

**File:** A157/19

**Applicant:** Millwick Acquisition Corporation

**Address:** 10395 Weston Rd Bldg A Vaughan

**Agent:** Bernatt Architect Ltd.

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"/>	<input checked="" type="checkbox"/>
Cultural Heritage (Urban Design)		
Development Engineering	<input checked="" type="checkbox"/>	
Parks, Forestry and Horticulture Operations		
By-law & Compliance	<input checked="" type="checkbox"/>	
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: N/A

Background History: A111/12; A218/16 (see next page for details)

Staff Report Prepared By: Pravina Attwala  
Hearing Date: Thursday, May 28, 2020



**Minor Variance  
Application**

Agenda Item: 6

**A157/19**

Ward: 3

**Staff Report Prepared By: Pravina Attwala, Assistant Secretary Treasurer**

**Date & Time of Live Stream Hearing:** Thursday, May 28, 2020 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 see Important Information on next page for instructions or contact the Committee of Adjustment at [cofa@vaughan.ca](mailto:cofa@vaughan.ca) or **905-832-8585**. Ext. **8332**.

**Written comments and public deputation requests must be received by noon on the last business day before the meeting.**

- Applicant:** Millwick Acquisition Corporation
- Agent:** Bernatt Architect Ltd.
- Property:** **10395 Weston Rd Bldg A Vaughan**
- Zoning:** The subject lands are zoned C4 and subject to the provisions of Exception 1224 under By-law 1-88 as amended
- OP Designation:** Vaughan Official Plan: Low-Rise Mixed-Use
- Related Files:** Site Plan Application DA16.016
- Purpose:** Relief from the by-law is being requested to permit the construction a proposed second storey addition to Building A.
  - The second storey addition will be utilized for office purposes.
  - The second storey addition is to be constructed using pillars to support parking spaces below.
  - Site Plan Application DA16.016 facilitated the development of the existing addition to Building A.

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

By-law Requirement	Proposal
1. The by-law requires that 170 parking space are required for the proposed Shopping Centre use. [1-88, 3.8 a)]	1. To permit that 109 parking spaces be provided for the proposed Shopping Centre use.
2. The by-law requires that the minimum setback from an 'R' zone to any building or structure is 22.5m. [1-88, 5.1.5 - Schedule A]	2. The setback from an 'R' zone to the proposed addition is 12.5m.

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

Application No.:	Description:	Status of Approval: Approved/Refused/Withdrawn/ OMB/Concurrent
A111/12	6.0m rear yard setback to day nursery, easterly interior side yard 12.50m, 118 parking spaces.	Approved May 3, 2012
A218/16	front yard 5.0m; 110 parking spaces; 2.0m landscape strip abutting Weston Road; 5.0m landscape strip abutting Canada Drive.	Approved June 16, 2016

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

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

**Adjournment History: N/A****Staff & Agency Comments**

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

**Committee of Adjustment:**

Public notice was mailed on May 13, 2020

Applicant confirmed posting of signage on May 11, 2020

Property Information	
Existing Structures	Year Constructed
Building	2010

Applicant has advised that they cannot comply with By-law for the following reason(s):

No space available for additional parking. Proposed second floor addition is to be above existing parking spaces.

**Adjournment Request: N/A****Building Standards (Zoning Review):**

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

Building Permit No. 19-001443 for Multi-Use (Comm. Speculative) - Addition, Issue Date: (Not Yet Issued)

Site Plan Approval is required for the proposed addition.

Please note that your proposed development (including a change in use) may incur the payment of required development charges.

For more information, please visit [www.vaughan.ca/services/business/development\\_charges](http://www.vaughan.ca/services/business/development_charges) or contact the following:

City of Vaughan West of Weston Road – 905-832-2281, extension 8703

City of Vaughan East of Weston Road – 905-832-2281, extension 8775

Region of York (1) 877-464-9675, extension 71696

York Catholic District School Board 416-221-5051, extension 12374

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:**

Official Plan: Vaughan Official Plan 2010 ("VOP 2010"): "Low-Rise Mixed-Use", which permits a maximum building height of 4 storeys and a maximum Floor Space Index ('FSI') of 1.5 times the area of the lot.

The Owner is requesting permission to construct a second floor office addition of 145m<sup>2</sup> on the subject lands, as proposed through Site Development File DA.19.088. The Committee of Adjustment previously approved Minor Variance A111/12 to permit the construction of an addition to a day nursery on the subject lands through Site Development File DA.12.002 and Minor Variance A218/16 to permit the construction of the addition to the existing building through Site Development File DA.16.016.

The Development Planning Department supports the approval of Site Development File DA.19.088 along with the requested variances, as the alterations to the site are minor and consistent with Provincial Policy, conforms to the York Region Official Plan and Vaughan Official Plan 2010, and is compatible with the existing and planned uses in the surrounding area.

Accordingly, the Development Planning Department has no objection to the proposal and is of the opinion that the requested variances are minor in nature, maintain the general intent and purpose of the Official Plan and Zoning By-law, and are desirable for the appropriate development of the land.

The Development Planning Department recommends approval of the application, with the following condition:

That Site Development File DA.19.088 be approved to the satisfaction of the Development Planning Department.

**Development Engineering:**

The Transportation Department within Development Engineering has reviewed the submitted parking review submitted by Burnside dated November 4, 2019 for the proposed 109 parking spaces for the proposed Shopping Centre when By-Law requires 170 Parking spaces. Please see the comments provided below:

The study is in support of subject development with a reduced parking supply of 61 spaces over the City by-law 1-88 parking requirement of 170 spaces. The submitted study concludes that the proposed parking supply would be sufficient for development's specific requirements since the proposed rates are justified based on the following studies:

Detailed parking survey of the existing site with estimated parking demand from the proposed addition to Building A included using zoning-bylaw 1-88 rates.

The proposed parking supply of 109 spaces is found adequate based on the supporting analysis provided in the consultant's report. The Development Engineering Department agrees with the conclusions reached in the Parking Study and have no objection with the proposed parking supply.

The Development Engineering Department does not object to variance application A157/19.

**Parks, Forestry and Horticulture Operations:**

No comments.

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

No comments.

**Financial Planning and Development Finance:**

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

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

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

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

**Fire Department:**

No comments.

**Schedule A – Plans & Sketches**

**Schedule B – Public Correspondence**

Letter of Objection – Danielle Martini Dagostino

**Schedule C - Agency Comments**

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

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

Minor Variance A111/12  
Minor Variance A218/16

**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 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:

	<b>Department/Agency</b>	<b>Condition</b>
1	Development Planning Brandon Bell  905-832-8585 x 8112 <a href="mailto:brandon.bell@vaughan.ca">brandon.bell@vaughan.ca</a>	That Site Development File DA.19.088 be approved to the satisfaction of the Development Planning Department.

**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.

**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.

**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 at [vaughan.ca/LiveCouncil](http://vaughan.ca/LiveCouncil). To make an electronic deputation, residents must contact the Committee of Adjustment no later than **noon** on the last business prior to the day of the scheduled hearing (see above for contact details).

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

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

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

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

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

## **Schedule A: Plans & Sketches**

Please note that the correspondence listed in Schedule A is not comprehensive. Plans & sketches received after the preparation of this staff report will be provided as an addendum.

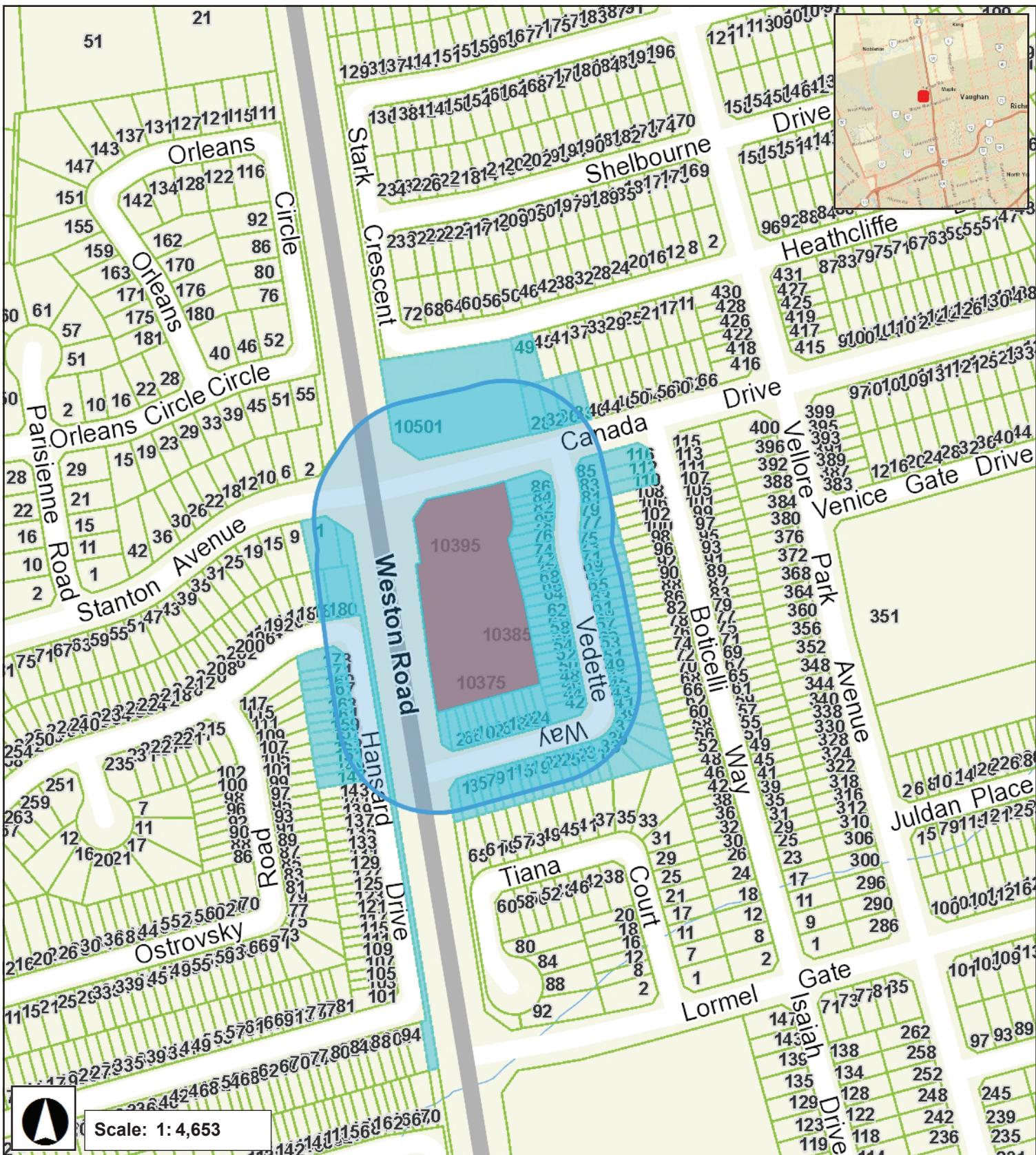
**Location Map  
Sketches**



# LOCATION MAP - A157/19

10395 WESTON ROAD, WOODBRIDGE

## Teston Road



Major Mackenzie Drive

December 4, 2019 3:21 PM







REMOVE EXISTING DOOR & FRAME. PROVIDE 1 HR. FR. PARTITION 190MM BLOCK. (THIS IS NOT AN EXISTING EXIT)

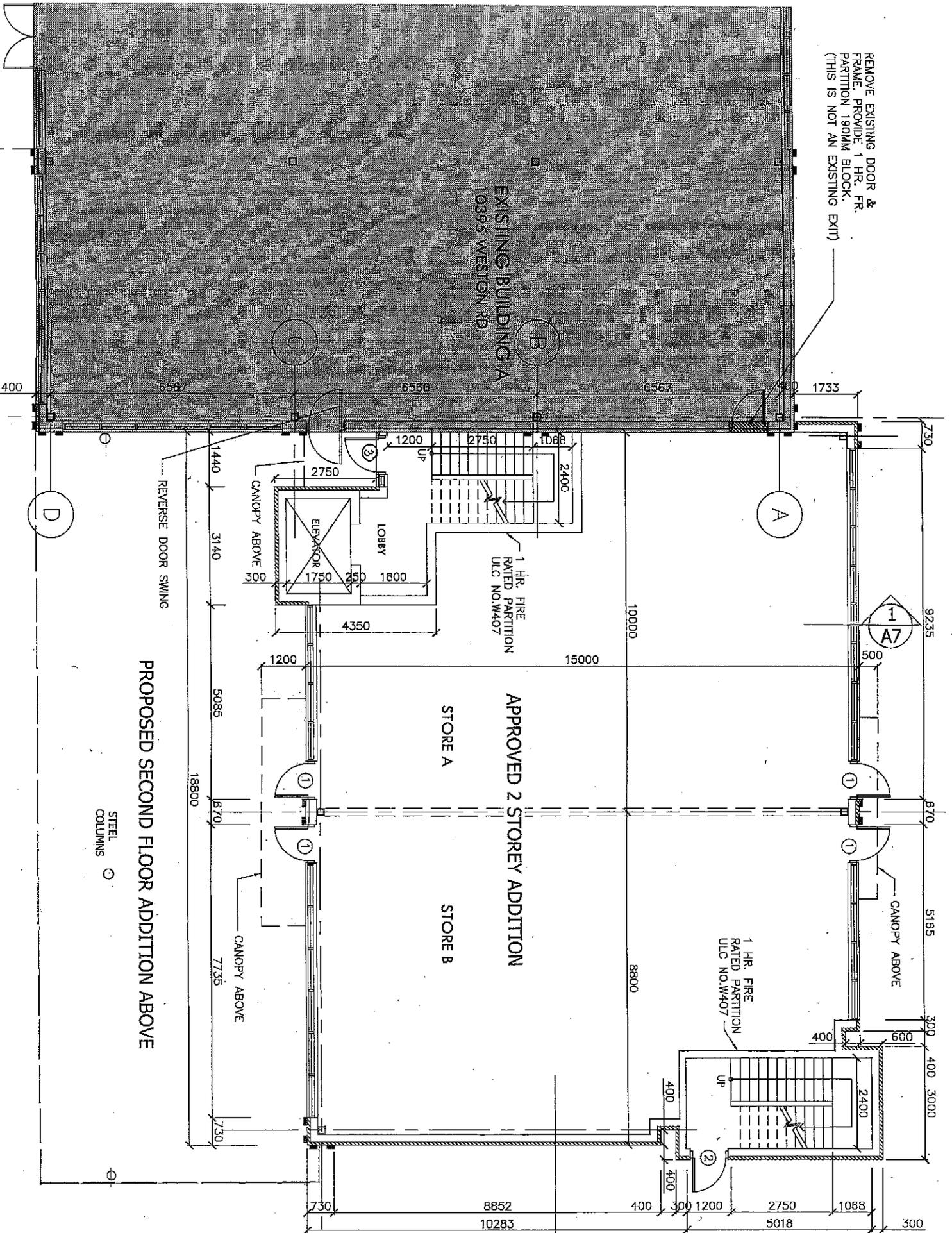
EXISTING BUILDING A  
10395 WESTON RD

APPROVED 2 STOREY ADDITION

PROPOSED SECOND FLOOR ADDITION ABOVE

STEEL COLUMNS

FIRST FLOOR PLAN  
SCALE 1:100



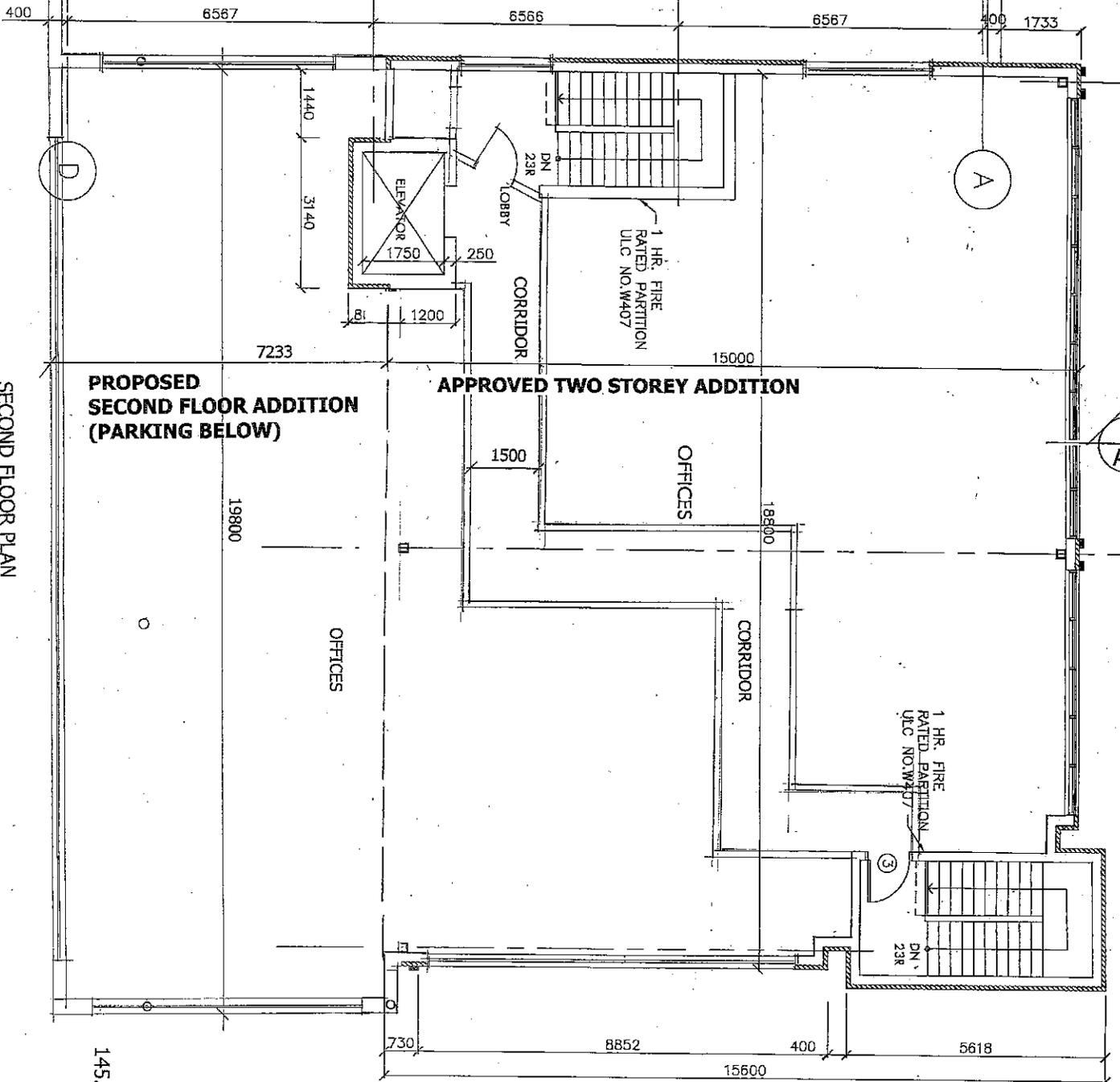
DATE	10/8/2019
BY	J.K.
CHECKED	S.B.
SCALE	1:300

PROPOSED ADDITION TO SECOND FLOOR 10395 WESTON RD. VAUGHAN ON



BERNATT ARCHITECT LTD.  
7, 6th Floor, 1000 Sheppard Ave. E., Toronto, Ontario M2M 3L7  
Tel: (416) 461-1111 Fax: (416) 461-1112  
www.bernatt.com

EXISTING ROOF  
 BUILDING A  
 EXISTING  
 ONE STOREY  
 BUILDING  
 NO. 10,395  
 WESTON RD.



PROPOSED  
 SECOND FLOOR ADDITION  
 (PARKING BELOW)

APPROVED TWO STOREY ADDITION

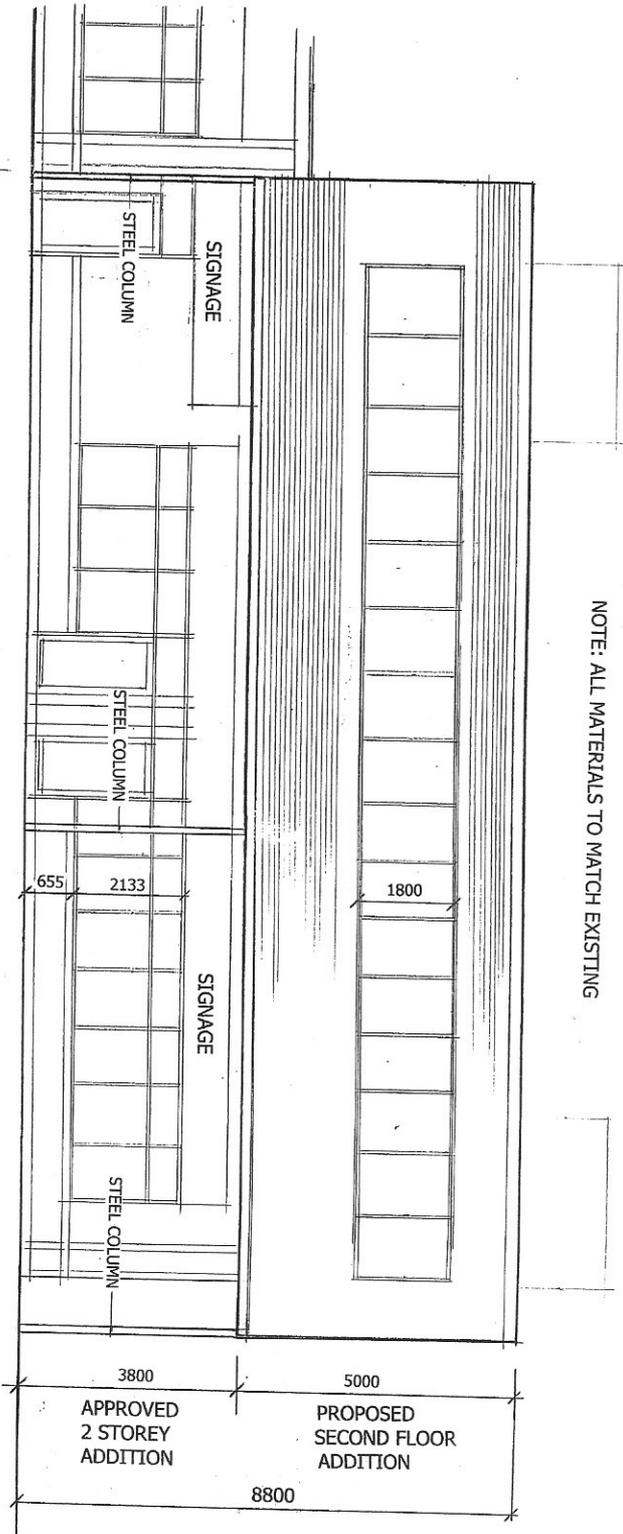
145.0 SQ.M. (1561 SQ.FT.)

SECOND FLOOR PLAN  
 SCALE 1:100

1. C. of A. OCT. 8, 2019	
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date plotted	plot scale: 1:11
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author	SB
checked	SB
drawn	JK
designed	SB
project	1:300
PROPOSED ADDITION TO SECOND FLOOR 10395 WESTON RD. VAUGHAN ON	
BERNATT ARCHITECT LTD. 1415 Steeles East, Suite 100, Scarborough, ON M1S 4T6 Tel: (416) 291-1111 Fax: (416) 291-1112	
drawing no. A3	

**A157/19**

**RECEIVED**  
**February 12, 2020**  
 Committee of Adjustment



NOTE: ALL MATERIALS TO MATCH EXISTING

SOUTH ELEVATION  
 SCALE 1:100

2	Dimensions	FEB. 7/20
1	revisions	OCT. 8, 2019

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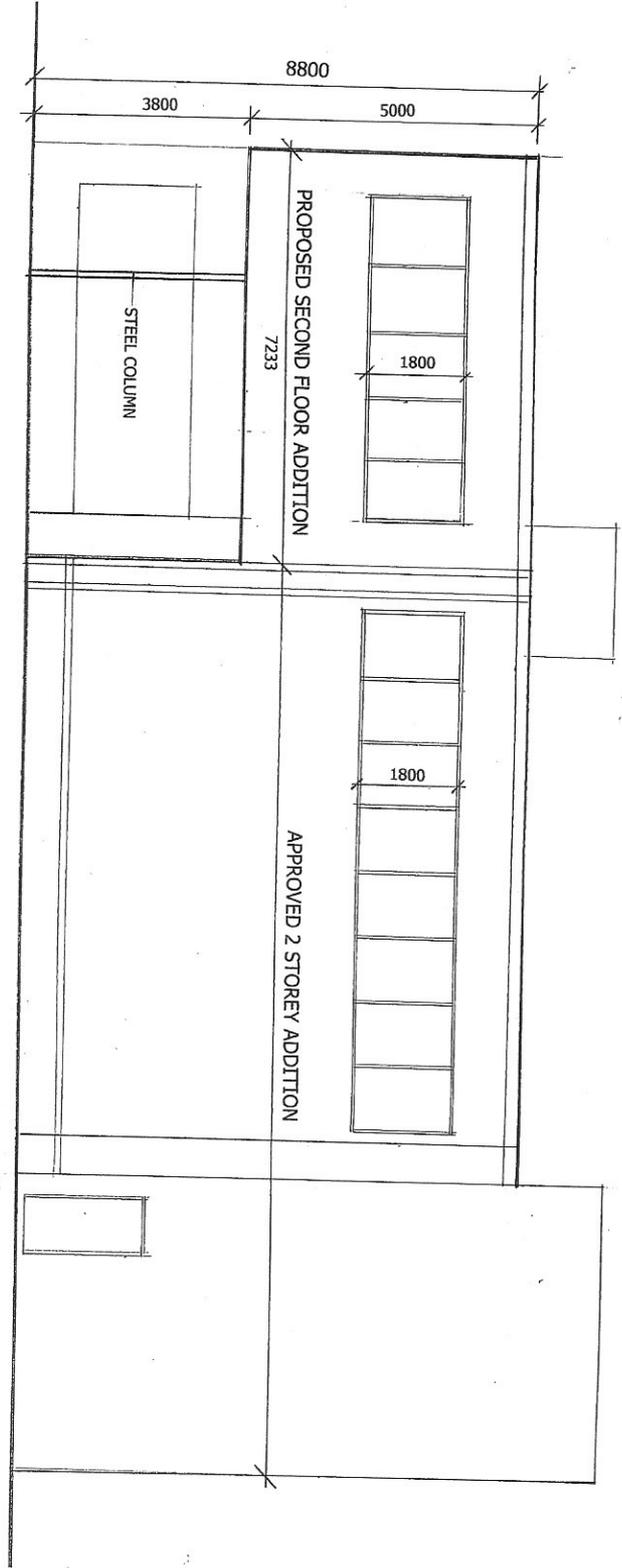
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 reviewed SB  
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 project  
 PROPOSED  
 ADDITION TO  
 SECOND FLOOR  
 10395 WESTON RD.  
 VAUGHAN ON

drawing SOUTH ELEVATION  
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**February 12, 2020**  
 Committee of Adjustment

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EAST ELEVATION  
 SCALE 1:100

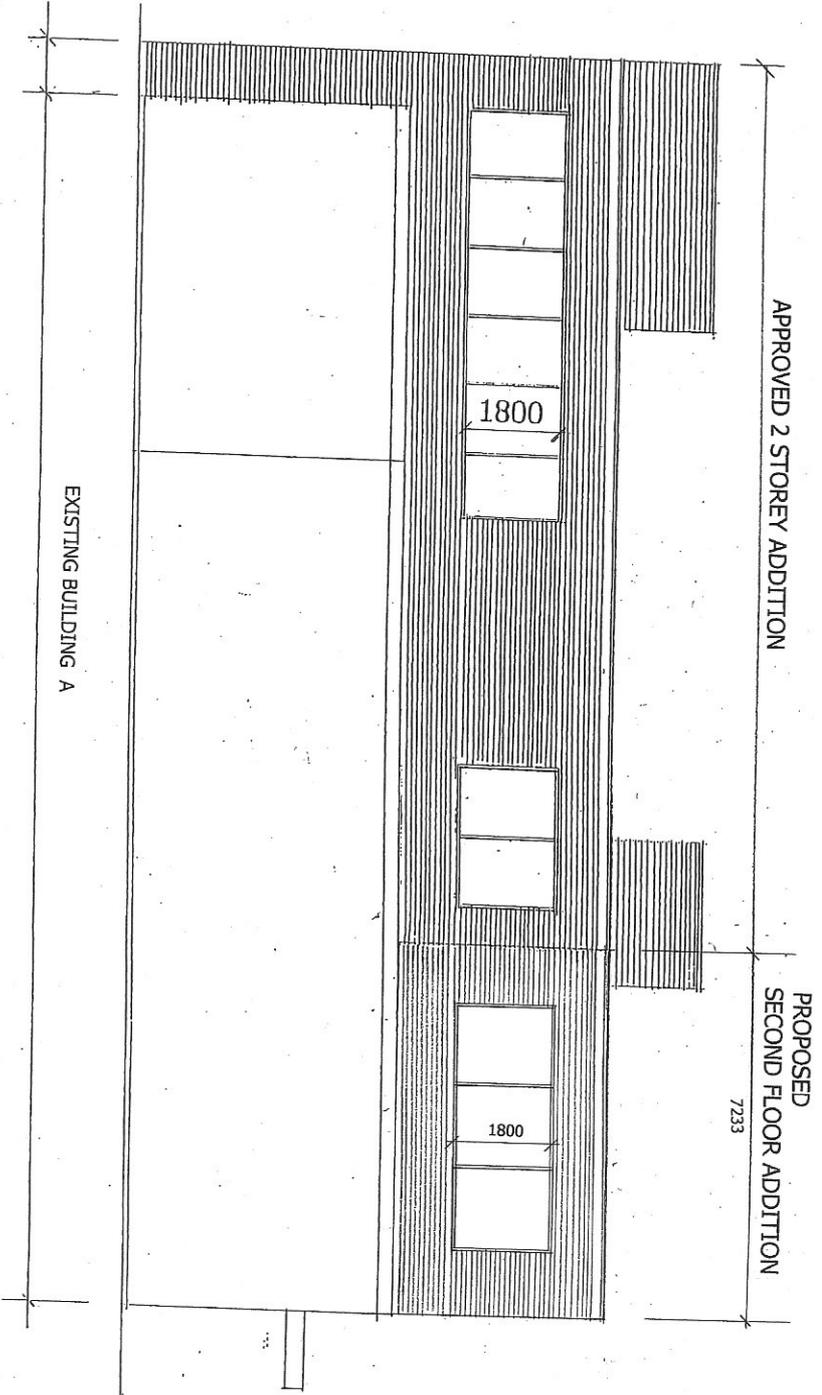
2	dimensions	FEB. 7/20
1	revisions	OCT. 8, 2019
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date	plotted	08/28/20
date	scale	plot scale 1:1
drawn	JK	
checked	SB	
approved	SB	
date		
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project	PROPOSED ADDITION TO SECOND FLOOR 10395 WESTON RD. VAUGHAN ON	
drawn by	JK	
EAST ELEVATION		
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<p>BERNATT ARCHITECT LTD.        4 Wynona Court, Ste. 302, Toronto, Ontario M2H 1L4        T: (416) 464-6441 F: (416) 464-5710 bernatt@bernatt.ca</p>		
drawing no.	A5	rev. no.

**RECEIVED**

**February 12, 2020**

Committee of Adjustment

NOTE: ALL MATERIALS TO MATCH EXISTING



WEST ELEVATION  
SCALE 1:100

2	dimensions	FEB. 7/20
1	no. revisions	OCT. 8, 2019
	date	FILE
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date filed	CORRECTION	plot scale 1:1
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project	PROPOSED ADDITION TO SECOND FLOOR 10395 WESTON RD. VAUGHAN ON	
drawing	WEST ELEVATION	
<p>THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNLESS APPROVED BY THE APPLICANT.</p>		
<p>DATE: _____</p>		
<p>BERNATT ARCHITECT LTD 40 Wynford Drive Ste. 312, Toronto, Ontario, M2N 6L1 T: (416) 464-6464 / Fax: (416) 464-6464</p>		
drawing no.	A6	rev. no.



OCT. 8, 2019

no.	revisions	date	init.

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date plotted: 082810



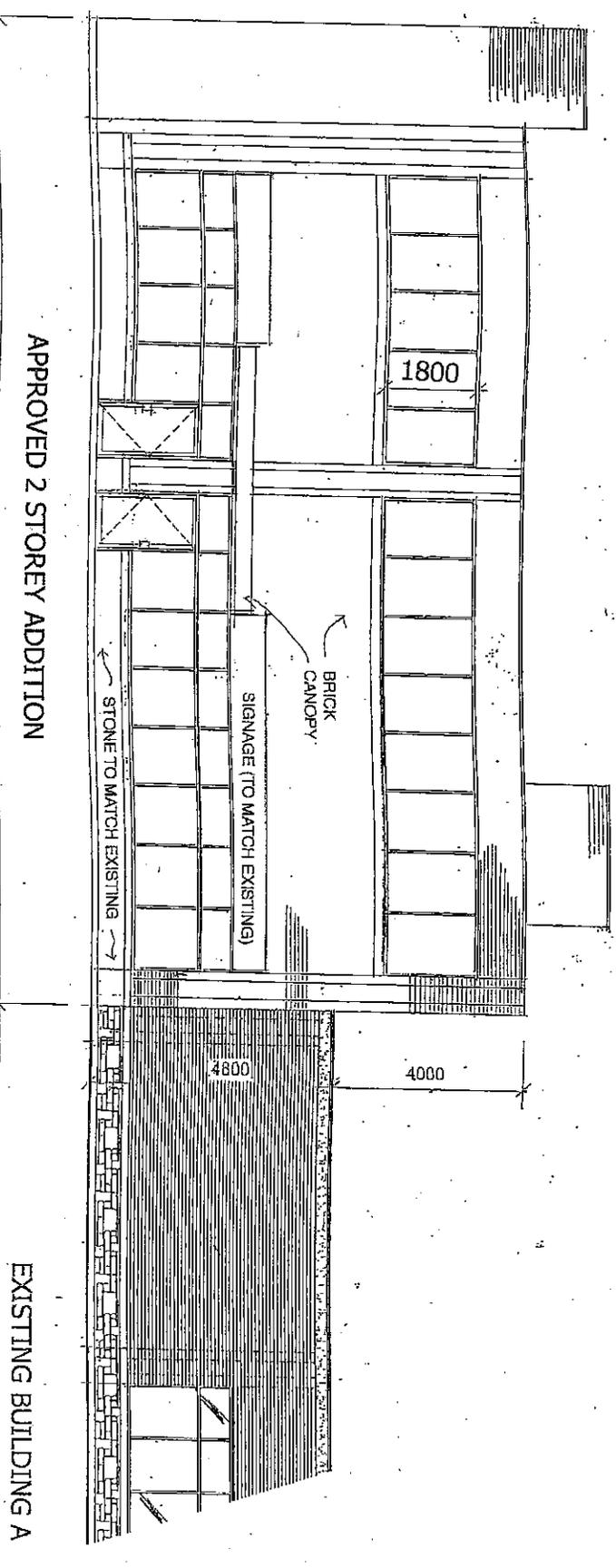
drawn: JK  
designed: SB  
reviewed: SB

scale: 1:300  
project: PROPOSED ADDITION TO SECOND FLOOR 10395 WESTON RD. VAUGHAN ON

drawing: NORTH ELEVATION

BERNATT ARCHITECT LTD.  
40 Wynford Drive, Ste. 317, Toronto, Ontario M2C 1A5  
T: (416) 449-8846 F: (416) 448-0103 [bernatt@bernatt.ca](mailto:bernatt@bernatt.ca)

drawing no. A8 rev. no.



NORTH ELEVATION  
SCALE 1:100

## **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.

**Letter of Objection – Danielle Martini Dagostino**

## Attwala, Pravina

---

**Subject:** FW: [External] A157/19 (OPPOSE)

-----Original Message-----

From: Daniela Pertili [REDACTED]

Sent: March-07-20 1:48 PM

To: Committee of Adjustment <CofA@vaughan.ca>

Subject: [External] A157/19 (OPPOSE)

Hi,

I just wanted to OPPOSE the development of a second storey addition to the property of 10395 Weston Rd Building A.

Reasons why:

1) Currently there are NOT enough parking spaces when we visit this location, it's always busy. So having more traffic and less parking spots (61 less) would be a big concern for us. There would be no where to park.

Thanks

Danielle Martini Dagostino

## **Schedule C: Agency Comments**

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

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



### COMMENTS:

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

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

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

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

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

#### References:

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

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

Mr. Stephen Cranley, C.E.T  
Supervisor, Distribution Design, ICI  
**Phone:** 1-877-963-6900 ext. 31297  
**Fax:** 905-532-4401  
**E-mail:** [stephen.cranley@alectrautilities.com](mailto:stephen.cranley@alectrautilities.com)

Mr. Tony D'Onofrio  
Supervisor, Subdivisions & New Services  
**Phone:** 1-877-963-6900 ext. 24419  
**Fax:** 905-532-4401  
**Email:** [tony.donofrio@alectrautilities.com](mailto:tony.donofrio@alectrautilities.com)

**Attwala, Pravina**

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**Subject:** FW: RESPONSE: A157/19 - REQUEST FOR COMMENTS

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

**Sent:** February-18-20 9:13 AM

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

**Subject:** RESPONSE: A157/19 - REQUEST FOR COMMENTS

Good morning Pravina,  
The Regional Municipality of York has no comments.

*Gabrielle*

**Gabrielle Hurst** | MCIP, RPP, Planning and Economic Development, Corporate Services

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1-877-464-9675 ext. 71538

Our Mission: **Working together to serve our thriving communities – today and tomorrow**

## Schedule D: Previous Approvals (Notice of Decision)

Minor Variance A111/12

Minor Variance A218/16

# **NOTICE OF DECISION**

## **MINOR VARIANCES**

- FILE NUMBER:** A218/16
- APPLICANT:** MILLWICK ACQUISITION CORPORATION
- PROPERTY:** Part of Lot 23, Concession 5, (Parts 1-3, Reference Plan 65R-31795) municipally known as 10395 Weston Road, Woodbridge)
- ZONING:** The subject lands are zoned C4, Neighbourhood Commercial Zone subject to Exception 9(1224) under By-law 1-88 as amended.
- PURPOSE:** To permit the construction of an addition, as follows:
- PROPOSAL:**
1. To permit a minimum front yard setback of 5.0m.
  2. To permit a minimum of 110 parking spaces.
  3. To permit a landscape strip with a minimum width of 2.0m abutting Weston Road as shown on attached site plan.
  4. To permit a landscape strip with a minimum width of 5.0m abutting Canada Drive as shown on attached site plan.
- BY-LAW REQUIREMENT:**
1. Minimum front yard setback 11.0m.
  2. Minimum 161 parking spaces are required.
  3. A strip of land not less than 6.0m in width shall be provided along a lot line which abuts a street line.
  4. A strip of land not less than 6.0m in width shall be provided along a lot line which abuts a street line.
- 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:  
A111/12 - APPROVED May 3, 2012 - rear yard 6.0m to day nursery; easterly interior side yard 12.50m; 118 parking spaces.

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. **A218/16, MILLWICK ACQUISITION CORPORATION**, be **APPROVED**, in accordance with the sketches attached and subject to the following conditions:

1. That Site Development File DA.16.016 be approved, if required, to the satisfaction of the Development Planning Department.
2. That if the condition(s) listed above is/are not fulfilled and the Building Permit is not applied for within twelve (12) months of the date this decision becomes final and binding, the said decision shall expire and shall be deemed to have been annulled and rescinded by the Committee. **(PLEASE NOTE THAT THIS TIME PERIOD CANNOT BE EXTENDED IN ANY WAY, FAILURE TO MEET THIS DEADLINE WILL RESULT IN REQUIRING A NEW APPLICATION AND FEE.)**

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

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

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

**CARRIED.**

**CHAIR:** 

Signed by all members present who concur in this decision:

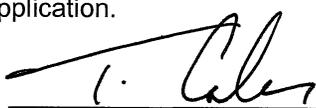
  
H. Zheng,  
Chair  
  
~~ABSENT~~  
J. Cesario,  
Member

~~ABSENT~~  
M. Mauti,  
Vice Chair

  
R. Buckler,  
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: JUNE 16, 2016**  
**Last Date of Appeal: JULY 6, 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.

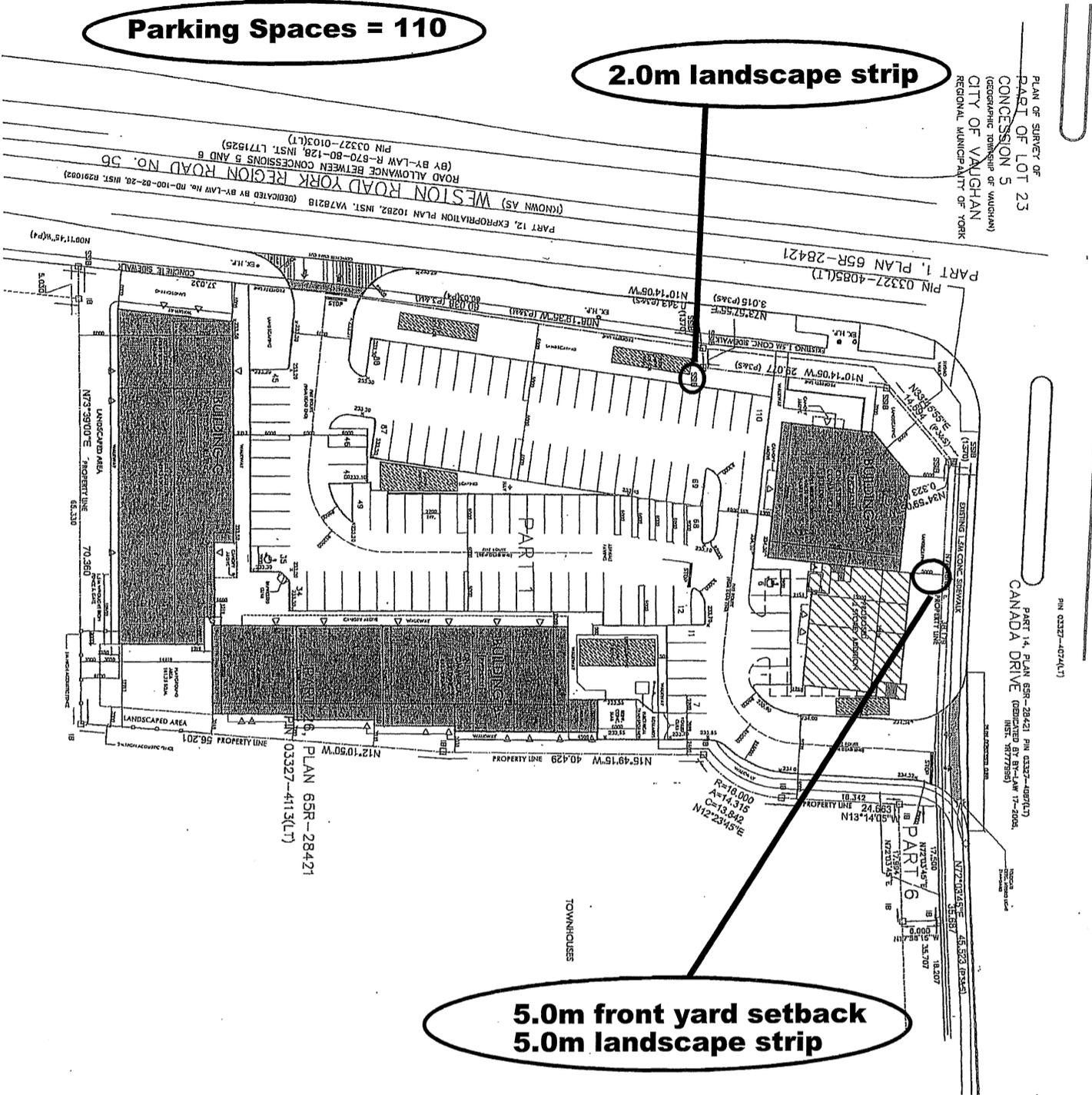
**CONDITIONS**

IF ANY CONDITIONS ARE IMPOSED ON THIS APPLICATION, THE FINAL DATE FOR FULFILLING THEM IS: **JULY 6, 2017**

**Parking Spaces = 110**

**2.0m landscape strip**

**5.0m front yard setback  
5.0m landscape strip**



**SITE DEVELOPMENT DATA**

<b>ZONE</b>	C1 NEIGHBOURHOOD COMMERCIAL	
<b>LOT AREA</b> (COMMERCIAL)	8,873.7 SQ.M (2,192 AC)	95,516 SQ.FT
<b>BUILDING AREAS</b>		
BUILDING A	404.36 SQ.M	4353 SQ.FT.
BUILDING B	857.48 SQ.M	9176 SQ.FT.
BUILDING C	858.28 SQ.M	9239 SQ.FT.
PROPOSED ADDITION		
TO BUILDING A	282.00 SQ.M	3035 SQ.FT.
FIRST FLOOR	282.00 SQ.M	3035 SQ.FT.
SECOND FLOOR	282.00 SQ.M	3035 SQ.FT.
<b>TOTAL GFA</b>	2679.12 SQ.M	28,859 SQ.FT.
<b>TOTAL GROUND FLOOR AREA</b>	2116.12 SQ.M	22,747.71 SQ.FT.
<b>PROPOSED ADDITION</b>	282.00 SQ.M	3,035.00 SQ.FT.
<b>TOTAL COVERAGE</b>	2397.12 SQ.M	25,782.71 SQ.FT.
<b>LOT COVERAGE</b>	27.01%	
<b>SETBACKS</b>	<b>REQUIRED</b>	<b>PROVIDED</b>
FRONT YARD SETBACK	6.00 M	6.00 M
REAR YARD SETBACK	6.00 M	6.00 M
SIDEYARD SETBACK (IN)	3.00 M	3.00 M
SIDEYARD SETBACK (EXT.)	6.00 M	5.00 M
<b>PARKING</b>	PARKING REQUIRED (NEIGHBOURHOOD COMMERCIAL C1) MULTIPLE TENANTS FOR EXISTING PLAZA	
PARKING REQUIRED (AS PER COMMITTEE OF ADJUSTMENT RENOVA11/12)	118 SPACES	
PARKING PROVIDED=	118 SPACES (INCL. 2 H/C SPACES)	
PARKING REQUIRED FOR ADDITION	282.00 SQ.M. RETAIL @ 6/100 = 17 SPACES 282.00 SQ.M. OFFICE @ 3.5/100 = 10 SPACES TOTAL = 27 SPACES	
TOTAL NUMBER OF SPACES REQUIRED =	118 + 27 = 145 SPACES	
PARKING PROVIDED	110 SPACES (INCL. 2 H/C SPACES)	
<b>LOADING SPACES</b>	N/A	
<b>LANDSCAPED AREA</b>	3036 SQ.M	34.23%
<b>PAVED AREA</b>	3439.81 SQ.M	38.76%
<b>SNOW STORAGE</b>	REQUIRED 1777.27 SQ.M	PROVIDED 1800 SQ.M

**PROPOSED ADDITION TO COMMERCIAL DEVELOPMENT FOR MILLWICK ACQUISITION CORP. WESTON ROAD 10395 WESTON ROAD CITY OF VAUGHAN, ONTARIO**

DATE: 04/16

SCALE: 1:300

OWNER: MILLWICK ACQUISITION CORP.

DESIGNER: BERNATT ARCHITECT LTD.

FILE NO. DA.12.002

**NOT TO SCALE**

NEIGHBOURHOOD: WESTON ROAD

STREETS: WESTON ROAD, MILLWICK AVENUE, VICTORIA PARK AVENUE, CITYVALE BLVD

PROPOSED ADDITION: BUILDING A, B, C

EXISTING BUILDING: BUILDING A, B, C

DATE: 04/16

SCALE: 1:300

OWNER: MILLWICK ACQUISITION CORP.

DESIGNER: BERNATT ARCHITECT LTD.

FILE NO. DA.12.002

# Location Map 218/16

10395 Weston Road, Woodbridge



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**

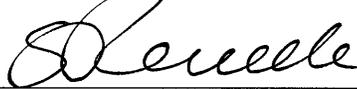
- FILE NUMBER:** A111/12
- APPLICANT:** MILLWICK ACQUISITION CORP.
- PROPERTY:** Part of Lot 23, Concession 5 (Parts 1 to 3 on Survey 65R-31795, municipally known as 10375, 10385 and 10395 Weston Road, Woodbridge).
- ZONING:** The subject lands are zoned C4 Neighbourhood Commercial Zone and subject to the provisions of Exception 9(1224) under By-law 1-88 as amended.
- PURPOSE:** To permit the construction of an addition to an existing day nursery.
- PROPOSAL:**
1. To permit a rear yard setback of 6.0 metres to the day nursery.
  2. To permit an easterly interior side yard setback of 12.50 metres to the day nursery.
  3. To maintain 118 parking spaces.
- BY-LAW REQUIREMENT:**
1. A minimum rear yard setback to an institutional use is 15 metres.
  2. A minimum interior side yard setback to an institutional use is 15 metres.
  3. A minimum number of 127 parking spaces is permitted.

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. **A111/12, MILLWICK ACQUISITION CORP.**, be **APPROVED**, in accordance with the sketches attached, subject to the following conditions of approval:

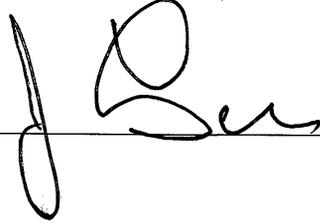
1. That Site Development File DA.12.002 is approved to the satisfaction of the Development Planning Department.
- 2.. That if the condition(s) listed above is/are not fulfilled and the Building Permit is not applied for within twelve (12) months of the date this decision becomes final and binding, the 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.**

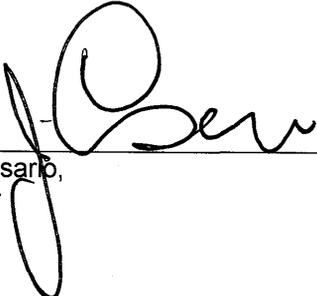
**FAILURE TO COMPLY WITH THIS PROCEDURE WILL RESULT IN A LETTER BEING FORWARDED BY THE SECRETARY-TREASURER INDICATING THIS FILE HAS LAPSED AND, THEREFORE, WILL NECESSITATE THAT A NEW APPLICATION BE SUBMITTED TO LEGALIZE THIS PROPERTY.**

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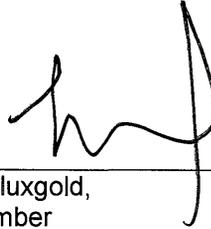
CARRIED.

CHAIR: 

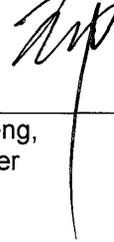
Signed by all members present who concur in this decision:

 J. Cesario, Chair

 A. Perrella, Vice Chair

 L. Fluxgold, Member

 M. Mauti, Member

 H. Zheng, 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

<b>Date of Hearing:</b>	<b>MAY 3, 2012</b>
<b>Last Date of Appeal:</b>	<b>MAY 23, 2012</b>

**APPEALS**

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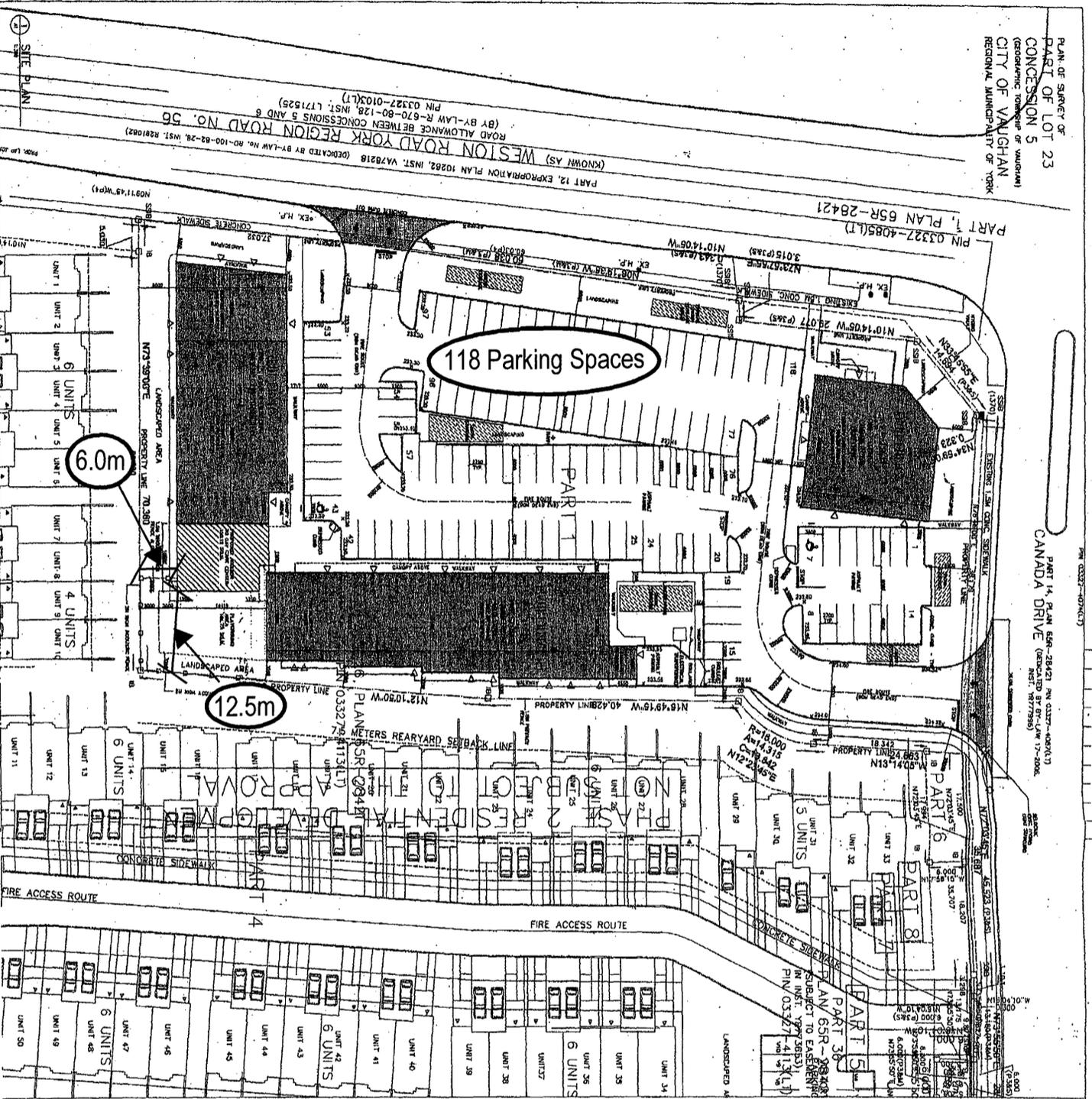
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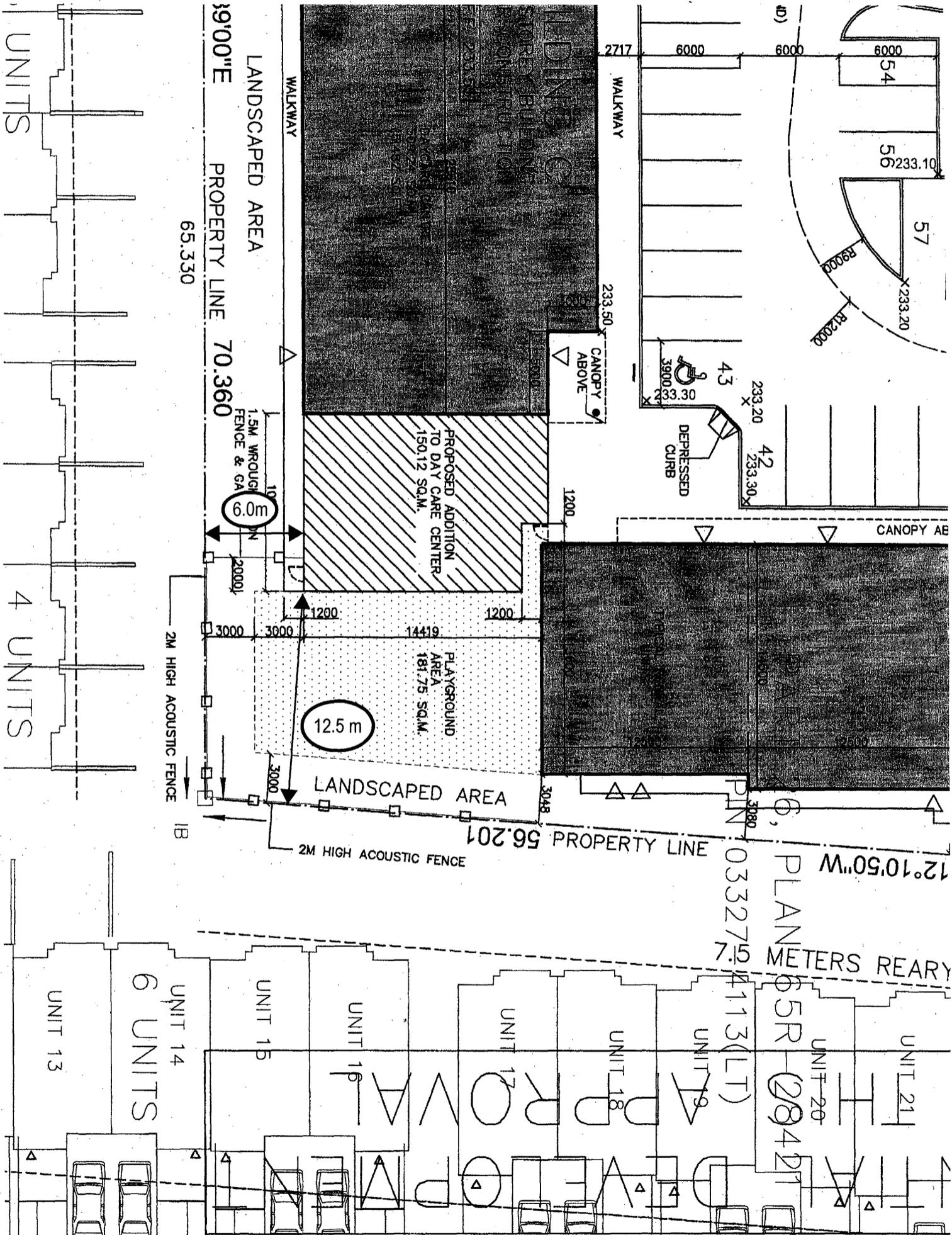
**CONDITIONS**

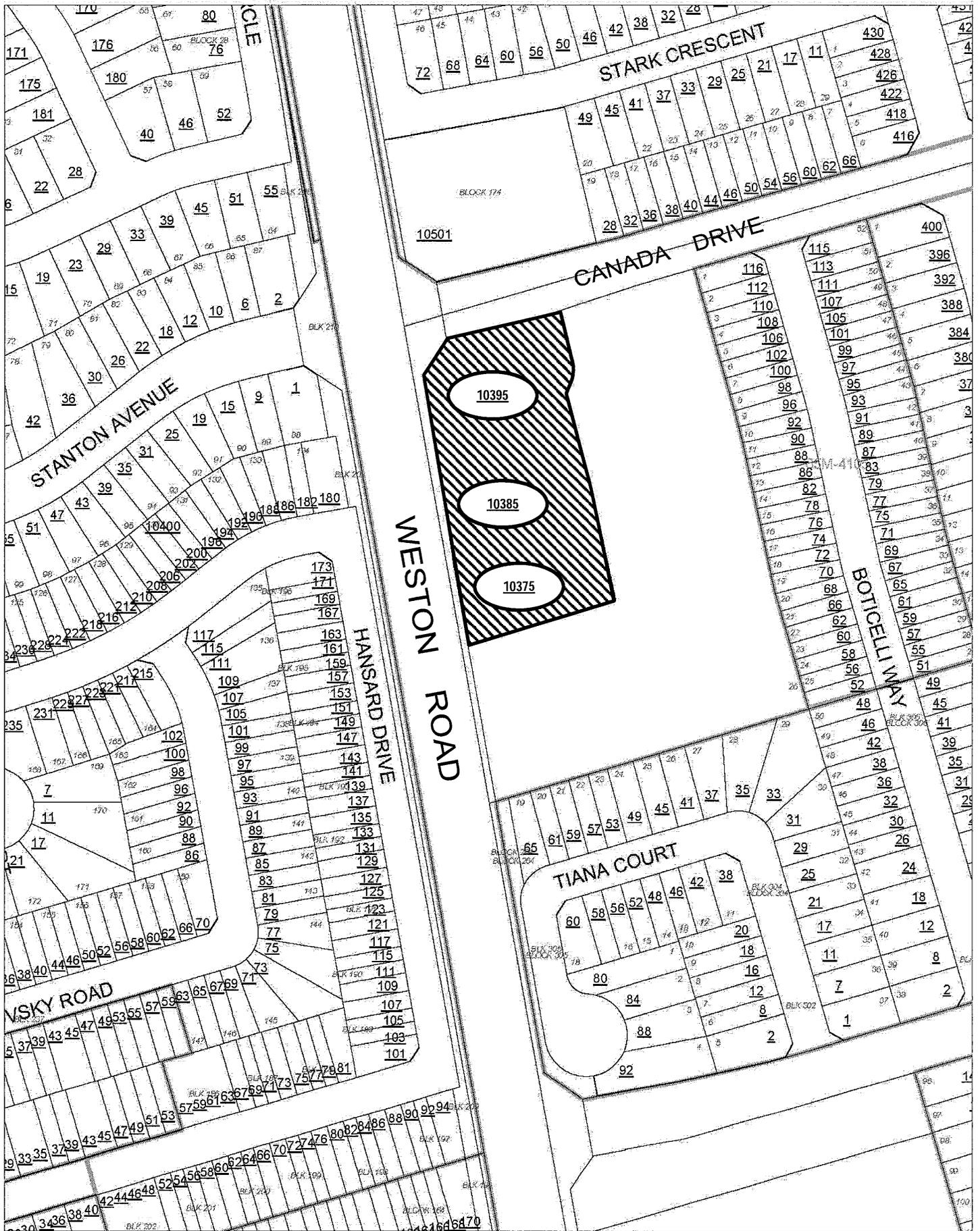
IF ANY CONDITIONS ARE IMPOSED ON THIS APPLICATION, THE FINAL DATE FOR FULFILLING THEM IS: **MAY 23, 2013**

# A111/12



DETAIL





# COMMITTEE OF ADJUSTMENT

**File No.:**

A111/12

**Applicants:**

MILLWICK ACQUISITION CORP.



**SUBJECT LANDS:**

10375, 10385 & 10395 Weston Road, Woodbridge

