



File: A001/19

Applicant: 2564454 Ontario Inc

Address: 435 Cityview Blvd, Woodbridge

Agent: IBI Group

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"/>	
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		
Ministry of Transportation	<input checked="" type="checkbox"/>	
Region of York	<input checked="" type="checkbox"/>	
Alectra (Formerly PowerStream)	<input checked="" type="checkbox"/>	
Public Correspondence (see Schedule B)		

Adjournment History: None

Background History: None



Minor Variance
Application

Agenda Item: 11

A001/19

Ward: 1

Staff Report Prepared By: Adriana MacPherson, Assistant Secretary Treasurer

Date of Hearing:	Thursday, June 27, 2019
Applicant:	2564454 Ontario Inc
Agent:	IBI Group
Property:	435 Cityview Blvd, Woodbridge
Zoning:	The subject lands are zoned EM1 Prestige Employment Area, and subject to the provisions of Exception No. 9(1218) and 9(1224) under By-law 1-88 as amended
OP Designation:	Vaughan Official Plan 2010 (‘VOP 2010’): “Prestige Employment”
Related Files:	Site Plan Application DA- 18.038
Purpose:	Relief from the By-law is being requested to permit the construction of a proposed six (6) storey hotel.

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

By-law Requirement	Proposal
1. A minimum of 218 parking spaces are required on the site.	1. To permit a total of 194 parking spaces on the site.
2. A strip of land not less than 6.0 metres in width is required along a lot line which abuts a street line.	2. To permit a minimum landscape strip of 3.0 metres wide.
3. Loading and unloading shall not be permitted between the building and a street or highway.	3. To permit loading and unloading between the building and a street or highway.

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

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 June 12, 2019

Applicant has not confirmed posting of signage.

Property Information	
Existing Structures	Year Constructed
Hotel	TBC

Applicant has advised that they cannot comply with By-law for the following reason(s): It is not possible to comply due to variances required for: Loading, Landscape Strip, and parking.

Adjournment Request: None

Building Standards (Zoning Review):

Stop Work Order(s) and Order(s) to Comply: None

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 Official Plan 2010 ('VOP 2010'): "Prestige Employment"

The Owner is requesting permission to construct a 6-storey hotel consisting of 190 rooms on the subject lands, as proposed through Site Development file DA.18.038, with the above noted variances. Site Development Application DA.18.038 was approved at the May 14th, 2019 Vaughan Council Meeting. The Development Planning Department supports the approval of Site Development Application DA.18.038 along with the requested variances, as the development is consistent with Provincial Policy, conforms to the York Region Official Plan and Vaughan Official Plan 2010, and is compatible with the existing and planned uses in the surrounding area.

Accordingly, the Development Planning Department 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.

Cultural Heritage (Urban Design):

There are no cultural heritage concerns for this application. However, the standard archaeological clause shall be applied.

Development Engineering:

The Development Engineering (DE) Department does not object to variance application A001/19 subject to the following condition(s):

The Owner/applicant shall obtain approval for the related Site Development Application (DA.18.038) from the Development Engineering (DE) Department.

Parks Development:

No Response.

By-Law and Compliance, Licensing and Permit Services:

No Response.

Financial Planning and Development Finance:

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

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

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

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

Fire Department:

No Response.

Schedule A – Plans & Sketches**Schedule B – Public Correspondence**

Cover Letter

Schedule C - Agency Comments

Alectra (Formerly PowerStream) – No concerns or objections

Region of York – No concerns or objections

MTO – Comments, no conditions

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 Engineering Brad Steeves 905-832-8585 x 8977 brad.steeves@vaughan.ca	The Owner/applicant shall obtain approval for the related Site Development Application (DA.18.038) from the Development Engineering (DE) Department.

Please Note:

Relief granted from the City’s Zoning By-law is determined to be the building envelope considered and approved by the Committee of Adjustment.

Development outside of the approved building envelope (subject to this application) must comply with the provisions of the City’s Zoning By-law or additional variances may be required.

Elevation drawings are provided to reflect the style of roof to which building height has been applied (i.e. flat, mansard, gable etc.) as per By-law 1-88 and the Committee of Adjustment approval. Please note, that architectural design features (i.e. window placement), that do not impact the style of roof approved by the Committee, are not regulated by this decision.

Conditions

It is the responsibility of the owner/applicant and/or authorized agent to obtain and provide a clearance letter from respective department and/or agency. This letter must be provided to the Secretary-Treasurer to be finalized. All conditions must be cleared prior to the issuance of a Building Permit.

Notice to the Applicant – Development Charges

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

That the payment of the City Development Charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the City's Development Charges By-law in effect at the time of payment.

That the payment of the Education Development Charge if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the Boards of Education By-laws in effect at the time of payment

That the payment of Special Area Development charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and The City's Development Charge By-law in effect at the time of Building permit issuance to the satisfaction of the Reserves/Capital Department;

Notice to Public

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

Adriana MacPherson

T 905 832 8585 Extension 8360

E CofA@vaughan.ca

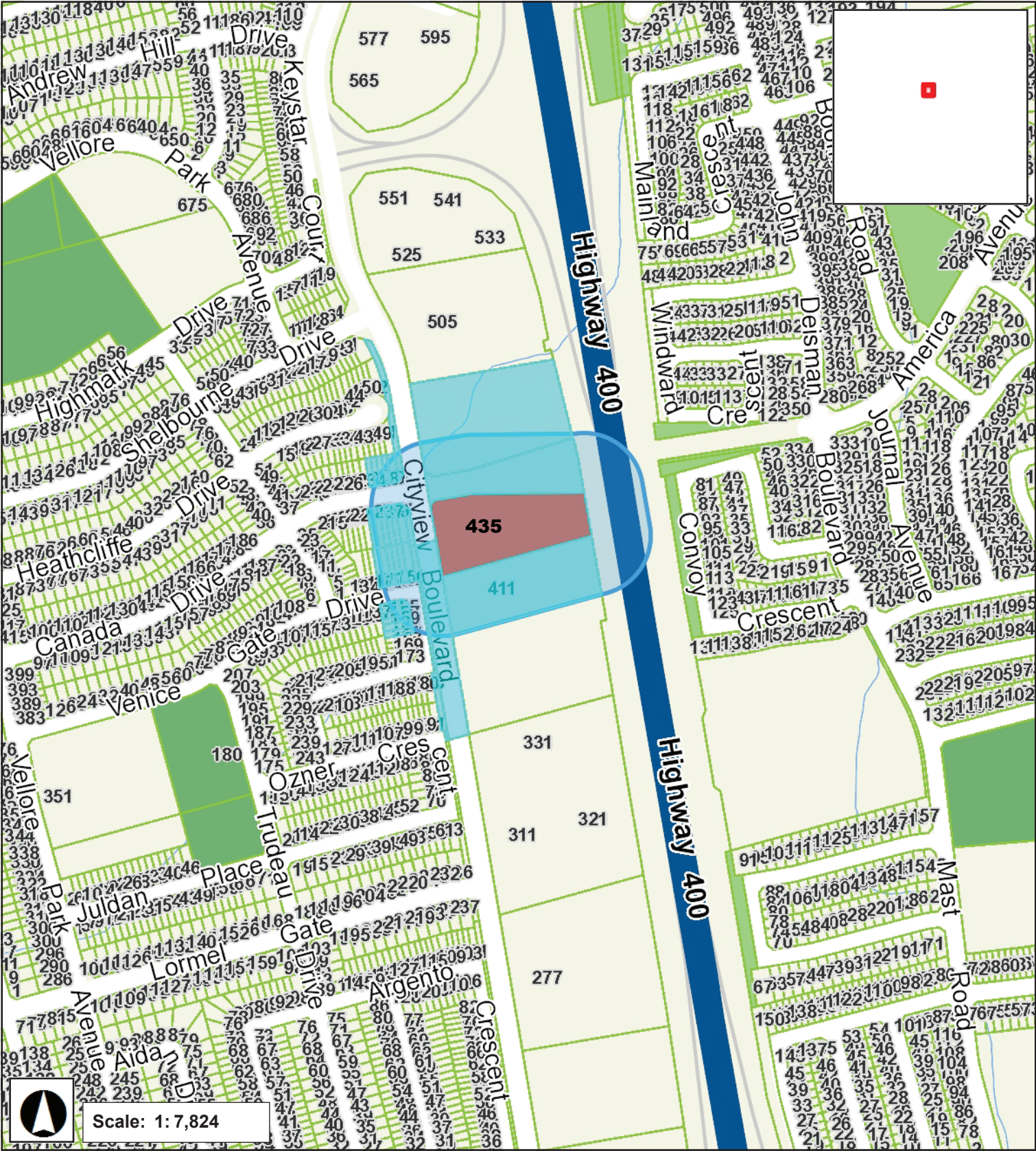
Schedule A: Plans & Sketches

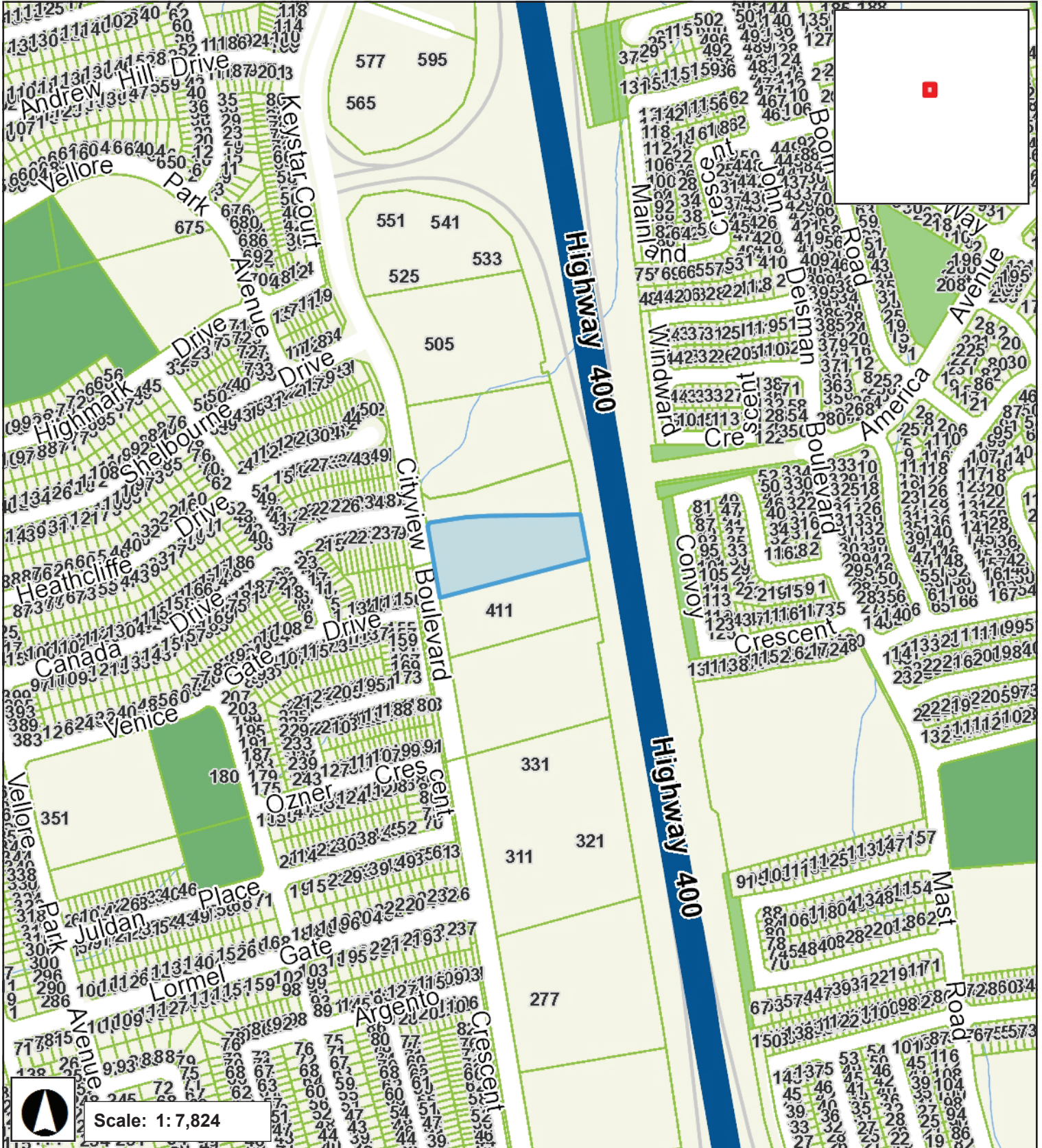
Please note that the correspondence listed in Schedule A is not comprehensive. Plans & sketches received after the preparation of this staff report will be provided as an addendum. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

Location Map
Sketches

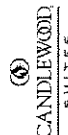


A001/19 - Notification Map
435 Cityview Blvd, Vaughan





1. To permit a total of 194 parking spaces on the site.
2. To permit a minimum landscape strip of 3.0 metres wide.
3. To permit loading and unloading between the building and a street or highway.



6-STOREY 190 ROOMS
CITYVIEW BLVD & CANADA DR
VAUGHAN, ONTARIO

JANUARY 2018

100811	AS indicated	ALA	10-1-1160-
--------	--------------	-----	------------

A001

[illegible][illegible][illegible][illegible]

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.

Cover Letter



IBI GROUP
200 East Wing – 360 James Street North
Hamilton ON L8L 1H5 Canada
tel 905 546 1010 fax 905 546 1011
ibigroup.com

A001119.

December 3rd, 2018

Secretary-Treasurer
Committee of Adjustment
City of Vaughan
Vaughan City Hall, Level 100
2141 Major Mackenzie Drive
Vaughan, ON
L6A 1T1

Dear Sir or Madame:

**PROPOSED HOLIDAY INN EXPRESS (DA-18.038)
CITYVIEW BOULEVARD AND CANADA DRIVE, VAUGHAN
MINOR VARIANCE APPLICATION**

We are planning consultants for 2564454 Ontario Inc., property owners at Cityview Boulevard and Canada Drive. Our client proposes to develop the lands into a 190 suite Hotel with 250.8 sq.m of associated meeting space. The subject site is located in the south-east corner of the Cityview Boulevard and Canada Drive intersection and is currently vacant. The land uses immediately surrounding the subject lands include a mix of office and commercial space to the north and south, low density residential subdivisions to the west, and Highway 400 located to the east and abutting the site.

As you may be aware, there is currently a site plan application (DA- 18.038) in process with the City for this site and it was through site plan application process that 3 deficiencies were identified, requiring relief from the Zoning By-law. All 3 variances being applied for meet the 4 tests outlined in Section 45 (1) of the "Planning Act". The variances are as follows;

1. Number of Parking proposed is 194, whereas the By-Law requires a minimum of 218 (By-law 1-88, 3.8, a), a deficit of 24 parking spaces.
2. Exterior side yard landscape setback abutting a street is proposed 1.5m whereas the By-Law requires 6m (By-Law 1-88, Section 9 (1218)).
3. The location of a loading space is in the rear yard, where the By-Law requires it to be in the side yard (no By-Law reference, this was noted in comments from City Staff).

It is our opinion that all of the above variances are considered minor in nature, they meet the intent of the Zoning By-law, that they meet the intent of the Official Plan, and that the application is considered to be desirable for the appropriate development or use of the property.

As previously stated, there are 190 proposed guest hotel rooms and 250.80 sq.m of meeting room space. A Traffic impact Statement was completed for the site and within it a parking justification. It is noted that hotels in suburban locations (such as the proposed) are almost never fully occupied, in fact occupancy typically ranges from 57-67%. The conclusion of the findings show that the proposed parking supply would accommodate the parking demands of the site. It is our opinion that the variance is considered minor in nature, it meets the intent of the Zoning By-law and Official Plan and it is appropriate for the proposed use of the property.

The exterior side yard landscape setback of 1.5 m abutting street is appropriate for this site and this development. The side yard in question is abutting 'Future Road to Bridge', which will connect Canada Drive and America Avenue across Highway 400. Due to the orientation of the building on site, the parking requirements and the irregular site shape, the landscape buffer in this area needed to be cut down in order for the site to come together and function well. As a result of the new road, there will be additional buffer added as part of the future ROW. It is for these reasons we feel the relief being requested is minor

in nature, it is meeting the intent of the By-Law and the official plan, and it is an appropriate development for the site.

There are two proposed loading spaces on the site, both located in the rear yard whereas the By-Law requires no loading and unloading between Highway 400 and the building, between the building and Cityview Boulevard and between the building and future Hwy 400 overpass. Due to the layout of the site, the requirements for parking, and an already minimized landscape strip, the only appropriate location was the rear yard. The neighbouring use immediately to the east (adjacent to the rear yard) is Highway 400. The distance between the most easterly loading space and rear lot line (Highway 400) is very large at almost 50 meters. Set well into the site, these loading spaces are unlikely to be seen from Highway 400. We feel the relief being requested is minor in nature, meets the intent of the Zoning By-Law and Official Plan and is appropriate for the proposed development.

Accordingly, please find enclosed the following materials in support of our minor variance application:

- A reduced size (8.5 x 14") detailed site plan;
- A completed application form, and;
- A cheque in the amount of \$3,261.00.

We trust the enclosed is in order. Should you have any questions or require any clarification, please do not hesitate to contact the undersigned by phone at 905-546-1010 ext. 63124 or by email at ashley.kirec@ibigroup.com.

Regards,



Ashley Kirec, CPT
Project Coordinator

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.

- Alectra (Formerly PowerStream) – No concerns or objections
- Region of York – No concerns or objections
- MTO – Comments, no conditions



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

MacPherson, Adriana

Subject: FW: A001/19 - Request for Comments
Attachments: image001.jpg; A001-19 - Circ.pdf

From: Hurst, Gabrielle <Gabrielle.Hurst@york.ca>
Sent: January-22-19 7:59 AM
To: MacPherson, Adriana <Adriana.MacPherson@vaughan.ca>
Subject: Fw: A001/19 - Request for Comments

Good Morning Adriana,

The Regional Municipality of York has completed its review of the above Minor Variance Application and has no comment.

Regards

Gabrielle

Vigneault, Christine

From: Nunes, Paul (MTO) <Paul.Nunes@ontario.ca>
Sent: Tuesday, January 15, 2019 10:55 AM
To: Vigneault, Christine
Cc: MacPherson, Adriana; Committee of Adjustment; Della Mora, Dan (MTO)
Subject: RE: A001/19 - Request for Comments
Attachments: image002.emz

Hi Christine,

MTO Highway Corridor Management Section has reviewed the location of the following Application for Minor Variance:

A001/19 – Cityview Blvd. & Canada Drive, Vaughan, ON.

Although the MTO has no comments on the Application for Minor Variance, the subject land is located within the MTO Permit Control Area. As a result, an MTO Building and Land Use Permit is required prior to the commencement of any on-site construction/works. In addition, an MTO Sign Permit will be required for any proposed signage visible from the provincial highway. MTO permits are only to be applied for once the materials have been finalized as part of the Site Development Application process (DA.18.038), which is currently underway, and MTO has reviewed and commented on the final materials.

If you have any questions, please feel free to contact me.

Regards,

Paul Nunes | Corridor Management Officer

Ministry of Transportation | Corridor Management Section | York Region
159 Sir William Hearst Avenue, 7th floor Building D, Downsview, ON M3M 0B7
(416) 235-5559 | paul.nunes@ontario.ca



Confidentiality Warning: This message and any attachments may contain PRIVILEGED and CONFIDENTIAL INFORMATION and is intended only for the use of the recipient(s). If you are not the intended recipient, you are hereby notified that any review, retransmission, conversion to hard copy, copying, circulation or other use of this message and any attachments is strictly prohibited. If you have received this message in error, please immediately notify the sender by return e-mail, and delete this message and any attachments from your system. Thank you.

From: MacPherson, Adriana [mailto:Adriana.MacPherson@vaughan.ca]
Sent: January-10-19 4:09 PM
Subject: A001/19 - Request for Comments



Committee of Adjustment
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1
T 905 832 8585
E CofA@vaughan.ca