



File: A062/19

Applicant: Penguin-Calloway (Vaughan) Inc.

Address: 9 Millway Avenue, Concord ON

Agent: Paula Bustard - Smart Centres

Please note that comments received after the preparation of this Staff Report (up until 12:00 p.m. on the scheduled hearing date) will be provided as an addendum.

Commenting Department	<input checked="" type="checkbox"/> Positive Comment <input checked="" type="checkbox"/> Negative Comment	Condition(s) <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
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)	<input checked="" type="checkbox"/>	
Development Engineering	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Parks Department		
By-law & Compliance		
Financial Planning & Development	<input checked="" type="checkbox"/>	
Fire Department		
TRCA	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
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: A387/16 (see next page for details)



Minor Variance
Application

Agenda Item: 7

A062/19

Ward: 3

Staff Report Prepared By: Lenore Providence, Assistant Secretary Treasurer

Date of Hearing: Thursday, June 13, 2019

Applicant: Penguin-Calloway (Vaughan) Inc.

Agent: Paula Bustard - Smart Centres

Property: 9 Millway Avenue, Concord ON

Zoning: The subject lands are zoned C9 Corporate Centre; C9 (H) Corporate Centre with a Holding Provision. and C10 (H) Corporate District Zone with a Holding Provision and subject to the provisions of Exception 9(959) under By-law 1-88 as amended

OP Designation: Vaughan Metropolitan Centre ('VMC') Secondary Plan: "Station Precinct" (VOP 2010, Volume 2, Section 11.12)

Related Files: Site Plan Application DA.19.036

Purpose: Relief from the By-law is being requested to permit a temporary commercial parking lot.

The Subject Lands are currently vacant with temporary construction staging that is to be removed.

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

By-law Requirement	Proposal
1) A temporary Commercial Parking Lot is not a permitted use within the Zones and with a Holding Provision.	1) To permit a temporary Commercial Parking Lot within the noted zoning and Holding Provisions.
2) A parking space depth dimension of 6.0 metres is required (2.7 by 6.0 m).	2) To permit the reduction of parking space depths to 5.7metres (2.7 by 5.7m).
3) A maximum driveway access of 7.5 metres is permitted.	3) To permit a maximum Driveway access of 11.0 metres.
4) A minimum landscape strip width of 6.0 metres is required abutting a street line.	4) To permit a minimum landscape strip width of 5.75 m abutting Apple Mill Road.

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

Application No.:	Description:	Status of Approval: Approved/Refused/Withdrawn/ OMB/Concurrent
A387/16	To permit the construction of a temporary surface parking lot as follows: 1) To permit a Commercial Parking lot on the subject lands. 2) To permit a Commercial Parking lot without a building or structure being erected on the lot. 3) To permit a minimum parking dimensions of 2. 7 metres by 5. 7 metres. 4) To permit minimum landscape strips of 5.0 metres in width for the development site. 5) To permit joint ingress and egress driveway entrances measured at the lot line to be a maximum of 12.0 metres in width.	Approved January 12, 2017

For information on the previous approvals listed above please visit 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 **4:00 p.m.** on the last business day **prior** to the day of the scheduled Meeting.

Committee of Adjustment:
Public notice was mailed on May 29, 2019

Applicant confirmed posting of signage on June 3, 2019

Property Information	
Existing Structures	Year Constructed
N/A	

Applicant has advised that they cannot comply with By-law for the following reason(s): The current C9/C10 commercial zoning does not define paid commuter parking as a use, although parking is currently allowed under the current zoning.

Adjournment Request: N/A

Building Standards (Zoning Review):
Stop Work Order(s) and Order(s) to Comply: N/A

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

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

Building Inspections (Septic):
No comments or concerns

Development Planning:
Vaughan Metropolitan Centre ("VMC") Secondary Plan: "Station Precinct" (VOP 2010, Volume 2, Section 11.12)

The Owner is requesting permission to construct a temporary surface commercial parking lot consisting of 564 parking spaces. The purpose of the parking lot is to offset the reduction of parking resulting from the development of the Transit City East Block while also servicing additional parking demands in the VMC. The Owner submitted concurrent Site Development Application File DA.19.036 to facilitate the proposed parking lot, which was approved by the Committee of the Whole on June 4, 2019. An implementing Site Plan Agreement shall be registered on the Subject Lands associated with DA.19.036 which will include clauses for the ultimate removal of the parking lot upon redevelopment of the Subject Lands, or within 10 years of the execution of the Site Plan Agreement.

On January 12, 2017, the Committee of Adjustment approved Minor Variance Application A387/16 on 10 Millway Avenue, located immediately to the north of the Subject Lands of the current application, which permitted the use of a surface commercial parking lot in a C10 Corporate District Zone, parking space dimensions of 2.7 m by 5.7 m, minimum landscape strip width of 5 m, and a maximum driveway access of 12 m. The lands containing this parking lot is the subject of a recently approved Site Development Application File DA.18.074 for three mixed-use buildings, and the parking lot will be replaced with the currently proposed parking lot.

The condition for the removal of the Holding Symbol "(H)" in the Zoning By-law is that Vaughan Council approves a future Site Development Application on the Subject Lands. In the interim, the Owner has filed the subject Minor Variance Application File A062/19 to permit the temporary surface commercial parking lot. The parking lot will not impact the development of the land in the future.

The reduced parking space length is consistent with other parking reductions in the VMC and will contribute to space efficiency within the temporary surface parking lot. The increased driveway access aisle will accommodate the gated controls and regulate traffic and proper vehicle maneuvering to and from the temporary surface parking lot. The Transportation Division of the Development Engineering Department has reviewed the proposed parking space dimensions and driveway access and have no objection.

The proposed reduction to the minimum landscape strip width can be found at the northwest corner of the Subject Lands, abutting Apple Mill Road, and is considered to be minor and allows for appropriate landscaping to be maintained.

The Development Planning Department 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.

The Development Planning Department recommends approval of the application, subject to the condition below:

1. That Site Development Application File DA.19.036 be approved by Vaughan Council.

Cultural Heritage (Urban Design):
There are no cultural heritage concerns for this application.

Development Engineering:
The Development Engineering (DE) Department in conjunction with Vaughan Metropolitan Centre (VMC) Engineering Staff does not object to variance application A062/19 subject to the following condition:

The Owner/applicant shall obtain approval for the related Site Development Application (DA.19.036) from City Council (scheduled for June 4th, 2019 Committee of a Whole) and the Development Engineering (DE) Department.

Parks Development:
No Response.

By-Law and Compliance, Licensing and Permit Services:
No Response.

Financial Planning and Development Finance:
No comment no concerns

Fire Department:
No Response.

Schedule A – Plans & Sketches

Schedule B – Public Correspondence
Agent’s cover letter

Schedule C - Agency Comments
TRCA – comments with conditions
Alectra (Formerly PowerStream) – No concerns or objections
Region of York – No concerns or objections

Schedule D - Previous Approvals (Notice of Decision)
Minor Variance Application A387/16

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:

	Department/Agency	Condition
1	Development Planning Christopher Cosentino 905-832-8585 x 8215 christopher.cosentino@vaughan.ca	That Site Development Application File DA.19.036 be approved by Vaughan Council.
2	Development Engineering Brad Steeves	The Owner/applicant shall obtain approval for the related Site Development Application (DA.19.036) from City Council

	Department/Agency	Condition
	905-832-8585 x 8977 brad.steeves@vaughan.ca	(scheduled for June 4th, 2019 Committee of a Whole) and the Development Engineering (DE) Department.
3	TRCA Anthony Syhlonyk 416-661-6600 x 5272 asyhlonyk@trca.on.ca	That the applicant provides the required \$1100.00 review fee for Minor Variance Application A062/19.

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

WRITTEN SUBMISSIONS: 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. Public written submissions on an Application shall only be received by the Secretary Treasurer until **4:00 p.m.** on the last business day **prior** to the day of the scheduled Meeting.

Written submissions can be mailed and/or emailed to:

City of Vaughan
Committee of Adjustment
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1
CofA@vaughan.ca

ORAL SUBMISSIONS: If you wish to attend the meeting you will be given an opportunity to make an oral submission. Presentations to the Committee are generally limited to 5 minutes in length. Please note that Committee of Adjustment meetings are audio 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.

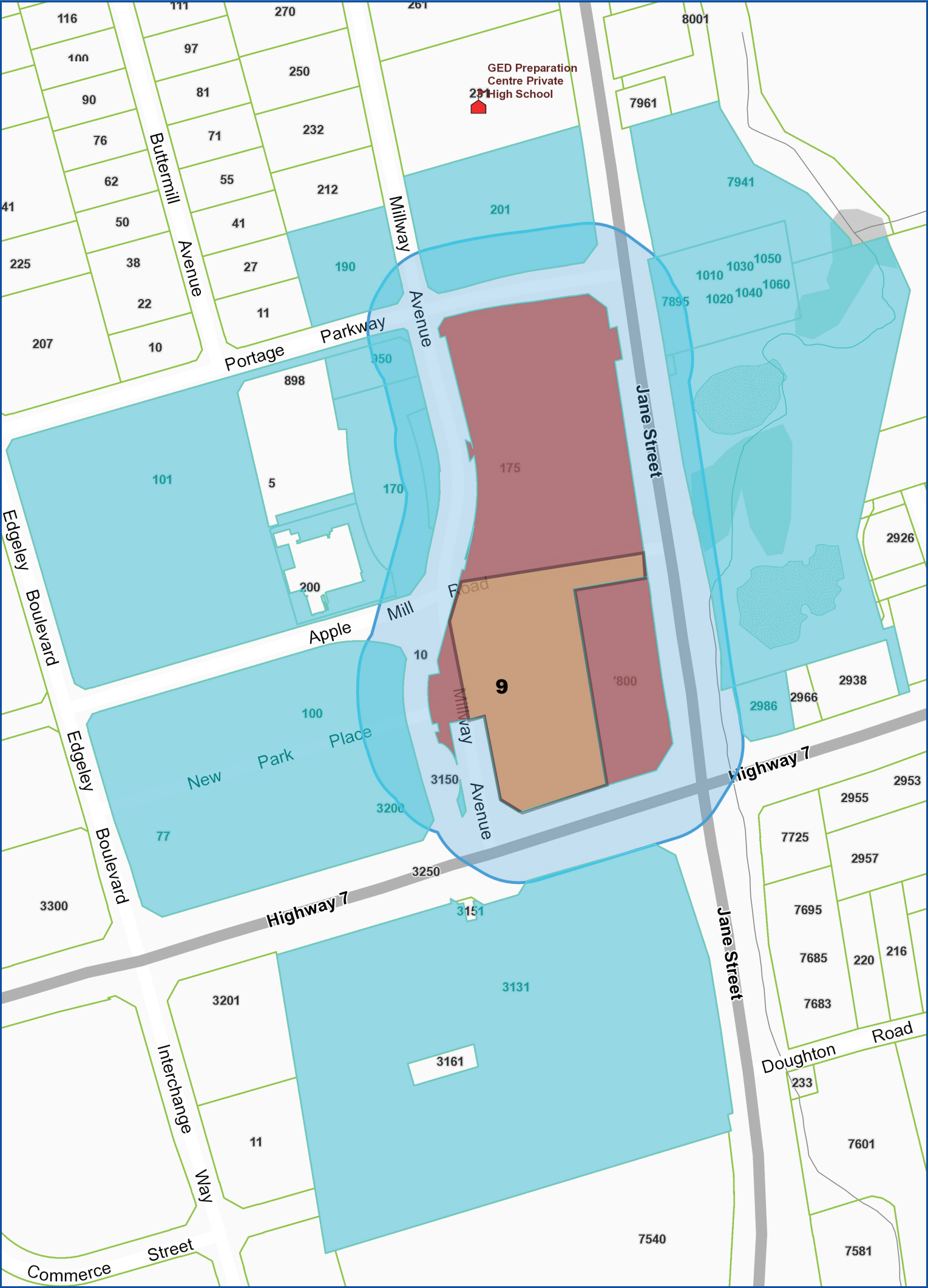
For further information please contact the City of Vaughan, Committee of Adjustment

T 905 832 8585 Extension 8394
E CofA@vaughan.ca

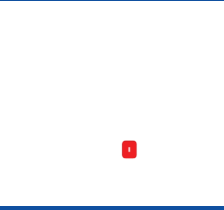
Schedule A: Plans & Sketches

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. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

Location Map
Sketches



Map Information:



Title:

9 MILLWAY AVENUE, CONCORD

LOCATION MAP - A062/19

Disclaimer:

Every reasonable effort has been made to ensure that the information appearing on this map is accurate and current. We believe the information to be reliable, however the City of Vaughan assumes no responsibility or liability due to errors or omissions. Please report any discrepancies to Infrastructure Programming.



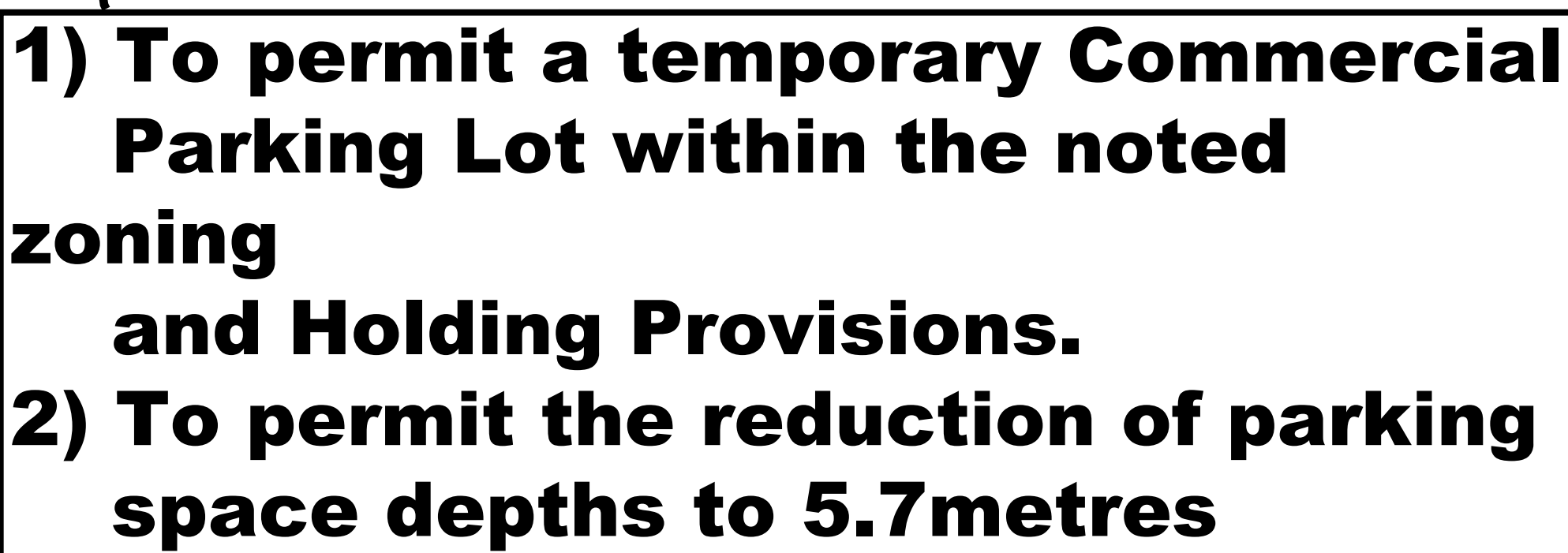
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Infrastructure Delivery
Department
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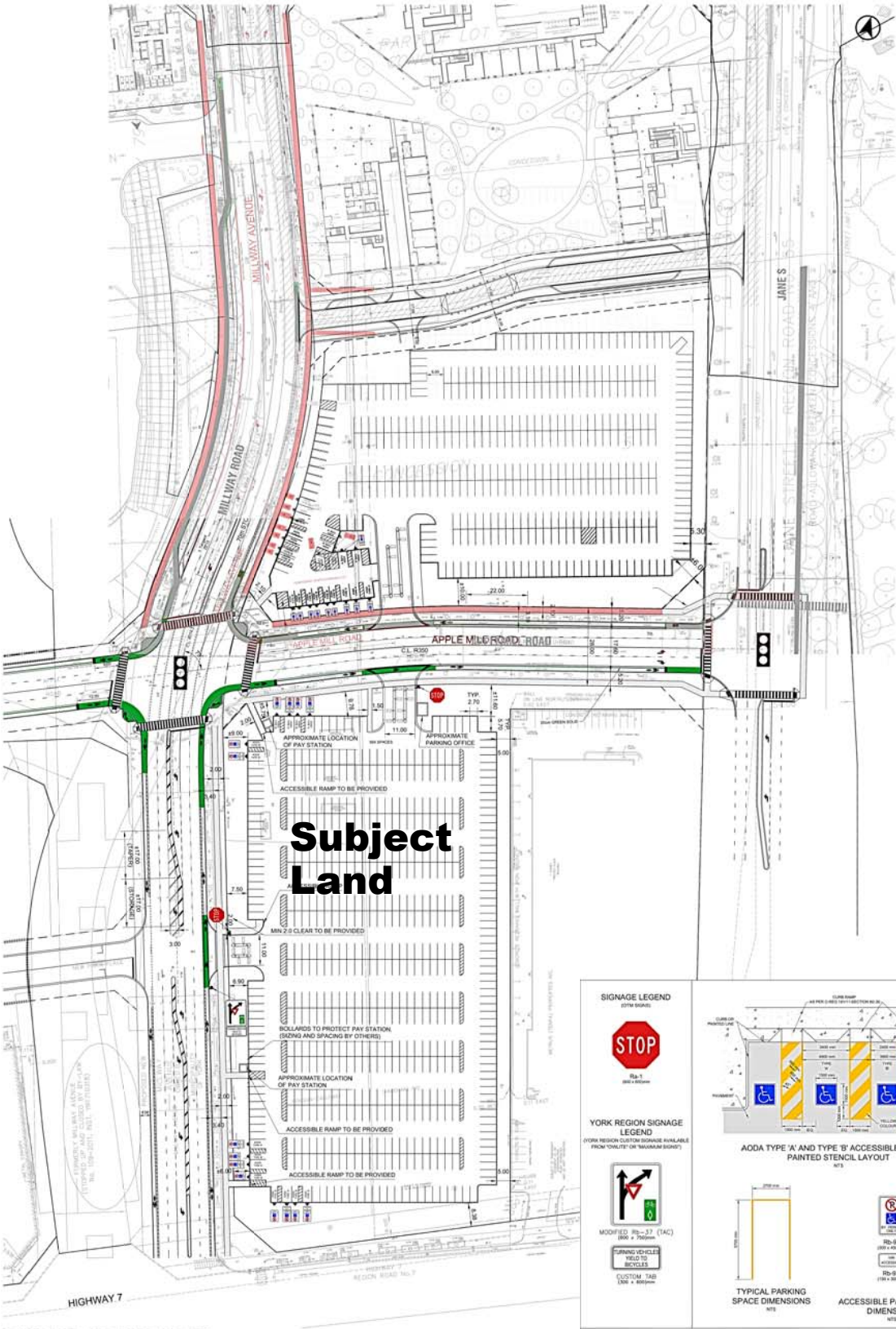
Projection:
NAD 83
UTM Zone
17N

Revised
May 15, 2019



SURFACE PARKING LOT SUPPLY:	
TYPE	COUNT
STANDARD SPACES	550
ACCESSIBLE AODA TYPE 'A' SPACES AODA TYPE 'B' SPACES	14 7 7
TOTAL SUPPLY	564

01					
02					
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04	04-12-19	VWU	ISSUED TO CLIENT FOR REVIEW		
05	04-29-19	VWU	ISSUED TO CLIENT FOR SUBMISSION		
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SURFACE PARKING LOT SUPPLY	
TYPE	COUNT
STANDARD SPACES	452
ACCESSIBLE	11
ADDA TYPE 'A' SPACES	5
ADDA TYPE 'B' SPACES	6
TOTAL SUPPLY	474

**PRELIMINARY
DRAFT**
FOR DISCUSSION
PURPOSES ONLY

02	10-20-19	VAV	ISSUED TO CLIENT FOR REVIEW
03	10-20-19	VAV	ISSUED TO CLIENT FOR REVIEW
04	10-20-19	AT	REVISION NOTE

BA Group
BA Group Inc.
1000 Sheppard Avenue East
Suite 1000
Scarborough, Ontario M1S 1B7
Tel: (416) 291-1111
Fax: (416) 291-1112
www.bagroup.ca

VAUGHAN METROPOLITAN
CENTRE
NORTH-EAST SURFACE
PARKING LOT REDUCTION

SIGNAGE AND PAVEMENT
MARKING PLAN

Date:	APR 05, 2019
Project No.:	6207-27
Scale:	1:500

PK-01

SURFACE PARKING LOT SUPPLY	
TYPE	COUNT
STANDARD SPACES	550
ACCESSIBLE	14
ADDA TYPE 'A' SPACES	7
ADDA TYPE 'B' SPACES	7
TOTAL SUPPLY	578

02	10-20-19	VAV	ISSUED TO CLIENT FOR SUBMISSION
03	10-20-19	VAV	ISSUED TO CLIENT FOR REVIEW
04	10-20-19	VAV	ISSUED TO CLIENT FOR REVIEW
05	10-20-19	VAV	ISSUED TO CLIENT FOR REVIEW
06	10-20-19	VAV	ISSUED TO CLIENT FOR REVIEW
07	10-20-19	AT	REVISION NOTE

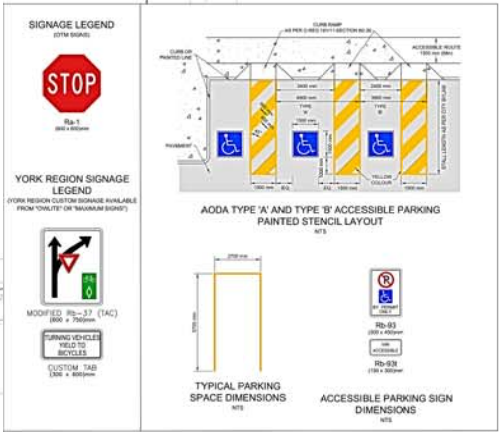
BA Group
BA Group Inc.
1000 Sheppard Avenue East
Suite 1000
Scarborough, Ontario M1S 1B7
Tel: (416) 291-1111
Fax: (416) 291-1112
www.bagroup.ca

VAUGHAN METROPOLITAN
CENTRE
SOUTH-EAST INTERM
SURFACE PARKING LOT

SIGNAGE AND PAVEMENT
MARKING PLAN

Date:	FEB 06, 2019
Project No.:	6207-27
Scale:	1:500

SN-01



CITY OF VAUGHAN NOTES

NOTE: ALL GREY CITY OF VAUGHAN NOTES ARE NOT APPLICABLE TO THIS PROJECT

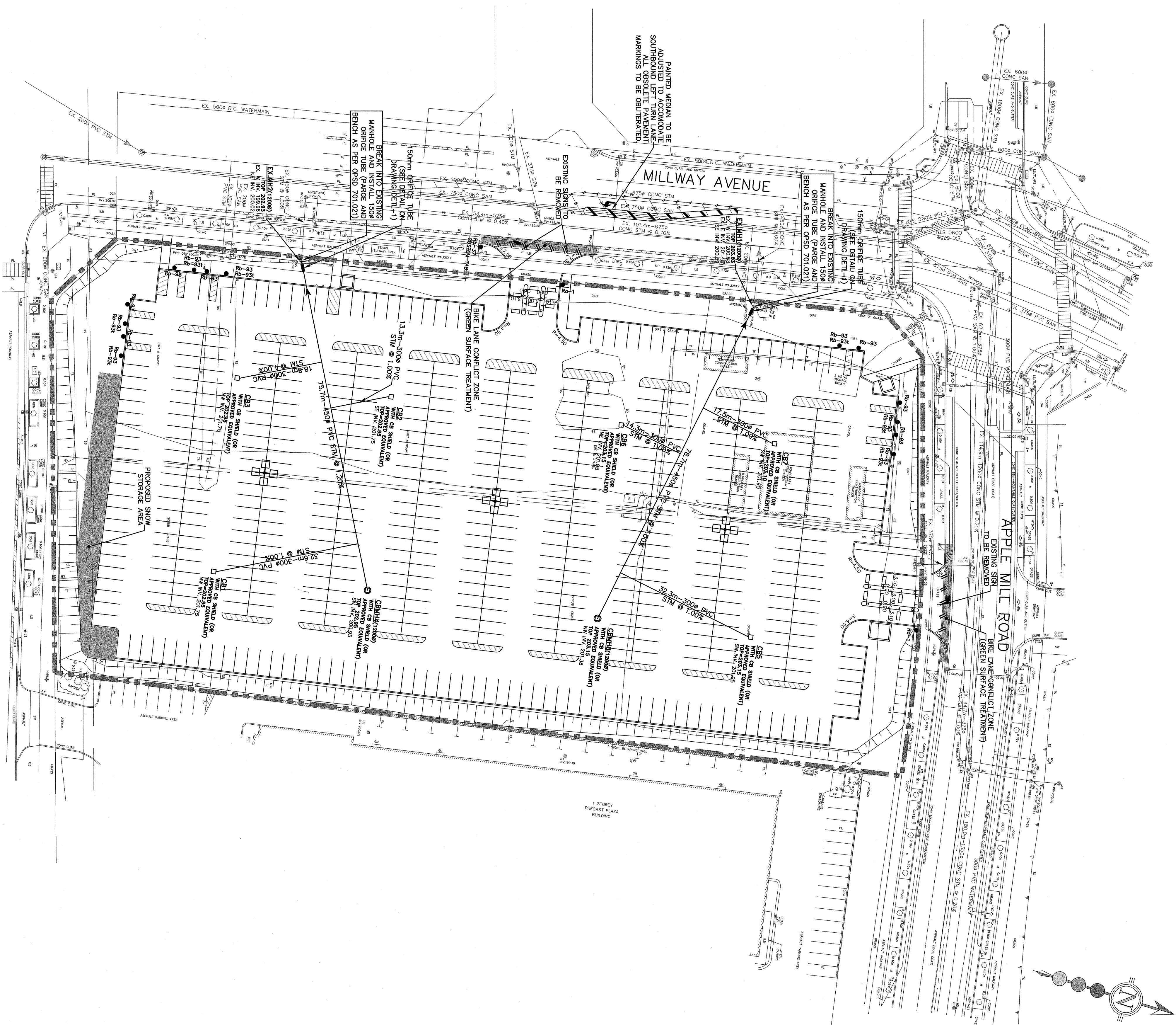
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ADDITIONAL NOTES

1. PRIOR TO SCHEDULING ANY WORK, THE CONTRACTOR MUST ENSURE THAT ALL NECESSARY PERMITS AND APPROVALS HAVE BEEN OBTAINED FROM ALL APPLICABLE LOCAL, STATE, AND FEDERAL AGENCIES, AS WELL AS FROM THE MUNICIPALITY, REGION, AND OTHER EXTERNAL AGENCIES, AS APPLICABLE.
2. WORKS AND MATERIALS TO CONFORM WITH CURRENT MUNICIPAL, STATE, AND MATERIALS STANDARDS AND SPECIFICATIONS FOR WORK, WHEN APPLICABLE, PROPERTY, WORKS, AND MATERIALS SHALL CONFORM WITH ALL APPLICABLE STANDARDS AND SPECIFICATIONS, INCLUDING THE MOST RECENT EDITIONS OF THE AASHTO STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION, THE AASHTO STANDARD SPECIFICATIONS FOR STRUCTURAL STEEL, AND THE AASHTO STANDARD SPECIFICATIONS FOR PORTLAND CEMENT CONCRETE.
3. CONSTRUCTION SHALL BE CONDUCTED IN ACCORDANCE WITH ALL OTHER CONTRACT REQUIREMENTS TO PREVENT TO CONSTRUCTION, INCLUDING NEARBY STRUCTURES TO BE PROTECTED AND AREAS SUPPORTED BEING DAMAGED OR DESTROYED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL OTHER CONTRACT REQUIREMENTS TO PREVENT TO CONSTRUCTION, INCLUDING NEARBY STRUCTURES TO BE PROTECTED AND AREAS SUPPORTED BEING DAMAGED OR DESTROYED.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL OTHER CONTRACT REQUIREMENTS TO PREVENT TO CONSTRUCTION, INCLUDING NEARBY STRUCTURES TO BE PROTECTED AND AREAS SUPPORTED BEING DAMAGED OR DESTROYED.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL OTHER CONTRACT REQUIREMENTS TO PREVENT TO CONSTRUCTION, INCLUDING NEARBY STRUCTURES TO BE PROTECTED AND AREAS SUPPORTED BEING DAMAGED OR DESTROYED.

STORM SEWERS





- [illegible]



BENCHMARK: No. 23-6

ELLEV. 202.862

LEGEND:

- | | | | |
|---|---|---|---|
|  |  |  |  |
| CATCHBASIN MANHOLE | CATCHBASIN | PROPOSED ENLIGHTENMENT
(MAXIMUM 5' SLOPE) | LIMIT OF STRIP PLAN APPLICATION |
| EXISTING FEATURE TO BE REMOVED | | | |
| EXISTING PAVEMENT MARKINGS TO BE
OVERTERLAPED | | | |
| PARKING LOT LIGHTING STANDARD (BY OTHERS) | | | |

- RH#
 - #B
 - #C
 - #D
 - H/D
 - H†
 - #S
 - #H
 -
 - UC
 - ◎ WC
 - * NW
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- EXISTING BELL MANHOLE
EXISTING CATCH BASIN
EXISTING DRAINAGE CATCH BASIN
EXISTING GAS VALVE
EXISTING HYDRANT
EXISTING HYDRO TRANSFORMER
EXISTING LIGHT STANDARDB
EXISTING METER
EXISTING SIGN
EXISTING UTILITY COVER
EXISTING VALVE CHAMBER
EXISTING VALVE
EXISTING WALKWAY
EXISTING DECIDUOUS TREE
EXISTING SHRUB

STOP SIGN (Ra-1) 600mm x 600mm

● Rb-93 NO PARKING BY PERMIT ONLY SIGN (Rb-93) 300mm x 450mm

● Rb-934

TURNING VEHICLES YIELD TO BICYCLES

CUSTOM TAB 300mm x 600mm

TOPOGRAPHIC SURVEY PROVIDED BY HOLDING JONES VANDERVEEN INC., MARCH 28, 2011

2		
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NO.	DESCRIPTION	BY	DA
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[illegible]

SMARTCENTRES

SBS CONSULTING
group ltd
VAUGHAN, ONTARIO L4K 5Z5
TEL : (905) 326-6400

MARKHAM, ONTARIO L3R 8B8
 TEL: (416) 476-1000

ENGINEER'S STAMP:	APPROVED AS TO FORM IN RELIANCE UPON
EXPL. (302) 4/25/03 	

CONSULTING ENGINEERS AS TO DESIGN AND SPECIFICATIONS.



TRANSPORTATION ENGINEERING

DATE _____

SOUTH-EAST INTERIM SURFACE PARKING LOT

SERVICING PLAN


VALICHIAN

1

[illegible]

DRAWN BY: L.D.Y.	PROJ. No.	APPROVED BY: C.C.
------------------	-----------	-------------------

SCALE: 1:500

DWG. No.

1811
GENE

Drawings/Design - South Parking Lot\Gen\1877D-SOUTH-GENP-1.dwg - Revised by **EBISDA** : Fti, Apr 26 2019

GENERAL NOTES

1. THE OWNER/RESPONSIBLE PARTY OBTAINING ALL NECESSARY APPROVALS FROM THE CONSERVATION AUTHORITY, THE MUNICIPALITY AND AN EXTERNAL AGENCIES PRIOR TO ANY SITE RELATED ACTIVITY.
 2. PRIOR TO COMMENCEMENT OF ANY ON-SITE WORK/TOPOSOIL STRIPPING, EROSION & SEDIMENT CONTROL, (BSC) MEASURES, AS PER APPROVED DESIGN AND SEDIMENT CONTROL PLAN, IF REQUIRED, SHALL BE INSTALLED AS DIRECTED BY THE MUNICIPALITY. THE BSC MEASURES SHALL REMAIN IN PLACE UNTIL DIRECTED BY THE MUNICIPALITY FOR THEIR REMOVAL.
 3. NO CONSTRUCTION ACTIVITY OR MACHINERY SHALL BE ALLOWED DURING THE SEDIMENT CONTROL FENCE OR LIMITS OF THE PROPERTY.
 4. THE CONTRACTOR IS RESPONSIBLE TO IMPLEMENT DISTRICT CONTROL MEASURES AND CONSTRUCTION PRACTICE GUIDELINES AS APPROVED BY THE MUNICIPALITY.
 5. THE CONTRACTOR IS RESPONSIBLE FOR MAINTAINING ALL BSC MEASURES IN WORKING ORDER AT ALL TIMES.
 - ONCE A WEEK AND
 - AFTER EACH RAINFALL EVENT
 - AFTER SIGNIFICANT SNOWMELT EVENTS
 - DAILY DURING EXTENDED DRAIN OR SNOWMELT PERIODS
- TO INSURE THAT BSC MEASURES ARE IN PROPER WORKING CONDITION, ANY DAMAGES MUST BE REPAIRED WITHIN 48 HOURS.

- AFTER SIGNIFICANT SNOWMELT EVENTS
- DAILY DURING EXTENDED RAIN OR SNOWMELT PERIODS

TO ENSURE THAT ESC MEASURES ARE IN PROPER WORKING CONDITIONS. ANY DAMAGES MUST BE REPAIRED WITHIN 48 HOURS.

6. ALL CONSTRUCTION VEHICLES MUST ENTER AND EXIT THE SITE ONLY FROM THE APPROVED ACCESS POINTS. ALL VEHICLES MUST BE PROPERLY EQUIPPED AND OPERATED TO MAINTAIN THE SATISFACTION OF THE MUNICIPALITY STREET SWEEPING MAY BE REQUIRED AS NEEDED.
7. ALL MATERIALS BEING MOVED INTO OR OUT OF THE SITE MUST BE LOADED OR UNLOADED PROPERLY. ALL MATERIALS MUST BE PROPERLY STAGED AND NOT BE LEFT IN THE OPEN FOR MORE THAN 30 DAYS. SHALL BE PLACED UNDER, SUBJECT TO WEATHER CONDITIONS, BY SPREADING OR APPROVED EQUIPMENT TO PREVENT DUST OR PARTICULATE RELEASE.
8. THE PERSON'S A SIGNED CONTROL STATEMENTS OUTLINED ON THIS PLAN ARE JOINTLY AND SEVERALLY RESPONSIBLE FOR THE PROPER IMPLEMENTATION OF THE CONDITIONS PLACED TO PREVENT DUST OR PARTICULATE RELEASE TO THE NEIGHBORHOOD.
9. CONTROL POINTS WILL DETERMINE THE LOCATION OF THE EXISTING UTILITIES PRIOR TO INITIATING ANY CONSTRUCTION.
10. WHEN A PERSON, AN AGENCY, OR A SIGNED CONTROL INTERVENTION REQUESTS ARE TO BE SUBMITTED TO THE MUNICIPALITY'S CONSERVATION AUTHORITY'S DEVELOPMENT INSPECTION AND ANY OTHER RELEVANT STAFF AS REQUIRED BY THE MUNICIPALITY'S CONSERVATION AUTHORITY.

ESC STAGE 1 - TOPSOIL STRIPPING

NOTES

1. ALL TAPPOKANY SEDIMENT CONTROLS (I.E. SEDIMENT CONTROL FENCE, CHECK DAMS AND TOSPOIL STEPPING WORKS) MUST BE INSTALLED AND INSPECTED BY A LICENSED PRA prior to ANY TOPSOIL TREATMENT.
2. TAPPOKANY SEDIMENT TRAPS TO BE CONSTRUCTED AS PER DRAWING DET-1.
3. SEDIMENTS COLLECTED IN THE TAPPOKANY SEDIMENT TRAP SHALL BE REMOVED WHEN 90% OF THE STORAGE CAPACITY IS FILLED.
4. CONTRACTOR TO COORDINATE WITH CONSULTANT TO EXPLORE THE POSSIBILITY OF A STAGED SHIPPING AND EXHAUSTION APPROACH TO MINIMIZE THE AREA DISTURBED AT ONE TIME.
5. TAPPOKANY INTERCEPT SWALES ALONG THE SITE PERIMETER TO BE SITED AND CONSTRUCTED IN ACCORDANCE WITH THE TAPPOKANY SEDIMENT CONTROL PLAN (ATTACHED APP-01 FOR FURTHER DEVELOPMENT).
6. STREET CLOSING TO TAKE PLACE AFTER WORKING POSITIVE AS A MEANS OF TAPPOKANY EROSION AND SEDIMENT CONTROL. SURFACE CLOSING SHOULD BE THE CHAIERED BY TAPPOKANY POLICE. CLOSING OF THE STREET TO BE MAINTAINED BY THE TAPPOKANY POLICE. TRAFFIC TAKING WAY PARALLEL TO THE DIRECTION OF FLOW OR WITH A SHEREDS FOOT PAVEMENT.

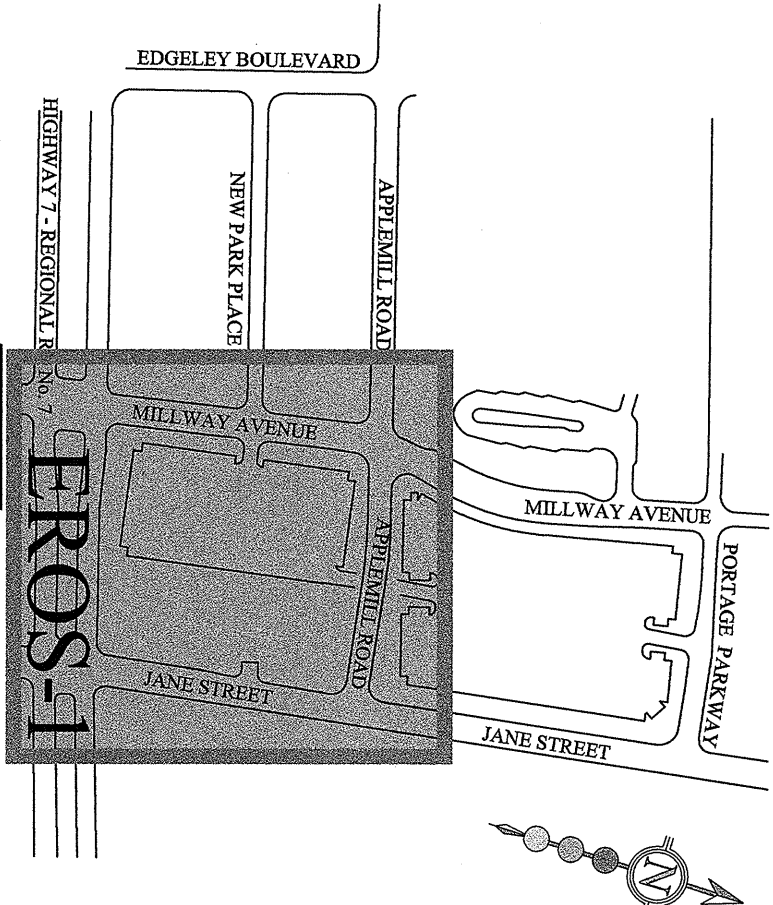
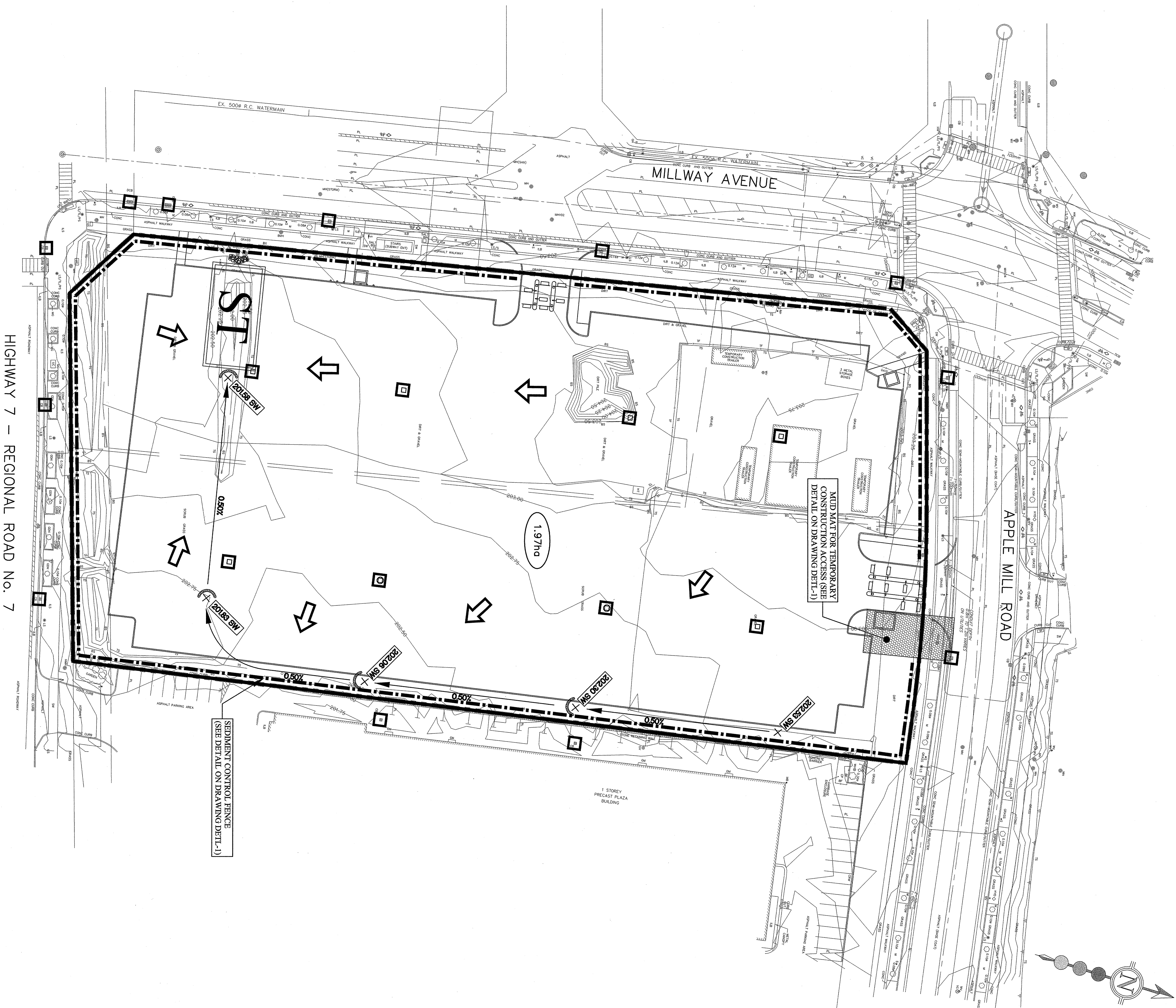
ESC STAGE 2 - EARTHWORKS

OPERATION NOTES

1. SEDIMENTS COLLECTED IN THE TEMPORARY SEDIMENT TRAP SHALL BE REMOVED WHEN 90% OF THE STORAGE CAPACITY IS FILLED.
2. CONTRACTOR TO COORDINATE WITH CONSULTANT TO EXPLORE THE POSSIBILITY OF A "STREET STOPPING AND EARTHWORKS" APPROACH TO MINIMIZE THE AREA DISTURBED AT ONE TIME.
3. TEMPORARY INTERCEPT SWALES ALONG THE SITE PERIMETER TO BE SEEDING AND MULCHING TO PREVENT EROSION CONTROL BY PLANTING GRASS OR APPROVED EQUIVALENT.
4. STREETCLOSING TO TAKE PLACE IMMEDIATELY POSTED AS A SIGN OF TEMPORARY EROSION AND SEDIMENT CONTROL. STREETCLOSING SHOULD BE ACTIVATED BY TRUCK TRAILING PARALLEL TO THE DIRECTION OF FLOW OR WITH A SHIELD'S FOOT PAVEMENT.


ESC STAGE 3 - SERVICING AND PARKING LOT CONSTRUCTION NOTES

1. TEMPORARY SEDIMENT TRAP TO REMAIN AS LONG AS POSSIBLE, UNTIL THE MAJORITY OF ROADS ARE COMPLETE. DECOMMISSIONING SHOULD PROCEED IN THE FOLLOWING MANNER:
 - A. CONTRA WATER FLOW DIRECTION, LAST TO BE REMOVED, TO BE FIRST.
 - B. PUMP WATER FROM SEDIMENT TRAP TO SEDIMENT FILT. BASINS PLACED WITHIN 100 FEET OF THE TRAP. PUMP WATER TO BE REMOVED FROM PAV. AS POSSIBLE, WHILE MAINTAINING MINIMUM FLOW THROUGH TRAP.
 - C. FILL TEMPORARY SEDIMENT TRAP OR REGRADE AS NECESSARY TO FACILITATE THE ULTIMATE GRADING.
2. STREET SWEEPING/CLEANING PROGRAM SHALL BE INITIATED PRIOR TO THE COMPLETION OF THE MAINTENANCE PROGRAM.
3. SATISFACTION OF THE MUNICIPALITY. THIS SHALL BE THE RESPONSIBILITY OF THE DEVELOPER.
4. ALL REMAINING PRE-MEASURES TO BE REMOVED AND AREA RESTORED UPON COMPLETION OF THE PROJECT.
5. ALL REMAINING PRE-MEASURES TO BE REMOVED AND AREA RESTORED UPON COMPLETION OF THE PROJECT.

BENCHMARK: No. 23-6
ELEV. 202.862

ELEVATIONS ARE GEODETIC AND ARE REFERRED TO THE CITY OF VAUGHAN BENCHMARK No. 23-6

LEGEND:

- LIMIT OF SITE PLAN APPLICATION
 DRAINAGE BOUNDARY
 TEMPORARY SEDIMENT CONTROL FENCE
 (SEE DETAIL ON DRAWING DET-1)

- CALCRASIN
 EXISTING CONTOUR AND ELEVATION
 EXISTING ELEVATION
 PROPOSED ELEVATION
 PROPOSED TOP OF CURB ELEVATION
 PROPOSED EMBANKMENT
 (MAXIMUM 3:1 SLOPE)
 OVERLAP AND FLOW

0.80%
TEMPORARY SWALE GRADIENT
1.52%
EXISTING DRAINAGE AREA

TEMPORARY SEDIMENT TRAP (SEE DETAIL ON DRAWING DETL-1).

(SEE DETAIL ON DRAWING DETL-1)

EQUIVALENT, SEE DETAIL ON DRAWING DET-1.

(SEE DETAIL ON DRAWING DETL-1)

(SEE DETAIL ON DRAWING DETL-1)

TOPOGRAPHIC SURVEY PROVIDED BY HOLDING JONES VANDERVEEN INC., MARCH 26, 2019		
2		
1	1st SPA SUBMISSION	
	DESCRIPTION	C.C.
		BY
		DATE
UPDATES & REVISIONS		

CONSULTING ENGINEER

OWNER

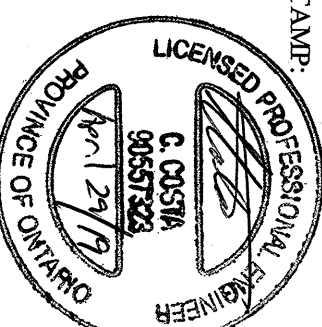
SGS consulting
group ltd
30 CENTURIAN DRIVE, SUITE 100
MARKHAM, ONTARIO L3R 0P8

SMARTCENTRES
3200 HIGHWAY 7
VAUGHAN, ONTARIO L4K 5Z2
TEL: (905) 326-6400
FAX: (905) 326-6202

TEL: (905) 475-1900
FAX: (905) 475-8335



CONSULTING ENGINEERS AS TO DESIGN AND SPECIFICATIONS.



TRANSPORTATION ENGINEERING

DATE _____

VAUGHAN METROPOLITAN CENTRE -
SOUTH-EAST INTERIM SURFACE PARKING LOT



DESIGNED BY: J.S.	DATE: APRIL 2019	CHECKED BY: C.C.
DRAWN BY: L.D.Y.	PROJ. No.	APPROVED BY: C.C.
SCALE: 1:500	1877	DWG. No. EROS-1

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. Written submissions from the public will only be accepted / processed until 12:00 p.m. on the date of the scheduled hearing.

Agent’s cover letter



KITCHENER
WOODBIDGE
LONDON
KINGSTON
BARRIE
BURLINGTON

April 29, 2019

Ms. Paula Bustard, M.PL, MCIP, RPP
Senior Vice President, Development
SmartCentres
700 Applewood Crescent, Suite 100
Vaughan, Ontario
L4K 5X3

Dear Ms. Bustard:

**RE: VMC SOUTH EAST BLOCK
MINOR VARIANCE FOR COMMERCIAL PARKING LOT
OUR FILE 07132"J"**

You have requested a planning justification report relative to the Minor Variance request to permit a temporary commercial parking lot on the lands located on the parcel bounded by Apple Mill Road to the north, an existing retail plaza and decommissioned gas station to the east, Highway 7 to the south and Millway Avenue to the west (the "Subject Lands"). The Subject Lands are currently vacant with temporary construction staging that will be removed by the end of May 2019

PROPOSAL

As part of the ongoing development of Vaughan's downtown core, SmartCentres has continued the approvals process for a variety of buildings in and around the VMC Subway Station and YRT Bus Terminal. As part of the approvals process for the YMCA/ PwC Building, a temporary commercial parking lot was developed on the "East Block" (lands to the immediate north of the Subject Lands). This commercial parking lot was designed to assist with parking demands for the subway as an interim measure in the early stages of the VMC.

Given the demand for living and working in the VMC which has been experienced by SmartCentres in marketing the Transit City towers, an accelerated development program of the East Block lands has occurred. The development of the East Block will remove a substantial amount of the existing surface commercial parking lot and replace it with three additional buildings, including underground parking.

This new temporary parking lot has been designed along with BA Group, which is set to provide approximately 560 parking spaces. This proposed temporary lot will offset the substantial reduction of parking impacted by the next phase of development in the East Block, while also servicing additional parking demands in the VMC. Appropriately, 14 of the proposed parking spaces are designed to be AODA accessible parking spaces conveniently located close to both to the TTC subway station and YRT bus terminal.

REQUEST

In order to implement the proposal, the following variances are required:

- 1) To permit a Commercial Parking lot on the subject lands notwithstanding the Holding Provision.
- 2) To permit a Commercial Parking lot without a building or structure being erected on the lot.
- 3) To permit minimum parking dimensions of 2.7 metres by 5.7 metres.
- 4) To permit joint ingress and egress driveway entrances measured at the lot line to be a maximum of 12.0 metres in width.

These variances are similar to those permitted previously for the existing commercial parking lot on the East Block (A387/16).

In addition to the above noted variance request, a Site Plan Approval application is required and is being submitted concurrently with the variance application. It is anticipated that through the Site Plan Approval process the City will require agreements to be executed

PLANNING ANALYSIS

Permitting a temporary commercial parking lot on the Subject Lands would accommodate off-site parking for the mixed use buildings being developed by SmartCentres on an interim basis. Further it will continue the early activation process of the VMC by providing parking spaces to support events in the VMC that will attract people into the emerging downtown area. Lastly, the temporary commercial parking lot will support off-route transit riders who will utilize the commuter parking spaces in order to access business and higher order transit opportunities in the VMC.

As noted above, the surface lot will provide ancillary parking for planned public events and for patrons to the VMC. The location of the temporary commercial parking lot is screened through extensive landscape treatment around its perimeter while being in proximity to the YRT bus terminal, the VMC Subway Station, and Transit Square.

The VMC Secondary Plan (Policy 8.8.1 g) permits off-site parking associated with major office development and civic facilities, subject to an agreement and triggers for their ultimate removal. The proposal is a continuation of the approval for a temporary commercial parking lot

previously approved on the East Block in association with the PwC / YMCA building. The intent of the Secondary Plan is to provide temporary off-site surface parking while ongoing development is occurring in the VMC. This intent recognizes that the VMC will develop over time and to accommodate parking while this more intensive development occurs. Given the locational advantages of this Subject Lands in proximity to the VMC Subway Station and YRT Bus Terminal this parking area will truly be temporary and will be redeveloped in the early phases of the development of the VMC (as has been the case with the East Block temporary commercial parking lot).

Relative to the reduced parking space length variance, this is consistent with other parking size reductions approved in the VMC and will contribute to space efficiency within the temporary surface commercial parking lot. Relative to the increased driveway entrance from 7.5 m to 12 m will accommodate the gated controls and regulate traffic to and from the temporary surface commercial parking lot.

Overall, in my opinion, the variances allowing the temporary commercial parking lot on the Subject Lands are appropriate, reasonable and represent good planning for the following reasons:

1. The requested variances are consistent with the Provincial Policy Statement and in conformity with the Growth Plan for the Greater Golden Horseshoe. The requested variances will allow for the efficient development of adjacent lands surrounding the VMC Subway Station and YRT Bus Station. These developments in turn optimize transit infrastructure and the servicing of the lands in proximity to the stations. The commercial parking lot will enable these developments to occur, while ensuring the Subject Lands are efficiently utilized and infrastructure optimized in the future by ensuring the commercial parking lot use is temporary in nature.
2. The requested variances meet the intent and purpose of the VMC Secondary Plan policies which allow for surface commercial parking lots to occur, subject to them being related to ongoing development and being temporary in nature. The proposed commercial parking lot is related to the ongoing development by SmartCentres to develop the lands immediately surrounding the VMC Subway Station and YRT Bus Terminal. Through the Site Plan Approval process controls will be put in place, as they were for the existing commercial parking lot on the East Block, to ensure the facility is temporary.
3. The requested variances meet the intent and purpose of the Zoning By-law. Parking lots are permitted by the by-law. The request is to allow the commercial parking lot to occur while the Holding Provision is in place. The Holding Provision was meant to deal with long term development of the Subject Lands, rather than temporary uses. By allowing the Holding Provision to remain in place, the City retains additional control over the long term development of the Subject Lands. The requested variances for parking stall size and driveway width continue to meet the intent and purpose of the Zoning By-

law by providing for a parking layout that is functional. I further note that this variance was approved for the East Block lands to the north (A387/16).

4. The requested variances are appropriate and desirable. The variances would allow for the temporary commercial parking lot to occur, facilitating additional development of Vaughan's new downtown. Effectively it is moving the East Block parking lot to the south of Apple Mill Road as the East Block lands are intended to be redeveloped faster than originally anticipated. The commercial parking lot further assists in meeting demand for parking associated with the buildings under construction as well as commuter parking requirements. Once the development of the Transit City Towers and the East Block lands occurs, additional parking within structured parking and underground parking will be available such that the commercial parking lot can be removed.
5. Given the temporary nature of the requested variances (to be secured through the Site Plan Approval process), the need for temporary parking as the VMC develops, and that the proposal will not have negative impacts which arise to that of a planning nature, the variances requested are minor in nature.

Should you have any questions, please feel free to call.

Thank you.

Yours truly,

MHBC



David A. McKay, MSc, MLAI, MCIP, RPP
Vice President & Partner



3200 HIGHWAY 7 | VAUGHAN, ON. CANADA L4K 5Z5
T 905 326 6400 F 905 326 0783

May 01, 2019

Mr. Roberto Simbana, B.U.R.PI
Planning Technician

CITY OF VAUGHAN
Development Planning
2141 Major Mackenzie Drive
Vaughan, ON L6A 1T1

*Vaughan Metropolitan Centre (VMC) – South-East Block Temporary Surface Parking Lot
Aerial Orthophotographs (PAC.19.031)*



SMARTCENTRES.COM

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. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

- TRCA – comments with conditions**
- Alectra (Formerly PowerStream) – No concerns or objections**
- Region of York – No concerns or objections**

May 23, 2019

CFN: 60819.11

BY E-MAIL: Christine.Vigneault@vaughan.ca

Ms. Christine Vigneault
Secretary Treasurer
Committee of Adjustment
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario L6A 1T1

Dear Christine:

**Re: Minor Variance Application A062/19
9 Millway Avenue
Part Lot 6, Concession 5
City of Vaughan
Owner: Penguin-Calloway (Vaughan) Inc.**

This letter acknowledges receipt of the above noted application, received by Toronto and Region Conservation Authority (TRCA) on March 16, 2019. TRCA staff has reviewed the application and offers the following comments:

Background

It is our understanding that the purpose of Application A062/19 is to request the following:

1. To permit a temporary Commercial Parking Lot within the noted zoning and Holding Provisions.
2. To permit the reduction of parking space depths to 5.7m (2.7m by 5.7m)
3. To permit a maximum Driveway access of 11.0m
4. To permit a minimum landscape strip width of 5.75m abutting Apple Mill Road

It is TRCA's understanding that the purpose of the above variances is to permit the construction of a temporary surface parking lot containing approximately 560 parking spaces.

Applicable TRCA Policies and Regulations

Ontario Regulation 166/06:

The subject lands are located partially within the TRCA's Regulated Area of the Humber River Watershed due to the presence of a Regional Storm Flood Plain associated with Black Creek on Highway 7 and the adjacent property. In accordance with the *Ontario Regulation 166/06 (Regulation of Development, interference with Wetlands and Alterations to Shorelines and Watercourses)*, development, interference or alteration may be permitted in the Regulated Area where it can be demonstrated to TRCA's satisfaction that the control of flooding, erosion, dynamic beaches, pollution, or the conservation of land will not be affected. In this regard, TRCA must be contacted prior to any works taking place in the Regulated Area.

Living City Policies (LCP):

The Living City Policies for Planning and Development in the Watersheds of the Toronto and Region Conservation Authority (LCP) describes a 'Natural System' made up of natural features and areas, water resources, natural hazards, potential natural cover and/or buffers. The LCP recommends that development not be permitted within the Natural System and that it be conveyed into public ownership for its long term protection and enhancement. The LCP also provides policies for developing adjacent to, and in, the Natural System (where permitted), while meeting natural hazard management requirements, and maintaining and enhancing the functions of the protected Natural System. These policies also seek to integrate the natural and built environments, maximizing opportunities for ecosystem services from across the entire landscape. It is these policies that guide TRCA's review of the subject application, along with those found in other Provincial and municipal plans, documents and guidelines.

Application-Specific Comments

The subject property is located within TRCA's Regulated Area of the Humber River Watershed due to the presence of a Regional Storm Flood Plain associated with Black Creek on Highway 7 and Jane Street. Please be advised that TRCA staff recently provided clearance to the associated Site Plan Application (City File No. DA.19.036). As portions of the property are regulated, a permit from this office will be required.

Fees

By copy of this letter, the applicant is advised that the TRCA has implemented a fee schedule for our planning application review services. This application is subject to a \$1100.00 Variance – Industrial/Commercial/Subdivision/Institutional – Minor review fee. The applicant is responsible for fee payment and should forward the application fee to this office as soon as possible.

Recommendations

Given the existing development on the property and the proposed use TRCA has **no objection** to the approval of Minor Variance A062/19 subject to the following condition:

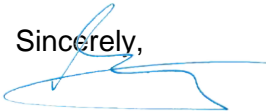
- 1) That the applicant provides the required \$1100.00 review fee for Minor Variance Application A062/19.

Conclusion

We thank you for the opportunity to review the subject application and provide our comments as per our commenting and regulatory role. Further, we trust these comments are of assistance.

TRCA will continue to work closely with the City of Vaughan, the applicant, and their consultants to ensure that TRCA's expectations for meeting comments are met. Should you have any additional questions or comments, please do not hesitate to contact the undersigned.

Sincerely,



Anthony Syhlonyk
Planner I
Planning and Development
Extension 5272

AS/cb



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

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

Providence, Lenore

Subject: FW: MVAR.19.V.0195 (A062-19) - Penguin-Calloway (Vaughan) Inc. - 9 Millway Avenue

From: McMackin, Joseph <Joseph.McMackin@york.ca>

Sent: May-29-19 11:31 AM

To: Providence, Lenore <Lenore.Providence@vaughan.ca>

Cc: MacPherson, Adriana <Adriana.MacPherson@vaughan.ca>; Attwala, Pravina <Pravina.Attwala@vaughan.ca>

Subject: MVAR.19.V.0195 (A062-19) - Penguin-Calloway (Vaughan) Inc. - 9 Millway Avenue

Hi Lenore,

The Regional Municipality of York has no comment with regards to the Minor Variance application. All Regional Interests for the proposed will be captured through Site Plan Approval under file No. DA.19.036 (SP.19.V.0126), which was submitted concurrently.

Please feel free to contact me if you have any further questions or concerns.

Best,

Joseph McMackin, B.URPI | Associate Planner

Planning and Economic Development Branch, Corporate Services Dept.

The Regional Municipality of York| 17250 Yonge Street | Newmarket, ON L3Y 6Z1

O: 1-877-464-9675 ext. 71516 | joseph.mcmackin@york.ca | www.york.ca

Our Values: Integrity, Commitment, Accountability, Respect, Excellence

Please consider the environment before printing this email.

Schedule D: Previous Approvals (Notice of Decision)

Minor Variance Application A387/16

NOTICE OF DECISION

MINOR VARIANCES

FILE NUMBER: A387/16

APPLICANT: PENGUIN-CALLOWAY (VAUGHAN) INC.

PROPERTY: Part of Lot 6, Concession 5 municipally located at 10 Millway Avenue and 3150 Highway 7, Concord

ZONING: The subject lands are zoned C10 Corporate District Zone and subject to the provisions of Exception 9(959) under By-law 1-88 as amended

PURPOSE: To permit the construction of a temporary surface parking lot as follows:

PROPOSAL:

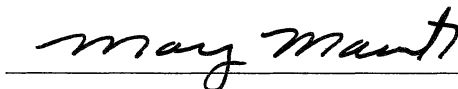
- 1) To permit a Commercial Parking lot on the subject lands.
- 2) To permit a Commercial Parking lot without a building or structure being erected on the lot.
- 3) To permit minimum parking dimensions of 2.7 metres by 5.7 metres.
- 4) To permit minimum landscape strips of 5.0 metres in width for the development site.
- 5) To permit joint ingress and egress driveway entrances measured at the lot line to be a maximum of 12.0 metres in width.

BY-LAW REQUIREMENT:

- 1) A Commercial Parking Lot is not a permitted use under the C10 Corporate District Zone.
- 2) A Commercial Parking Lot should be accessory to a building or structure erected on the lot.
- 3) The minimum parking space dimensions should be 2.7 metres by 6.0 metres for the site.
- 4) A minimum 6.0 metre wide landscape strip is required for lot lines abutting Jane Street or a Collector Road having a planned width of 26 metres or greater.
- 5) A joint ingress and egress driveway measured at the lot line shall be 7.5 metres.

A sketch is attached illustrating the request.

MOVED BY:



SECONDED BY:



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



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

THAT Application No.A387/16, **PENGUIN-CALLOWAY (VAUGHAN) INC.**, be **APPROVED**, in accordance with the sketches attached and subject to the following conditions:

1. That the Owner (Penguin-Calloway (Vaughan) Inc.) shall resolve its Ontario Municipal Board (OMB) appeals of the Vaughan Official Plan (VOP) 2010 and the Vaughan Metropolitan Centre (VMC) Secondary Plan in a form satisfactory to the City Solicitor and the Deputy City Manager, Legal and Human Resources, if required, to the satisfaction of the Development Planning Department.
2. That the applicant submits the application fee of **\$1.050.00** payable to the Toronto & Region Conservation Authority, if required, to the satisfaction of the Toronto & Region Conservation Authority.

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

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

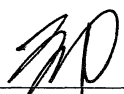
FAILURE TO COMPLY WITH THIS PROCEDURE WILL RESULT IN A LETTER BEING FORWARDED BY THE SECRETARY-TREASURER INDICATING THIS FILE HAS LAPSED AND, THEREFORE, WILL NECESSITATE THAT A NEW APPLICATION BE SUBMITTED TO LEGALIZE THIS PROPERTY.

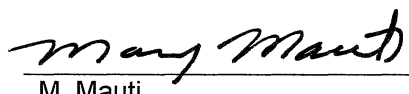
THIS MINOR VARIANCE DECISION IS NOT A BUILDING PERMIT AUTHORIZING CONSTRUCTION UNDER THE BUILDING CODE ACT, R.S.O. 1990, AS AMENDED. A BUILDING PERMIT MAY BE REQUIRED. PLEASE CONTACT THE BUILDING STANDARDS DEPARTMENT IN THE EVENT THAT YOU REQUIRE FURTHER CLARIFICATION.

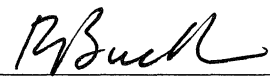
CARRIED.

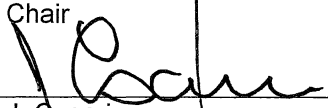
CHAIR: 


Signed by all members present who concur in this decision:


H. Zheng,
Chair


M. Mauti,
Vice Chair

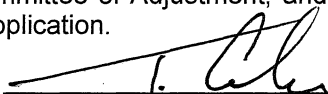

R. Buckler,
Member


J. Cesario,
Member


A. Perrella,
Member

CERTIFICATION

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


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

Date of Hearing: JANUARY 12, 2017

Last Date of Appeal: FEBRUARY 1, 2017

APPEALS

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

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

Please fill out Form A1 and follow the instructions as provided by the Ontario Municipal Board and submit your appeal to the City of Vaughan, Committee of Adjustment on or before the date stated above. You must enclose the completed form with the \$708.00 processing fee, paid by certified cheque or money order, to the "TREASURER, CITY OF VAUGHAN" and the appeal fee of \$300.00 for each application appealed, paid by certified cheque or money order, made payable to the "ONTARIO MINISTER OF FINANCE".

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

CONDITIONS

IF ANY CONDITIONS ARE IMPOSED ON THIS APPLICATION, THE FINAL DATE FOR FULFILLING THEM IS:
FEBRUARY 1, 2018

A387/16



MILLWAY AVENUE ALIGNMENT AS PER
BA GROUP DRAWING FD-01
"MILLWAY - POTENTIAL FUTURE ALIGNMENT"
DATED FEBRUARY 17, 2016
MILLWAY AVENUE TO BE DESIGNED AND
CONSTRUCTED BY OTHERS.

MILLWAY AVENUE
BOULEVARD TO BE
DESIGNED BY OTHERS

MILLWAY AVENUE
CONCEPTUAL ALIGNMENT

APPLEMILL ROAD
(CONCEPTUAL ALIGNMENT)

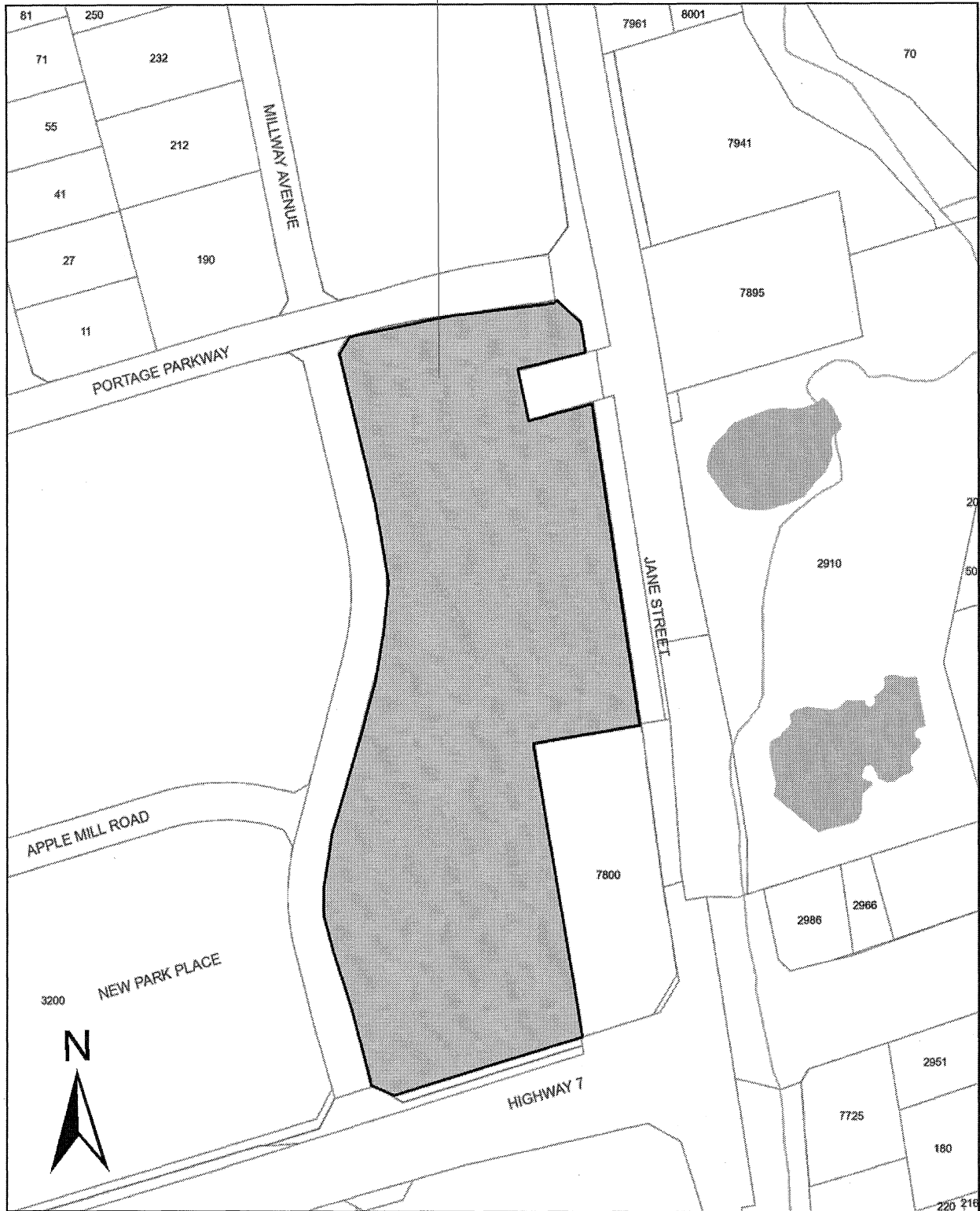
POTENTIAL
FUTURE PARKING
(SUBJECT TO FUTURE APPLICATION)

1. To permit a commercial parking lot on the subject lands
2. To permit a commercial parking lot without a building or structure being erected on the lot
3. To permit minimum parking dimensions of 2.7m by 5.7m
4. To permit minimum landscape strips of 5.0m in width for the development site.
5. To permit joint ingress & egress driveway entrances measured at the lot line to be a maximum of 12.0m in width.

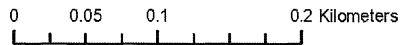


Location Map - A387/16

(10 Millway Ave. & 3150 Highway 7)
SW Corner of Jane St. & Portage Parkway, Concord



City of Vaughan



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

