ITEM #: 6.8

COMMITTEE OF ADJUSTMENT REPORT MINOR VARIANCE APPLICATION A095/22

3737 Major Mackenzie Drlve, Vaughan

COA REPORT SUMMARY

THIS REPORT CONTAINS COMMENTS FROM THE FOLLOWING DEPARTMENTS & AGENCIES:

*Please see **Schedule B** of this report for a copy of Staff and Agency correspondence.

Additional comments from departments and agencies may be received after the publication of the Staff Report. These comments will be processed as an addendum and posted on the City's Website.

| DEPARTMENTS | Circulated | Comments Received | Conditions | Nature of Comments |
|--|------------------|----------------------|------------|--|
| Committee of Adjustment | Х | X | | General Comments |
| Building Standards -Zoning Review *Schedule B | Х | Х | | General Comments |
| Building Inspection (Septic) | Х | | | No Comments Recieved to Date |
| Development Planning *Schedule B | Х | Х | | Recommend Approval/No Conditions |
| Development Engineering | Х | Х | | Recommend Approval/No Conditions |
| Parks, Forestry and Horticulture Operations | X | X | | No Comments or Concerns |
| By-law & Compliance, Licensing & Permits | X | X | | No Comments or Concerns |
| Development Finance | Х | X | | No Comments or Concerns |
| Real Estate | | | | |
| Fire Department | X | | | No Comments Recieved to Date |
| ACENICIES | <u> </u> | | A 11/1 | |
| AGENCIES | Circulated | Comments Received | Conditions | Nature of Comments |
| TRCA *Schedule B | X | X | Conditions | General Comments |
| | | | Conditions | |
| TRCA *Schedule B Ministry of Transportation | X | X | Conditions | General Comments |
| TRCA *Schedule B Ministry of Transportation (MTO) *Schedule B | X | X | Conditions | General Comments No Comments or Concerns |
| TRCA *Schedule B Ministry of Transportation (MTO) *Schedule B Region of York *Schedule B | X X | X X X | Conditions | General Comments No Comments or Concerns General Comments |
| TRCA *Schedule B Ministry of Transportation (MTO) *Schedule B Region of York *Schedule B Alectra *Schedule B | X X X | X X X | Conditions | General Comments No Comments or Concerns General Comments General Comments |
| TRCA *Schedule B Ministry of Transportation (MTO) *Schedule B Region of York *Schedule B Alectra *Schedule B Bell Canada *Schedule B | X X X | X X X | Conditions | General Comments No Comments or Concerns General Comments General Comments |
| TRCA *Schedule B Ministry of Transportation (MTO) *Schedule B Region of York *Schedule B Alectra *Schedule B Bell Canada *Schedule B YRDSB *Schedule B | X X X | X X X | Conditions | General Comments No Comments or Concerns General Comments General Comments |
| TRCA *Schedule B Ministry of Transportation (MTO) *Schedule B Region of York *Schedule B Alectra *Schedule B Bell Canada *Schedule B YRDSB *Schedule B | X X X | X X X | Conditions | General Comments No Comments or Concerns General Comments General Comments |
| TRCA *Schedule B Ministry of Transportation (MTO) *Schedule B Region of York *Schedule B Alectra *Schedule B Bell Canada *Schedule B YRDSB *Schedule B YCDSB *Schedule B CN Rail *Schedule B | X X X | X X X | Conditions | General Comments No Comments or Concerns General Comments General Comments |
| TRCA *Schedule B Ministry of Transportation (MTO) *Schedule B Region of York *Schedule B Alectra *Schedule B Bell Canada *Schedule B YRDSB *Schedule B YCDSB *Schedule B CN Rail *Schedule B CP Rail *Schedule B | X X X X | X X X | Conditions | General Comments No Comments or Concerns General Comments General Comments No Comments or Concerns |

PUBLIC & APPLICANT CORRESPONDENCE

*Please see **Schedule C** of this report for a copy of the public & applicant correspondence listed below.

The deadline to submit public comments is noon on the last business day prior to the scheduled hearing date.

Comments and written public submissions received after the publication of this Staff Report will be processed as an addendum and posted on the City's Website.

All personal information collected because of this public meeting (including both written and oral submissions) 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.

| Correspondence Type | Name | Address | Date Received (mm/dd/yyyy) | Summary |
|------------------------|-------------------------------|--------------------------------|----------------------------------|-------------------------------------|
| • • | Macaulay Shiomi Howson Ltd | 600 Annette Street, Toronto | | Planning Justification Statement |
| • • | Macaulay Shiomi Howson Ltd | 600 Annette Street, Toronto | 05/10/2022 | Justification Letter |

| PUBLIC & APPLICANT CORRESPONDENCE *Please see Schedule C of this report for a copy of the public & applicant correspondence listed below. | | | | |
|--|--|--|------------|-----------------------|
| Applicant Correspondence | | 520 Industrial Parkway South, Suite 201 | 06/01/2022 | Transportation Letter |

| PREVIOUS COA DECISIONS ON THE SUBJECT LAND *Please see Schedule D for a copy of the Decisions listed below | | |
|---|--------------------------------|------------------|
| File Number | Date of Decision MM/DD/YYYY | Decision Outcome |
| None | | |

| ADJOURNMENT HISTORY |
|--|
| * Previous hearing dates where this application was adjourned by the Committee and public notice issued. |
| None |



COMMITTEE OF ADJUSTMENT REPORT MINOR VARIANCE APPLICATION A095/22

3737 Major Mackenzie Dr Bldg H

FILE MANAGER: Pravina Attwala, Administrative Coordinator - Committee of Adjustment

| ITEM NUMBER: 6.8 | CITY WARD #: 3 |
|-------------------------|--|
| | |
| APPLICANT: | Majorwest Commercial II Limited |
| | |
| AGENT: | c/o Macaulay Shiomi Howson Ltd. |
| | |
| PROPERTY: | 3737 Major Mackenzie Dr Vaughan |
| | |
| ZONING DESIGNATION: | See Below |
| | |
| VAUGHAN OFFICIAL PLAN | Vaughan Official Plan 2010 ('VOP 2010'): "Mid-Rise Mixed-Use" |
| (2010) DESIGNATION: | |
| | |
| RELATED DEVELOPMENT | None |
| APPLICATIONS: | |
| | |
| PURPOSE OF APPLICATION: | Relief from the Zoning By-law is being requested to permit a reduced minimum gross floor area devoted to office and medical uses to allow flexibility for future commercial uses to occupy the site. |

The following variances have been requested from the City's Zoning By-law:

The subject lands are zoned GMU(H) – General Mixed-Use Zone subject to a Holding Provisions and subject to the provisions of Exception 14.690 under Zoning By-law 001-2021, as amended.

The subject lands are zoned C5, Community Commercial Zone and subject to the provisions of Exception 9(1019A) under Zoning By-law 1-88, as amended.

| | Zoning By-law 1-88 | Variance requested |
|---|---|---|
| 1 | The Minimum Floor Area devoted to office and medical | To permit a minimum gross floor |
| | office uses shall not be less than 1,600m ² GFA. | area devoted to office and |
| | [9(1019A) bi)] | medical office uses of 515.96m ² . |

HEARING INFORMATION

DATE OF MEETING: Thursday, June 16, 2022

TIME: 6:00 p.m.

MEETING LOCATION: Vaughan City Hall, Council Chamber, 2141 Major Mackenzie Drive, Vaughan

LIVE STREAM LINK: Vaughan.ca/LiveCouncil

PUBLIC PARTICIPATION

If you would like to speak to the Committee of Adjustment at the meeting, either remotely or in person, please complete the Request to Speak Form and submit to cofa@vaughan.ca

If you would like to submit written comments, please quote file number above and submit by mail or email

Email: cofa@vaughan.ca

Mail: City of Vaughan, Office of the City Clerk, Committee of Adjustment, 2141 Major Mackenzie Drive, Vaughan, ON, L6A 1T1

THE DEADLINE TO <u>REGISTER TO SPEAK</u> OR <u>SUBMIT WRITTEN COMMENTS</u> ON THE ABOVE NOTED FILE(S) IS NOON ON THE LAST BUSINESS DAY BEFORE THE MEETING.

INTRODUCTION

Staff and Agencies act as advisory bodies to the Committee of Adjustment. The comments contained in this report are presented as recommendations to the Committee.

Section 45(1) of the Planning Act sets the criteria for authorizing minor variances to the City of Vaughan's Zoning By-law. Accordingly, review of the application may consider the following:

INTRODUCTION

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.

Public written and oral submissions relating to this application are taken into consideration by the Committee of Adjustment as part of its deliberations and final decision on this matter.

| COMMITTEE OF | ADJUSTMENT COMMENTS | |
|---|---|---|
| Date Public Notice Mailed: | June 2, 2022 | |
| Date Applicant Confirmed Posting of Sign: | June 1, 2022 | |
| Applicant Justification for Variances: *As provided by Applicant in Application Form | The minor variance is requesting to re requirement for a minimum floor area and Medical Offices, whereas the byminimum floor area devoted to Office of 1,600 m2 (17,222 ft2). Reducing the restriction will permit additional uses it requested Eating Establishment and for future commercial uses to occupy | devoted to Offices law requires a s and Medical Offices ne floor area including the would allow flexibility |
| Adjournment Requests (from staff): *Adjournment requests provided to applicant prior to issuance of public notice | None | |
| Was a Zoning Review Waiver (ZRW) Form | submitted by Applicant: | No |
| *ZRW Form may be used by applicant in instances where a revised submission is made, and zoning staff do not have an opportunity to review and confirm variances prior to the issuance of public notice. *A revised submission may be required to address staff / agency comments received as part of the application review process. | | |
| *Where a zoning review has not been completed on a revised submission, an opportunity is provided to the applicant to adjourn the proposal prior to the issuance of public notice. | | |
| Adjournment Fees: In accordance with Procedural By-law 069-2019, an Adjournment Fee is applicable to reschedule an application after the issuance of public notice where a request for adjournment has been provided to the applicant prior to the issuance of public notice. | | |
| An Adjournment Fee can only be waived in instances where adjournment of an application is requested by the Committee or staff after the issuance of public notice. | | |
| Committee of Adjustment Comments: | None | |
| Committee of Adjustment Recommended Conditions of Approval: | | |

| BUILDING STAND | DARDS (ZONING) COMMENTS |
|---|-------------------------|
| **See Schedule B for Building Standards (Zoning) Comments | |
| Building Standards Recommended Conditions of Approval: | None |

| DEVELOPMEN | IT PLANNING COMMENTS |
|---|----------------------|
| **See Schedule B for Development Planning Comments. | |
| Development Planning Recommended None | |
| Conditions of Approval: | |

| DEVELOPMENT ENGINEERING COMMENTS | | | |
|--|--|--|--|
| Link to Grading Permit Link to Pool Pe | ermit Link to Curb Curt Permit Link Culvert Installation | | |
| The Development Engineering (DE) Department does not object to the variance application A095/22. | | | |
| Development Engineering Recommended Conditions of Approval: | None | | |

| PARKS, FORESTRY & | HORTICULTURE (PFH) COMMENTS |
|---|-----------------------------|
| Forestry: Forestry has no comment | |
| PFH Recommended Conditions of Approval: | None |

DEVELOPMENT FINANCE COMMENTS

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.

Development Finance Recommended
Conditions of Approval:

None

| BY-LAW AND COMPLIANCE, LIC | ENSING AND PERMIT SERVICES COMMENTS |
|---|-------------------------------------|
| No comments no concerns | |
| BCLPS Recommended Conditions of Approval: | None |

| BUILDING INSPECTION (SEPTIC) COMMENTS | |
|---|------|
| No comments received to date | |
| Building Inspection Recommended Conditions of Approval: | None |

| FIRE DEPA | ARTMENT COMMENTS |
|---|------------------|
| No comments received to date | |
| Fire Department Recommended Conditions of Approval: | None |

| SCHEDULES TO STAFF REPORT | |
|---------------------------|---|
| | *See Schedule for list of correspondence |
| Schedule A | Drawings & Plans Submitted with the Application |
| Schedule B | Staff & Agency Comments |
| Schedule C (if required) | Correspondence (Received from Public & Applicant) |
| Schedule D (if required) | Previous COA Decisions on the Subject Land |

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.

IMPORTANT INFORMATION – PLEASE READ

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 (see condition chart above for contact). 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.

IMPORTANT INFORMATION - PLEASE READ

APPROVALS: Making any changes to your proposal after a decision has been made may impact the validity of the Committee's decision.

An approval obtained from the Committee of Adjustment, where applicable, is tied to the building envelope shown on the plans and drawings submitted with the application and subject to the variance approval.

A building envelope is defined by the setbacks of the buildings and/or structures shown on the plans and drawings submitted with the application, as required by Ontario Regulation 200/96. Future development outside of an approved building envelope, where a minor variance was obtained, must comply with the provisions of the City's Zoning By-law.

Elevation drawings are provided to reflect the style of roof (i.e. flat, mansard, gable etc.) to which a building height variance has been applied. Where a height variance is approved, building height is applied to the style of roof (as defined in the City's Zoning By-law) shown on the elevation plans submitted with the application.

Architectural design features that are not regulated by the City's Zoning By-law are not to be considered part of an approval unless specified in the Committee's decision.

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.

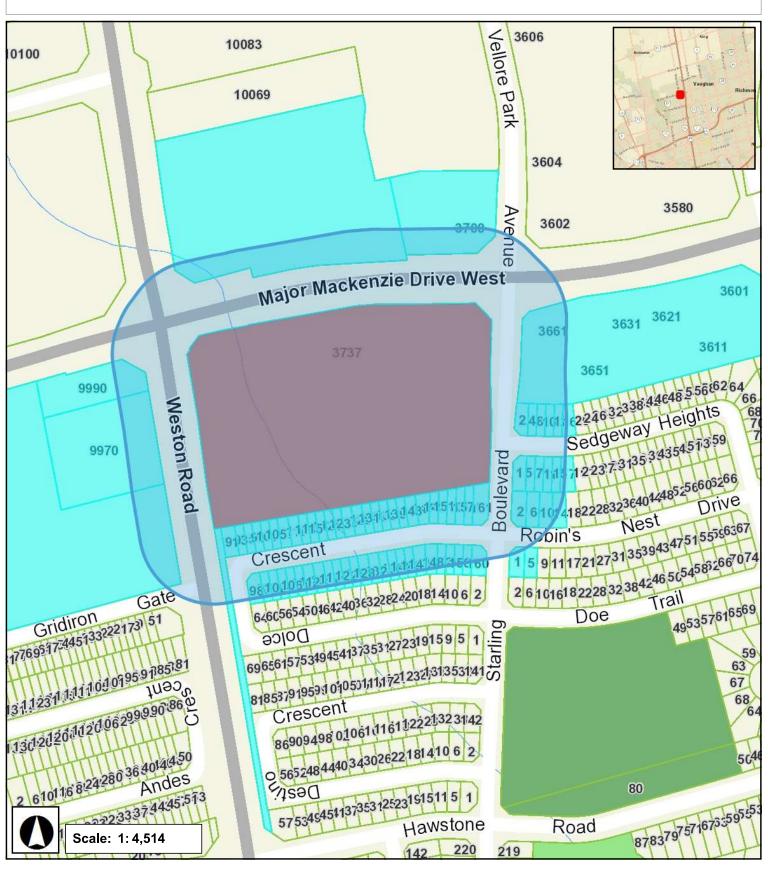
NOTICE OF DECISION: If you wish to be notified of the decision in respect to this application or a related Ontario Land Tribunal (OLT) hearing you must complete a Request for Decision form and submit to the Secretary Treasurer (ask staff for details). In the absence of a written request to be notified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

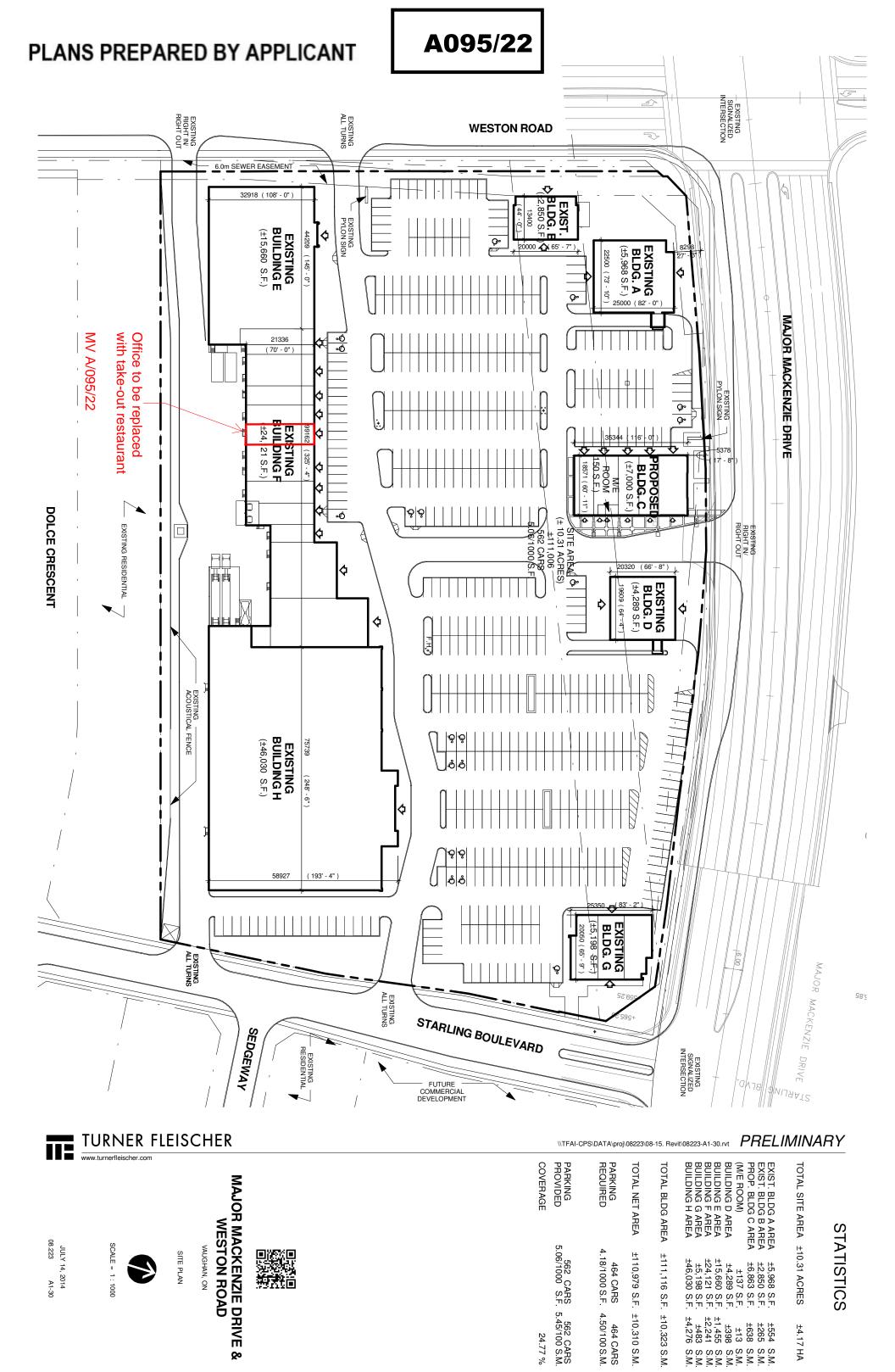
SCHEDULE A: DRAWINGS & PLANS



LOCATION MAP - A095/22

3737 MAJOR MACKENZIE DRIVE, VAUGHAN





3737 MAJOR MACKINZIE USE & GFA

| BUILDING | | USE |
|----------|-------------------------------|------------------------------|
| Α | Business and Personal Service | Bank |
| | | |
| В | Mercantile | Eating establishement |
| | Mercantile | shops |
| | Mercantile | shops |
| С | Mercantile | Eating establishement |
| | Mercantile | Eating establishement |
| | Business and Personal Service | shops |
| | Mercantile | Eating establishement |
| | Mercantile | Eating establishement |
| | | |
| D | Business and Personal Service | Bank |
| E | Mercantile | Stores |
| F | Mercantile | shops |
| | Mercantile | shops |
| | Mercantile | shops |
| | Business and Personal Service | baber and haurdressing shops |
| | Mercantile | Eating establishement |
| | Mercantile | shops |
| | Mercantile | Eating establishement |
| | Mechantile (Proposed) | Eating establishement |
| | Business and Personal Service | Beauty parlours |
| | Business and Personal Service | Medical office |
| | Business and Personal Service | Dental office |
| | Business and Personal Service | Medical office |
| | | Sum |
| G | Mercantile | Restautant |
| | Business and Personal Service | |
| | Mercantile | shops |
| н | Mercantile | Stores |
| | | |

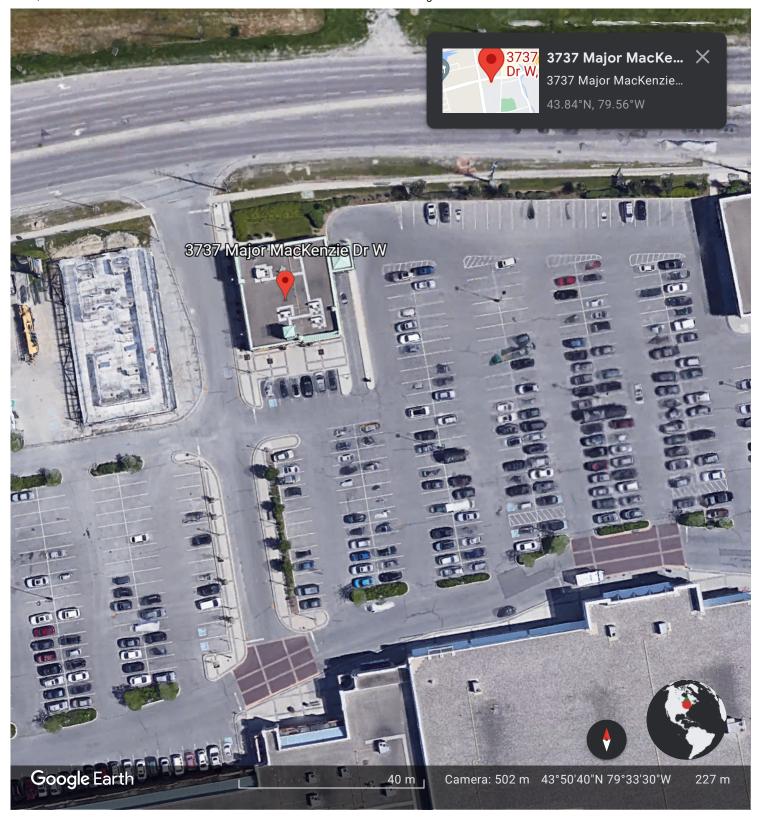
- 1. Total no. of existing parking spaces:
- 2. Starbucks in building B, Costa verde in building G to be confirmed if they have more than 30 seats

SETBACKS (M)

| | | | SETBACKS (IVI) |
|------------------------|------------------|------------------------|-----------------|
| | Floor Area(sq.m) | Gross Floor Area(sq.m) | From Major Mack |
| BMO, Bank | 555.188 | (| 8.298 |
| | | | |
| Starbucks | 145.02 | | >33.2 |
| HunterDouglas | 69.67 | | |
| Natural Green Cleaners | 42.54 | | |
| HERO | 113.62 | | 5.369 |
| Hakka | 124.76 | | |
| Animal Hospital | Vacant | | " |
| PITA LAND | 113.15 | | |
| mucho burrito | 169.73 | | |
| TD Dowl | 44.6.20 | | 7.450 |
| TD, Bank | 416.29 | | 7.459 |
| Shoppers Drug Mart | 1509.39 | | n/a |
| | | | |
| Shewin-Williams Paints | 456.89 | | n/a |
| Cigars | 133.96 | | |
| Global pet foods | 232.07 | | |
| Hair Cutters | 79.33 | | |
| Baskin Robbins | 108.04 | | |
| BioPed | 143.72 | | |
| Pizza Pizza | 240.52 | | |
| Kamen Ramen | 144.27 | | |
| Nails forever | 128.29 | | |
| OPTOMETRIST | 128.29 | | |
| Twin Dental Care | 202.8 | | |
| Medical walk-in | 184.87 | | |
| 0 | 515.96 | | " |
| Costa verde | 144.83 | | 2.263 |
| The learning space | 164.99 | | |
| Vibo jewellery | 160.35 | | |
| Freshco | 4268.33 | | n/a |
| | | | 1 |

| From Weston Rd 21.3 | From Starling Blvd n/a | From Rear n/a | Building Dimension 22.5 x 25 |
|------------------------|---------------------------|------------------|---------------------------------|
| 7.893 | n/a | n/a | 13.4 x 20 |
| n/a | n/a | n/a | 18.5 x 26.2 |
| | | | |
| n/a | n/a | n/a | 19.6 x 20.3 |
| 4.89 | n/a | 15m | 32.9 x 44.2 |
| n/a | n/a | n/a | 21.3 x99.1 |

| n/a | 10.49 | n/a | 20 x 25.35 |
|-----|--------|-----|-------------|
| | | | |
| | | | |
| n/a | 18.042 | 15 | 58.9 x 75.7 |



| SCHEDULE B: STAFF & AGENCY COMMENTS | | | | |
|--|------------|-------------------|------------|-------------------------------------|
| DEPT/AGENCY | Circulated | Comments Received | Conditions | Nature of Comments |
| Development Planning *Schedule B | Х | X | | Recommend Approval/No Conditions |
| Building Standards (Zoning) | Х | Х | | General Comments |
| TRCA *Schedule B | Х | X | | General Comments |
| Ministry of Transportation (MTO) *Schedule B | Х | Х | | No Comments or Concerns |
| Region of York *Schedule B | Х | Х | | General Comments |
| Alectra *Schedule B | Х | X | | General Comments |
| Bell Canada *Schedule B | Х | X | | No Comments or Concerns |
| YRDSB *Schedule B | | | | |
| YCDSB *Schedule B | | | | |
| CN Rail *Schedule B | | | | |
| CP Rail *Schedule B | | | | |
| TransCanada Pipeline *Schedule B | Х | | | No Comments Recieved to Date |
| Metrolinx *Schedule B | | | | |
| Propane Operator *Schedule B | | | | |





To: Christine Vigneault, Committee of Adjustment Secretary Treasurer

From: Nancy Tuckett, Director of Development Planning

Date: June 8, 2022

Name of Owner: Majorwest Commercial II Limited

Location: 3737 Major Mackenzie Drive

File No.(s): A095/22

Proposed Variance(s) (By-law 1-88):

1. To permit a minimum gross floor area devoted to office and medical office uses of 515.96 m².

By-Law Requirement(s) (By-law 1-88):

1. The Minimum Floor Area devoted to office and medical office uses shall not be less than 1,600 m² GFA.

Official Plan:

City of Vaughan Official Plan 2010 ('VOP 2010'): "Mid-Rise Mixed-Use"

Comments:

The Owner is requesting to permit an Eating Establishment within the existing "Building D" with the above noted variance. The building is within the Vellore Village shopping centre.

The subject lands are designated "Mid-Rise Mixed-Use" by the Vaughan Official Plan (VOP) 2010, which permits Eating Establishment uses. The proposed Eating Establishment use also complies with Zoning By-law 001-2021, which was enacted by Vaughan Council on October 20, 2021, but has been appealed to the Ontario Land Tribunal and is not in-effect.

A Holding Provision with no associated requirements for its removal was erroneously added to the subject lands through Zoning By-law 001-2021. The Holding Provision will be removed as part of a general housekeeping amendment to be heard at the June 28th, 2022 Council meeting.

Given that the proposed Eating Establishment use does not cause a deficiency in parking, remains compatible with the existing uses in the neighbourhood, is permitted by the VOP 2010, and is permitted within By-law 001-2021, which represents Council's intended direction for the area's future use, the Development Planning Department has no objection to the variance.

Accordingly, the Development Planning Department can support the requested variance and is of the opinion that the proposal is minor in nature, maintains the general intent and purpose of the Official Plan and Zoning By-law, and is desirable for the appropriate development of the land.

Recommendation:

The Development Planning Department recommends approval of the application.

Condition of Approval:

If the Committee finds merit in the application, the following condition of approval is recommended:

None

Comments Prepared by:

Joshua Cipolletta, Planner I David Harding, Senior Planner



To: Committee of Adjustment

From: Garrett Dvernichuk, Building Standards Department

Date: May 17, 2022

Applicant: Majorwest Commercial II Limited

Location: CONC 5 Lot 20 municipally known as 3737 Major Mackenzie

Drive

File No.(s): A095/22

Zoning Classification:

The subject lands are zoned GMU(H) – General Mixed-Use Zone subject to a Holding Provisions and subject to the provisions of Exception 14.690 under Zoning By-law 001-2021, as amended.

| # | Zoning By-law 01-2021 | Variance requested |
|---|--------------------------|--------------------|
| | See Other Comments below | |

The subject lands are zoned C5, Community Commercial Zone and subject to the provisions of Exception 9(1019A) under Zoning By-law 1-88, as amended.

| ı | | Zoning By-law 1-88 | Variance requested |
|---|---|---|---|
| | 1 | The Minimum Floor Area devoted to office and medical office | To permit a minimum gross floor |
| | | uses shall not be less than 1,600m ² GFA. | area devoted to office and |
| | | [9(1019A) bi)] | medical office uses of 515.96m ² . |

Staff Comments:

Stop Work Order(s) and Order(s) to Comply:

There are no outstanding Orders on file

Building Permit(s) Issued:

A Building Permit has not been issued. The Ontario Building Code requires a building permit for structures that exceed 10m².

Other Comments:

Zoning By-law 01-2021

The subject lands are zoned GMU(H) – General Mixed-Use Zone subject to a Holding Provisions and subject to the provisions of Exception 14.690 under Zoning By-law 001-2021, as amended.

On any lands where a holding symbol is applicable, the permitted uses, lot and building requirements that apply while the holding symbol is in effect, and after the holding symbol is lifted, shall be in accordance with the applicable exception zone. [2.4.5 3]

The proposed restaurant is not a permitted use. [14.690.1]

Please note that additional provisions are applicable if or when the Holding Provision is lifted. A complete zoning review of all requirements applicable after the holding provision has been lifted and the proposed use is permitted cannot be completed until that time.

Where an existing use changes to a new use after the effective date of this By-law, and the new use is deficient of the parking requirements of this By-law, it shall be interpreted that the bicycle parking space requirements of this By-law shall apply to the new use.

[6.1.1 3] The change in use from Office to a Restaurant use requires the provision of a minimum of 1 long term bicycle parking space and 6 short-term bicycle parking spaces. [6.5.3, Table 6-7]

Please submit revised drawings and/or documentation to demonstrate compliance or confirm that a variance with be request from this requirement.

Please note that City Council approved by-law amendment 079-2022 during their meeting on April





26th, 2022 which acts to clarify that bicycle space parking requirements only apply to new buildings or structures. This by-law amendment is currently within the 20-day appeal period, after which it will come into full force if no appeals are received.

For more information, please contact the City Clerks office.

Zoning By-law 1-88

None

General Comments

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

Conditions of Approval:

If the committee finds merit in the application, the following conditions of approval are recommended.

* Comments are based on the review of documentation supplied with this application.



Date: May 24th, 2022

Attention: Christine Vigneault

RE: Request for Comments

File No.: A095-22

Related Files:

Applicant Majorwest Commercial II Inc.

Location 3737 Major Mackenzie Drive



COMMENTS:

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

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

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

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

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

References:

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

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

Mr. Stephen Cranley, C.E.T

Supervisor, Distribution Design, ICI & Layouts (North)

Phone: 1-877-963-6900 ext. 31297

E-mail: stephen.cranley@alectrautilities.com

Mitchell Penner

Supervisor, Distribution Design-Subdivisions

Phone: 416-302-6215

Email: Mitchell.Penner@alectrautilities.com

Subject: FW: [External] RE: A095/22 (3737 MAJOR MACKENZIE DRIVE) - REQUEST FOR COMMENTS

From: Gordon, Carrie <carrie.gordon@bell.ca>

Sent: May-20-22 1:24 PM

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

Subject: [External] RE: A095/22 (3737 MAJOR MACKENZIE DRIVE) - REQUEST FOR COMMENTS

Hello Pravina

Bell Canada has no comments for this minor variance.

Kind regards,

Carrie Gordon

Carrie Gordon



F:705-726-4600

Subject: FW: [External] RE: A095/22 (3737 MAJOR MACKENZIE DRIVE) - REQUEST FOR COMMENTS

From: Mulrenin, Colin (MTO) <Colin.Mulrenin@ontario.ca>

Sent: May-27-22 2:49 PM

To: Pravina Attwala < Pravina. Attwala@vaughan.ca>

Subject: [External] RE: A095/22 (3737 MAJOR MACKENZIE DRIVE) - REQUEST FOR COMMENTS

Good afternoon,

As the property is located outside of MTO permit control, MTO has no comments.

Colin Mulrenin (he/him) I Corridor Management Officer I York

Highway Corridor Management Section – Central Operations 159 Sir William Hearst Avenue I Ministry of Transportation 7th Floor, Building D I Downsview, Ontario I M3M 0B7

Phone: 437-533-9427 Colin.Mulrenin@ontario.ca

Subject: FW: [External] RE: A095/22 (3737 MAJOR MACKENZIE DRIVE) - REQUEST FOR COMMENTS

From: Hamedeh Razavi < Hamedeh Razavi@trca.ca>

Sent: May-31-22 12:35 PM

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

Subject: [External] RE: A095/22 (3737 MAJOR MACKENZIE DRIVE) - REQUEST FOR COMMENTS

Hi Pravina,

The subject property is not located within TRCA's Regulated Area. As such, any site alteration or development on the property would not require a permit and TRCA's Planning and Regulatory policy interests are not impacted.

TRCA has no comments and no objection to the application.

Regards,

Hamedeh Razavi MURP

Planner I

Development Planning and Permits | Development and Engineering Services

T: (416) 661-6600 ext. 5256 E: Hamedeh.Razavi@trca.ca

A: 101 Exchange Avenue, Vaughan, ON, L4K 5R6 | trca.ca



TRCA's Offices are closed to visitors. The plan input and review function continues during the Coronavirus pandemic. In order to reduce the potential of transmission, TRCA requests that all development planning and permit applications and materials be submitted digitally in PDF format only. Paper submissions are discouraged and may result in extended timeframes for review. All documents should be submitted via an on-line file sharing service (e.g. OneDrive, Dropbox or corporate file sharing services) or via email in PDF format. Documents can be submitted directly to me at https://example.com/hazavi@trca.ca We thank you for your cooperation as we respond to the current situation.

Subject: FW: [External] RE: A095/22 (3737 MAJOR MACKENZIE DRIVE) - REQUEST FOR COMMENTS

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

Sent: May-25-22 9:13 AM

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

Subject: [External] RE: A095/22 (3737 MAJOR MACKENZIE DRIVE) - REQUEST FOR COMMENTS

Good morning Pravina,

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

Gabrielle

Gabrielle Hurst MCIP, RPP | Programs and Process Improvement | Planning and Economic Development | The Regional Municipality of York | 1-877 464 9675 ext 71538 | gabrielle.hurst@york.ca | www.york.ca

SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE

| Correspondence Type | Name | Address | Date Received (mm/dd/yyyy) | Summary |
|-----------------------------|-------------------------------|--|----------------------------------|--|
| Applicant Correspondence | Macaulay Shiomi Howson Ltd | 600 Annette Street, Toronto | 02/23/2022 | Planning Justification Statement |
| Applicant Correspondence | Macaulay Shiomi Howson Ltd | 600 Annette Street, Toronto | 05/10/2022 | Justification Letter |
| Applicant Correspondence | Nextrans | 520 Industrial Parkway South, Suite 201 | 06/01/2022 | Transportation Letter |



600 Annette Street
Toronto, ON M6S 2C4

T 416.487.4101 F 416.487.5489 520 Industrial Parkway S Unit 202 Aurora, ON L4G 6W8

T 905.503.3440

Date: February 23, 2022

Attn: Secretary-Treasurer

Committee of Adjustment

City of Vaughan

2141 Major Mackenzie Drive Vaughan, Ontario, L6A 1T1

Re: MINOR VARIANCE APPLICATION

Majorwest Commercial II Inc. 3737 Major Mackenzie Drive W,

City of Vaughan

Planning Justification Statement

Dear Secretary Treasurer,

On behalf of the Owner, Majorwest Commercial II Inc., Macaulay Shiomi Howson Ltd. (MSH) is pleased to provide this Planning Justification Statement to support the Minor Variance Application to remove the minimum floor area requirement for Offices and Medical Offices in order to permit floor area to be utilized by an Eating Establishment and allow flexibility for future commercial uses to occupy the site, on the lands municipally known as 3737 Major Mackenzie Drive, in the City of Vaughan (the 'Subject Lands' or 'Site').

In support of this application, please find attached the following:

- A copy of the signed Committee of Adjustment form;
- A copy of the Site Plan drawing, prepared by Turner Fleischer;
- A copy of the spreadsheet outlining the Floor Areas for each of the units and their uses;

SITE & SURROUNDING AREA

The Subject Lands are located on the southeast corner of Major Mackenzie Drive W. and Weston Road (bounded by Major Mackenzie Drive W. to the north, Weston Road to the west and Starling Blvd. to the east) It has a frontage of approximately 170 metres (558 ft) on Weston Road, a lot depth of 265 m (869 ft) on Major Mackenzie Drive, and a lot area of approximately 4 ha (10.31 acres). The commercial plaza has existed for approximately 17 years.

The Site is currently occupied by a multi-tenant commercial plaza containing 8 buildings ranging from approximately 265 m^2 (2,850 ft^2) to 4,276 m^2 (46,030 ft^2) (see attached site plan) having a total floor area of 10,323 m^2 (111,116 ft^2). The Subject Lands have 562 surface parking spaces.

The surrounding uses include:

- To the north vacant commercial lot and a gas station;
- To the south an existing residential community comprising a mix of townhouses and single detached dwellings;
- To the west 4 sales centres for multiple developments, a highway maintenance yard as well as a townhouse development south of the maintenance yard;
- To the east a retail commercial plaza comprising retail and service uses, with 6 buildings, bounded by Starling Blvd, Major Mackenzie Drive W and Vellore Woods Blvd.

PURPOSE OF APPLICATION

The purpose of this application is to remove the minimum floor area requirement for Offices and Medical Offices in order to permit floor space to be utilized by an Eating Establishment with a floor area of 144.27 m² (1,553 ft²) along with allowing flexibility for future commercial uses to occupy the site, as needed. The commercial plaza has a mix of retail, service and office uses. The zoning by-law permits eating establishments, however, it requires the plaza to maintain a minimum Floor Area for Office and Medical Office Use not less than 1,600 m² (17,222 ft²). The attached spread sheet indicates that the plaza has a Floor Area devoted to Offices and Medical Offices of 515.96 m² (5,554 ft²). Offices and Medical Offices will still be a permitted use on the site, however, the proposal would allow permitted commercial uses to replace existing uses, as necessary.

OFFICIAL PLAN

The Subject Lands are designated 'Local Centres' (Vellore Village Centre) in the City of Vaughan Official Plan 2010 (VOP 2010), and provide for a range of retail, service, community, institutional, and residential and shall develop as a mixed-use, pedestrian-friendly place. Local Centres provide a mixed-use focus for their respective communities, in a manner that is compatible with the local context.

The Local Centres will be predominantly residential in character but also include a mix of uses including retail, office and community facilities intended to serve the local population and attract activity throughout the day. Commercial uses are provided for in the Local Centres designation and therefore, meet the general intent of the VOP 2010.

ZONING BY-LAW

The Site is subject to Zoning By-law 1-88, as amended by Exception 1019 A. The Site is zoned Community Commercial (C5), and the proposed development is generally consistent with the general intent of the By-law. A range of commercial uses are permitted on the Site, subject a provision requiring a minimum 1,600 m² (17,222 ft²) floor area requirement for Offices and Medical Offices.



REQUESTED RELIEF

The following are the variance is required:

Minimum Floor Area for Offices and Medical Offices of 1,600 m² (17,222 ft²)

To remove the requirement for a minimum floor area devoted to Offices and Medical Offices, whereas the by-law requires a minimum floor area devoted to Offices and Medical Offices of 1,600 m² (17,222 ft²).

The effect of the proposed variance would permit floor space for the proposed Eating Establishment that is currently looking to occupy the site. Removing the requirement for minimum floor area devoted to Offices and Medical Offices would allow flexibility for future commercial uses to occupy the site as needed (also see section below re: the new City Comprehensive Zoning By-law).

MINOR VARIANCE TESTS

Section 45(1) of the *Planning Act*, as amended, identifies the four tests which must be satisfied in order for the Committee of Adjustment to approve this application. Those tests are as follows:

- 1. The variance maintains the general intent and purpose of the Official Plan.
- 2. The variance maintains the general intent and purpose of the Zoning By-law.
- 3. The variance is desirable for the appropriate development or use of the land.
- 4. The variance is minor in nature.

In our opinion, the requested variances are supportable and meet the four tests under the *Planning Act* in the following ways:

The Variance Maintains the General Intent & Purpose of the Official Plan

The Subject Lands are designated 'Local Centres' (Vellore Centre) in the VOP 2010. The general intent of the Local Centres is to act as the focus for communities, to be lower in scale and offer a more limited range of uses. The Local Centres shall be planned to be predominantly residential in character, but include a mix of uses including retail, office and community facilities intended to serve the local population and attract activity throughout the day. Eating Establishments and commercial uses are provided for in the Local Centres designation, as such, the proposal is in keeping with the OP policies and maintains the general intention of the VOP 2010.

The Variance Maintains the General Intent & Purpose of the Zoning By-law

The Site is subject to Zoning By-law 1-88 and zoned Community Commercial (C5) on Schedule E-1373. The C5 zone permits a range of retail, restaurant, service and office uses.

The minor variance is requesting to remove the requirement for a minimum floor area devoted to Offices and Medical Offices, whereas the by-law requires a minimum floor area devoted to Offices and Medical Offices of 1,600 m² (17,222 ft²). Reducing the floor area restriction will permit additional uses including the requested Eating Establishment and would allow flexibility for future commercial uses to occupy the site as needed.



The City of Vaughan undertook a City-wide comprehensive review of its Zoning By-law that aimed to create a progressive By-law with updated uses and standards. The City's Official Plan (VOP 2010) is in place to help shape the future of Vaughan and guide its continued transformation into a vibrant and sustainable City of the future. The new Zoning By-law will implement the Official Plan and accurately reflect the intent of the policy direction under one consolidated streamlined Zoning By-law. The Comprehensive Zoning By-law was approved by Vaughan City Council on October 20, 2021, but is currently under appeal. The new Comprehensive By-law removed the requirement that requires a minimum floor area for Offices and Medical Offices for this site. Although the Comprehensive By-law is under appeal, it is the City's intent to remove the floor area restriction on Offices and Medical Offices.

As such, the proposed variance to remove the floor area requirement for Office and Medical Office is consistent with the intent and purpose of the Zoning By-law.

The Variance Is Desirable for the Appropriate Development or Use of the Land

Approval of the requested variance will allow for a mix of uses be located on a major intersection in the City of Vaughan. In addition, Eating Establishments and a variety of commercial uses are currently permitted on the Subject Lands and will compliment existing uses currently located in the commercial plaza (Retail, Eating Establishments, Service and Office uses).

It is our opinion that the proposed variance will promote a development that will provides a range of uses that serves the local population and will attract activity throughout the day.

The proposal supports the goals and policies of the VOP 2010 and represents an efficient, compatible and appropriate development that is desirable for the Subject Lands.

The Variance Is Minor in Nature

The variance is minor in nature as it will not result in any structural changes, additions to the built form or any physical changes to the site. The variance will not or require any additional parking as there is sufficient parking for the proposed uses. Furthermore, the proposal does not conflict with and complements the existing uses.

It is our opinion that this proposal is minor in nature.



RECOMMENDATIONS

It is our opinion that the application represents good planning, satisfies the four tests of Section 45(1) of the *Planning Act*, and should be approved.

Should you have any questions regarding the information contained herein, please contact me directly. Thank you.

Sincerely,
MACAULAY SHIOMI HOWSON LTD.

Níck Píleggí

Nick Pileggi, MCIP, RPP Principal





600 Annette Street Toronto, ON M6S 2C4

T 416.487.4101 F 416.487.5489 520 Industrial Parkway S Unit 202 Aurora, ON L4G 6W8

T 905.503.3440 F 905.503.3442

Date: May 10, 2022

Attn: Pravina Attwala, Committee of Adjustment

Re: Minor Variance Application

Majorwest Commercial II Limited 3737 Major Mackenzie Drive

A/095/22

Dear Ms. Attwala.

Macaulay Shiomi Howson Ltd. (MSH) are the planning consultants for Majorwest Commercial II Limited.

In response to comments from

Zoning By-law 01-2021

The subject lands are zoned GMU(H) – General Mixed-Use Zone subject to a Holding Provisions and subject to the provisions of Exception 14.690 under Zoning By-law 001-2021, as amended.

On any lands where a holding symbol is applicable, the permitted uses, lot and building requirements that apply while the holding symbol is in effect, and after the holding symbol is lifted, shall be in accordance with the applicable exception zone. [2.4.5 3]

The proposed restaurant is not a permitted use. [14.690.1]

Please note that additional provisions are applicable if or when the Holding Provision is lifted. A complete zoning review of all requirements applicable after the holding provision has been lifted and the proposed use is permitted cannot be completed until that time.

The permit filed by Kimmins Architect (Permit No. 21 119697 000 00 C) is transitioned as it pre-dates the new zoning by-law. Therefore, the HOLD does not apply to the permits and the proposed restaurant is permitted.

Zoning By-law 1-88

The Maximum Total Gross Floor Area permitted for all uses other than office and medical office use shall not exceed 10,950m2 GFA (Ground Floor Area).

[9(1019A) bi)]

Could not confirm compliance; the gross floor area of the existing 'Animal Hospital' has not been provided. Please provide this gross floor area so that the Total Gross Floor Area for all uses other than office and medical office use can be calculated.

The GFA of the animal hospital has been added to the chart attached.

The GFA on the site (outlined in the chart) is 10,670m2, this INCLUDES office and medical office, which if removed, would total 10.155m2 and comply with the provision noted.

We trust the enclosed materials now complete the review and the matter can be scheduled for a Committee of Adjustment hearing. Should you have any questions regarding the information contained herein, please contact me directly, thank you.

Sincerely, MACAULAY SHIOMI HOWSON LTD.

Nick Pileggi

Nick Pileggi, MCIP, RPP Principal



3737 MAJOR MACKINZIE USE & GFA

| BUILDING | | USE | | | | |
|----------|--------------------------------------|------------------------------|--|--|--|--|
| Α | Business and Personal Service | Bank | | | | |
| | | | | | | |
| В | Mercantile | Eating establishement | | | | |
| | Mercantile | shops | | | | |
| | Mercantile | shops | | | | |
| С | Mercantile | Eating establishement | | | | |
| C | Mercantile | Eating establishement | | | | |
| | Business and Personal Service | shops | | | | |
| | Mercantile | Eating establishement | | | | |
| | Mercantile | Eating establishement | | | | |
| | TVIET CATTURE | Lating establishement | | | | |
| D | Business and Personal Service | Bank | | | | |
| E | Mercantile | Stores | | | | |
| F | Mercantile | shops | | | | |
| | Mercantile | shops | | | | |
| | Mercantile | shops | | | | |
| | Business and Personal Service | baber and haurdressing shops | | | | |
| | Mercantile | Eating establishement | | | | |
| | Mercantile | shops | | | | |
| | Mercantile | Eating establishement | | | | |
| | Mechantile (Proposed) | Eating establishement | | | | |
| | Business and Personal Service | Beauty parlours | | | | |
| | Business and Personal Service | Medical office | | | | |
| | Business and Personal Service | Dental office | | | | |
| | Business and Personal Service | Medical office | | | | |
| | | Sum | | | | |
| G | Mercantile | Restautant | | | | |
| | Business and Personal Service | | | | | |
| | Mercantile | shops | | | | |
| Н | Mercantile | Stores | | | | |
| | | | | | | |

- 1. Total no. of existing parking spaces:
- 2. Starbucks in building B, Costa verde in building G to be confirmed if they have more than 30 seat

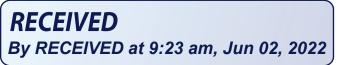
SETBACKS (M)

| | T . | | SETBACKS (IVI) |
|------------------------|------------------|------------------------|-----------------|
| | Floor Area(sq.m) | Gross Floor Area(sq.m) | From Major Mack |
| BMO, Bank | 555.188 | | 8.298 |
| | | | |
| Starbucks | 145.02 | | >33.2 |
| HunterDouglas | 69.67 | | |
| Natural Green Cleaners | 42.54 | | 10 |
| | | | |
| HERO | 113.62 | | 5.369 |
| Hakka | 124.76 | | 111 |
| Animal Hospital | 118.1 | | 111 |
| PITA LAND | 113.15 | | |
| mucho burrito | 169.73 | | |
| TD, Bank | 416.29 | | 7.459 |
| | | | |
| Shoppers Drug Mart | 1509.39 | | n/a |
| Shewin-Williams Paints | 456.89 | | n/a |
| Cigars | 133.96 | | 110 |
| Global pet foods | 232.07 | | |
| Hair Cutters | 79.33 | | 110 |
| Baskin Robbins | 108.04 | | |
| BioPed | 143.72 | | |
| Pizza Pizza | 240.52 | | |
| Kamen Ramen | 144.27 | | 10 |
| Nails forever | 128.29 | | 111 |
| OPTOMETRIST | 128.29 | | |
| Twin Dental Care | 202.8 | | 110 |
| Medical walk-in | 184.87 | | 110 |
| 0 | 515.96 | | |
| Costa verde | 144.83 | | 2.263 |
| The learning space | 164.99 | | |
| Vibo jewellery | 160.35 | | |
| Freshco | 4268.33 | | n/a |
| | | | J |

Total GFA Total GFA (less office/medical) 10670.698 10154.738

| From Weston Rd 21.3 | From Starling Blvd n/a | From Rear n/a | Building Dimension 22.5 x 25 | |
|------------------------|---------------------------|------------------|---------------------------------|--|
| 7.893 | n/a | n/a | 13.4 x 20 | |
| n/a | n/a | n/a | 18.5 x 26.2 | |
| n/a | n/a | n/a | 19.6 x 20.3 | |
| 4.89 | n/a | 15m | 32.9 x 44.2 | |
| n/a | n/a | n/a | 21.3 x99.1 | |

| n/a | 10.49 | n/a | 20 x 25.35 |
|-----|--------|-----|-------------|
| n/a | 18.042 | 15 | 58.9 x 75.7 |



520 Industrial Parkway South, Suite 201 Aurora, Ontario L4G 6W8

Phone: 905-503-2563

www.nextrans.ca



NextEng Consulting Group Inc.

June 1, 2022

3737 Major Mackenzie Drive Vaughan, ON L4H 0A2

Attention: Majorwest Commercial II Inc.

Re: Engineering Service – Transportation Letter

3737 Major Mackenzie Drive

1.0 INTRODUCTION

Nextrans was retained by Majorwest Commercial II Inc. the owner of lands at 3737 Major Mackenzie Drive, to provide a transportation letter to support the Minor Variance Application to remove the minimum floor area requirement for Offices and Medical Offices in order to permit floor area to be utilized by an Eating Establishment and allow flexibility for future commercial uses to occupy the site.

SITE & SURROUNDING AREA

The Subject Lands are located on the southeast corner of Major Mackenzie Drive W. and Weston Road (bounded by Major Mackenzie Drive W. to the north, Weston Road to the west and Starling Blvd. to the east) It has a frontage of approximately 170 metres (558 ft) on Weston Road, a lot depth of 265 m (869 ft) on Major Mackenzie Drive, and a lot area of approximately 4 ha (10.31 acres). The commercial plaza has existed for approximately 17 years.

The site has two full moves accesses from Starling Boulevard to the east (which is signalized at Major Mackenzie), a right in/right out access to Major Mackenzie and two accesses (one full moves and one restricted) to Weston Road.

The Site is currently occupied by a multi-tenant commercial plaza containing 8 buildings ranging from approximately 265 m² (2,850 ft²) to 4,276 m² (46,030 ft²) (see attached site plan) having a total floor area of 10,323 m² (111,116 ft²). The Subject Lands have 562 surface parking spaces.

The surrounding uses include:

- To the north vacant commercial lot and a gas station;
- To the south an existing residential community comprising a mix of townhouses and single detached dwellings;
- To the west 4 sales centres for multiple developments, a highway maintenance yard as well as a townhouse development south of the maintenance yard;
- To the east a retail commercial plaza comprising retail and service uses, with 6 buildings, bounded by Starling Blvd, Major Mackenzie Drive W and Vellore Woods Blvd.

PURPOSE OF APPLICATION

The purpose of this application is to remove the minimum floor area requirement for Offices and Medical Offices in order to permit floor space to be utilized by an Eating Establishment with a floor area of 144.27 m² (1,553 ft²) along with allowing flexibility for future commercial uses to occupy the site, as needed. The commercial plaza has a mix of retail, service and office uses. The zoning by-law permits eating establishments, however, it requires the plaza to maintain a minimum Floor Area for Office and Medical Office Use not less than 1,600 m² (17,222 ft²). The actual Floor Area devoted to Offices and Medical Offices is 515.96 m² (5,554 ft²). Offices and Medical Offices will still be a permitted use on the site, however, the proposal would allow permitted commercial uses to replace existing uses, as necessary.

The site plan is shown in **Figure 1-1** and provided in full detail in **Appendix A**.

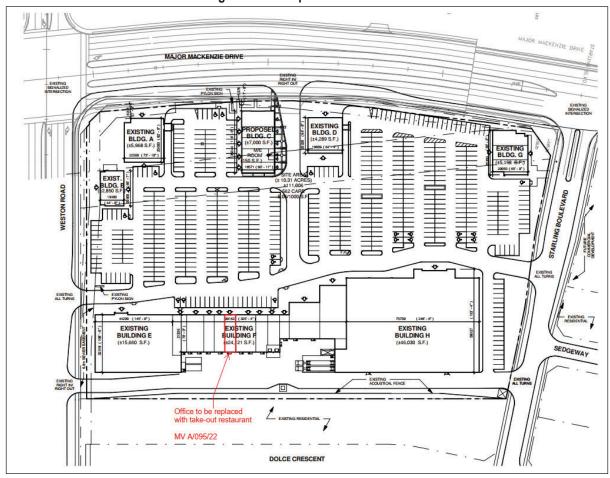


Figure 1-1 - Proposed Site Plan

2.0 TRANSPORTATION REVIEW

The subject lands are within a highly urbanized area and have multiple access points for the overall commercial plaza. While we have not conducted a transportation analysis, based on our experience with similar sites, replacing office or medical office uses with other commercial or restaurant uses is unlikely to have a meaningful impact on the overall operation of the commercial plaza. As noted, there are many other retail, residential and urban uses in and around the area and with constant changeover of tenants and uses within shopping centres, the overall impact is likely to be minimal, if any.

3.0 PARKING REVIEW

The site plan provided as part of the application outlines a surplus of parking spaces on the site (98 total spaces) and parking is provided at a rate of 5.45 spaces per 100m2 of Gross Floor Area. The removal of medical or office space is not expected to provide any shortfall in parking and a surplus of parking is very likely to remain. We understand that staff was concerned about the replacement of space with restaurant space and any potential deficiencies that could come from this.

Under by-law 01-2021 (Vaughan's new comprehensive zoning by-law, which will eventually be in effect on the subject lands), the lands are to be zoned GMU (General Mixed Use). The parking requirement chart is below:

| | Rate Calculation | Other Zones | | LMU, KMS, MMS, WMS | | MMU, HMU, CMU, GMU and EMU | | VMC | |
|------------------------|-------------------------------|-------------|------|-----------------------|------|----------------------------------|------|------|------|
| | | Min. | Max. | Min. | Max. | Min. | Max. | Min. | Max. |
| Place of entertainment | Per 100 m ² of GFA | 8 | - | - | - | 4 | 8 | 1.7 | 3 |
| <u>Restaurant</u> | Per 100 m ² of GFA | 8 | - | 6.0 | 10 | 4 | 8 | 2 | 2.5 |

Restaurants would require a minimum of 4 spaces per 100m2, with a maximum of 8 spaces per 100m2. Overall, the plaza is providing 5.45 spaces per 100m2. Therefore, it would be possible for all of the GFA in the plaza to convert to restaurant uses and be in compliance with the provisions of the new zoning by-law.

Parking on the site is currently over-supplied, and the application to remove medical and office uses is not expected to create any parking deficiencies.

We trust that this information is sufficient so that the minor variance application can proceed. Should you require anything further, please feel free to contact me directly.

Yours truly,

NEXTRANS CONSULTING ENGINEERS

A Division of NextEng Consulting Group Inc.

Prepared by:

Richard Pernicky, MITE

Principal

Appendix A - Proposed Site Plan

