>
<b>Total Site Area</b>		<b>6,328 ac.</b>	<b>2,56 ha.</b>

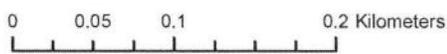
Total Building Areas by Use				
Use	Area (sq.ft.)	Area (sq.m.)	% of Total	
Service Shop & Parts Storage	41,195	3827.1	41.0	
Product Showroom & Retail	9,029	838.8	9.0	
Offices & Reception	20,411	1895.2	20.3	
Vehicle Parking	21,263	1975.4	21.2	
<b>Total Gross Floor Area</b>		<b>100,519</b>	<b>9338.5</b>	<b>100.0</b>

# Location Map

A251/15 & A259/15 105 Four Valley Drive & 131 Four Valley Drive, Concord



City of Vaughan



The City of Vaughan makes every effort to ensure that this map is free of errors but does not warrant that the map or its features are spatially, tabularly, or temporally accurate or fit for a particular use. This map is provided by the City of Vaughan without warranties of any kind, either expressed or implied.

# **NOTICE OF DECISION**

## **MINOR VARIANCES**

**FILE NUMBER:** A259/15

**APPLICANT:** PLAYACOR HOLDINGS LTD.

**PROPERTY:** Part of Lot 12, Concession 5 (Block 2, Registered Plan 65M-3537) municipally known as 131 Four Valley Drive, Concord.

**ZONING:** The subject lands are zoned EM1, Prestige Employment Zone under By-law 1-88 as amended.

**PURPOSE:** To permit the construction of a future car brokerage

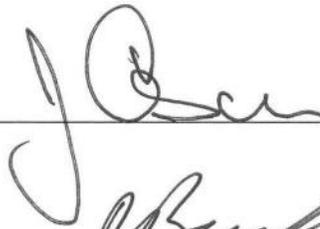
**PROPOSAL:**  
1. To permit a Motor Vehicle Sales Establishment.  
2. To permit southerly interior side yard setback of 0.0 metres.

**BY-LAW REQUIREMENT:**  
1. A Motor Vehicle Sales Establishment is not a permitted use.  
2. A minimum interior side yard setback of 6.0 metres is required (abutting 105 Four Valley Drive).

**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:  
Draft Plan approved and registered as Plan 65M-3537.

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. **A259/15, PLAYACOR HOLDINGS LTD.**, 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

~~ABSENT~~  
H. Zheng,  
Vice Chair

Buckler  
R. Buckler,  
Member

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

**Date of Hearing: AUGUST 27, 2015**  
**Last Date of Appeal: SEPTEMBER 16, 2015**

**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**

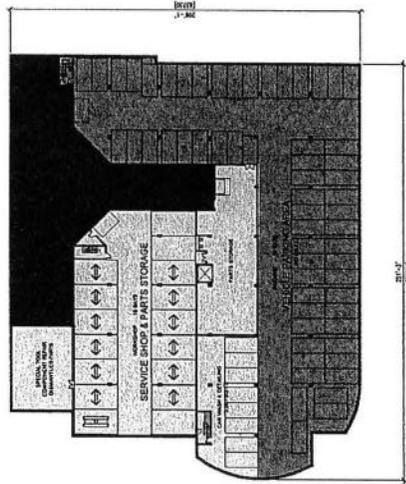
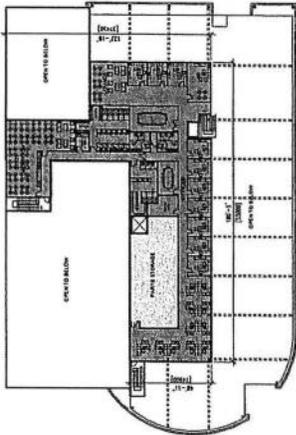
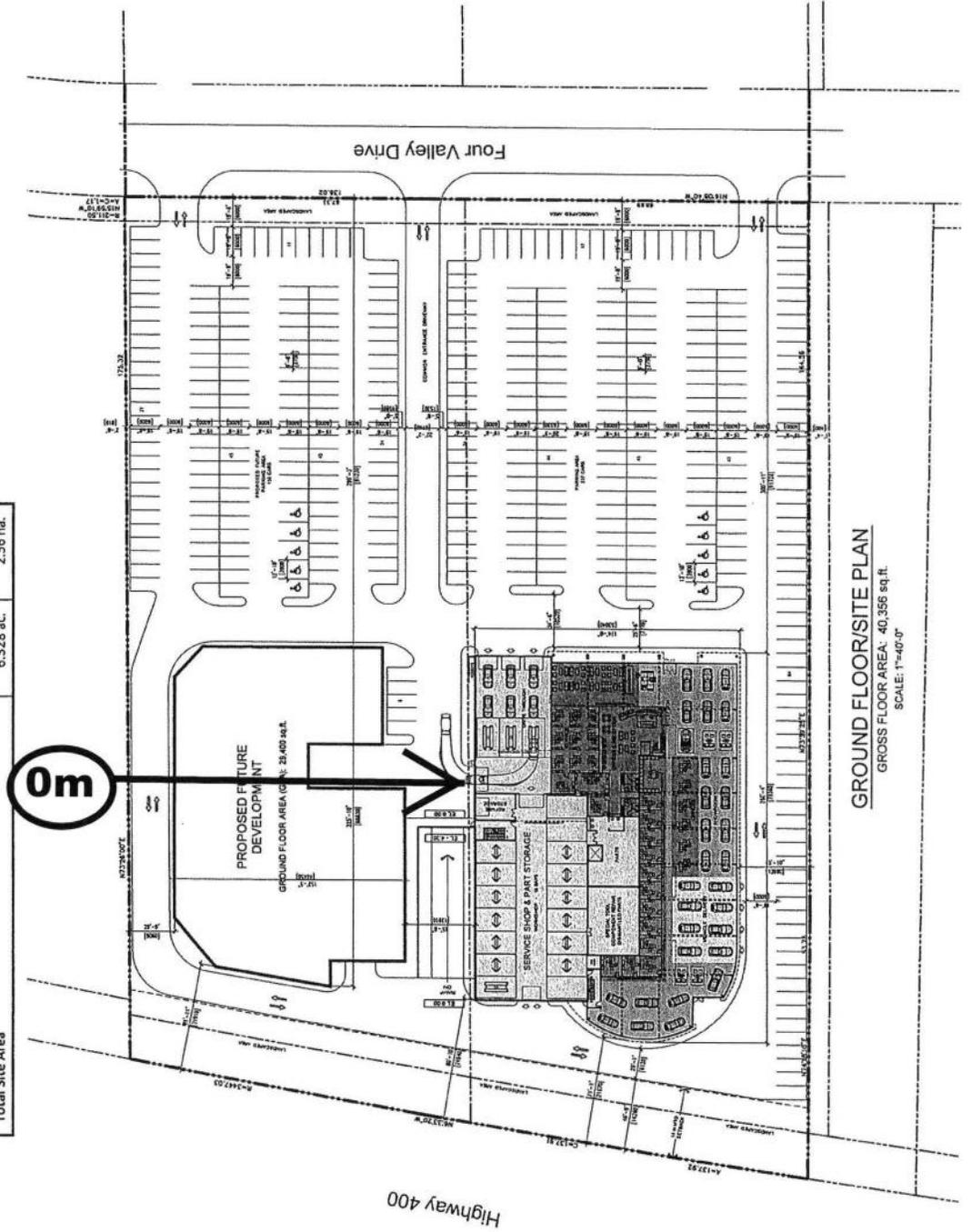
IF ANY CONDITIONS ARE IMPOSED ON THIS APPLICATION, THE FINAL DATE FOR FULFILLING THEM IS: **SEPTEMBER 16, 2016**

# To permit a motor vehicle sales establishment

# A259/15

Total Building Areas by Use			
Use	Area (sq.ft.)	Area (sq.m.)	% of Total
Service Shop & Parts Storage	41,195	3827.1	41.0
Product Showroom & Retail	9,029	838.8	9.0
Offices & Reception	20,418	1886.7	20.3
Vehicle Parking	24,269	2242.2	24.2
<b>Total Gross Floor Area</b>	<b>100,519</b>	<b>9338.5</b>	<b>100.0</b>

Pfaff Porsche - Building Use Analysis			
Phase 1	Use	Area (sq.ft.)	Area (sq.m.)
Ground Floor Level	Service Shop & Parts Storage	20,759	1928.6
	Product Showroom & Retail	9,029	838.8
	Offices & Reception	10,568	981.8
	Sub-total	40,356	3749.2
Second Floor Level	Parts Storage	1,989	184.8
	Offices	9,843	914.4
	Sub-total	11,832	1099.2
Basement Level	Service Shop, Parts Storage & Prep Area	18,447	1713.8
	Vehicle Parking	21,263	1975.4
	Shipping & Receiving	8,621	800.9
	Sub-total	48,331	4490.1
<b>Total Gross Floor Area</b>		<b>100,519</b>	<b>9338.5</b>
<b>Total Site Area</b>		<b>6,328 ac.</b>	<b>2,56 ha.</b>







# **APPENDIX 4**

**A089/18 - 2 CHRISLEA ROAD**

**NOTICE OF DECISION**  
**Minor Variance Application A089/18**  
 Section 45 of the Planning Act, R.S.O, 1990, c.P.13

**Date of Hearing:** Thursday, June 7, 2018  
**Applicant:** Royal Door Limited  
**Agent:** KLM Planning Partners Inc.  
**Property:** **2 Chrislea Road, Woodbridge**  
**Zoning:** The subject lands are zoned EM3 and subject to the provisions of Exception 9(961) under By-law 1-88 as amended.  
**OP Designation:** VOP 2010: "Employment Commercial Mixed-Use"  
**Related Files:** None  
**Purpose:** Relief from the By-Law is being requested to permit a proposed retail warehouse facility to support a Tesla Electric Vehicle & Energy Product Establishment.

Please note: The proposed development does not contemplate an expansion of the existing building and the retail warehousing is proposed within existing building.

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

By-law Requirement	Proposal
Retail warehousing is permitted for the following specific commodities only:  - home and office furniture, but not including office supplies - home appliances - home fabrics, linens and upholstery - floor coverings - window coverings - lighting - pool/patio products - paint and wall paper - windows and doors and related accessories	To permit the retail warehousing of power storage products, branded merchandise, solar panels, battery chargers and to also permit a car brokerage to permit the sale, leasing and servicing and repairs of electric vehicles only whereas the by-law does not permit the retail warehousing of these specific commodities and the car brokerage use.

**Sketch:** A sketch illustrating the request has been attached to the decision.

**Having regard to the requirements of Section 45 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, including the written and oral submissions related to the application, it is the decision of the Committee:**

THAT Application No. A089/18 on behalf of Royal Door Limited be **APPROVED**, in accordance with the sketch submitted with the application (as required by Ontario Regulation 200/96).

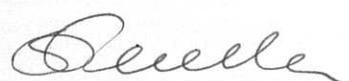
**For the following reasons:**

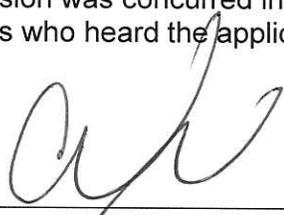
1. The general intent and purpose of the by-law will be maintained.
2. The general intent and purpose of the official plan will be maintained.
3. The requested variance(s) is/are acceptable for the appropriate development of the subject lands.
4. The requested variance(s) is/are minor in nature.

**Written & oral submissions considered in the making of this decision were received from the following:**

<b>Public Written Submissions</b> * Public Correspondence received and considered by the Committee in making this decision	<b>Public Oral Submissions</b> *Please refer to the approved Minutes of the Thursday , June 07, 2018 meeting for submission details.
Name: Address: Nature of Correspondence:	Name: Address:
Name: Address: Nature of Correspondence:	Name: Address:
Name: Address: Nature of Correspondence:	Name: Address:

**SIGNED BY ALL MEMBERS PRESENT WHO CONCUR IN THIS DECISION:**

		<i>conflict declared.</i>
H. Zheng Member	J. Cesario Chair	R. Buckler Vice Chair
<b>ABSENT</b>		
		
M. Mauti Member		A. Perrella Member

<b>DATE OF HEARING:</b>	<b>Thursday, June 7, 2018</b>
<b>DATE OF NOTICE:</b>	<b>June 15, 2018</b>
<b>LAST DAY FOR *APPEAL:</b> *Please note that appeals must be received by this office no later than 4:30 p.m. on the last day of appeal.	<b>June 27, 2018 4:30 p.m.</b>
<b>CERTIFICATION:</b> I hereby certify that this is a true copy of the decision of the City of Vaughan's Committee of Adjustment and this decision was concurred in by a majority of the members who heard the application.	
	
Christine Vigneault, ACST Manager Development Services & Secretary Treasurer to the Committee of Adjustment	

**Appealing to The Local Planning Appeal Tribunal**  
The *Planning Act*, R.S.O. 1990, as amended, Section 45

The applicant, the Minister or any other person or public body who has an interest in the matter may within 20 days of the making of the decision appeal to the Local Planning Appeal Tribunal (LPAT) against the decision of the Committee by filing with the Secretary-Treasurer of the Committee a notice of appeal (A1 Appeal Form) 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 Tribunal under the *Local Planning Appeal Tribunal Act*.

Note: 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.

When **no appeal is lodged** within twenty days of the date of the making of the decision, the decision becomes final and binding and notice to that effect will be issued by the Secretary-Treasurer.

**Appeal Fees & Forms**

**Local Planning Appeal Tribunal:** The LPAT appeal fee is \$300 plus \$25 for each additional consent/variance appeal filed by the same appellant against connected applications. The LPAT Appeal Fee must be paid by certified cheque or money order payable to the "Minister of Finance". Notice of appeal forms (A1 Appeal Form – Minor Variance) can be obtained at [www.elto.gov.on.ca](http://www.elto.gov.on.ca) or by visiting our office.

**City of Vaughan LPAT Processing Fee:** \$793.00 per application

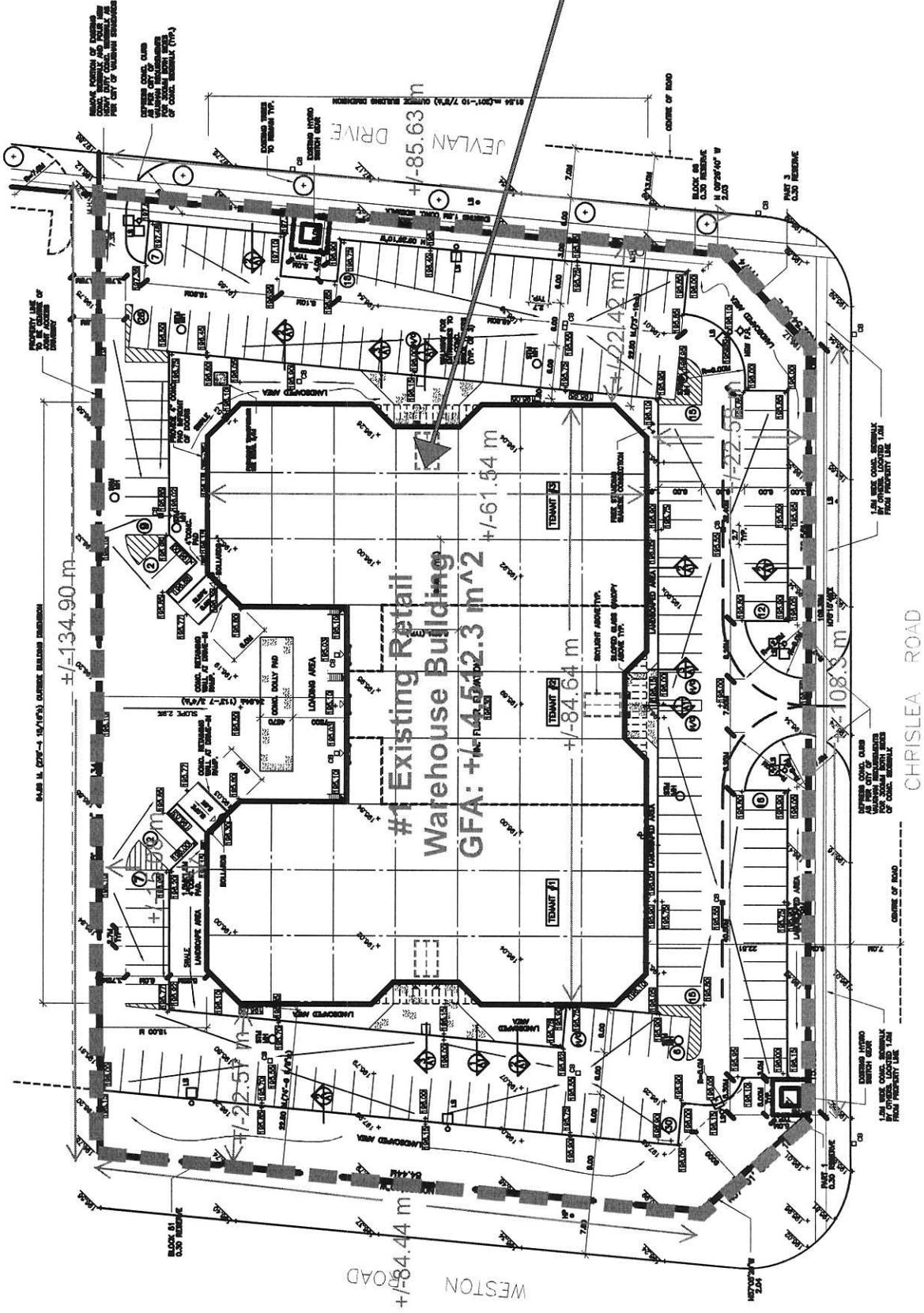
\*Please note that all fees are subject to change.

**Conditions**

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



# Minor Variance Sketch Lot 1, Plan 65M-2580 2 Chrislea Road City of Vaughan, Region of York



 Area subject to Minor Variance

March 4, 2018

To permit the retail warehousing of power storage products, branded merchandise, electric vehicles, solar panels, battery chargers and their accessory servicing and repairs.

## **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**



Discover the possibilities

### 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

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

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

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

## Adriana MacPherson

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**Subject:** FW: A146/21 - Request for Comments (326 Jevlan Drive)

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**From:** Hurst, Gabrielle <Gabrielle.Hurst@york.ca>

**Sent:** July-15-21 12:41 PM

**To:** Adriana MacPherson <Adriana.MacPherson@vaughan.ca>

**Cc:** Committee of Adjustment <CofA@vaughan.ca>

**Subject:** [External] RE: A146/21 - Request for Comments (326 Jevlan Drive)

Good afternoon Adriana,

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

*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)