



**COMMITTEE OF ADJUSTMENT
REPORT SUMMARY
MINOR VARIANCE APPLICATION
FILE NUMBER A024/22**

AGENDA ITEM NUMBER: 10	CITY WARD #: 3
APPLICANT:	Mogano Mills Developments Inc
AGENT:	Steven De Santis
PROPERTY:	525, 533, 541, 551 Cityview Blvd, Woodbridge
ZONING DESIGNATION:	The subject lands are zoned EM1-862, Prestige Employment Zone and subject to the provisions of Exception 14.862 under Zoning By-law 01-2021. The subject lands are zoned EM1 9(1218), Prestige Employment Area Zone, and subject to the provisions of Exception 9(1218) under Zoning By-law 1-88, as amended.
VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:	Vaughan Official Plan 2010 ('VOP 2010'): "Prestige Employment"
RELATED DEVELOPMENT APPLICATIONS: <small>*May include related applications for minor variance, consent, site plan, zoning amendments etc.</small>	DA.21.070.
PURPOSE OF APPLICATION:	Relief from the Zoning By-law is being requested to permit increased maximum gross floor area for all eating establishments onsite to facilitate a new restaurant with existing accessory drive thru and to facilitate Site Plan Application DA.21.070.

**THIS REPORT CONTAINS COMMENTS FROM THE FOLLOWING
DEPARTMENTS & AGENCIES:**

*Please see **Schedule B** of this report for a copy of Development Planning 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	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
Building Standards (Zoning Review)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
Building Inspection (Septic)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Comments Received to Date
Development Planning	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Recommend Approval/No Conditions
Development Engineering	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Recommend Approval/No Conditions
Parks, Forestry and Horticulture Operations	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No Comments or Concerns
By-law & Compliance, Licensing & Permits	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No Comments or Concerns
Development Finance	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No Comments or Concerns
Real Estate	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Fire Department	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Comments Received to Date
AGENCIES	Circulated	Comments Received	Conditions	Nature of Comments
TRCA	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No Comments or Concerns
Ministry of Transportation (MTO)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No Comments or Concerns
Region of York	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No Comments or Concerns
Alectra	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
Bell Canada	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Comments Received to Date
YRDSB	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
YCDSB	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

CN Rail	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
CP Rail	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
TransCanada Pipeline	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Metrolinx	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Propane Operator	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

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
Applicant / Authorized Agent	History Hill Group		01/19/2022	Justification 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
A130/11	05/26/2011	Approved by COA
A082/09	05/14/2009	Approved by COA

ADJOURNMENT HISTORY

* Previous hearing dates where this application was adjourned by the Committee and public notice issued.

None	
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A024/22**

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VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:	Vaughan Official Plan 2010 ('VOP 2010'): "Prestige Employment"
RELATED DEVELOPMENT APPLICATIONS:	DA.21.070.
PURPOSE OF APPLICATION:	Relief from the Zoning By-law is being requested to permit increased maximum gross floor area for all eating establishments onsite to facilitate a new restaurant with existing accessory drive thru and to facilitate Site Plan Application DA.21.070.

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

The subject lands are zoned EM1-862, Prestige Employment Zone and subject to the provisions of Exception 14.862 under Zoning By-law 01-2021.

The subject lands are zoned EM1 9(1218), Prestige Employment Area Zone, and subject to the provisions of Exception 9(1218) under Zoning By-law 1-88, as amended.

Zoning By-law 1-88		Variance requested
1.	The total Gross Floor Area devoted to any or all eating establishment uses shall not exceed 20% of the total gross floor area of the development [Exception 9(1218) ci]	To permit a maximum of 25% of the total gross floor area of the development to be devoted to any and all eating establishment uses.

HEARING INFORMATION

Date & Time of Hearing:	Thursday, May 5, 2022 at 6:00 p.m.
Watch the hearing live at: 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 to:

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 REGISTER TO SPEAK OR SUBMIT WRITTEN COMMENTS 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:

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:	April 21, 2022
Date Applicant Confirmed Posting of Sign:	April 20, 2022
Applicant Justification for Variances: <small>*As provided by Applicant in Application Form</small>	The new GFA devoted to the eating establishments would exceed the amount permitted on site (20%), under by-law 1-88 exception 9(1218)
Adjournment Requests (from staff): <small>*Adjournment requests provided to applicant prior to issuance of public notice</small>	None
Was a Zoning Review Waiver (ZRW) Form submitted by Applicant: <small>*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.</small>	No
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:	None

BUILDING STANDARDS (ZONING) COMMENTS

<p>There are no outstanding Orders on file A Building Permit has not been issued. The Ontario Building Code requires a building permit for structures that exceed 10m²</p> <p>The applicant shall be advised that any future eating establishments within the development will require further bylaw relief.</p> <p>The applicant shall be advised that additional variances may be required upon review of detailed drawing for building permit/site plan approval.</p>	
Building Standards Recommended Conditions of Approval:	None

DEVELOPMENT PLANNING COMMENTS

**See Schedule C for Development Planning Comments.	
Development Planning Recommended Conditions of Approval:	None

DEVELOPMENT ENGINEERING COMMENTS

The Development Engineering (DE) Department does not object to variance application A024/22.	
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DEVELOPMENT ENGINEERING COMMENTS

Development Engineering Recommended Conditions of Approval:	None
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PARKS, FORESTRY & HORTICULTURE (PFH) COMMENTS

No comment no concerns	
PFH Recommended Conditions of Approval:	None

DEVELOPMENT FINANCE COMMENTS

No comment no concerns	
Development Finance Recommended Conditions of Approval:	None

BY-LAW AND COMPLIANCE, LICENSING AND PERMIT SERVICES COMMENTS

No comment 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 DEPARTMENT 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	Development Planning & 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, the following conditions have been recommended: None

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.

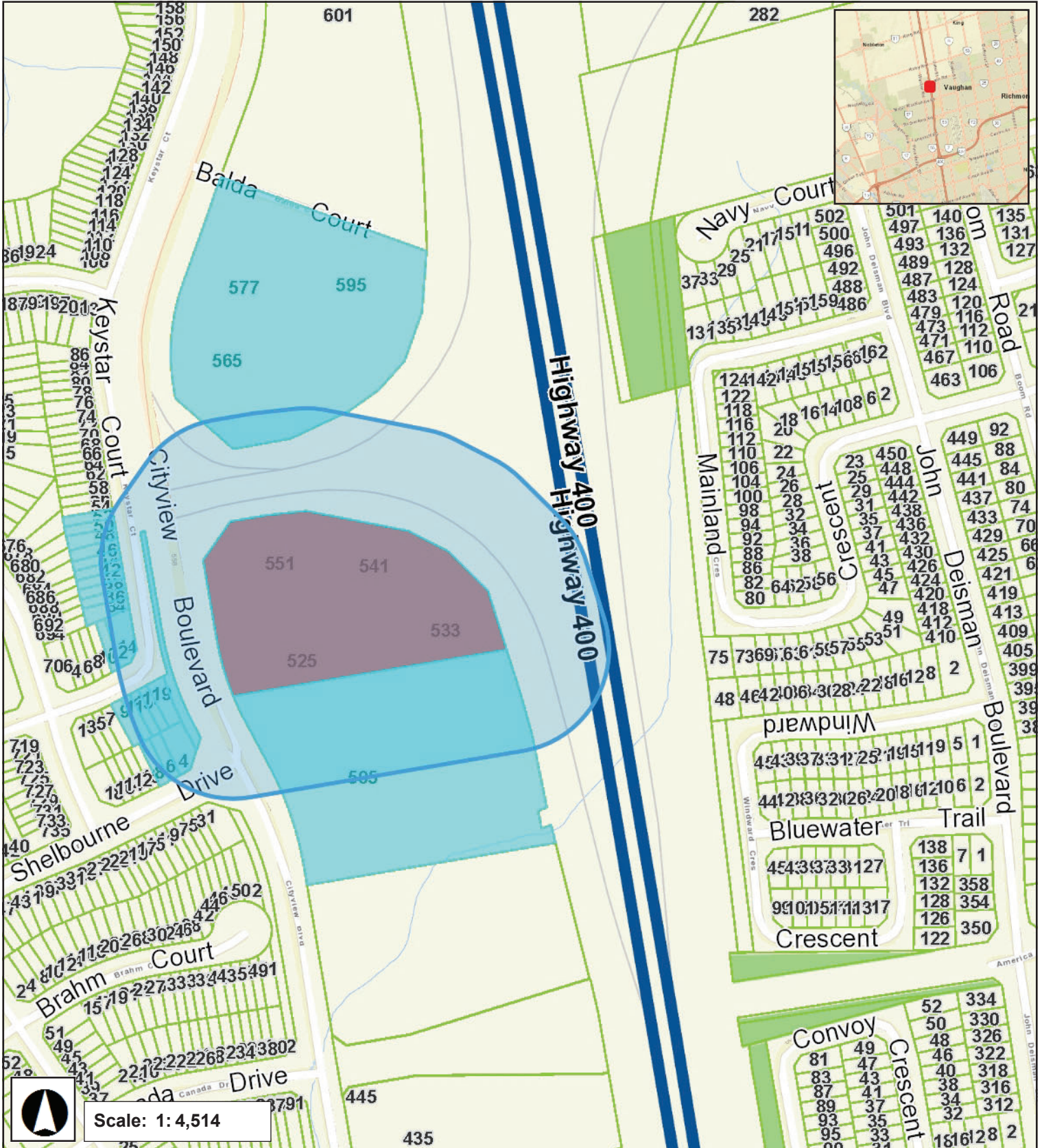
SCHEDULE A: DRAWINGS & PLANS



A024/22 - LOCATION MAP

525, 231, 541, 553 CITYVIEW BLVD, WOODBRIDGE

Teston Road

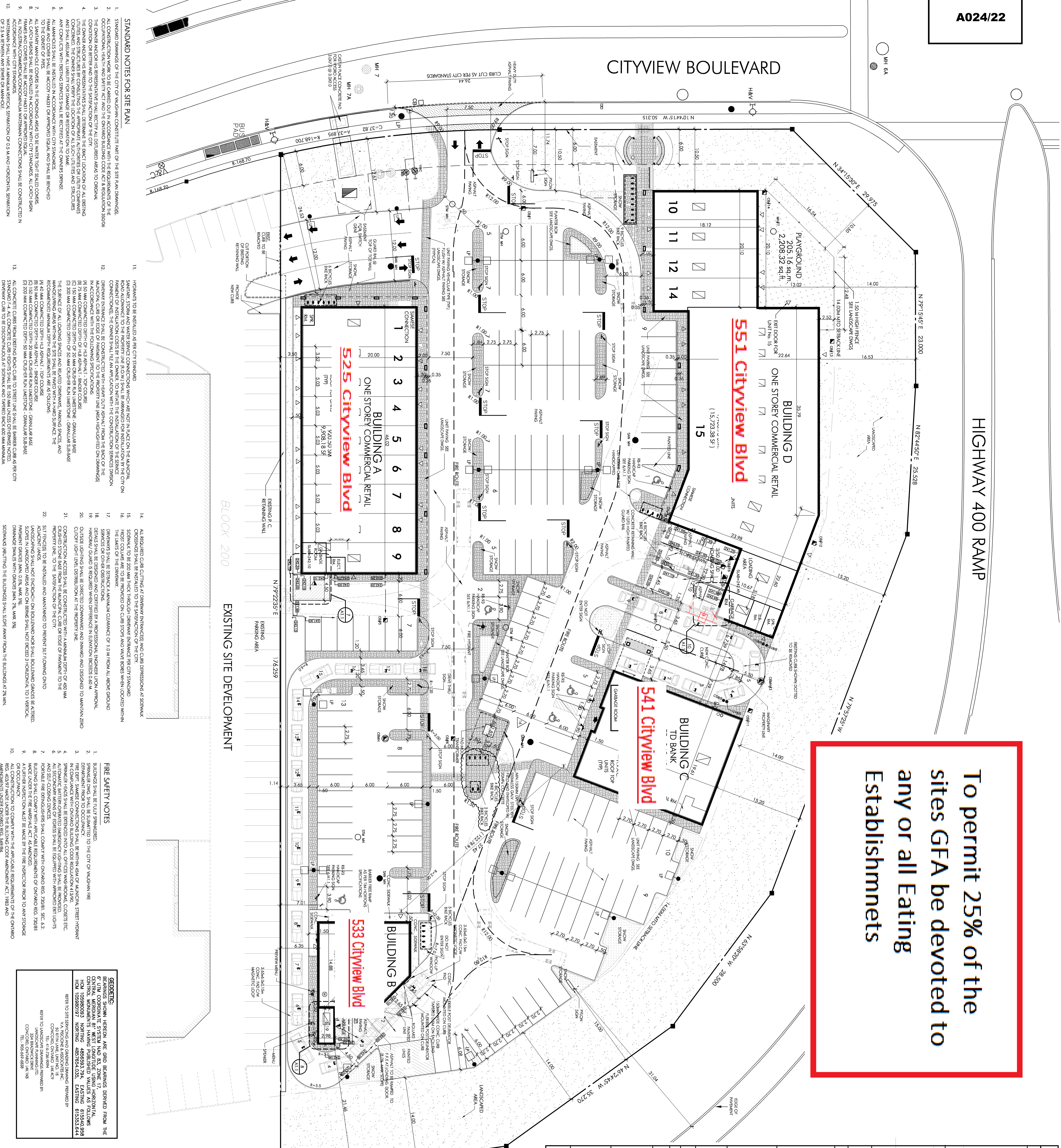


Major Mackenzie Drive

March 4, 2022 11:42 AM

CITYVIEW BOULEVARD

HIGHWAY 400 RAMP



To permit 25% of the sites GFA be devoted to any or all Eating Establishments

SITE DEVELOPMENT DATA	
ZONE	EMI
LOT AREA	13,274.85 SM
RESERVE AREA AND 14.00M SETBACK LAND	3,289 AC
AREA OF 14.00M SETBACK LAND FACING HWY 400 AND RAMP	2,886.00 SM
LAND FACING HWY 400 AND RAMP	0.713 AC
TOTAL LOT AREA	16,160.85 SM
BUILDING AREA	5M
BUILDING A	920.50
BUILDING B	241.55
BUILDING C	463.00
BUILDING D	1,460.75
GROSS BUILDING AREA	15,725.38
CHANGE ROOM, STAIRWELL + ELEVATOR	3,085.80
TOTAL GROSS AREA	203.30
TOTAL GROSS RENTABLE AREA	2,882.50
COVERAGE	19.10%
GROUND FL. COVERAGE	23.24%
EXCLUDING LAND FACING HWY 400 AND RAMP	
SETBACKS	REQUIRED
REAR YARD SETBACK	10.00 M
SIDE YARD SETBACK (INT)	N/A
SIDE YARD SETBACK (EXT)	6.00 M
(HWY 400 RAMP)	14.00 M
PARKING	REQUIRED
COMMERCIAL (NET AREA)	144 SPACES
(5 SPACES/100 SM - 2,882.50 SM)	
TOTAL PARKING	144 SPACES
BICYCLES	24 BIKES
LOADING SPACES	REQUIRED
LANDSCAPED AREA	6,064.50
14.00M SETBACK LAND FACING HWY 400 AND RAMP	37.52 %
PERCENTAGE	
PAVED AREA	7,010.55
14.00M SETBACK LAND FACING HWY 400 AND RAMP	43.38 %
PERCENTAGE	
SNOW STORAGE	REQUIRED
SNOW STORAGE AREA	323.25 SM
	PROVIDED
	320.00 SM

- STANDARD NOTES FOR SITE PLAN**
- STANDARD DRAWING OF THIS CITY OF VAUGHAN CONFORMANCE PART OF THE SITE PLAN DRAWINGS...
 - ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
 - THE OWNER AND/OR HIS REPRESENTATIVE SHALL VERIFY ALL DIMENSIONS ARE TO ORIGINAL CONSTRUCTION OR TO THE SATISFACTION OF THE CITY.
 - ALL UTILITIES SHALL BE LOCATED AS SHOWN ON THE CITY RECORD DRAWINGS OR AS INDICATED BY THE OWNER'S RECORD DRAWINGS.
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- PROPOSED TO BE INSTALLED AS PER CITY STANDARDS.
- SANITARY STORM AND WATER SERVICE CONNECTION WHICH ARE NOT IN PLACE ON THE MUNICIPAL ROAD TO LOCATE TO THE PROPERTY LINE (E.O.M.) SHALL BE MARKED FOR INSTALLATION BY THE CITY ON THE DATE OF THE PERMIT.
- CONNECTIONS TO THE PROPERTY LINE SHALL BE MADE IN ACCORDANCE WITH THE CITY STANDARDS.
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- ALL REQUIRED CURB CUTTING AT DRIVEWAY INTERSECTIONS AND CURB PROJECTIONS AT SIDEWALK CROSSINGS SHALL BE INSTALLED TO THE SATISFACTION OF THE CITY.
- SEWERAGE TO BE 200 MM THICK THROUGH DRIVEWAY ENTRANCE PER CITY STANDARDS.
- FRONT CURBS ARE TO BE PROVED ON CURB STOPS AND VAVE BODIES WHEN LOCATED WITHIN THE CURB STOP.
- ALL CURB CUTTING SHALL BE MADE IN ACCORDANCE WITH THE CITY STANDARDS.
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- FIRE SAFETY NOTES**
- BUILDINGS SHALL BE FULLY FIREARMED.
 - SPRINKLER SYSTEM SHALL BE INSTALLED TO THE CITY OF VAUGHAN FIRE DEPARTMENT STANDARDS.
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GEOTECH:
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LEGAL DESCRIPTION
 THIS PLAN TAKEN FROM PLAN OF SUBDIVISION OF PRACTICE NO. 3177 OF THE CITY OF VAUGHAN REGIONAL MUNICIPALITY OF YORK.

KEY PLAN
 LEGEND
 WESTON RD, HIGHWAY 400, CITYVIEW BLVD, TAYLOR ROAD, WESTON RD, HIGHWAY 400, CITYVIEW BLVD, TAYLOR ROAD, WESTON RD, HIGHWAY 400, CITYVIEW BLVD, TAYLOR ROAD.

HISTORY HILL GROUP

MOGANO HILLS DEVELOPMENTS INC.
 CITYVIEW BLVD, BLOCK 199
 CITY OF VAUGHAN, ONTARIO

architect inc.
 3290 RIVERCHASE RD
 BUILDING 5, SUITE 230
 VAUGHAN, ONTARIO
 L4K 2W6
 TEL: (905) 453-5372
 FAX: (905) 453-5372
 INFO@ARCHITECT.COM
 WWW.ARCHITECT.COM

DATE: MARCH 2009
SCALE: 1:250
DRAWING NO.: A-10
DESIGNED BY: DRAMAN BT
CHECKED BY: J.L.C.

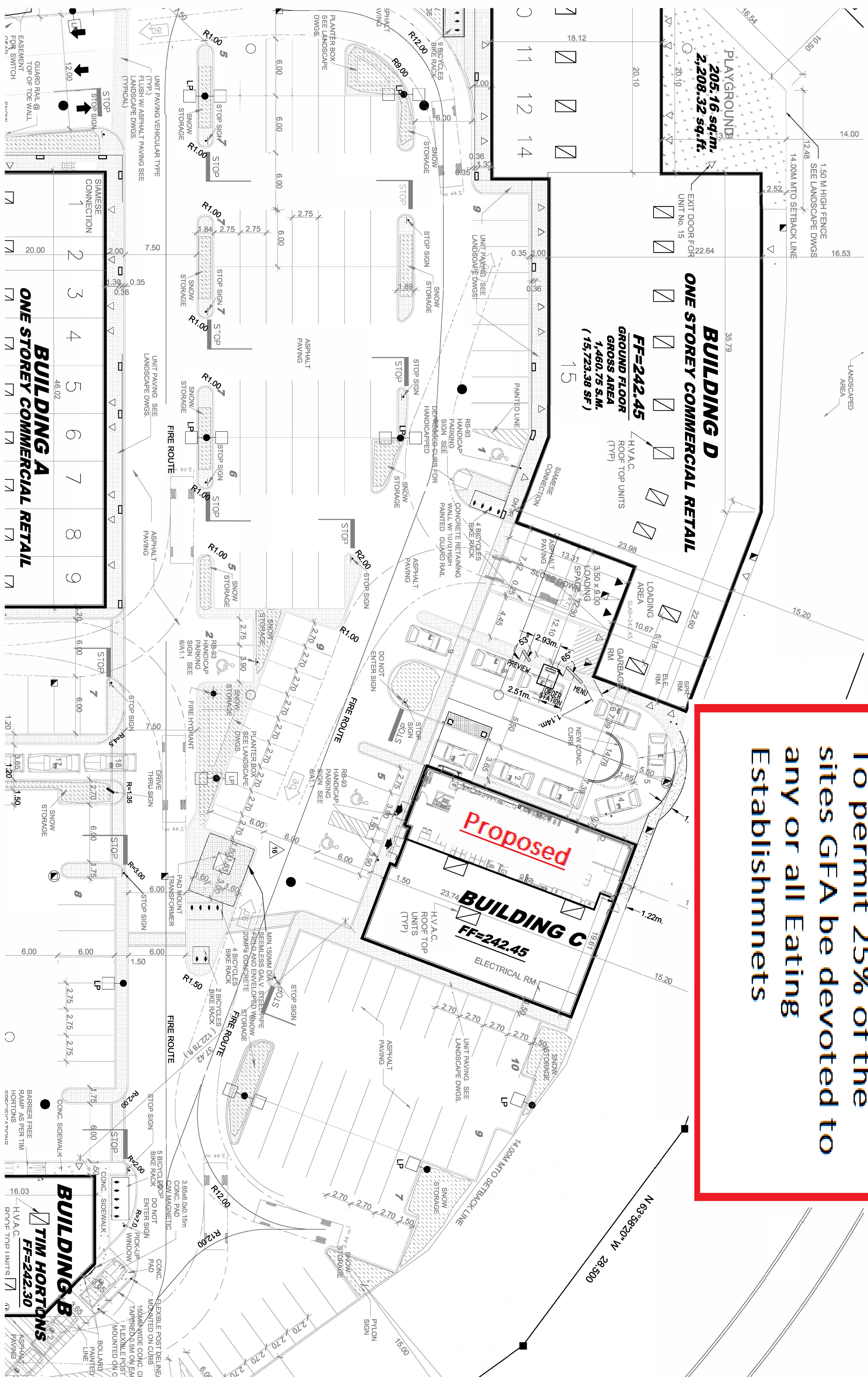
PROJECT: COMMERCIAL DEVELOPMENT
MOGANO HILLS DEVELOPMENTS INC.
 CITYVIEW BLVD, BLOCK 199
 CITY OF VAUGHAN, ONTARIO

BREKING: SITE PLAN
DA.07.005

ISSUED FOR CONSTRUCTION: MARCH 13, 2009
ISSUED FOR BUILDING PERMIT: MARCH 13, 2009
ISSUED FOR SITE PLAN APPROVAL: APRIL 7, 2009

CONTRACTORS:
 1. SITE PREP AND CLEARING: [Name]
 2. FOUNDATION: [Name]
 3. CONCRETE: [Name]
 4. BRICKWORK: [Name]
 5. ROOFING: [Name]
 6. MECHANICAL/ELECTRICAL/PLUMBING: [Name]
 7. FINISHES: [Name]
 8. LANDSCAPING: [Name]
 9. SIGNAGE: [Name]
 10. FINAL INSPECTION: [Name]

To permit 25% of the sites GFA be devoted to any or all Eating Establishments



EXISTING SITE PLAN

SCALE: 1:100

ANTRIX ARCHITECTS INC.
 199 BERTHIAUX RD. E. MISSISSAUGA
 ON L4W 3Y1 PHONE 905 564 1154
 FAX 905 501 0265

PROJECT: PROPOSED "BURGER KING" - UNIT
 541 CITYVIEW BLVD., VAUGHAN, ONTARIO

DATE REVIEW	24-01-2011
DRAWN BY	NI
SCALE	
PROJECT NO.	2014
DRAWING TITLE & NO.	EXISTING SITE PLAN

ALL INFORMATION AND DIMENSIONS MUST BE CHECKED AND VERIFIED ON SITE. DO NOT SCALE DRAWINGS. ANY VARIANCES OR DISCREPANCIES MUST BE REPORTED TO THE DESIGNER PRIOR TO COMMENCEMENT OF THE WORK. ALL WORK SHALL BE DONE IN ACCORDANCE WITH ALL CITY ORDINANCES AND CODES GOVERNING THE PROJECT. CONTRACT DRAWINGS ARE THE PROPERTY OF THE DESIGNER AND MAY NOT BE REPRODUCED, COPIED, OR ALTERED WITHOUT THE WRITTEN PERMISSION OF THE DESIGNER.

SCHEDULE B: DEVELOPMENT PLANNING & AGENCY COMMENTS

AGENCIES	Circulated	Comments Received	Conditions	Nature of Comments
Development Planning	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Recommend Approval/No Conditions
TRCA	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No Comments or Concerns
Ministry of Transportation (MTO)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No Comments or Concerns
Region of York	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No Comments or Concerns
Alectra	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
Bell Canada	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Comments Recieved to Date
YRDSB	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
YCDSB	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
CN Rail	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
CP Rail	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
TransCanada Pipeline	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Metrolinx	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Propane Operator	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

To: Christine Vigneault, Committee of Adjustment Secretary Treasurer
From: Nancy Tuckett, Director of Development Planning
Date: May 5, 2022
Name of Owner: Mogano Mills Developments
Location: 525 Cityview Boulevard
File No.(s): A024/22

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

1. To permit a maximum of 25% of the total gross floor area of the development to be devoted to any and all eating establishment uses.

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

1. The total Gross Floor Area devoted to any or all eating establishment uses shall not exceed 20% of the total gross floor area of the development.

Official Plan:

City of Vaughan Official Plan 2010 ('VOP 2010'): "Prestige Employment"

Comments:

The Owner is requesting to permit a restaurant with drive-through in the existing Building C, with the above noted variance.

The subject lands are designated 'Prestige Employment', which restricts the gross floor area (GFA) of any one ancillary retail unit to 185 m², and the total GFA of all ancillary retail uses on any one lot to 20% of the total GFA of all uses on the lot or 1,000 m², whichever is less. The subject lands legally exist with a composition of 25% ancillary retail uses per the definition of ancillary retail under VOP 2010, including Building C where the restaurant will be replacing a TD Bank, as the subject lands were developed prior to the adoption of VOP 2010. Policy 10.2.1.4 of the VOP 2010 recognizes:

"legally existing land uses as they exist at the time this Plan is approved. These land uses shall be deemed to conform to this Plan."

Minor extensions, reductions or expansions of such uses shall be permitted without amendment to VOP 2010 provided specific criteria contained in Policy 10.2.1.4.a. though h. are satisfied.

The Development Planning Department has no objection to the use of Building C as an eating establishment with drive-through, as it replaces a legally existing ancillary retail use as defined by VOP 2010 and does not cause adverse impacts to the function of the subject lands or surrounding area. No new development is associated with this conversion. The proposed use complies with Policy 10.2.1.4 of VOP 2010.

Accordingly, the Development Planning Department can support the required variances 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.

Conditions of Approval:

If the Committee finds merit in the application, the following conditions of approval are recommended:

None

Comments Prepared by:

Joshua Cipolletta, Planner I

Chris Cosentino, Senior Planner

Date: February 17th , 2022

Attention: **Christine Vigneault**

RE: Request for Comments

File No.: **A024-22**

Related Files:

Applicant Magno Mills Development

Location 525,533,541,551 Cityview Blvd



Discover the possibilities

COMMENTS:

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

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

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

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

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

References:

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

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

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

E-mail: stephen.cranley@alectrautilities.com

Mitchell Penner
Supervisor, Distribution Design-Subdivisions
Phone: 416-302-6215

Email: Mitchell.Penner@alectrautilities.com

Pravina Attwala

Subject: FW: [External] RE: A024/22 (525,533,541,551 CITYVIEW BLVD) - REQUEST FOR COMMENTS

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

Sent: February-22-22 11:20 AM

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

Cc: Blaney, Cameron (MTO) <Cameron.Blaney@ontario.ca>

Subject: [External] RE: A024/22 (525,533,541,551 CITYVIEW BLVD) - REQUEST FOR COMMENTS

Good morning,

As the proposed plan will not result in changes to the site layout, GFA, or parking, MTO has no comments.

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

Highway Corridor Management Section – Central Operations

159 Sir William Hearst Avenue | Ministry of Transportation

7th Floor, Building D | Downsview, Ontario | M3M 0B7

Phone: 437-533-9427

Colin.Mulrenin@ontario.ca

Pravina Attwala

Subject: FW: [External] RE: A024/22 (525,533,541,551 CITYVIEW BLVD) - REQUEST FOR COMMENTS

From: York Plan <yorkplan@trca.ca>

Sent: February-16-22 8:23 AM

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

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

Subject: [External] RE: A024/22 (525,533,541,551 CITYVIEW BLVD) - REQUEST FOR COMMENTS

TRCA wishes to confirm that it has **no interests or concerns with the above noted application.**

Based on a review of our available mapping, the subject property is not within TRCA's Regulated Area. As such, a permit from TRCA pursuant to Ontario Regulation 166/06 would not be required for any development or site alteration on the property.

Although the site is located within the Well Head Protection Area for Quantity control (WHPA-Q2) per the Source Protection Plan, no water balance would be required recognizing this requirement would have been addressed through the subdivision approvals process.

Should further clarification be required, please contact the undersigned at your convenience.

Mark Howard, BES, MLA, MCIP, RPP

Senior Planner – Vaughan Review Area

Development Planning and Permits | Development and Engineering Services

Toronto and Region Conservation Authority (TRCA)

T: [\(416\) 661-6600](tel:4166616600) ext 5269

E: mark.howard@trca.ca

A: [101 Exchange Avenue, Vaughan, ON, L4K 5R6](https://www.trca.ca) | [trca.ca](https://www.trca.ca)



Pravina Attwala

Subject: FW: [External] RE: A024/22 (525,533,541,551 CITYVIEW BLVD) - REQUEST FOR COMMENTS

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

Sent: March-03-22 11:23 AM

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

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

Subject: [External] RE: A024/22 (525,533,541,551 CITYVIEW BLVD) - 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 | Community Planning and Development Services | 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 / Authorized Agent	History Hill Group		01/19/2022	Justification Letter



January 19, 2022

City Of Vaughan
Clerk's Department
Committee of Adjustment
2141 Major Mackenzie Drive
Vaughan, ON L6A 1T1

To Whom It May Concern:

**RE: New Minor Variance Application
Mogano Mills Developments
525, 533, 541, 551 Cityview Blvd-Increase Restaurant GFA**

Mogano Mills Developments is the owner of 525, 533, 541, 551 Cityview Blvd and is submitting this minor variance application to permit the facilitation of a new restaurant, with an existing accessory drive –thru. There is no proposed increase to the sites current GFA, as such the parking ratio will not be affected. Minor variance 082/09 allowed the development of a multi building commercial plaza, allowing for blended parking ratio to be possible.

The minor variance being requested include the following

1. Increase to the permitted eating establishment GFA.

Planning Act -Four Tests:

Minor Variance: Increase in permitted GFA for all eating establishments.

By Law 1-88, Exception 9(1218), Section ci, permits eating establishments provided the total gross floor area devoted to any or all eating establishments' uses do not exceed twenty percent of the total gross floor area of the development.

The proposed eating establishment use GFA of 186m² will bring the total restaurant GFA for the site to 24.95%. An increase in the site's permitted eating establishment GFA, from 20% to 25% is being requested. The proposed restaurant will occupy 186m² of 541 Cityview Blvd, noted as Building C on the

site plan. Please note that under By-law 1-2021, exception 862 indicates that there is no limitation on the sites eating establishments GFA.

This Variance meets the four tests for the minor variance under Section 45 of the Planning Act as it:

- Is necessary for the appropriate development of the lands in order to accommodate the proposed restaurant.
- Is desirable for the development as it provides existing business and surrounding area with a convenient dining option.
- Maintains the general intent of the official plan and Zoning-by law
- Has no adverse effect of adjacent owners.

Conclusion

The proposed variance is minor in nature and will enable the efficient development of the new restaurant with drive-thru. The variance meets the four test of the Planning Act and is desirable for the future use of the lands.

Supporting Material

In support of the minor variance, enclosed are the following materials:

- 1) Minor variance application form
- 2) Overall Existing Site Plan (A101)
- 3) Site Plan showing the proposed restaurant location within Build C. dated July 21, 2021, prepared by Antrix Architects Inc.
- 4) Proposed Restaurants Floor Plan (A2.0), dated May 6, 2021, prepared by Antrix Architects Inc.

Regards,

Mogano Mills Developments,



c/o Steven De Santis
History Hill Group.

SCHEDULE D: PREVIOUS COA DECISIONS ON THE SUBJECT LAND

PREVIOUS COA DECISIONS ON THE SUBJECT LAND		
<small>*Please see Schedule D for a copy of the Decisions listed below</small>		
File Number	Date of Decision MM/DD/YYYY	Decision Outcome
A130/11	05/26/2011	Approved by COA
A082/09	05/14/2009	Approved by COA

NOTICE OF DECISION

MINOR VARIANCES

FILE NUMBER: A130/11

APPLICANT: MOGANO MILLS DEVELOPMENTS INC.

PROPERTY: Part of Lot 24, Concession 5, (Block 199, Registered Plan No. 65M-3914, municipally known as 525 Cityview Blvd., Building A, Units 1 & 2, Woodbridge).

ZONING: The subject lands are zoned *EM1, Prestige Employment Zone* and subject to the provisions of *Exception 9(1218)* under By-law 1-88 as amended.

PURPOSE: The applicant is requesting a variance to permit the construction of an outdoor patio for an existing eating establishment as follows:

PROPOSAL: 1. To permit a total of 133 parking spaces.

BY-LAW REQUIREMENTS: 1. A minimum of 146 parking spaces are required.


BACKGROUND : The land which is subject to this application was also the subject of another application under the Planning Act:
Minor Variance File # A082/09 – Approved May 14, 2009 one storey multi-building commercial plaza,
Consent Application File # B019/09 – Approved May 14, 2009 easement to the South.
Site Plan DA.07.065 - Approved by Committee of the Whole April 20, 2009, as Strathern Heights Inv. Inc. (ownership changed to Mogano Mills Dev. Inc.).

Sketches are attached illustrating the request.

MOVED BY:



SECONDED BY:



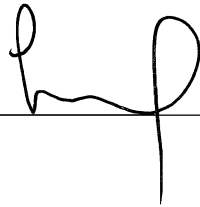
THAT the Committee is of the opinion that the variance sought can be considered minor and is desirable for the appropriate development and use of the land. The general intent and purpose of the By-law and the Official Plan will be maintained.

THAT Application No. A130/11 - MOGANO MILLS DEVELOPMENTS INC., be **APPROVED**, in accordance with the sketch attached,

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

CARRIED.

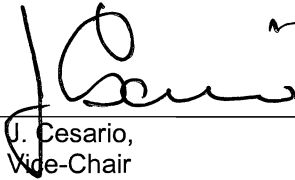
CHAIR: _____



Signed by all members present who concur in this decision:



L. Fluxgold,
Chair



J. Cesario,
Vice-Chair



M. Mauti,
Member



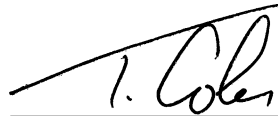
A. Perrella,
Member



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

Date of Hearing:	MAY 26 2011
Last Date of Appeal:	JUNE 15, 2011

APPEALS

APPEALS MUST BE RECEIVED BY THIS OFFICE NO LATER THAN 4:30 P.M. ON THE LAST DATE OF APPEAL NOTED ABOVE.

Should you decide to appeal this decision to the Ontario Municipal Board, a copy of an appeal form is available for download in Microsoft Word and Adobe Acrobat versions from the Ontario Municipal Board website at www.omb.gov.on.ca. If you do not have Internet access, these forms can be picked up at the City of Vaughan, Committee of Adjustment offices.

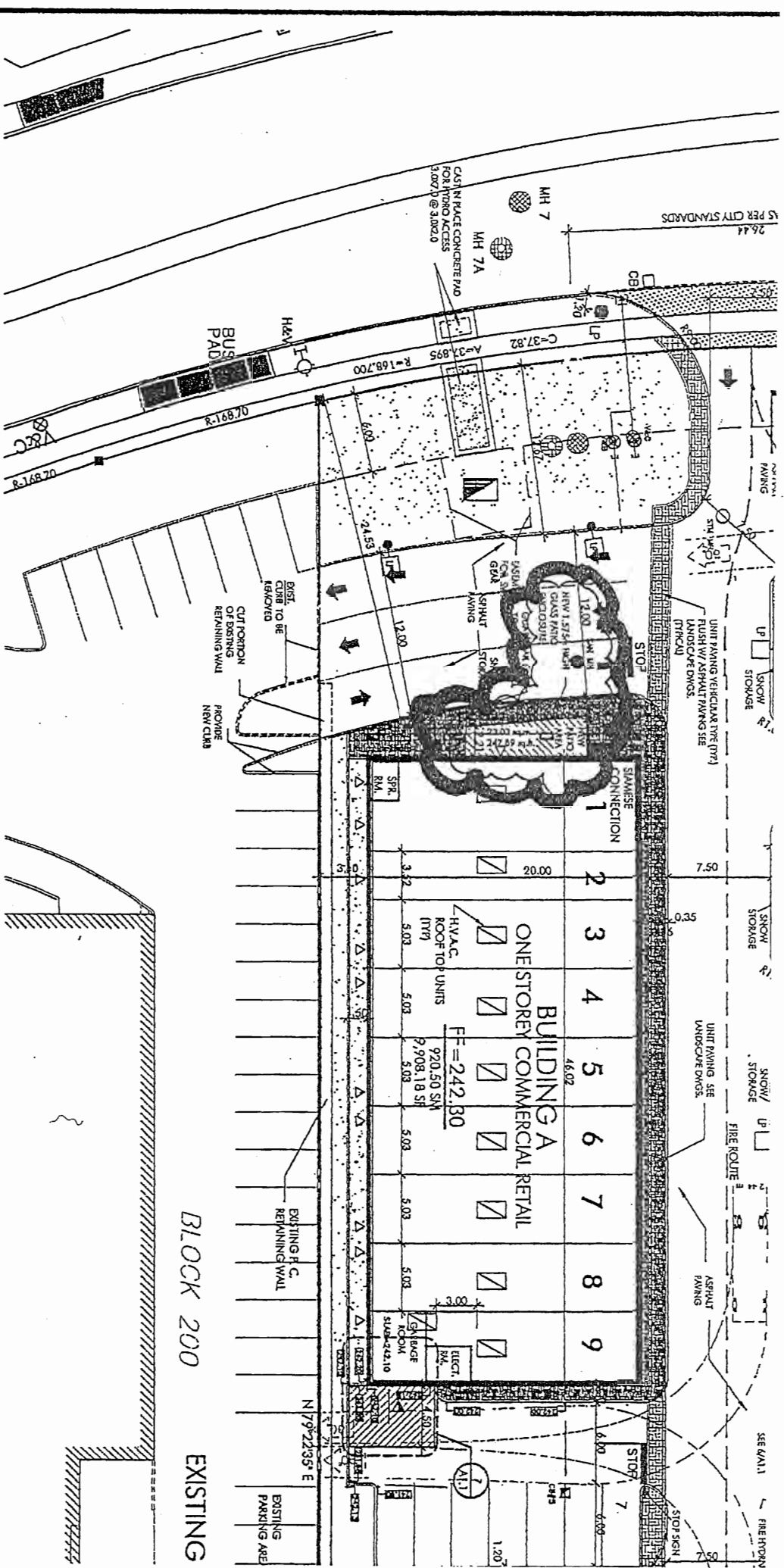
Please fill out Form A1 and follow the instructions as provided by the Ontario Municipal Board and submit your appeal to the City of Vaughan, Committee of Adjustment on or before the date stated above. You must enclose the completed form with the **\$650.00** processing fee, paid by **certified cheque** 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:

JUNE 15, 2012



STANDARD NOTES FOR SITE PLAN

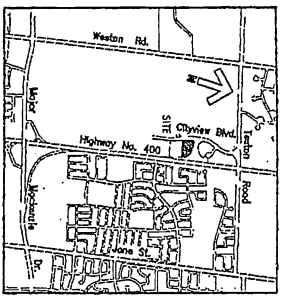
1. STANDARD DRAWINGS OF THE CITY OF VAUGHAN CONSTITUTE PART OF THE SITE PLAN DRAWINGS.
2. ALL CONSTRUCTION WORK TO BE CARRIED OUT IN ACCORDANCE WITH THE REQUIREMENTS OF THE OCCUPATIONAL HEALTH AND SAFETY ACT AND THE ONTARIO BUILDING CODE ACT & REGULATION 350/06.
3. THE OWNER AND/OR HIS REPRESENTATIVE SHALL RECTIFY ALL DISTURBED AREAS TO ORIGINAL CONDITION OR BETTER AND TO THE SATISFACTION OF THE CITY.
4. THE OWNER AND/OR HIS REPRESENTATIVES SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES AND STRUCTURES BY CONSULTING THE APPROPRIATE AUTHORITIES OR UTILITY COMPANIES CONCERNED. THE OWNER SHALL VERIFY THE LOCATION OF ALL SUCH UTILITIES AND STRUCTURES AND SHALL ASSUME ALL LIABILITY FOR DAMAGE OR RESTORATION TO SAME.
5. ANY CONFLICTS WITH DISTING SERVICES SHALL BE RECTIFIED AT THE OWNER'S EXPENSE.
6. ALL MANHOLES SHALL BE INSTALLED IN ACCORDANCE WITH CITY STANDARDS.
7. ALL MANHOLES SHALL BE ACCOY H4331 OR APPROVED EQUAL AND SHALL BE BENCHED TO THE CURB OF PAVES.
8. ALL SWIMMER MANHOLE COVERS IN THE PONDING AREAS TO BE WATER TIGHT SEALED COVERS.
9. ALL CATCH BASINS SHALL BE INSTALLED IN ACCORDANCE WITH CITY STANDARDS. ALL CATCH BASIN FRAMES AND COVERS SHALL BE ACCOY H4311 OR APPROVED EQUAL.
10. ALL INDUSTRIAL/COMMERCIAL/CONDOMINIUM WATERMAIN CONNECTIONS SHALL BE CONSTRUCTED IN ACCORDANCE WITH CITY STANDARDS.
11. WATERMAIN SHALL HAVE A MINIMUM VERTICAL SEPARATION OF 0.5 M AND HORIZONTAL SEPARATION OF 2.5 M BETWEEN ANY SEWER OR MANHOLE.
12. DRAINAGE SHALL BE INSTALLED AS PER CITY STANDARD.
13. SANITARY, STORM AND WATER SERVICE CONNECTIONS WHICH ARE NOT IN PLACE ON THE MUNICIPAL ROAD ALLOWANCE TO THE PROPERTY LINE (R.O.W.) SHALL BE ARRANGED FOR INSTALLATION BY THE CITY ON PAYMENT OF INSTALLATION COSTS BY THE OWNER. TO INITIATE THE INSTALLATION OF THE SERVICE CONNECTIONS, THE OWNER SHALL FILE AN APPLICATION WITH THE CONSTRUCTION SERVICES DIVISION.
14. DRIVEWAY ENTRANCE SHALL BE CONSTRUCTED WITH HEAVY DUTY ASPHALT FROM THE BACK OF THE MUNICIPAL CURB ON EDGE OF PAVEMENT TO THE PROPERTY LINE (AREA HIGHLIGHTED ON DRAWINGS) IN ACCORDANCE WITH THE FOLLOWING SPECIFICATIONS:
 - (A) 50 MM COMPACTED DEPTH OF H.B ASPHALT - TOP COURSE
 - (B) 75 MM COMPACTED DEPTH OF H.B ASPHALT - BINDER COURSE
 - (C) 150 MM COMPACTED DEPTH OF 20 MM CRUSHER RUN LIMESTONE - GRANULAR SUB-BASE
 - (D) 300 MM COMPACTED DEPTH OF 50 MM CRUSHER RUN LIMESTONE - GRANULAR SUB-BASE
15. THE SURFACE OF ALL LOADING SPACES AND RELATED DRIVEWAYS, PARKING SPACES, AND MANOEUVRING AREAS WITHIN THE SITE SHALL BE PAVED WITH A HARD SURFACE. THE RECOMMENDED MINIMUM DEPTH REQUIREMENTS ARE AS FOLLOWS:
 - (A) 40 MM COMPACTED DEPTH H.B ASPHALT - TOP COURSE
 - (B) 50 MM COMPACTED DEPTH H.B ASPHALT - BINDER COURSE
 - (C) 150 MM COMPACTED DEPTH 20 MM CRUSHER RUN LIMESTONE - GRANULAR SUB-BASE
 - (D) 200 MM COMPACTED DEPTH 50 MM CRUSHER RUN LIMESTONE - GRANULAR SUB-BASE
16. ALL CONCRETE CURBS FROM EXISTING ROAD CURB TO STREET LINE SHALL BE BARRIER CURB AS PER CITY STANDARD F-4. ALL CONCRETE CURB HEIGHTS SHALL BE 150 MM UNLESS OTHERWISE NOTED. DRIVEWAY CURB TO BE DISCONTINUOUS AT SIDEWALK AND TYPED BACK 600 MM MINIMUM.
17. ALL REQUIRED CURB CUTTING AT DRIVEWAY ENTRANCES AND CROSSINGS SHALL BE INSTALLED TO THE SATISFACTION OF THE CITY.
18. SIDEWALK TO BE 200 MM THICK THROUGH DRIVEWAY ENTRY POINT COLLARS ARE TO BE PROVIDED ON CURB STOPS AND AT THE LIMITS OF THE DRIVEWAY.
19. DRIVEWAYS SHALL BE SETBACK A MINIMUM CLEARANCE OF 1.1 SERVICES OR OTHER OBSTRUCTIONS.
20. HANDRAIL GUARD IS REQUIRED WHEN DIFFERENCE IN ELEVATION OUTSIDE LIGHTING SHALL BE DIRECTED DOWNWARD AND INW CUTOFF LIGHT LEVEL DISTRIBUTION AT THE PROPERTY LINE.
21. CONSTRUCTION ACCESS SHALL BE CONSTRUCTED WITH A MIN CRUSHED STONE BASE FROM THE MUNICIPAL CURB OR EDGE C PROPERTY LINE, TO THE SATISFACTION OF THE CITY.
22. ADJACENT LANDS. SIDEWALKS SHALL NOT ENROACH ON BOUNDARY NOR SI SLOPES IN LANDSCAPED AREAS AND ON BERMS SHALL NOT BE PAVED GRADERS (MIN. 0.5% MAX. 5%). DRAINAGE SWALES WITH GRADERS (MIN. 2% MAX. 5%). SIDEWALKS ABUTTING THE BUILDINGS SHALL SLOPE AWAY FROM

MP



SITE DEVELOPMENT DATA

ZONE	EM1		
LOT AREA			
INCLUDING RESERVE AREA AND 14,000M SERBACK LAND FACING HWY 400 AND RAMP	13,274.85 SM	142,889.29 SF	
AREA OF 14,000M SERBACK LAND FACING HWY 400 AND RAMP	2,886.00 SM	31,064.64 SF	
TOTAL LOT AREA	16,160.85 SM	173,953.93 SF	
	4.00 AC		
BUILDING AREA			
BUILDING A	920.50 SM	9,908.18 SF	
BUILDING B	241.55 SM	2,600.02 SF	
BUILDING C	463.00 SM	4,983.69 SF	
BUILDING D	1,460.75 SM	15,723.38 SF	
GROSS BUILDING AREA (INCLUDES LOADING AREA, STORAGE ROOMS, SPRINKLER + BLE ROOMS) (EXCLUDING GARAGE)	3,108.83 SM	33,463.17 SF	
TOTAL SERVICE AREA (ALL BUILDINGS INCLUDING LOADING AREA, STORAGE ROOMS, SPRINKLER AND ELECTRICAL ROOMS)	203.30 SM	2,188.30 SF	
TOTAL GROSS RENTABLE AREA	<u>2,905.53 SM</u>	<u>31,274.86 SF</u>	
COVERAGE			
GROUND FL COVERAGE	19.10%		
GROUND FL COVERAGE INCLUDING RESERVE AREA AND 14,000M SERBACK LAND FACING HWY 400 AND RAMP	23.24%		
SETBACKS			
FRONT YARD SETBACK	REQUIRED 10.00 M	PROVIDED 10.50 M	
REAR YARD SETBACK	N/A		
SIDE YARD SETBACK (INT)	6.00 M	3.50 M	
SIDE YARD SETBACK (EXT)	14.00 M	15.20 M	
PARKING			
PARKING REQUIRED (COMMERCIAL NET AREA) 3 SPACES/100 SM - 2,905.53 SM	146 SPACES	133 SPACES	
EXISTING PARKING			
EXISTING PARKING	146 SPACES	133 SPACES	
LOADING SPACES	REQUIRED 1	PROVIDED 1	
LANDSCAPED AREA			
INCLUDING 14,000M SERBACK LAND FACING HWY 400 AND RAMP	6,064.50 SM	65,277.70 SF	
PERCENTAGE	37.52%		
PAVED AREA			
INCLUDING 14,000M SERBACK LAND FACING HWY 400 AND RAMP	7,010.55 SM	75,460.90 SF	
PERCENTAGE	43.38%		
SNOW STORAGE			
SNOW STORAGE AREA (% OF LOT AREA)	REQUIRED 323.25 SM	PROVIDED 325.00 SM	



KEY PLAN
LEGEND
N.T.S.

[7/200]	PROPOSED FIN. GRADE
1/8" @ .1/8" @	PAVING GRADE
T.C. [7/200]	TOP OF CURB
C.A. [7/200]	TOP OF CATCH BASIN
△	MAIN DOOR LOCATIONS
▲	LOADING DOOR LOCATIONS
■	CATCH BASIN
■	CATCH BASIN MANHOLE
●	SANITARY MANHOLE
●	STORM SEWER MANHOLE
◇	FIRE HYDRANT
* G	GAS
O B.R.	ROOF DRAIN
◆ B.H.1	BOREHOLE
▨	HEAVY DUTY SPRAY PAINTING
□	LIGHT POLE
□	WALL MOUNTED LIGHT

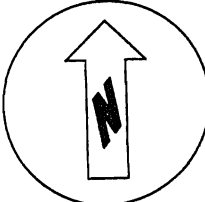
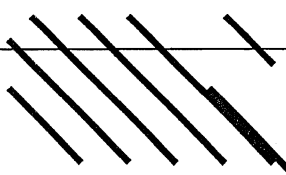
HISTORY HILL GROUP

19	KEY PLAN DATE: 14 FEBRUARY 2011	19/01/2011
18	REVISION: 14 FEBRUARY 2011	18/01/2011
17	REVISION: 14 FEBRUARY 2011	17/01/2011
16	REVISION: 14 FEBRUARY 2011	16/01/2011
15	REVISION: 14 FEBRUARY 2011	15/01/2011
14	REVISION: 14 FEBRUARY 2011	14/01/2011
13	REVISION: 14 FEBRUARY 2011	13/01/2011
12	REVISION: 14 FEBRUARY 2011	12/01/2011
11	REVISION: 14 FEBRUARY 2011	11/01/2011
10	REVISION: 14 FEBRUARY 2011	10/01/2011
9	REVISION: 14 FEBRUARY 2011	09/01/2011
8	REVISION: 14 FEBRUARY 2011	08/01/2011
7	REVISION: 14 FEBRUARY 2011	07/01/2011
6	REVISION: 14 FEBRUARY 2011	06/01/2011
5	REVISION: 14 FEBRUARY 2011	05/01/2011
4	REVISION: 14 FEBRUARY 2011	04/01/2011
3	REVISION: 14 FEBRUARY 2011	03/01/2011
2	REVISION: 14 FEBRUARY 2011	02/01/2011
1	REVISION: 14 FEBRUARY 2011	01/01/2011

A13011



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

	FILE NUMBER:	A130/11
	APPLICANT:	MOGANO MILLS DEVELOPMENTS INC.
		Subject Area Municipally known as 525 Cityview Blvd., Woodbridge (Bldg "A", Units 1 & 2)

NOTICE OF DECISION

- FILE NUMBER:** A082/09
- APPLICANT:** MOGANO MILLS DEVELOPMENTS INC. (previously circulated under Strathern Heights Inv. Inc.)
- PROPERTY:** Part of Lot 24, Concession 5, (Block 199, Registered Plan No. 65M-3914, municipally known as 525,533,541,551 Cityview Blvd., Woodbridge.)
- ZONING:** The subject lands are zoned EM1, Prestige Employment Area Zone under By-Law 1-88 as amended and further subject to Exception 9(1218)
- PURPOSE:** The applicant is requesting variances to permit the construction of one storey multi-building commercial plaza, as follows:
- PROPOSALS:**
1. Minimum unit size less than 465m²
 2. Minimum parking provided 133 spaces
 3. Minimum interior side yard setback 3.5m
 4. Shared access driveway
 5. Stacking lane not totally curbed for separation from parking area
- BY-LAW REQUIREMENTS:**
1. Minimum unit size 465m²
 2. Minimum parking required 173 spaces
 3. Minimum interior side yard 6.0m
 4. Driveways/Access to be provided on the lot
 5. Stacking lane shall be separated from the parking area by a curbed island
- BACKGROUND:** The land which is subject to this application was also the subject of another application under the Planning Act:
- Consent Application File # **B019/09** – to be heard in conjunction with this application for an easement to the South.
- Site Plan DA.07.065 - **APPROVED by Committee of the Whole April 20, 2009, as Strathern Heights Inv. Inc. (ownership changed to Mogano Mills Dev. Inc.).**

Sketches are attached illustrating the request.

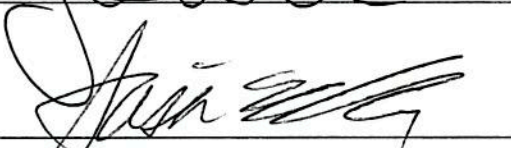
Ownership change: Previously circulated as Strathern Heights Investments Inc.

This application was previously adjourned from the April 2, 2009 & April 23, 2009 meetings, and heard on the May 14, 2009 meeting.

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. **A082/09 - MOGANO MILLS DEVELOPMENTS INC. (previously circulated under Strathern Heights Inv. Inc.)** be **APPROVED**, in accordance with the sketches attached, and subject to the following conditions:

1. That the corresponding Consent Application File No. **B019/09**, be approved;
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:


M.S. Panicali,
Chair


L. Fluxgold,
Vice Chair



J. Cesario,
Member


S. Krcmar,
Member

ABSENT
M. Mauti,
Member

CERTIFICATION

I hereby certify this to be a true copy of the decision of the Committee of Adjustment, and this decision was concurred in by a majority of the members who heard this application.


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

Date of Hearing: MAY 14, 2009
Last Date of Appeal: JUNE 3, 2009

APPEALS

APPEALS MUST BE RECEIVED BY THIS OFFICE NO LATER THAN 4:30 P.M. ON THE LAST DATE OF APPEAL NOTED ABOVE.

Should you decide to appeal this decision to the Ontario Municipal Board, a copy of an appeal form is available for download in Microsoft Word and Adobe Acrobat versions from the Ontario Municipal Board website at www.omb.gov.on.ca. If you do not have Internet access, these forms can be picked up at the City of Vaughan, Committee of Adjustment offices.

Please fill out Form A1 and follow the instructions as provided by the Ontario Municipal Board and submit your appeal to the City of Vaughan, Committee of Adjustment on or before the date stated above. You must enclose the completed form with the \$650.00 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

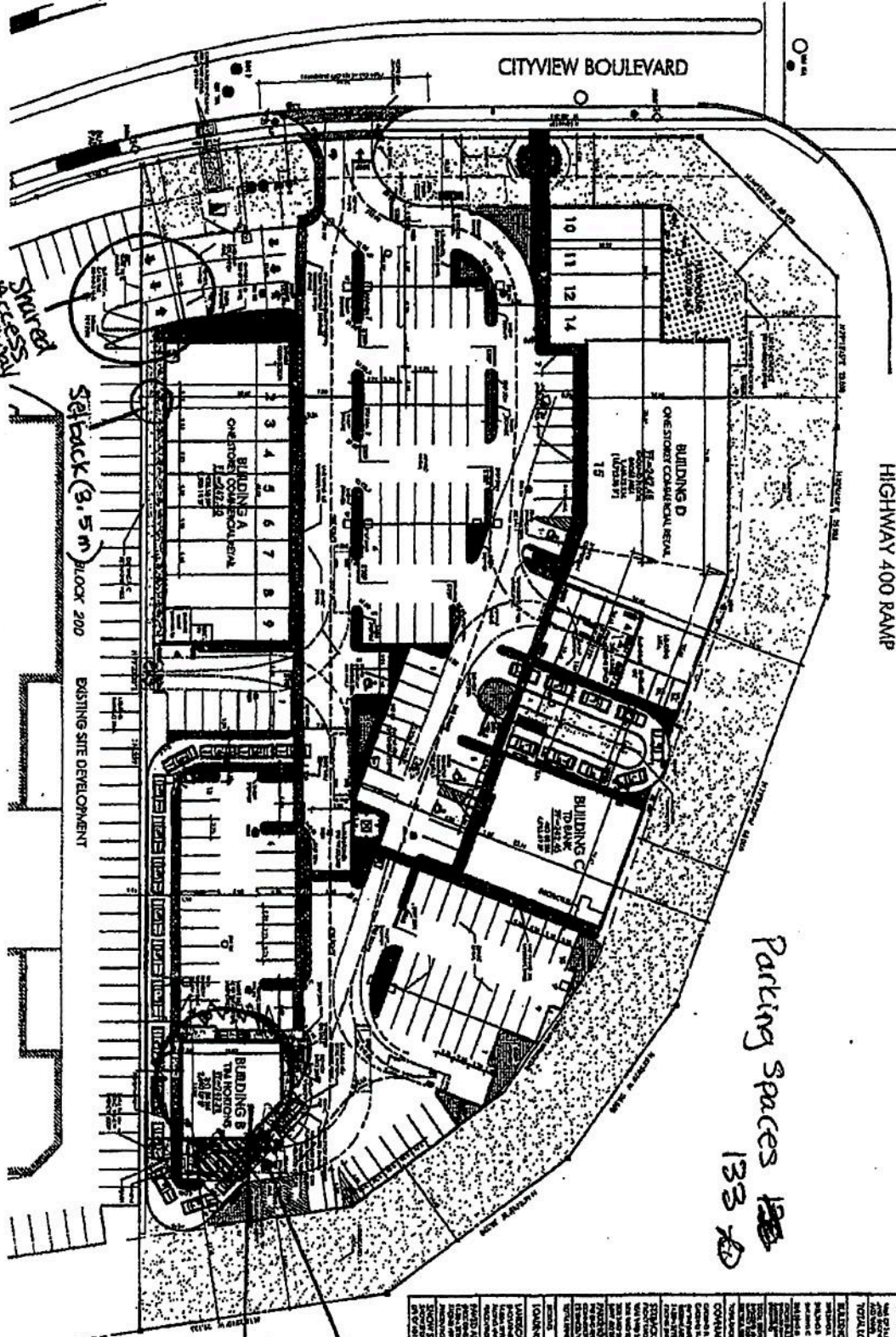
IF ANY CONDITIONS ARE IMPOSED ON THIS APPLICATION, THE FINAL DATE FOR FULFILLING THEM IS:

JUNE 3, 2010

RECEIVED
APR 03 2009
 VAUGHAN COMMITTEE
 OF ADJUSTMENT

Revised

A082/09



STANDARD NOTES (SEE LIST PAGE 2)

1. ALL WORK SHALL BE ACCORDING TO THE CITY OF VAUGHAN STANDARD SPECIFICATIONS FOR CONSTRUCTION.
2. ALL UTILITIES SHALL BE PROTECTED AND DEEPER THAN THE EXISTING UTILITIES.
3. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.
4. THE DEVELOPER SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
5. THE DEVELOPER SHALL PROVIDE ADEQUATE LIGHTING AND SECURITY MEASURES.
6. THE DEVELOPER SHALL MAINTAIN ALL EXISTING TREES AND LANDSCAPE ELEMENTS.
7. THE DEVELOPER SHALL PROVIDE ADEQUATE DRAINAGE AND FLOOD CONTROL MEASURES.
8. THE DEVELOPER SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
9. THE DEVELOPER SHALL PROVIDE ADEQUATE LIGHTING AND SECURITY MEASURES.
10. THE DEVELOPER SHALL MAINTAIN ALL EXISTING TREES AND LANDSCAPE ELEMENTS.
11. THE DEVELOPER SHALL PROVIDE ADEQUATE DRAINAGE AND FLOOD CONTROL MEASURES.
12. THE DEVELOPER SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
13. THE DEVELOPER SHALL PROVIDE ADEQUATE LIGHTING AND SECURITY MEASURES.
14. THE DEVELOPER SHALL MAINTAIN ALL EXISTING TREES AND LANDSCAPE ELEMENTS.
15. THE DEVELOPER SHALL PROVIDE ADEQUATE DRAINAGE AND FLOOD CONTROL MEASURES.

GENERAL NOTES

1. THE DEVELOPER SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
2. THE DEVELOPER SHALL PROVIDE ADEQUATE LIGHTING AND SECURITY MEASURES.
3. THE DEVELOPER SHALL MAINTAIN ALL EXISTING TREES AND LANDSCAPE ELEMENTS.
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14. THE DEVELOPER SHALL PROVIDE ADEQUATE LIGHTING AND SECURITY MEASURES.
15. THE DEVELOPER SHALL MAINTAIN ALL EXISTING TREES AND LANDSCAPE ELEMENTS.

UTILITIES

The site plan shows the location of all existing and proposed utilities. The developer shall be responsible for protecting and relocating all utilities as necessary.

No CARP

UNIT SIZE SHALL BE 400 SQ FT

REVISIONS

APRIL 8 2009

ZONE	DATE	DESCRIPTION	APPROVED BY
COMMERCIAL	12/15/08	REVISIONS	[Signature]
COMMERCIAL	08/20/08	REVISIONS	[Signature]
COMMERCIAL	04/15/08	REVISIONS	[Signature]
COMMERCIAL	02/20/08	REVISIONS	[Signature]
COMMERCIAL	01/15/08	REVISIONS	[Signature]

LEGAL DESCRIPTION

Part of the [Address]

City of Vaughan

LEGAL DESCRIPTION

Part of the [Address]

City of Vaughan

KEY PLAN

LEGEND

- EXISTING SITE DEVELOPMENT
- PROPOSED SITE DEVELOPMENT
- PROPERTY LINES
- STREETS
- UTILITIES
- TREES
- LANDSCAPE
- PARKING SPACES

HISTORY HILL GROUP

COMMERCIAL DEVELOPMENT

PROPOSED ONE STOP COMMERCIAL REV. DEVELOPMENT

SITE PLAN

DATE: 08/20/08

SCALE: AS SHOWN

PROJECT NO: 08-20-08

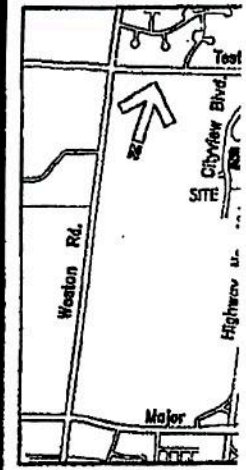
DRAWN BY: [Name]

CHECKED BY: [Name]

DATE: 08/20/08

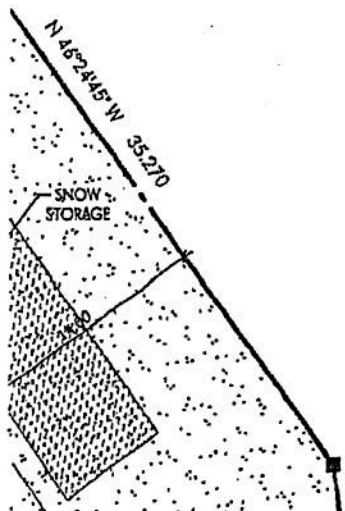
SHEET: A-10

SITE DEVELOPMENT DATA		
ZONE	EM1	
LOT AREA (EXCLUDING RESERVE AREA AND 14.00m SETBACK LAND FACING HWY 400 AND RAMP)	13,274.85 SM 3.287 Ac	142,889.29 SF
AREA OF 14.00m SETBACK LAND FACING HWY 400 AND RAMP)	2,886.00 SM 0.713 Ac	31,064.64 SF
TOTAL LOT AREA	16,160.85 SM 4.00 Ac	173,953.93 SF
BUILDING AREA	SM	SF
BUILDING A	920.50	9,908.18
BUILDING B <i>241.55m²</i>	241.55	2,600.02
BUILDING C	463.00	4,983.69
BUILDING D	1,460.75	15,723.38
GROUND FLOOR AREA (INCLUDES LOADING AREA, GARBAGE ROOMS, SPRINKLER + ELE. ROOMS) (FOOTPRINT)	3,085.80	33,215.27
TOTAL SERVICE AREA (ALL BUILDINGS) (INCLUDING LOADING AREA, GARBAGE ROOMS, SPRINKLER AND ELECTRICAL ROOMS)	203.30	2,188.30
TOTAL BUILDING NET AREA	2,882.50	31,026.97
COVERAGE		
GROUND FL. COVERAGE	19.10%	
GROUND FL. COVERAGE (EXCLUDING RESERVE AREA AND 14.00m SETBACK LAND FACING HWY 400 AND RAMP)	23.24%	
SETBACKS	REQUIRED	PROVIDED
FRONT YARD SETBACK	10.00 M	10.50 M
REAR YARD SETBACK	N/A	
SIDE YARD SETBACK (INT.)	6.00 M	<u>3.50 M</u>
SIDE YARD SETBACK (EXT.) (HWY 400 RAMP)	14.00 M	15.20 M
PARKING		
PARKING REQUIRED COMMERCIAL (NET AREA) (6 SPACES/100 SM - 2,882.50 SM)	173 SPACES	
PARKING PROVIDED		<u>133</u> SPACES (INCL 5 H.C. SPACES)
LOADING SPACES	REQUIRED 1	PROVIDED 1
LANDSCAPED AREA (INCLUDING 14.00m SETBACK LAND FACING HWY 400 AND RAMP) PERCENTAGE	6,453.06 39.93 %	69,460.15
PAVED AREA (INCLUDING 14.00m SETBACK LAND FACING HWY 400 AND RAMP) PERCENTAGE	6,621.99 40.97 %	71,278.50
SNOW STORAGE SNOW STORAGE AREA (2% OF LOT AREA)	REQUIRED 323.25 SM	PROVIDED 330.00 SM



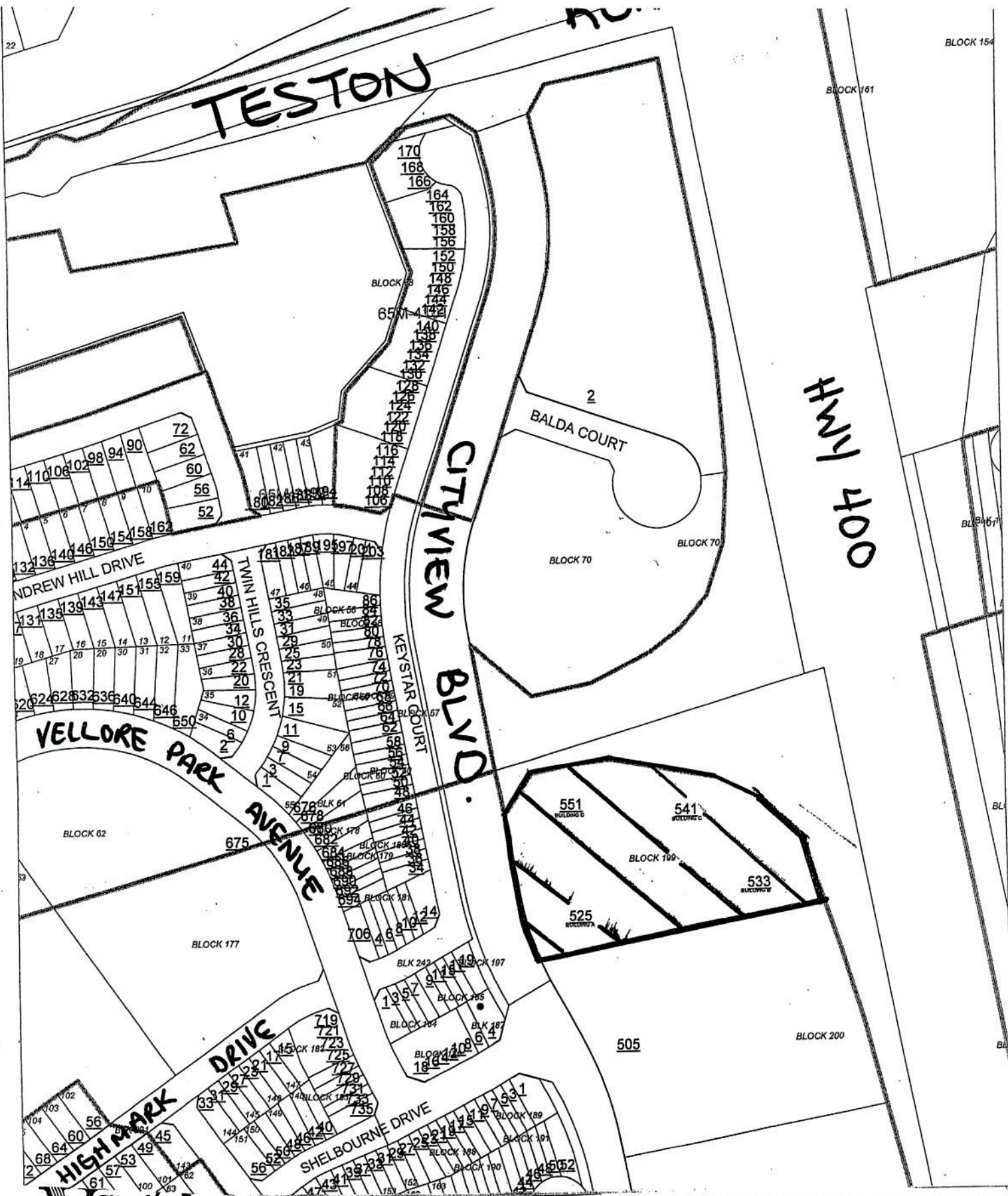
KEY PLAN LEG

179.00	PRO
179.00 OR 179.00	EXIS
T.C. 79.00	TOP
C.B. 79.00	TOP
▲	MAN
▲	DRIV
▲	LOAD
■ C.B.	CAT
● C.B.M.H.	CAT
● M.H.	SAN
● M.H.	STO
◆	FIRE
* G	GAS
○ R.D.	ROC
⊕ B.H.J.	BOR
▨	HEA

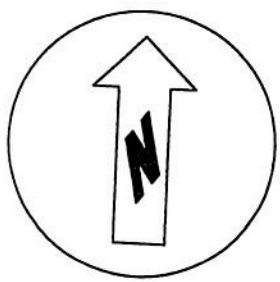


A082/09
Revised April 2, 2009
*REVISED APRIL 8, 2009 **


1	RE-ISSUED FOR SPA
6	REMOVE CURB
5	FRONT SETBACK REVISE
4	SETBACKS BRUNEN TO 1

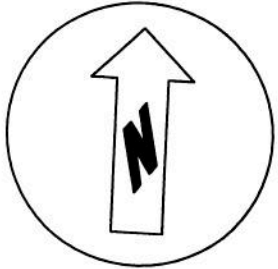
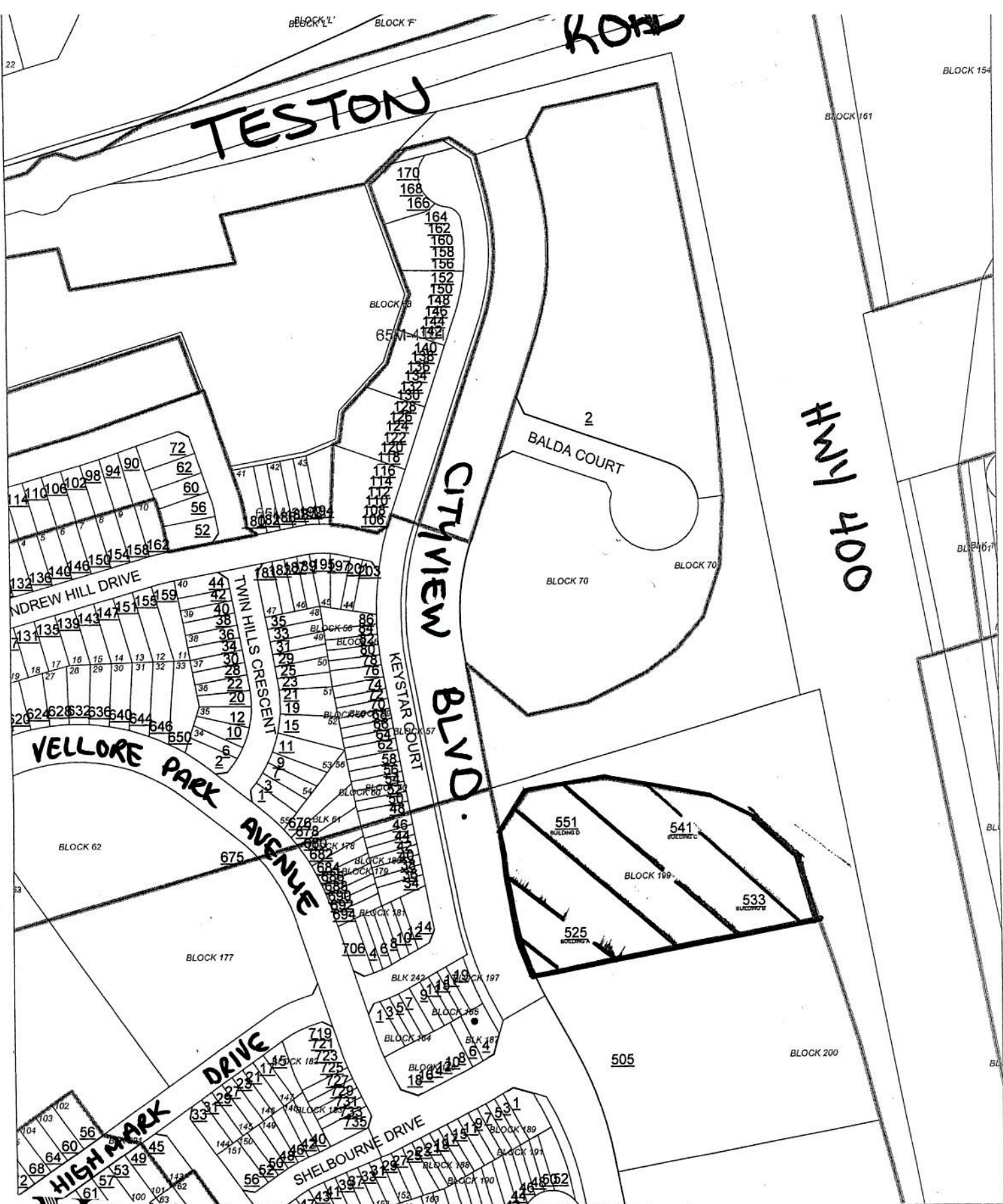


City of Vaughan
The City Above Toronto




COMMITTEE OF ADJUSTMENT

File No.:	B019/09, A082/09
Applicants	MOGANO MILLS DEVELOPMENTS INC.
	Subject Area Municipally known as 525,533,541,551 CITYVIEW BLVD., WOODBRIDGE



COMMITTEE OF ADJUSTMENT

File No.:	B019/09, A082/09
Applicants	MOGANO MILLS DEVELOPMENTS INC.
	Subject Area Municipally known as 525,533,541,551 CITYVIEW BLVD., WOODBRIDGE

NOTICE OF DECISION

FILE NUMBER: B019/09

APPLICANTS: MOGANO MILLS DEVELOPMENTS INC.

PROPERTY: Part of Lot 24, Concession 5, (Block 199, Registered Plan No. 65M-3914, Municipally known as 525,533,541,551 Cityview Blvd., Woodbridge.)

ZONING: The subject lands are zoned EM1, Prestige Employment Area and further subject to Exception 9(1218) under By-law 1-88 as amended.

PURPOSE: The purpose of this application is to request the consent of the Committee of Adjustment to convey a parcel of land marked "A" on the attached sketch as an **EASEMENT, in favour of the lands to the SOUTH** for driveway access, and retain the lands marked "B" on the attached sketch for commercial purposes.

BACKGROUND: The land which is subject to this application was also the subject of another application under the Planning Act:

Minor Variance Applications File #**A082/09** to be heard in conjunction with this application.

Site Dev. Application **DA.07.065 APPROVED** by Committee of the Whole April 20 2009, as Strathern Heights Inv. Inc. (ownership changed to Mogano Mills Dev. Inc.)

MOVED BY:



SECONDED BY:



THAT Application No. **B019/09 - MOGANO MILLS DEVELOPMENTS INC.**, be **APPROVED**, in accordance with the sketch attached and subject to the following conditions:

NOTE: All conditions below must be fulfilled and clearance letters must be received by the Secretary-Treasurer before any cheques can be accepted and Certificate of Official can be issued.

1. That the owner shall pay all taxes as levied, if required, to the satisfaction of the Reserves & Investments Department. Payment shall be made by **certified cheque**; (contact Terry Liuni in the Reserves & Investments Department to have this condition cleared).
2. This consent is given on the express understanding that Subsection 3 or Subsection 5 of Section 50 of the Planning Act shall apply to any subsequent conveyance in respect to the subject lands;
3. That the applicant provide to the Secretary Treasurer a letter of undertaking, stating that the lands in question are in favour of or taken into the title of the lands to the **SOUTH**;
4. That the corresponding Minor Variance Application File No. **A082/09**, be approved;
5. Upon fulfilling and complying with all of the above-noted conditions, the Secretary-Treasurer of the Committee of Adjustment must be provided with a letter and **three (3) copies of a legal size (8.5" by 14") "Schedule Page"**, in a format satisfactory to the Secretary-Treasurer, from the Applicant's solicitor confirming the legal description of the subject lands, sufficient for registration purposes **the "Schedule Page" will be an attachment to the Certificate**. Upon being satisfied with said legal description and upon all other conditions for the consent having been satisfied, the Secretary-Treasurer shall provide a Certificate of Official to the applicant in accordance with Section 53(42) of the Planning Act, R.S.O. 1990, as amended;
6. Submission to the Secretary-Treasurer of **FOUR (4)** white prints of a registered deposited reference plan of survey, showing the subject land which conforms with the application submitted and which shows the dimensions and areas of each part shown on the plan;

- 7. A fee of **\$190.00** made payable to the Treasurer City of Vaughan shall, be submitted to the Secretary Treasurer for the issuance of the Certificate/stamping of the deeds. It will be necessary to allow up to **three (3) working days** after all conditions have been fulfilled and documentation filed. Same day service is also available for an additional cost of **\$145.00, provided all conditions of approval have been fulfilled and all required documents are submitted by 11:30 am that day;**
- 8. Prior to the issuance of a building permit, if required, the applicant shall fulfil and comply with all of the above noted consent conditions;

IMPORTANT:

Pursuant to Section 53(20) of the Planning Act, the applicant shall have a period of one year from the date of the Committee of Adjustment giving Notice of the herein Decision to the Applicant to fulfill and comply with all of the (above-noted) conditions of Consent. Failing to comply with this requirement will result in the application to be deemed to be refused.





ALL CONDITIONS MUST BE FULFILLED.

Please contact each Agency and/or Department listed above whether "if required" appears in the condition or not.

CARRIED.

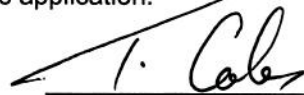
CHAIR: 

Signed by all members present who concur in this decision:

 <hr style="width: 100%;"/> M.S. Panicali, Chair	 <hr style="width: 100%;"/> L. Fluxgold, Vice Chair	 <hr style="width: 100%;"/> J. Cesario, Member
 <hr style="width: 100%;"/> S Krcmar, Member	<div style="border: 1px solid black; padding: 5px; transform: rotate(-5deg); display: inline-block; font-weight: bold;">ABSENT</div> <hr style="width: 100%;"/> M. Mauti, Member	

CERTIFICATION

I hereby certify this to be a true copy of the decision of the Committee of Adjustment, and this decision was concurred in by a majority of the members who heard this application.



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

Date of Hearing:	MAY 14, 2009
Date of Notice:	MAY 22, 2009
Last Date of Appeal:	JUNE 11, 2009

APPEALS

APPEALS MUST BE RECEIVED BY THIS OFFICE NO LATER THAN 4:30 P.M. ON THE LAST DATE OF APPEAL NOTED ABOVE.

Should you decide to appeal this decision to the Ontario Municipal Board, a copy of an appeal form is available for download in Microsoft Word and Adobe Acrobat versions from the Ontario Municipal Board website at www.omb.gov.on.ca. If you do not have Internet access, these forms can be picked up at the City of Vaughan, Committee of Adjustment offices.

Please fill out Form A1 and follow the instructions as provided by the Ontario Municipal Board and submit your appeal to the City of Vaughan, Committee of Adjustment on or before the date stated above. You must enclose the completed form with the **\$650.00** 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". Your appeal must set out the reasons for the appeal.

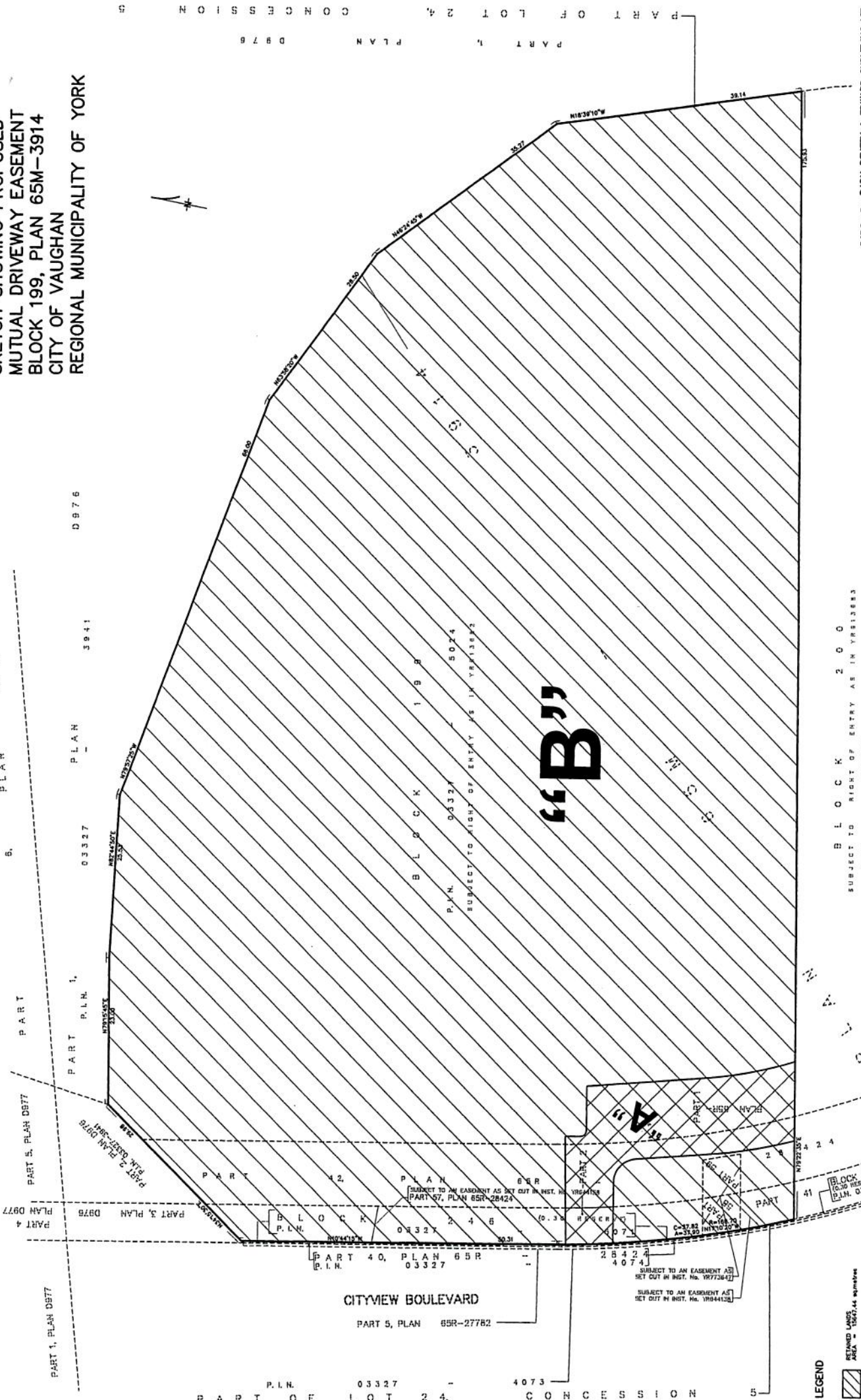
Only individuals, corporations and public bodies may appeal decisions in respect of applications for consent to the Ontario Municipal Board. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

NOTES

1. You will be entitled to receive notice of any changes to the conditions of the provisional consent if you have made a written request to be notified of changes to the conditions of the provisional consent.
2. A Certificate pursuant to Subsection 53(21) of The Planning Act cannot be given until all conditions of consent have been fulfilled.

B019/09

SKETCH SHOWING PROPOSED MUTUAL DRIVEWAY EASEMENT BLOCK 199, PLAN 65M-3914 CITY OF VAUGHAN REGIONAL MUNICIPALITY OF YORK



PE PERRY, PRYBY & EDWARD SURVEYING LTD.
ONTARIO LAND SURVEYORS
643 Christie Road, Suite 7
Woodbridge, Ontario L4L 8A3
Tel: (905) 284-0891 Fax: (905) 284-2099
Website: www.pe.co
DRAWN: E.C. CHECKED:
JOB No. 08-025 CAD FILE No. 08-025SKETCH
Apr. 13, 2009 - 09:29:56

B L O C K 2 0 0
SUBJECT TO RIGHT OF ENTRY AS IN YRS1883
P.L.N. 03327 - 5025

LEGEND
[Hatched Box] RETAINED LANDS AREA = 15627.44 sq.meters
[Cross-hatched Box] CONVEYED LANDS (PROPOSED MUTUAL DRIVEWAY EASEMENT)

PLEASE REFER TO DRAFT REFERENCE PLAN INCLUDED WITH THIS APPLICATION

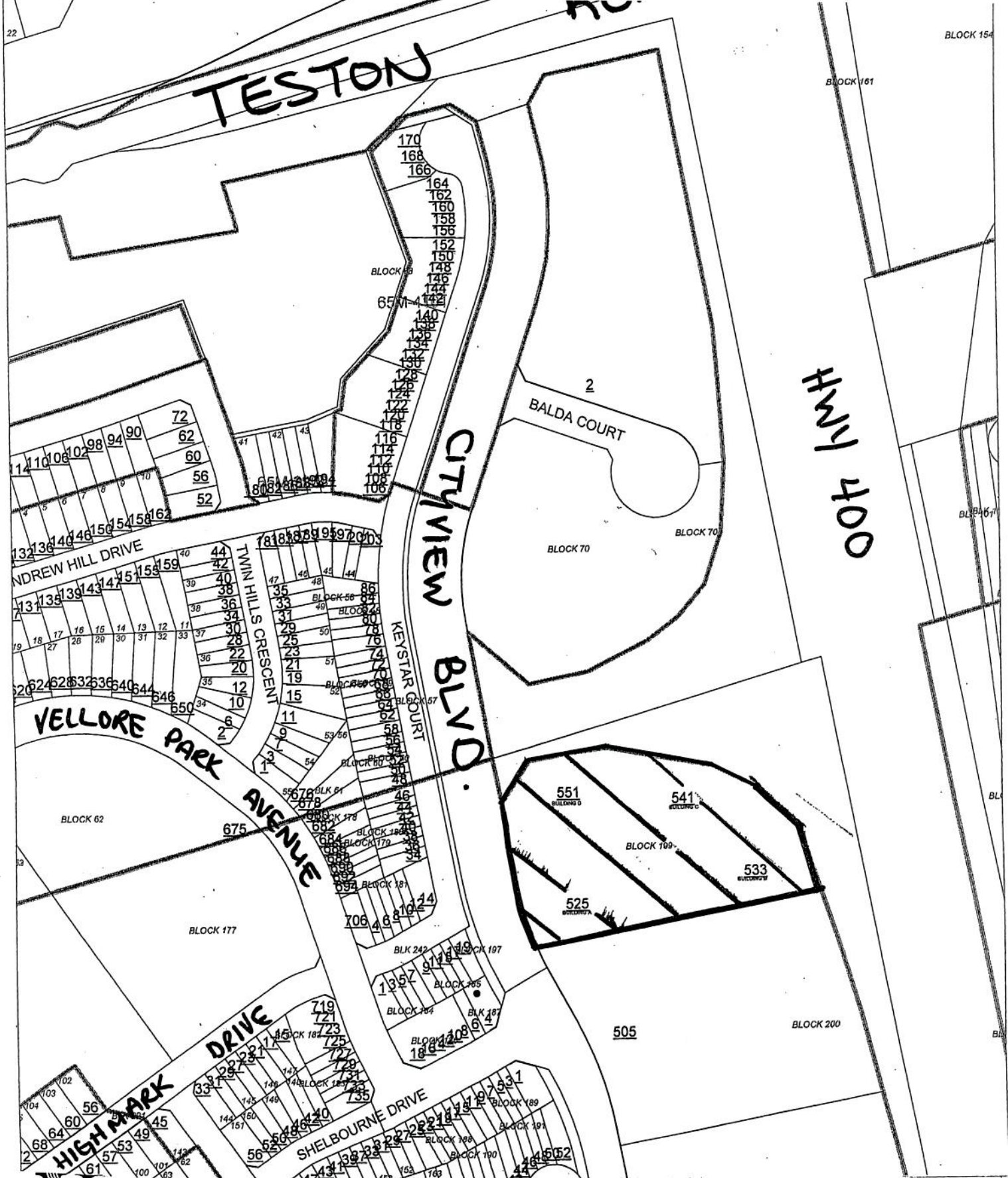
PART OF LOT 24, CONCESSION 5
P.L.N. 03327 - 4073

CITYVIEW BOULEVARD
PART 5, PLAN 65R-27782
P.L.N. 03327 - 4073

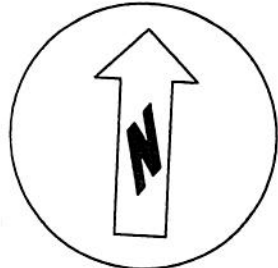
PLAN 65R-28424
SUBJECT TO AN EASEMENT AS SET OUT IN REG. MAP YRS1883
PART 57, PLAN 65R-28424

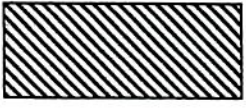
PLAN 65R-27782
SUBJECT TO AN EASEMENT AS SET OUT IN REG. MAP YRS1883
PART 5, PLAN 65R-27782

PLAN 65R-247
(6.36 HECTARES)
P.L.N. 03327-5072



City of Vaughan
The City Above Toronto



COMMITTEE OF ADJUSTMENT	
File No.:	B019/09, A082/09
Applicants	MOGANO MILLS DEVELOPMENTS INC.
	Subject Area Municipally known as 525,533,541,551 CITYVIEW BLVD., WOODBRIDGE