



File: A085/19

Applicant: Vaughan Court Limited

Address: 9630 Dufferin Street, Vaughan

Agent: Evans Planning (Joanna Fast)

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"/>	
Parks Department		
By-law & Compliance		
Financial Planning & Development	<input checked="" type="checkbox"/>	
Fire Department		
TRCA		
Ministry of Transportation		
Region of York	<input checked="" type="checkbox"/>	
Alectra (Formerly PowerStream)	<input checked="" type="checkbox"/>	
Public Correspondence (see Schedule B)	<input checked="" type="checkbox"/>	

Adjournment History: N/A

Background History: N/A



Minor Variance
Application

Agenda Item: 14

A085/19

Ward: 4

Staff Report Prepared By: Adriana MacPherson, Assistant Secretary Treasurer

Date of Hearing: Thursday, July 25, 2019

Applicant: Vaughan Court Limited

Agent: Evans Planning (Joanna Fast)

Property: 9630 Dufferin Street, Vaughan

Zoning: The subject lands are zoned C3 Local Commercial, and subject to the provisions of Exception No. 9(1234) under By-law 1-88 as amended.

OP Designation: VOP 2010: "Low-Rise Mixed-Use"

Related Files: DA.16.065

Purpose: Relief from the By-law is being requested to permit the construction of a proposed two-storey commercial building consisting of a Montessori School (located on the ground floor) with an outdoor play area and office uses on the second floor to facilitate Site Plan Application DA.16.065.

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 front yard setback of 15.0 metres is required.	1. To permit a minimum front yard setback of 7.1 metres to the Institutional Use (daycare).
2. A minimum exterior side yard setback of 15.0 metres is required.	2. To permit a minimum exterior side yard setback of 6.0 metres to the site triangle and 13.4 metres to the institutional use (daycare).
3. A maximum gross floor area of 1,860.0m2 for the buildings.	3. To permit a maximum gross floor area of 1,888.0 m2 for the buildings.
4. A maximum lot coverage of 20% is permitted.	4. To permit a maximum lot coverage of 21.4%.
5. A minimum of 114 parking spaces are required.	5. To permit a minimum of 51 parking spaces.
6. Loading and unloading shall not take place between a building and a street.	6. To permit loading and unloading between a building and a street.
7. A minimum landscape strip of 6.0 metres is required.	7. To permit a minimum landscape strip of 0.3 metres (playground), a 1.0 metre (sight triangle) and 3.0 metres abutting Shanty Street.

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: None

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 July 10, 2019

Applicant confirmed posting of signage on July 9, 2019

Property Information	
Existing Structures	Year Constructed
Commercial Building	TBC

Applicant has advised that they cannot comply with By-law for the following reason(s): Due to site design of the commercial plaza, site plan approval has been recommended by council for the application DA.16.065

Adjournment Request: N/A

Building Standards (Zoning Review):
Stop Work Order(s) and Order(s) to Comply: None

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.

Please note that the maximum building height, as defined, shall be a maximum of 11.0 metres.

This application relates to DA.16.065.

Building Inspections (Septic):
No comments or concerns

Development Planning:
VOP 2010: "Low-Rise Mixed-Use"

The Owner is requesting permission to construct a 2-storey commercial building consisting of a Montessori School occupying the ground level with an outdoor play area, and office uses on the 2nd floor with 51 parking spaces.

The Vaughan Committee of the Whole approved related Site Development Application DA.16.065 on June 4, 2019 to permit the above noted development, and the decision was ratified by Vaughan Council on June 12, 2019.

The required 15 m setbacks are specific to institutional uses (Montessori School), however the proposed setbacks are considered appropriate for a local commercial development. The requested increases to maximum gross floor area (GFA) and lot coverage are considered minor increases from the requirements of Zoning By-law 1-88. The proposed landscape strip widths and location of the loading area have been reviewed by the Urban Design and Cultural Heritage Division of the Development Planning Department through DA.16.065, who are satisfied with the proposal.

The required parking for the proposed development was calculated at the shopping centre/retail rate of 6 parking spaces per 100 m2 of GFA. The proposed uses of the site include a Montessori School on the ground floor and office spaces on the second floor, which have lower parking space requirements than the shopping centre/retail rate that was applied (1.5 parking spaces per teaching classroom for a Montessori School and 3.5 parking spaces per 100 m2 of GFA for an office use). The Owner submitted a Traffic Impact and Parking Study (addendum dated May 13, 2019) which has been reviewed by the Transportation Division of the Development Engineering Department that concludes 51 parking spaces are adequate to accommodate the above noted development. The Transportation Division of the Development Engineering Department has no objection to the proposed parking supply.

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 are 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.

Development Engineering:
The Development Engineering (DE) Department does not object to variance application A085/19.

Parks Development:
No Response.

By-Law and Compliance, Licensing and Permit Services:

No Response.

Financial Planning and Development Finance: Prepared by: Nelson Pereira

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**

Application Cover Letter

June 4, 2019 Committee of the Whole Report (recommending approval of relating Site Plan Application)

Schedule C - Agency Comments

Alectra (Formerly PowerStream) – No concerns or objections

Region of York – No concerns or objections

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.

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

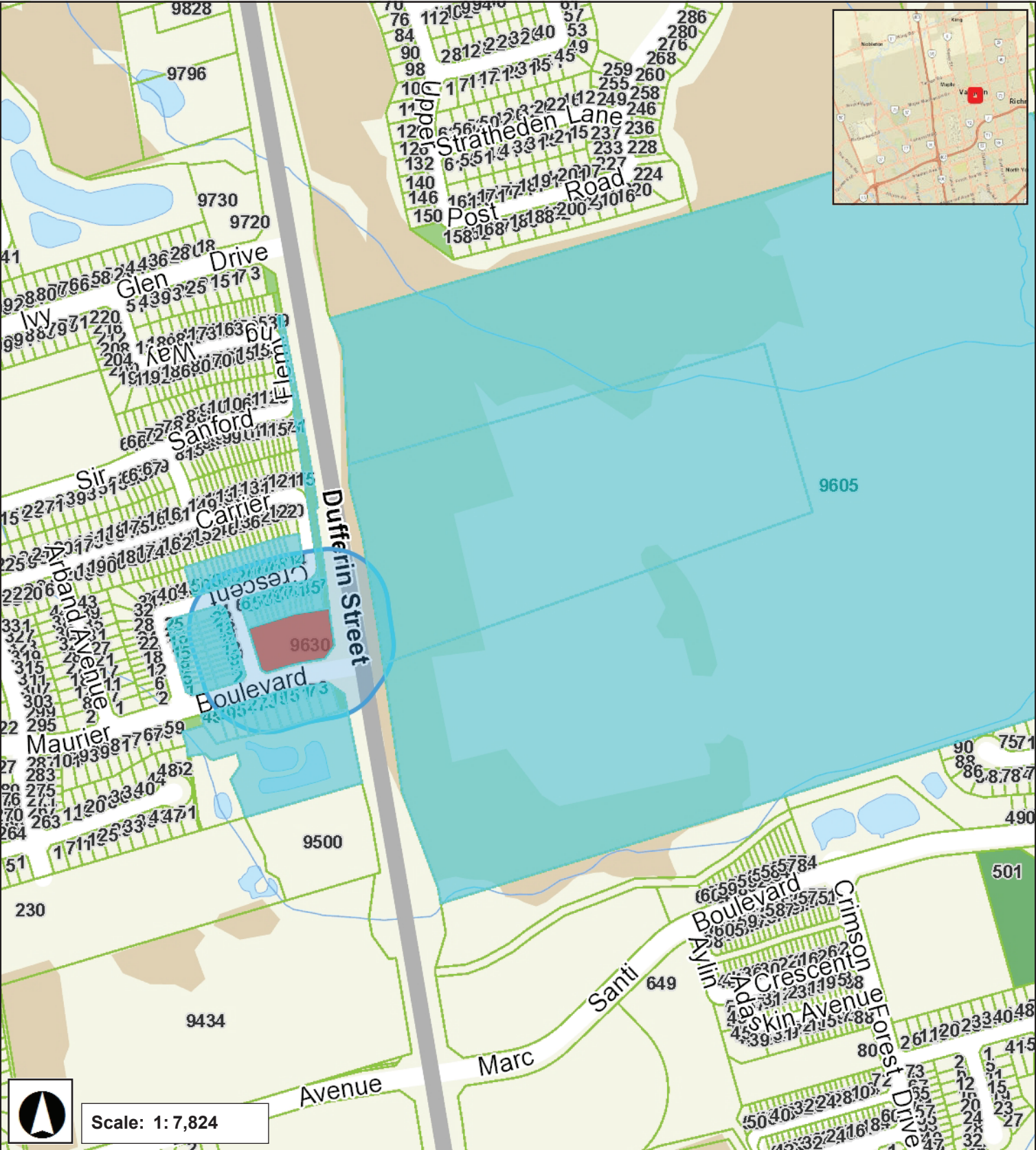
Please note that the correspondence listed in Schedule A is not comprehensive. Plans & sketches received after the preparation of this staff report will be provided as an addendum. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

Location Map
Sketches



A085/19 - Notification Map

9630 Dufferin Street, Thornhill





A085/19 - Notification Map

9630 Dufferin Street, Thornhill



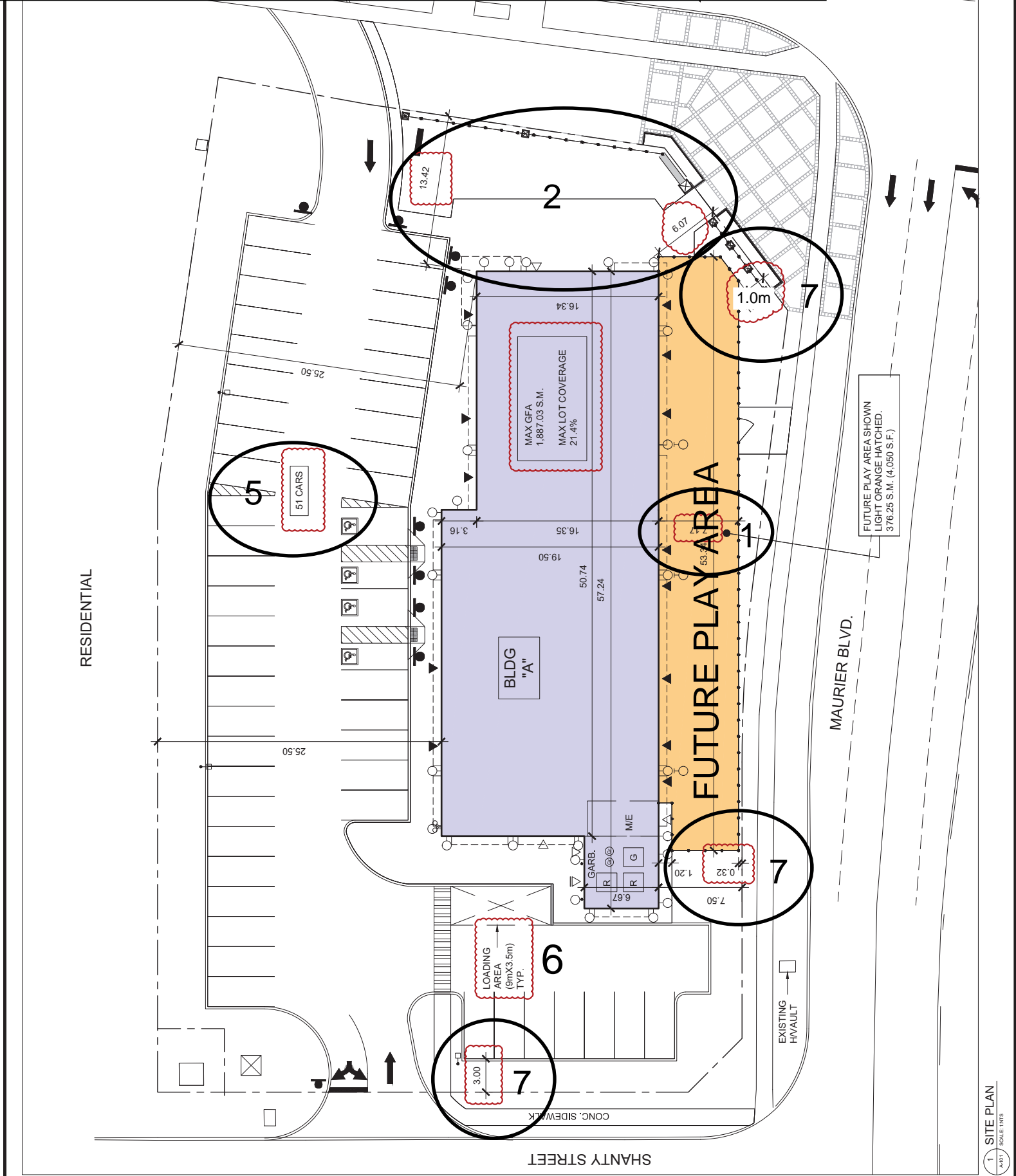
Rutherford Road

July 9, 2019 10:35 AM

Proposal:

- 1. To permit a minimum front yard setback of 7.1 metres to the Institutional Use (daycare).
- 2. To permit a minimum exterior side yard setback of 6.0 metres to the site triangle and 13.4 metres to the institutional use (daycare).
- 3. To permit a maximum gross floor area of 1,888.0m2 for the buildings.
- 4. To permit a maximum lot coverage of 21.4%.
- 5. To permit a minimum of 51 parking spaces.
- 6. To permit loading and unloading between a building and a street.
- 7. To permit a minimum landscape strip of 0.3 metres (playground), a 1.0 metre (sight triangle) and 3.0 metres abutting Shanty Street.

PROJECT		PROPOSED COMMERCIAL DEVELOPMENT		DRAWING NAME	
8800 DUFFERIN STREET VAUGHAN, ONTARIO		SITE PLAN - LEASING		LAST PLOTTING DATE: JUNE 28, 2019	
SCALE	DATE OF ISSUE	PROJECT NO.	SHEET NO.	PROJECT NO.	PROJECT NO.
AS NOTED	JUNE 28, 2019	19005	A-101	19005	19005
DRAWN BY	DATE	PROJECT NO.	SHEET NO.	PROJECT NO.	PROJECT NO.
RTA					
CHECK BY					
PGS					



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.

Application Cover Letter
June 4, 2019 Committee of the Whole Report (recommending approval of relating Site Plan Application)



A085119

Urban Planners • Project Managers

June 6, 2019

City of Vaughan
Committee of Adjustment
2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1T1

Attn: Ms. Christine Vigneault, Manager of Development Services and Secretary-Treasurer,
Committee of Adjustment

Dear Ms. Vigneault,

Re: Application for Minor Variance
Vaughan Court Limited
9630 Dufferin Street
City of Vaughan

Evans Planning Inc. acts on behalf of Vaughan Court Limited, the owner of land municipally described as 9630 Dufferin Street, in the City of Vaughan. On behalf of our Client, we herewith submit for the Committee's consideration an application for Minor Variance to facilitate the development of the subject lands with a two-storey commercial building.

The property is zoned "C3 Local Commercial Zone" by By-law 1-88, and is subject to site-specific Exception 9(1234). The proposed commercial building is permitted within the C3 Zone.

An application for Site Development Approval (DA.16.065) has been submitted to the City, which proposes the development of the lands with a two-storey commercial building consisting of a Montessori School occupying the ground floor with an outdoor play area, and office uses on the second floor.

The Committee of the Whole recommended approval of the proposed development on June 4, 2019, subject to a number of conditions, including that the owner obtain approval of a Minor Variance Application for required exceptions to the Zoning By-law, as outlined in Table 1 of the Staff Report. A copy of the Committee of the Whole Report has been provided with this submission.

While there are several minor variances requested, the variances are minor in nature and reflect a site design that has been reviewed and supported by City Staff.



The proposed variance to the parking standard appears at first glance to be a significant reduction from the parking standard. However, the site-specific zoning on the subject land anticipated the development of the site with a commercial shopping centre. The proposed office and Montessori School uses do not require such a high parking standard.

A Traffic Impact Study prepared for the subject development identified that the 51 parking spaces proposed will be sufficient to support the proposed development. The recommendations of the Traffic Impact Study were supported by City Engineering Staff through the review of the Site Development Application.

To aid in your review of this application we herewith enclose for your review:

- One copy of the completed Minor Variance application;
- One copy of the Site Plan;
- One copy of the Committee of the Whole Report, dated June 4, 2019;
- One copy of a Traffic Impact Study Memorandum, and review letter from City Transportation Engineering Staff;
- One copy of a Tree Inventory and Preservation Plan;
- The application fee of \$3,359.00

I trust that this information is sufficient for your review. Should you require any additional information relating to this Minor Variance application, please contact the writer at your earliest convenience.

Yours truly,

Joanna Fast
Joanna Fast

cc. Vaughan Court Limited



Committee of the Whole Report

DATE: Tuesday, June 04, 2019

WARD: 4

TITLE: VAUGHAN COURT LIMITED

SITE DEVELOPMENT FILE DA.16.065

VICINITY OF DUFFERIN STREET AND MAURIER BOULEVARD

FROM:

Jason Schmidt-Shoukri, Deputy City Manager, Planning and Growth Management

ACTION: DECISION

Purpose

To seek approval from the Committee of the Whole for Site Development File DA.16.065 for the Subject Lands shown on Attachment 1, to permit the development of a 2-storey 1,888 m² commercial building consisting of a Montessori School occupying the ground level with an accessory outdoor play area, office uses on the second floor and 51 parking spaces, as shown on Attachments 2 to 4.

Report Highlights

- The Owner proposes to develop the subject lands with a 2-storey 1,888 m² commercial building consisting of a Montessori School occupying the ground floor and office uses on the second floor.
- The Development Planning Department supports approval of Site Development File DA.16.065 subject to the Recommendations of this report, as it conforms with the Official Plan, is a permitted use in Zoning By-law 1-88, and is compatible with the existing and planned uses in the surrounding area.
- The Owner must successfully obtain approval from the Committee of Adjustment for the necessary exceptions to Zoning By-law 1-88 identified in Table 1 of this report to permit the Development.

Recommendations

1. THAT Site Development File DA.16.065 (Vaughan Court Limited) BE DRAFT APPROVED SUBJECT TO THE FOLLOWING CONDITIONS, to the satisfaction of the Development Planning Department, to permit the development of a two-storey 1,888 m² commercial building consisting of a Montessori School occupying the ground level with an outdoor play area, office uses on the second floor and 51 parking spaces, as shown on Attachments 2 to 4:
 - a) That prior to the execution of the Site Plan Agreement:
 - i) The Development Planning Department shall approve the final site plan, building elevations (including bird friendly design treatments on the building elevations), landscape plan, landscape cost estimate, tree inventory and preservation plan, signage details and lighting plan;
 - ii) The Development Engineering Department shall approve the final site grading plan, erosion sediment control plan, site servicing plan, stormwater management plan, traffic impact and parking study, and record of site condition;
 - iii) The Owner will provide a letter from the Block 18 Land Owner's Group Trustee confirming that the Owner is a participating landowner in good standing;
 - iv) The Owner shall successfully obtain approval of a Minor Variance Application for the required exceptions to Zoning By-law 1-88, as identified in Table 1 of this report. The Committee's decision for the Minor Variance Application shall be final and binding, and the Owner shall satisfy any conditions of approved imposed by the Committee; and
 - v) The Owner shall satisfy all requirements and obtain all necessary approvals from York Region;
 - b) That the Site Plan Agreement include the following clauses:
 - i) "The Owner shall pay, to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 2% of the value of the Subject Lands, prior to issuance of a Building Permit, in accordance with Section 42 of the *Planning Act*. The Owner shall submit an appraisal of the Subject Lands prepared by an accredited appraiser for approval by the Office of the City Solicitor, Real Estate Department, and the approved appraisal shall form the basis of the cash-in-lieu payment."

- ii) "The Owner agrees that waste collection services for the Development will be the responsibility of the Owner."

Background

The subject lands (the 'Subject Lands') shown on Attachment 1, are located on the northwest corner of Dufferin Street and Maurier Boulevard, municipally known as 9630 Dufferin Street. The 4,509.15 m² property contains a vacant building that was previously used for a sales office. The surrounding land uses are shown on Attachment 1.

A Site Development Application has been submitted to permit the Development

The Owner has submitted Site Development File DA.16.065 ('the Application') on the Subject Lands shown on Attachment 1, to permit the development of a two-storey 1,888 m² commercial building consisting of a Montessori School occupying the ground level with an outdoor play area, office uses on the second floor, and 51 parking spaces (the 'Development'), as shown on Attachments 2 to 4.

Previous Reports/Authority

N/A

Analysis and Options

The Development is consistent with the Provincial Policy Statement ('PPS') 2014

In accordance with Section 3 of the *Planning Act*, all land use decisions in Ontario shall be consistent with the Provincial Policy Statement, 2014 (the 'PPS'). The PPS is applied province-wide and provides policy direction on matters of provincial interest related to land use planning and development. The policies support the goal of enhancing the quality of life for all Ontarians. The key policy objectives are: building strong, healthy communities; wise use and management of resources; and protecting public health and safety; and the quality of the nature and building environment are protected. Municipal land use planning decisions must be consistent with the PPS.

The Employment policies of Section 1.3.1 of the PPS indicate that planning authorities shall promote economic development and competitiveness by:

- "a) providing for an appropriate mix and range of employment and institutional uses to meet long-term needs;
- b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and considering the needs of existing and future businesses;

- c) encouraging compact, mixed-use development that incorporates compatible employment uses to support livable and resilient communities; and
- d) ensuring the necessary infrastructure is provided to support current and projected needs.”

The Development utilizes a vacant site within the Block 18 community and the proposed built form is compatible with the surrounding uses, provides a mix of office and institutional employment opportunities to support a livable and resilient community. The Development Planning Department is of the opinion that the Development is consistent with the PPS.

The Development conforms to the Growth Plan for the Greater Golden Horseshoe, 2019 (the ‘Growth Plan’)

The *Places to Grow - Growth Plan for the Greater Golden Horseshoe, 2019* (the ‘Growth Plan’) is intended to guide decision making on the development of land by encouraging compact built form, transit supportive communities, diverse land uses, and a range and mix of housing types. The Growth Plan encourages the concentration of population and employment growth within settlement areas, and promotes the development of complete communities that offer a mix of housing types, access to local amenities, and connections to municipal water and wastewater systems. In accordance with Section 3(5) of the *Planning Act*, Vaughan Council’s planning decisions “shall conform with” the Growth Plan.

“Section 2.2.1.4 Applying the policies of this Plan, will support the achievement of complete communities that (in part):

- a) feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities;
- b) improve social equity and overall quality of life, including human health, for people of all ages, abilities, and incomes;
- e) provide for a more compact built form and a vibrant public realm including public open spaces;”

The Subject Lands are located within a Community Area by Schedule 1 - Urban Structure of Vaughan Official Plan 2010, Volume 1. The Development makes efficient use of a vacant municipally serviced site zoned “C3 Local Commercial Zone”, within an existing residential community. The Development provides office, institutional (Montessori School) employment opportunities within the existing community. In consideration of the above, the Development conforms with the Growth Plan.

The Development conforms to the York Region Official Plan, 2010

The York Region Official Plan, 2010 (the 'YROP 2010') guides economic, environmental and community building decision making across York Region, and describes how York Region will accommodate future growth and development while meeting the needs of existing residents and businesses.

The Subject Lands are located within the "Urban Area" by Map 1 - Regional Structure of YROP 2010, which permits a range of residential, commercial, employment and institutional uses, subject to additional policy criteria. The Subject Lands are located within an existing community within Block 18 and fronts onto Dufferin Street which is designated as "Special Study Area" by Map 11 - Transit Network, and "Cycling Facilities on Regional Roads and Right-of-Ways" by Map 10 - Regional Cycling Network of YROP 2010.

Chapter 5 Building Cities and Complete Communities of the YROP 2010 states:

"5.2.9 That retail, commercial, office, and institutional structures be carefully designed in a compact form and be pedestrian-oriented, transit-supportive, and multi-storey where appropriate."

The Development contributes to a complete community by providing a compact 2-storey built form that is pedestrian-oriented, cycling supportive with bicycle racks and abuts Dufferin Street, which is served by public transit.

The Development conforms to the policies of Vaughan Official Plan 2010 ('VOP 2010')

The Subject Lands are designated "Low-Rise Mixed-Use" by VOP 2010, which permits a mixed-use development with a maximum building height of 4-storeys and a maximum Floor Space Index ('FSI') of 1.5 times the area of the lot. The "Low-Rise Mixed-Use" designation is generally located on arterial or collector streets which allows for an integrated mix of residential, community and small-scale retail uses intended to serve the local population. The uses permitted include residential units, home occupations, small scale hotels, retail uses, and office uses. The building types permitted within this designated are townhouses, stacked townhouses, low-rise buildings and public and private institutional buildings.

The proposed 2-storey building has an FSI 0.42 times the area of the lot and the office and institutional uses are intended to serve the local population. The Development conforms to the "Low-Rise Mixed-Use" designation and to the policies of VOP 2010.

Amendments to Zoning By-law 1-88 are required to permit the Development

The Subject Lands are zoned "C3 Local Commercial Zone" by Zoning By-law 1-88, as shown on Attachment 2 and subject to site-specific Exception 9(1234), which permits the

proposed Montessori School and office uses. The following site-specific zoning exceptions to the “C3 Local Commercial Zone” are required to permit the Development:

Table 1

	Zoning By-law 1-88 Standard	C3 Local Commercial Zone Requirements, subject to Site- Specific Exception 9(1234)	Proposed Exceptions to the C3 Local Commercial Zone Requirements, subject to Site-Specific Exception 9(1234)
a.	Minimum Front Yard Setback	15 m	7.5 m (Maurier Boulevard)
b.	Minimum Exterior Yard Setback	15 m	- 6 m (site triangle) - 13.4 m (Dufferin Street)
c.	Maximum Lot Coverage	20%	21.4%
d.	Maximum Gross Floor Area	1,860 m ²	1,888 m ²
e.	Required Parking Spaces	1,888 m ² @ 6 spaces per 100 m ²) = 114 spaces	51 spaces
f.	Minimum Required Landscape Strip	6 m	- 0.3 m (outdoor play area) - 1 m (site triangle) - 3 m (Shanty Street)

The Development Planning Department can support the proposed zoning exceptions. The proposed building setbacks and landscaping are appropriate for a local commercial development, facilitate proper on-site functioning and provide an appropriate built form. The proposed additional GFA is considered to be minor in nature.

The Owner has submitted a Traffic Impact and Parking Study (Addendum dated May 13, 2019) which has been reviewed by the Transportation Division of the Development Engineering (‘DE’) Department that concludes 51 parking spaces are adequate to accommodate the Development. The Transportation Division of the Development Engineering Department has no objection to the proposed parking supply.

The Owner will be required to successfully obtain approval of a Minor Variance Application for the required site-specific exceptions to Zoning By-law 1-88 from the Committee of the Adjustment. The Committee's decision regarding the Minor Variance Application shall be final and binding. Should the Site Development Application be approved, the Owner shall satisfy any conditions of approval imposed by the Committee prior to the execution of the implementing Site Plan Agreement. A condition to this effect is included in the Recommendations of this report.

The Development Planning Department supports the Development, subject to the Recommendations in this report

Site Plan

The Development shown on Attachments 2 to 4 includes a 2-storey, 1,888 m² office building with the ground floor being occupied with a Montessori School and the second floor with office uses. An accessory 376.2 m² outdoor play area as shown on Attachment 2 is proposed abutting Maurier Boulevard. Access to the Subject Lands is proposed from Shanty Street. The main entrances to the building are located on the east and north elevations.

Landscape Plan

The landscape plan shown on Attachment 3 includes a mix of vegetation including coniferous and deciduous shrubs, trees, perennials and ornamental grasses. Bike racks are proposed on the Subject Lands adjacent to Dufferin Street. An outdoor play area is proposed at the south side of the building abutting Maurier Boulevard enclosed by a 1.2 m high decorative aluminum fence enclosure.

A gateway feature utilizing hard landscaping and a decorative fence with masonry piers (on the private property) is proposed at the intersection of Dufferin Street and Maurier Boulevard. A portion of this feature (e.g. walkway) is located within York Region's right-of-way must be finalized to the satisfaction of the City of Vaughan and York Region. An encroachment permit from York Region is required for all landscape features located in York Region's right-of-way.

Building Elevations

The proposed building elevations shown on Attachment 4 consist of a slate grey brick façade with a beige/ grey stone banding at the base of the building. The windows incorporate a bird friendly treatment.

Signage

A pylon sign is proposed abutting Dufferin Street. Details of the pylon sign must be to the satisfaction of the Development Planning Department. Building signage is proposed along the north and east wall facades, as shown on Attachment 4.

The Development Planning Department is generally satisfied with the Development shown on Attachments 2 to 4. The final site plan, building elevations, landscape plans, landscape cost estimate and lighting plan, tree inventory and preservation plan, signage details, and lighting plan must be approved by the Development Planning prior to the execution of the Site Plan Agreement. A condition to this effect is included in the Recommendations of this report.

The Vaughan Park Department has no objection to the Development

The Parks Development Department has advised there are no parks concerns respecting the Subject Lands.

The Development Engineering Department has no objection to the Development subject to the Recommendations in this report

The Development Engineering ('DE') Department, has reviewed the Application and advised they have no objection to the Development subject to the conditions in the Recommendations section of this report. The DE Department has identified the following matters to be addressed prior to final approval and the execution of a Site Plan Agreement:

Water and sanitary servicing connections

The Owner is required to contact the Development Inspection and Lot Grading Division directly, upon receipt of Site Plan Approval, to coordinate the proposed works. The watermain within the Subject Lands will be the responsibility of the Owner. The water meter will be owned by the City and shall be purchased from the City's Environmental Services Department by the Owner.

The Owner is required to contact the City of Vaughan Environmental Services directly at least 72 hours in advance of connecting to and/or disconnecting from any municipal water services to ensure that staff is present on site to observe the works and to provide any additional requirements to their sole satisfaction.

City's Right-of-Way

The Owner shall obtain any applicable permits and coordinate all inspections directly through the City's Development Inspection and Lot Grading Division upon receipt of Site Plan Approval for all proposed works within the City's right-of-way (i.e. curb cuts/fills, sidewalk installation, boulevard rehabilitation).

Storm Drainage

The storm control manhole must be relocated within the Subject Lands, within 1 m of the property line.

Stormwater Management

Further information is needed to confirm the infiltration rate and groundwater elevation in the vicinity of the proposed infiltration facility. The location and the design of the infiltration facility should be updated with the verified values (infiltration rate and groundwater elevation). A revised Stormwater Management Compliance Memo and accompanying engineering drawings shall be submitted to the satisfaction of the DE Department. This shall include a comprehensive stormwater analysis of the Development's systems. The revised report shall demonstrate that adequate stormwater management measures are provided for the Subject Lands.

Arband Subdivision

The site grading must match the approved drawings with the adjacent subdivision (Arband Draft Plan of Subdivision File 19T-00V19).

Environmental Engineering

Prior to the execution of the Site Plan Agreement, the Owner shall submit a letter acknowledging that a Record of Site Condition ('RSC') is required.

Transportation Engineering

The Owner has submitted a Parking Study, prepared by the BA Group, in support of the Application which concludes the proposed parking supply (51 spaces) is adequate. The DE Department supports the conclusions of the study.

The DE Department shall approve the final grading plan and erosion sediment control plan, site servicing plan, stormwater management plan, traffic impact and parking study and a record of site condition. A condition to this effect is included in the Recommendations of this report.

The Vaughan Environmental Services Department, Solid Waste Management Division has no objection to the Development

The Vaughan Environmental Services and Waste Management Department has no concerns with the Development.

Development Charges are applicable to the Development

The Owner will be required to pay all applicable development charges in accordance with the development charges by-laws of the City of Vaughan, York Region, York Region District School Board and York Catholic District School Board.

The Owner must enter into the Developers Group Agreement and Cash-in-lieu of the dedication of parkland is required for the Development

The Office of the City Solicitor, Real Estate Department has advised that the Owner shall enter into a Developers Group Agreement with the other participating landowners within Block 18 to the satisfaction of the City. The agreement shall be regarding, but not limited

to, all cost sharing for the provision of parks, cash-in-lieu of parkland, road and municipal services within Block 18. This agreement shall also provide a provision for additional developers to participate with the Developers Group Agreement when they wish to develop their lands.

The City requires a letter from the Block 18 Land Owner's Group Trustee confirming that the Owner is a participating landowner in good standing.

The Toronto and Region Conservation Authority ('TRCA') has no objection to the Development

The Subject Lands are located in a Source Water Protection vulnerable area referred to as Wellhead Protection Area-Q2 ('WHPA-Q'). The area was delineated to help manage activities that may reduce recharge to an aquifer (Prescribed Threat No. 20 under the *Clean Water Act, 2006*) and recommends the implementation of best management practices, such as Low Impact Development, with the goal to maintain pre-development recharge. The TRCA provides advice to the City of Vaughan with respect to water balance analysis. Having reviewed the site-specific water balance assessment submitted in support of the Application, TRCA staff have no objection to the Development.

Canada Post and Utility Companies have no objection to the Development

The Development has been reviewed by Canada Post and various utility companies, who advise they have no objection to the Development.

Financial Impact

N/A

Broader Regional Impacts/Considerations

York Region has no objection to the Development, subject to conditions

The York Region Community Planning and Development Services Department has no objection to the Application, subject to the Owner satisfying York Region's comments. A condition to this effect is included in the Recommendations of this report.

Conclusion

The Development Planning Department has reviewed Site Development File DA.16.065 (Vaughan Court Limited) in consideration of the policies of VOP 2010, the requirements of Zoning By-law 1-88, comments received from City Departments and external public agencies, and the surrounding area context. The Development shown on Attachments 2 to 4 conforms to VOP 2010, is a permitted use by Zoning By-law 1-88 and is appropriate and compatible with the existing and permitted uses in the surrounding area. Should Council approve Site Development File DA.16.065, conditions of approval are included in the Recommendations of this report.

For more information, please contact: Margaret Holyday, Senior Planner, Development Planning Department, ext. 8216.

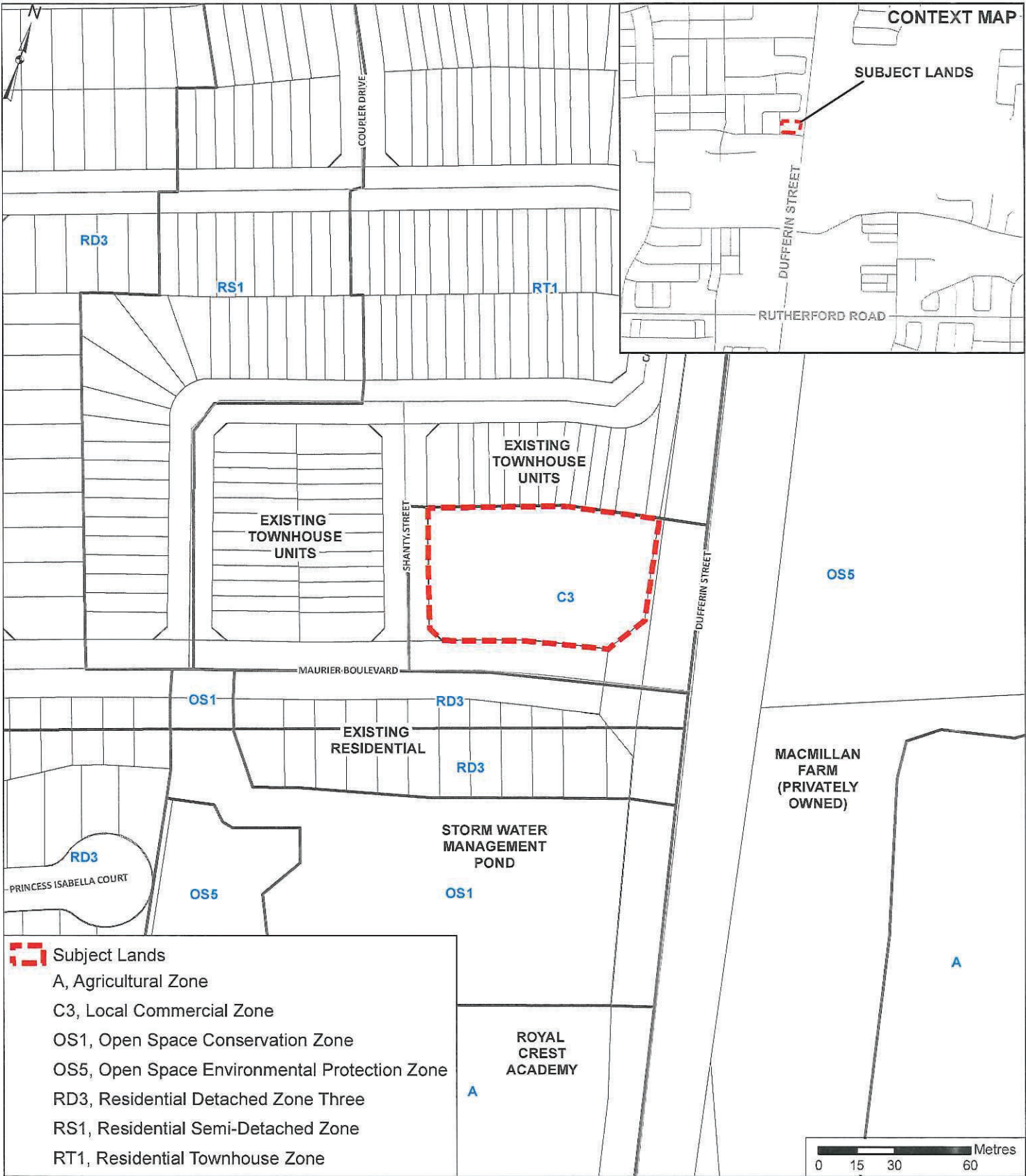
Attachments

1. Location Map
2. Site Plan and Zoning
3. Landscape Plan
4. Building Elevations

Prepared by

Margaret Holyday, Senior Planner, ext. 8216
Nancy Tuckett, Senior Manager of Development Planning, ext. 8529
Mauro Peverini, Director of Development Planning, ext. 8409

/LG



Location Map

LOCATION:
Part of Lot 18, Concession 3

APPLICANT:
Vaughan Court Limited

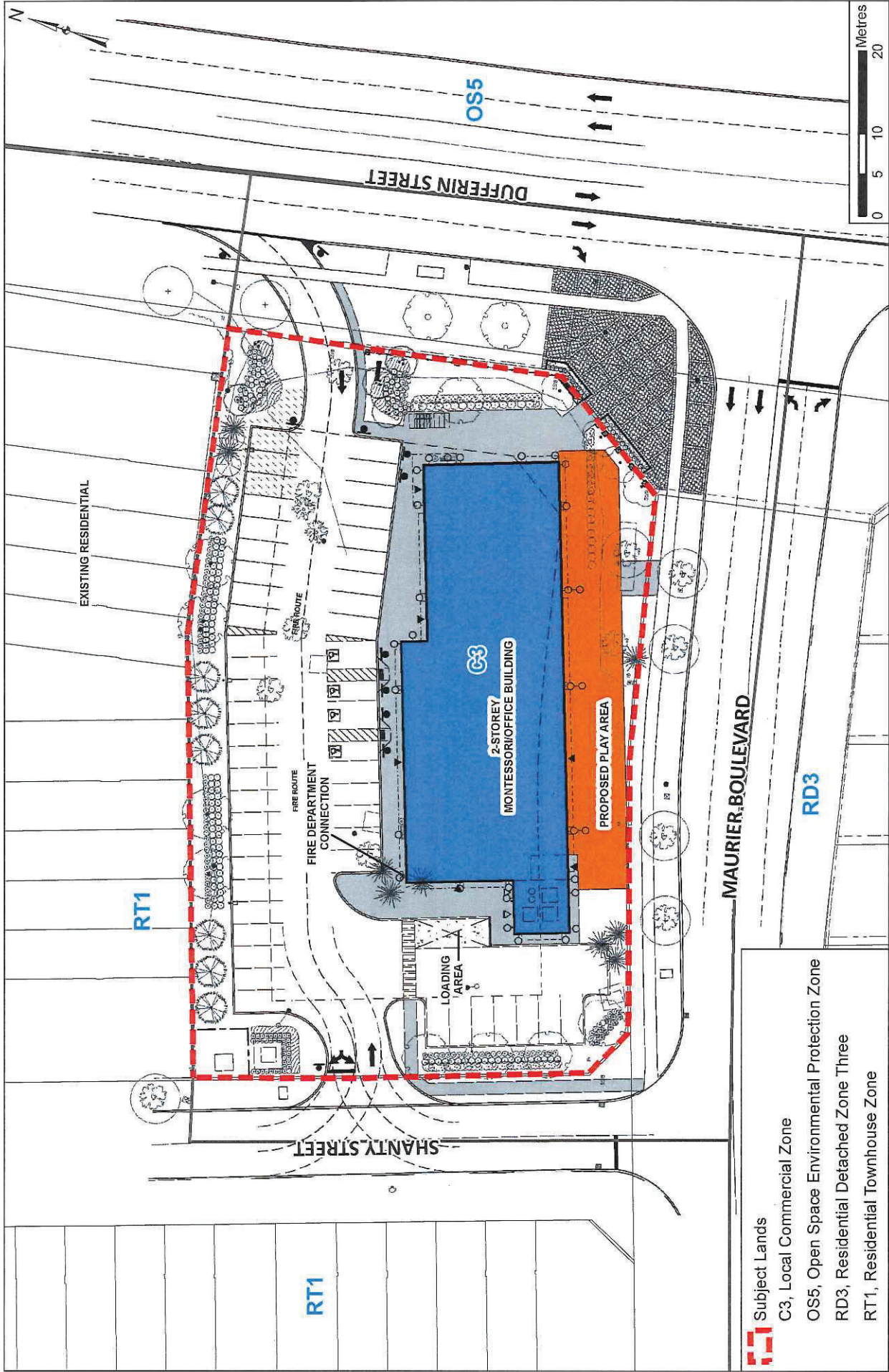


Attachment

FILE:
DA.16.065

DATE:
June 4, 2019

1



- Subject Lands
- C3, Local Commercial Zone
- OS5, Open Space Environmental Protection Zone
- RD3, Residential Detached Zone Three
- RT1, Residential Townhouse Zone

Site Plan and Zoning

LOCATION:
Part of Lot 18, Concession 3

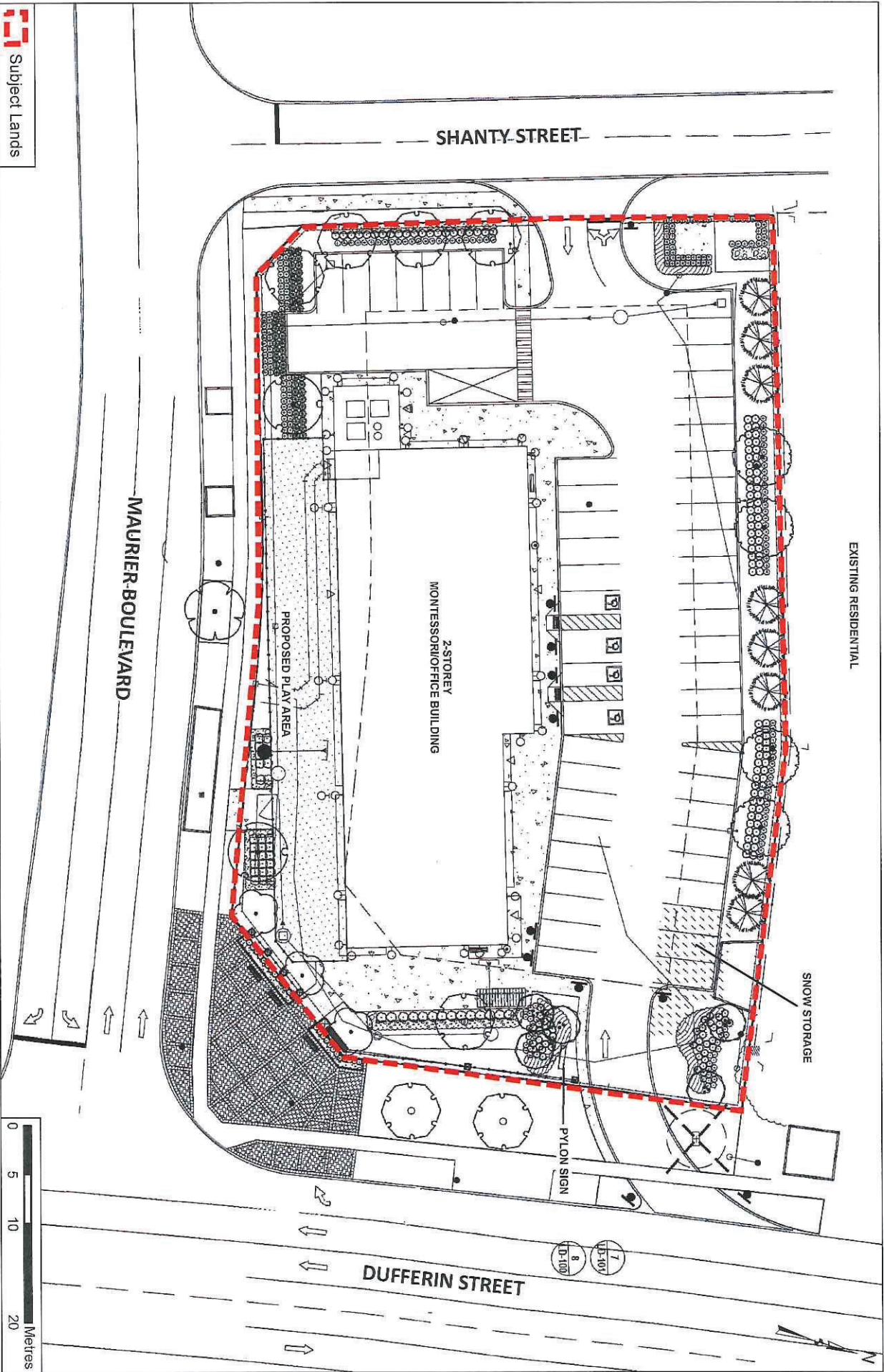
APPLICANT:
Vaughan Court Limited

Attachment

FILE:
DA.16.065

DATE:
June 4, 2019

2



 Subject Lands

Landscape Plan

LOCATION:

Part of Lot 18, Concession 3

APPLICANT:

Vaughan Court Limited

Attachment

FILE:

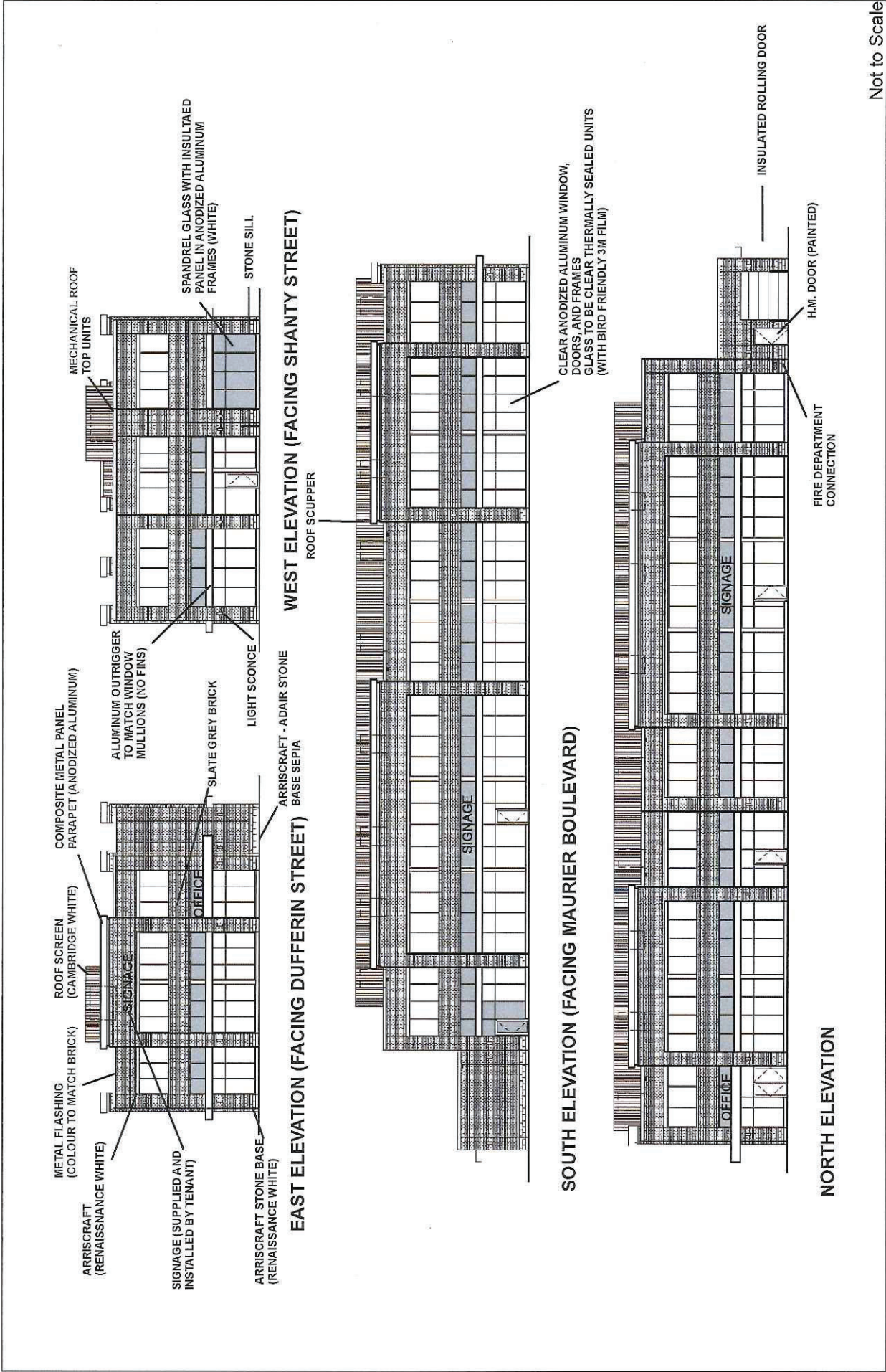
DA.16.065

DATE:

June 4, 2019

3





Not to Scale

Building Elevations

LOCATION:
Part of Lot 18, Concession 3

APPLICANT:
Vaughan Court Limited

Attachment

FILE:
DA.16.065
DATE:
June 4, 2019

4

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



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: A085/19 - Request for Comments
Attachments: A085-19 - Circ.pdf

From: Wong, Tiffany <Tiffany.Wong@york.ca>
Sent: July-10-19 11:36 AM
To: Committee of Adjustment <CofA@vaughan.ca>
Subject: FW: A085/19 - Request for Comments

Hello Adriana,

The Regional Municipality of York has completed its review of the above Minor Variance Application-A085/19(9630 Dufferin Street) and has no comments. Please feel free to e-mail me in regards to any questions or concerns.

Thank you,
Tiffany Wong, B.E.S. | Associate Planner, Programs and Process Improvement,
Planning and Economic Development, Corporate Services

The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1
1-877-464-9675 ext. 71521 | tiffany.wong@york.ca | www.york.ca
Our Values: Integrity, Commitment, Accountability, Respect, Excellence



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