Report to the Committee of Adjustment
Minor Variance Application
Item H

Date:	Thursday, December 11, 2025
Address:	30 Vogell Rd Unit 3 & 4
Owner(s):	Vincent Macri & Marc. A. Muzzo
Applicant:	Joanne Ying
File Number(s):	MV-25-30
Related Application(s):	D06-98043
Hearing Date:	Thursday, December 18, 2025
Prepared By:	Ryan Baek, Planner

Application Request

The following relief to Zoning By-law 150-80, as amended, is requested:

	By-law Requirement	Proposed	Deficiency
Parking Spaces	280	153	127

The applicant is seeking approval of the requested variance regarding the required number of parking spaces.

Background

Subject Property and Area Context

The subject lands, municipally known as 30 Vogell Road, are generally located northeast of Leslie Street and 16th Avenue. The property has a lot area of approximately 20,312.12 sq.m (218,637.8 sq.ft) and a lot frontage of approximately 114 m (374 ft). The subject lands currently contain a badminton instructional and training facility within Unit 3. The applicant is proposing to introduce this use into the adjoining Unit 4. Surrounding land uses include commercial, retail, and office uses.

Official Plan

The subject lands are designated as “Employment Area” in accordance with the City’s Official Plan (the “Plan”). This designation permits high performance industrial, office and major office uses. The intent of the “Employment Area” designation is to provide a range of high performance industrial and office uses that may not be accommodated elsewhere in the city. This includes high-tech industries and knowledge-based businesses in the form of advanced manufacturing plants, corporate headquarters, and research and development facilities.

Zoning

The subject lands are zoned “High Performance Commercial Industrial (MC-1)” pursuant to Zoning By-law 150-80, as amended. This zone permits employment uses such as warehousing, research and development, office, manufacturing, data processing centers and retail, banks and financial establishments, technical and commercial schools, restaurants, parking garages, and hotels. The existing badminton facility at Unit 3 would be considered a technical and commercial school.

Related Applications on The Subject Lands
N/A

Planning Comments

Planning Staff have evaluated the requested minor variance pursuant to the prescribed tests as set out in Section 45 (1) of the *Planning Act*, as follows:

1) **Does the proposed variance meet the general intent and purpose of the Official Plan?**

   The subject property is designated “Employment Area” under the City of Richmond Hill Official Plan. Within the “Employment Area” designation, ancillary commercial uses such as fitness centres are permitted but are limited to a maximum gross floor area of 500 sq.m. The proposed badminton facility at 30 Vogell Road, Unit 4 has a gross floor area of 1,901.7 sq.m and is therefore not in conformity with the Official Plan. There are no other uses under the “Employment Area” designation with which a badminton facility would comply, other than as an ancillary commercial use.

   Given the above, it is staff’s opinion that the proposed variance does not meet the general intent and purpose of the Official Plan.

   Staff note that in accordance with Section 2.8.2 of the Provincial Policy Statement 2024 (PPS), non-employment uses such as a badminton facility are not permitted. Moreover, Section 2.8.2.1 of the PPS provides that planning authorities are required to plan for, protect, and preserve employment areas for current and future uses.

2) **Does the proposed variance meet the general intent and purpose of the Zoning By-law?**

   The intent of the minimum parking space requirement in the applicable Zoning By-law is to ensure sufficient parking is available to accommodate the parking demands specific to the type of use on the property. The Zoning By-law requires a parking rate of one space per 42 sq.m of industrial floor area up to 2,800 sq.m, and one space per 93 sq.m of industrial floor area beyond 2,800 sq.m. For commercial uses, the By-law requires one parking space per 28 sq.m of gross floor area. This property has a combined industrial gross floor area of 3801.7 sq.m and commercial gross floor area of 5661.5 sq.m

   The proposed increase in capacity will utilize the existing building and does not require any site modifications. The applicant has submitted a parking study analyzing peak parking demand and providing rationale to demonstrate that the existing parking supply and site layout are adequate to support this increase.

   The City’s Transportation staff have reviewed the applicant’s request for a reduction in parking, including the supporting materials provided, such as the parking study. Based on this review, Development Engineering has concluded that the existing number of parking spaces is sufficient to accommodate the proposed increase in capacity.

   The subject property is designated “High Performance Commercial Industrial (MC-1)” under By-law 150-80. Within this designation, a badminton facility would be permitted as it would be considered a technical and commercial school. A technical and commercial school is defined as “seven or more pupils conducted for gain, including secretarial school, language school, driving school, but shall not include a nursery school.”

   Staff would note that the current badminton facility could continue to be operated at 30 Vogell Road.

Given the above, it is staff's opinion that the proposed variance meets the general intent and purpose of the Zoning By-law.

3) Is the proposed variance considered desirable for the appropriate development of the land?

For the reasons set out above, the variance requested does not maintain the general intent and purpose of the Official Plan and the City's objective of protecting employment areas within the city. Although the proposed badminton facility would occupy an existing industrial unit without exterior alterations, the addition of a recreational use of this nature in Unit 4 would displace potential employment uses and diminish the economic function of the Employment Area. Allowing such a use may also set an undesirable precedent for the introduction of similar non-employment uses in the area, undermining the long-term viability and intent of the employment lands.

Given the above, it is staff's opinion that the proposed variance is not considered desirable for the appropriate development of the land.

4) Is the proposed variance considered minor in nature?

Staff are of the opinion that the variance cannot be considered minor in nature. The expansion of the badminton facility represents a significant deviation from the intent of the Official Plan by expanding a non-employment use within an Employment Area, which undermines the City's long-term objective of preserving lands for employment-generating activities.

The proposed expansion of the badminton facility introduces a land use that is inconsistent with the planned function of the area and has the potential to erode the economic viability of the Employment Area over time. The requested relief goes beyond what can reasonably be considered minor.

Given the above, it is staff's opinion that the requested variance is not minor in nature.

Additional Comments

The subject minor variance application was circulated to Municipal Departments and external agencies for review and comment. The following comments were provided:

Department or Agency	Comments
Zoning	The requested variance is correct. No other areas of non-compliance were identified.
Development Engineering/Transportation	No comments or concerns.
Parks & Natural Heritage	**Comments to the Committee:** • Upon review, PNHP has no comments on the application. **Comments to the applicant, for future reference:** • The property is subject to Tree Preservation By-law No. 19-25. Permission is required to remove or injure trees greater than or equal to 15 cm DBH (diameter measured 1.4 metres from the ground) from City staff prior to the undertaking. Tree replacement will be a condition of any tree removal permission. Ensure the City's tree protection standards are adhered to prior to any construction commencing on the subject property.
Heritage and Urban Design	Not applicable. The property is not within the Village Core, not on the City's Heritage Register, nor adjacent to a property on the City's Heritage Register.

Corporate & Financial Services	Not applicable.
Alectra Utilities	No objections. See Appendix ‘D’
Bell Canada	No comments received.
York Region: Transportation & Community Planning Department	No objections.
Toronto & Region Conservation Authority	Not regulated, no comments.
CN Rail	No comments received.
TransCanada Pipeline	No comments received.
Abutting Municipality	No comments received.
Ministry of Transportation	No comments received.
Ministry of Housing	No comments received.
Infrastructure Ontario	No comments received.

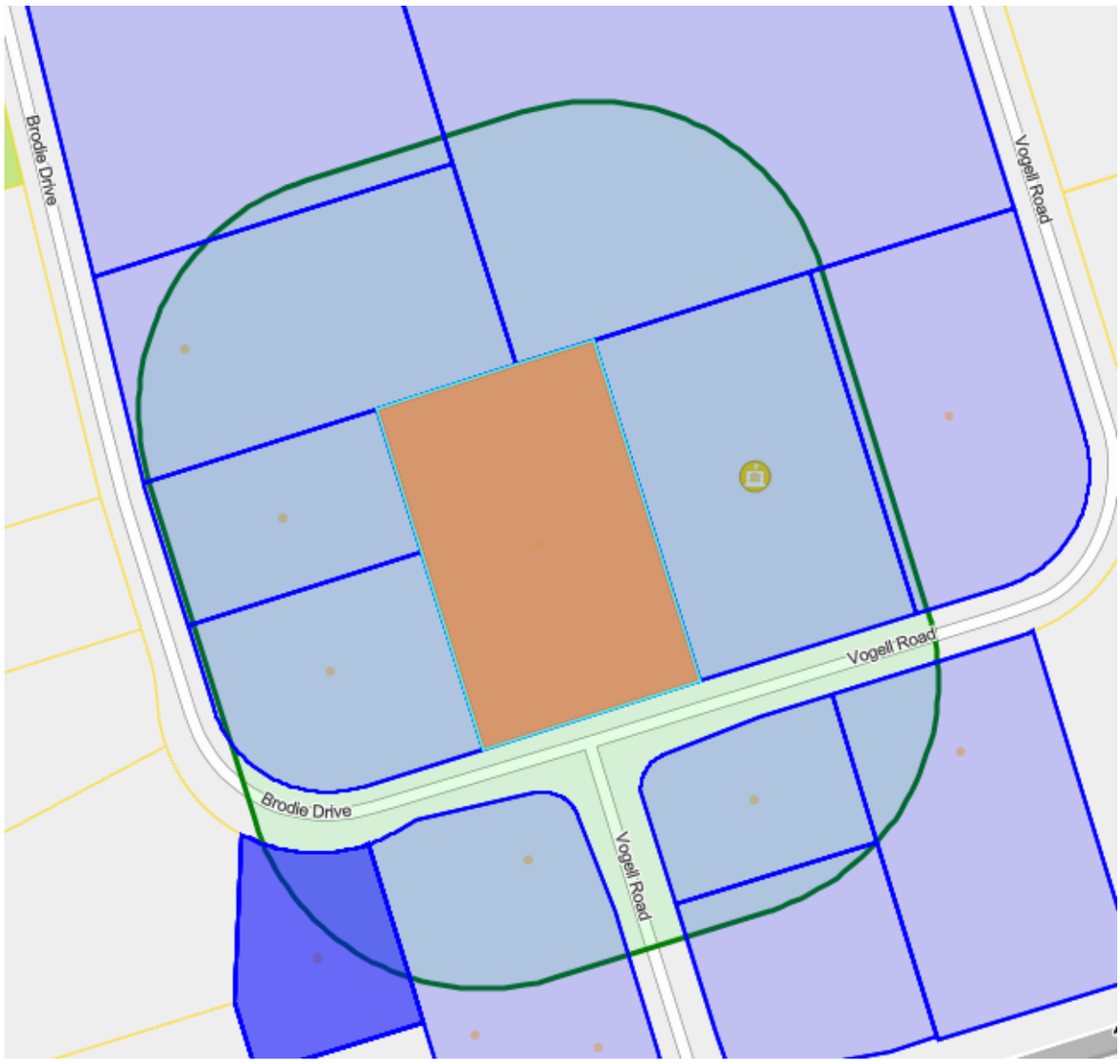
Conclusion

Planning Staff have reviewed the requested variances pursuant to Section 45 (1) of the *Planning Act*, R.S.O, 1990, c.P.13, as amended, and are of the opinion that the requested variance does not meet the four tests of the *Planning Act* for granting of minor variances. Staff recommend denial of the requested variances, subject to the conditions outlined in Appendix ‘B’.

Attachments

Appendix ‘A’ — Location Map
Appendix ‘B’ — Recommended Conditions of Approval
Appendix ‘C’ — Site Plan
Appendix ‘D’ – Alectra Comments

Appendix ‘A’ – Location Map

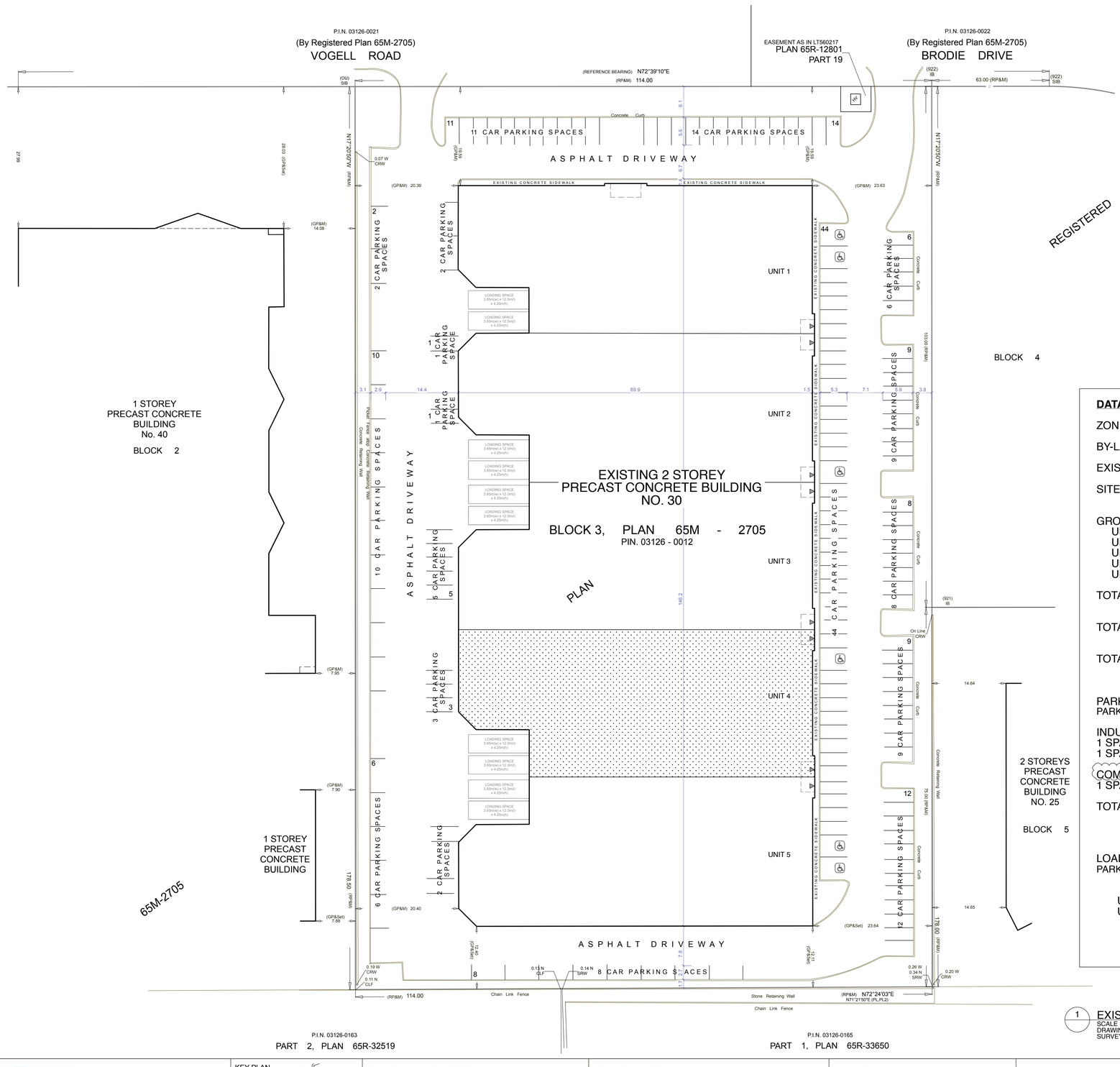


Appendix ‘B’ – Recommended Conditions of Approval

The following conditions are recommended should application MV-25-30 be approved by the Committee of Adjustment:

1) That the variance pertains only to the request as submitted with the application.

2) That development be substantially in accordance with the sketch submitted with the application as required by Ontario Regulation 200/96, as amended, Section 5.25.



1 EXISTING SITE PLAN
SCALE : 1 : 400
DRAWING BASED ON AN APPROVED SURVEY BY AVANTI SURVEYING INC. ON MARCH 31, 2025

N

GENERAL NOTE:

1. ALL DIMENSIONS GIVEN IN METRIC (UNLESS OTHERWISE NOTED.).
2. ALL CONSTRUCTION TO COMPLY WITH MUNICIPAL BY-LAWS AND ONTARIO CODE.
3. ALL DIMENSIONS AND EXISTING CONDITIONS SHALL BE VERIFIED BY THE GENERAL CONTRACTOR AT THE SITE PRIOR TO CONSTRUCTION. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE TO NOTIFY THE ARCHITECT OF ANY DISCREPANCIES BETWEEN THE SITE CONDITIONS AND THE ASSUMED DESIGN CONDITIONS PRIOR TO THE COMMENCEMENT OF CONSTRUCTIONS.
4. IT IS THE CONTRACTOR'S RESPONSIBLY TO CHECK ELEVATIONS OF ALL CITY SERVICES AND ESTABLISH APPROPRIATE METHODS OF DEALING WITH THOSE SERVICES.
5. THE GENERAL CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR THE CONSTRUCTION, METHOD OF ERECTION AND INSTALLATION PROCEDURES OF THE STRUCTURAL MEMBERS INCLUDING THE ERECTION OF STEEL BEAMS. THE GENERAL CONTRACTOR SHALL EXERCISE EXTREME CAUTION AND CARE DURING THE DEMOLITION PROCESS OF ANY EXISTING STRUCTURE AND MASONRY WALLS, BE SOLELY RESPONSIBLE TO SUPPORT ANY EXISTING STRUCTURE AND CALL THE STRUCTURAL ENGINEER FOR INSPECTION PRIOR TO CUTTING EXISTING MEMBERS OR EXISTING WALLS.
6. THE GENERAL CONTRACTOR ARE RESPONSIBLE FOR CO-ORDINATION OF PLUMBING, MECHANICAL AND ELECTRICAL IN PROCEEDING WITH WORK ON PLANS.
7. PLUMBING, MECHANICAL AND ELECTRICAL SUB-CONTRACTORS TO OBTAIN ALL REQUIRED PERMITS AND APPROVALS FROM APPROPRIATE AUTHORITIES BEFORE PROCEEDING WITH WORK.

DATA & STATISTICS

ZONING MC - 1 (HIGH PERFORMANCE COMMERCIAL INDUSTRIAL)

BY-LAW 150 - 80 AS AMENDED BY LAW 109 - 95

EXISTING USE - GROUP F, DIVISION 2 & GROUP D

SITE AREA - 20,251 m2 (217,980 ft2)

GROSS FLOOR AREAS

UNIT 1 (CWB Maxium Financial)	1,858.1 m2 (20,000 ft2)	- Commercial 100% (1,858.1 m2)	Industrial 0%	
UNIT 2 (Microlinks)	1,888.1 m2 (20,323 ft2)	- Commercial 0%	Industrial 100%	(1,888.1 m2)
UNIT 3 (KC Badminton)	1,901.7 m2 (20,470 ft2)	- Commercial 13% (242.4 m2)	Training (Other) 87%	(1,659.3 m2)
UNIT 4 (KC Badminton)	1,901.7 m2 (20,470 ft2)	- Commercial 13% (242.4 m2)	Training (Other) 87%	(1,659.3 m2)
UNIT 5 (Eastern Refrigeration Supply)	1,913.6 m2 (20,598 ft2)	- Commercial 0 %	Industrial 100%	(1,913.6 m2)

TOTAL GROSS FLOOR AREAS
9,463.2 m2 (101,861 ft2)

TOTAL GROSS FLOOR AREAS FOR COMMERCIAL AND OTHER USES
5,661.5 m2 (60,940 ft2) (1858.1 m2 (UNIT 1) + 1,901.7 m2 (UNIT 3) + 1,901.7 m2 (UNIT 4))

TOTAL GROSS FLOOR AREAS FOR INDUSTRIAL
3,801.7 m2 (40,921 ft2) (1888.1m2 + 1,931.6 m2)

PARKING	GROSS FLOOR AREA	REQUIRED	PROVIDED
PARKING REQUIREMENTS BY USE FROM AMENDED BY-LAW 124-85			
INDUSTRIAL			
1 SPACE PER 42 m2 GFA	2,800.0 m2	67	67
1 SPACE PER 93 m2 GFA	1,001.7 m2	11	11
COMMERCIAL (UNITS 1, 3 and 4)			
1 SPACE PER 28 m2 GFA	5,661.5 m2	202	75
TOTAL PARKING SPACES		280	153

INCLUDING EXISTING 6 ACCESSIBLE PARKING SPACES

LOADING SPACES
PARKING REQUIREMENTS BY USE FROM AMENDED BY-LAW 124-84

	REQUIRED	PROVIDED (EXISTING)
UNIT 3	2	2
UNIT 4 (SCOPE OF WORK IN THIS PERMIT)	2	2

hj architects inc.
85 forest crove court
aurora, ontario
l3x 2l6

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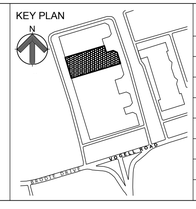
416.887.6771
info@hjarch.ca

KEY PLAN


REVISION / ISSUED TO:

NO.		DATE.	BY.
1.	ISSUED TO BUILDING PERMIT APPLICATION	02/19/25	JY
2.	REISSUED TO BUILDING PERMIT APPLICATION	04/02/25	JY
3.	ISSUED TO MINOR VARAINCE APPLICATION	05/22/25	JY

GENERAL NOTES:
·Contractors to verify all site dimensions and report any discrepancies before commencing with work.
·Dimensions shall take precedence over scale.
·No variation of modification to work shall be implemented without prior written approval.
·All plans, specifications and work is subject to Department of Labour, Fire Department and Building Department approval.
·All pervious issues of this drawing are superseded.
·All prints of drawings and specifications are the property of hj architects inc. and must be returned upon project completion.

OWNER	*VINMARC INVESTMENT INC.* 50 confederation parkway, concord, ontario l4k 0t8	MECHANICAL	*enersim engineering* 8080 guelph line milton, ontario l0p 1b0
ARCHITECTURAL	*hj* architects inc. 85 forest crove court aurora, ontario l3x 2l6	STRUCTURAL	
CLIENT	*KC BADMINTON CLUB* 30 vogell road, unit # 4 richmond hill, ontario l4b 3n6	ELECTRICAL	*DPE Building Services Inc.* 2452 mainroyal street mississauga, ontario l5l 1c9

STAMP:
ONTARIO ASSOCIATION OF ARCHITECTS
JOANNE YING
LICENCE
7756

PROJECT NO. 24 - 019

DRAWN BY: JY | CHECKED BY: JY | APPROVED: JY

PROJECT NAME
BADMINTON INSTRUCTION & TRAINING FACILITY - UNIT ADDITION
30 VOGELL SROAD, UNIT 4,
RICHMOND HILL ON, L4B 3N6

SCALE: AS NOTED

DRAWING TITLE
EXISTING SITE PLAN & DATA & STATISTICS

DRAWING NUMBER
SK - 01A

Copyright (c) 2012 HJ ARCHITECTS INC.

Date:	August 19th 2025
Attention:	**Courtney Cullum**
RE:	Request for Comments
File No.:	**MV-25-30**
Related Files:	
Applicant:	Vincent Macri & Marc. A. Muzzo
Location	30 Vogell Rd Unit 3 & 4

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:

Stephen Cranley, C.E.T

Supervisor, Distribution Design, ICI & Layouts (North)
Phone: 1-877-963-6900 ext. 31297
E-mail: stephen.cranley@alectrautilities.com

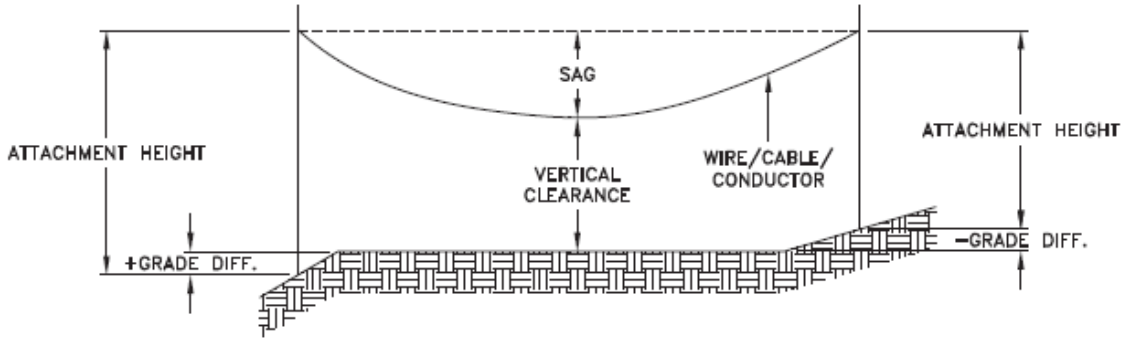
Mitchell Penner

Supervisor, Distribution Design-Subdivisions
Phone: 416-302-6215
Email: Mitchell.Penner@alectrautilities.com

Power Stream
YOUR CURRENT CONNECTION

Construction Standard 03–1

LOCATION OF WIRES, CABLES OR CONDUCTORS	SYSTEM VOLTAGE			
	SPAN GUYS AND COMMUNICATIONS WIRES	UP TO 600V AND NEUTRAL	4.16/2.4kV TO 27.6/16kV (SEE NOTE 1)	44kV
	MINIMUM VERTICAL CLEARANCES (SEE NOTE 2)			
OVER OR ALONGSIDE ROADS, DRIVEWAYS OR LANDS ACCESSIBLE TO VEHICLES	442cm	442cm	480cm	520cm
OVER GROUND ACCESSIBLE TO PEDESTRIANS AND BICYCLES ONLY	250cm	310cm	340cm	370cm
ABOVE TOP OF RAIL AT RAILWAY CROSSINGS	730cm	730cm	760cm	810cm



MINIMUM ATTACHMENT HEIGHT = MAXIMUM SAG
+ MINIMUM VERTICAL CLEARANCE (FROM ABOVE TABLE)
± GRADE DIFFERENCE
+ 0.3m (VEHICLE OR RAILWAY LOCATION)
+ SNOW DEPTH (PEDESTRIAN LOCATION, SEE NOTE 3)

CONVERSION TABLE	
METRIC	IMPERIAL (APPROX)
810cm	27'–0"
760cm	25'–4"
730cm	24'–4"
520cm	17'–4"
480cm	16'–0"
442cm	15'–5"
370cm	12'–4"
340cm	11'–4"
310cm	10'–4"
250cm	8'–4"

NOTES:

1. THE MULTIGROUNDED SYSTEM NEUTRAL HAS THE SAME CLEARANCE AS THE 600V SYSTEM.
2. THE VERTICAL CLEARANCES IN THE ABOVE TABLE ARE UNDER MAXIMUM SAG CONDITIONS.
3. REFER TO CSA STANDARD C22.3 No.1, ANNEX D FOR LOCAL SNOW DEPTH VALUES.
4. ALL CLEARANCES ARE IN ACCORDANCE TO CSA STANDARD C22.3.

REFERENCES	
SAGS AND TENSIONS	SECTION 02

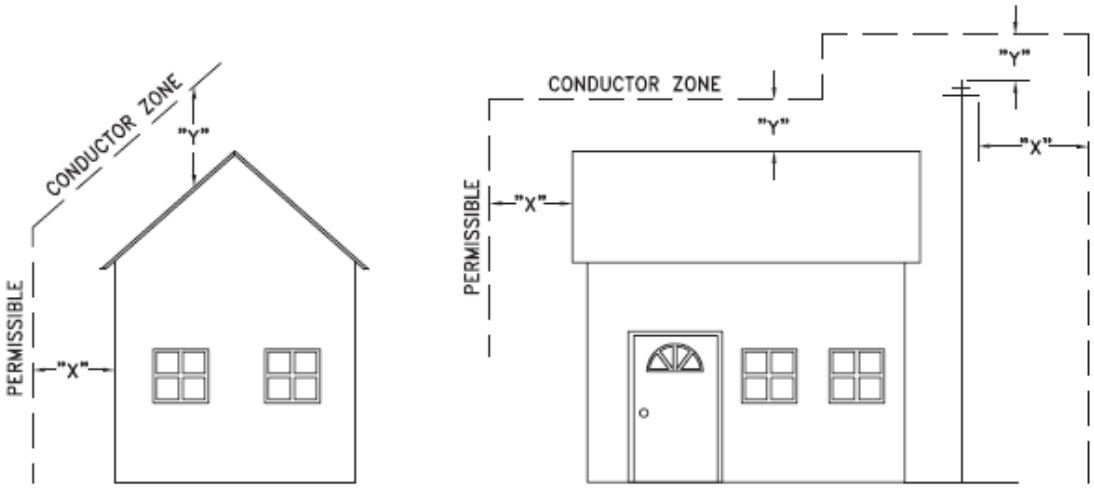
MINIMUM VERTICAL CLEARANCES OF WIRES, CABLES AND CONDUCTORS ABOVE GROUND OR RAILS

ORIGINAL ISSUE DATE: 2010–DEC–24 REVISION NO: R1 REVISION DATE: 2012–JAN–09

Certificate of Approval
This construction Standard meets the safety requirements of Section 4 of Regulation 22/04

Joe Crozier, P.Eng.	2012-JAN-09
Name	Date
P.Eng. Approval By:	Joe Crozier

Construction Standard 03–4



VOLTAGE	MINIMUM HORIZONTAL CLEARNACE UNDER MAXIMUM SWING CONDITIONS DIMENSION "X" (SEE NOTES 1, 3 & 4)	MINIMUM VERTICAL CLEARANCE UNDER MAXIMUM DESIGN SAG CONDITIONS DIMENSION "Y" (SEE NOTES 1, 2, 4 & 5)
0–600V AND NEUTRAL	100cm	250cm
4.16/2.4 TO 44kV	300cm	480cm

NOTES

1. UNDER NO CIRCUMSTANCES SHALL A CONDUCTOR BE PERMITTED TO PENETRATE THE ENVELOPE SHOWN BY THE DOTTED LINE.
2. THE VERTICAL CLEARANCES ARE UNDER CONDITIONS OF MAXIMUM DESIGN SAG.
3. THE HORIZONTAL CLEARANCES ARE UNDER CONDITIONS OF MAXIMUM SWING. WHERE THE CONDUCTOR SWING IS NOT KNOWN A HORIZONTAL CLEARANCE OF 480CM SHALL BE USED.
4. BUILDINGS THAT EXCEED 3 STOREYS OR 15M IN HEIGHT, THE MINIMUM HORIZONTAL CLEARANCE OF THE SECONDARY CONDUCTORS SHOULD BE INCREASED TO 300cm WHERE IT IS NECESSARY TO ALLOW FOR THE RAISING OF LADDERS BY LOCAL FIRE DEPARTMENTS.
5. IN SITUATIONS SUCH AS MULTI–LEVEL GARAGES, WHERE ROOFS ARE NORMALLY USED BY PERSONS AND VEHICLES, THE VERTICAL CLEARANCES OF POWERSTREAM STANDARD 03–1 SHALL APPLY.
6. DISTRIBUTION LINES CONSTRUCTED NEAR BUILDINGS SHALL BE BUILT TO AVOID OVERHANG WHEREVER POSSIBLE. WHERE LINES MUST BE CONSTRUCTED OVER OR ADJACENT TO BUILDINGS THE APPLICABLE HORIZONTAL AND VERTICAL CLEARANCES SHALL BE AT CONDITIONS OF MAXIMUM CONDUCTOR SWING AND MAXIMUM SAG. THE ABOVE CLEARANCES ARE DESIGNED TO PREVENT PERSONS ON OR IN BUILDINGS AS WELL AS EXTERNAL MACHINERY USED IN CONJUCTION WITH A BUILDING TO COME IN CONTACT WITH CONDUCTORS. EFFORTS SHOULD BE MADE TO INCREASE THESE CLEARANCES WHERE POSSIBLE.
7. ALL CLEARANCES ARE IN ACCORDANCE TO CSA C22.3 NO.1–06 (TABLE–9).

CONVERSION TABLE	
METRIC	IMPERIAL (APPROX)
480cm	16'–0"
300cm	10'–0"
250cm	8'–4"
100cm	3'–4"

MINIMUM VERTICAL & HORIZONTAL CLEARANCES OF CONDUCTORS FROM BUILDINGS OR OTHER PERMANENT STRUCTURES (CONDUCTORS NOT ATTACHED TO BUILDINGS)

Certificate of Approval
This construction Standard meets the safety requirements of Section 4 of Regulation 22/04

Debbie Dadwani, P.Eng. — Name
2010-MAY-05 — Date
P.Eng. Approval By: *D. Dadwani*

ORIGINAL ISSUE DATE: 2010–MAY–05 REVISION NO: REVISION DATE:

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