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MAY 8, 2014

VAUGHAN COMMITTEE
OF ADJUSTMENT

DATE: May 8, 2014 REVISED

TO: Todd Coles, Committee of Adjustment

FROM: Grant Uyeyama, Interim Director of Planning, and Director of Development Planning

MEETING DATE: May 15, 2014

OWNER: Melruth Development Corporation
FILE(S): A105/14

**ADDENDUM
AGENDA ITEM**

#19

COMMITTEE OF ADJUSTMENT

Location: Part 2 of Registered Survey 65R-30880, Rutherford Road Ward 1, Vicinity of Rutherford Road and Melville Avenue

Proposal: The owner is requesting permission to construct a commercial/office development with the following variances:

	Variance	Previously Approved A324/08	Proposed	Required
1	Minimum number of parking spaces		231	529
2	Minimum landscape strip width along a lot line abutting a street (Melville Avenue and Rutherford Road)	4.5 m	4.5 m	6.0 m
3	Minimum landscape strip width along a lot line abutting a street (Rutherford Road, in front of Building "D")		3.5 m	6.0 m
4	Minimum setback to Building "A" (Melville Avenue)	6.0 m	6.5 m	11.0 m
5	Minimum setback to Building "E" (Melville Avenue)	6.9 m	4.5 m	11.0 m
6	Minimum front yard setback to Building "C" (Rutherford Road)		6.0 m	11.0 m
7	Minimum setback to an institutional use (Building "B")		12.3 m	15.0 m
8	Uses permitted within the		Outdoor patio use	Landscape strip to be

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	required landscape strip abutting Rutherford Road		within the landscape strip	used for no other purpose than landscaping
9	Minimum interior side yard setback to Building "D"	4.0 m	2.5 m	11.0 m
10	Minimum interior side yard setback to Building "E"	6.8 m	4.0 m	11.0 m
11	Minimum rear yard setback to Building "B"	7.9 m	12.3 m	15.0 m
12	Minimum width of drive-through stacking lane		3.0 m	3.5 m

Official Plan:

The subject lands are designated "Community Commercial Centre" by in-effect Official Plan #350 (Maple Community Plan), as amended by OPA #613. The subject lands are also designated "Employment Commercial Mixed Use" by the new City of Vaughan Official Plan 2010 (VOP 2010), which was approved, in part, by the Ontario Municipal Board on February 3, 2014.

Comments:

The owner has submitted concurrent Site Development File DA.13.093 to facilitate a five building commercial development. Vaughan Council approved the application on March 18, 2014. Committee of Adjustment approved similar variances on the subject site in 2008, prior to the submission of the current Site Development File. The Planning Department has no objections to the proposed variances.

The Vaughan Development/Transportation Engineering Department has no objection to the reduction in parking space requirements (Variance #1) or the reduction in the width of the drive-through stacking lane (Variance #12), and accordingly, the Planning Department has no objection.

The Planning Department has no objection to the reduced setback to an institutional use (Variance #7) and minimum rear yard setback (Variance #11), as Building "B" is located along the CN pullback track on an existing earth berm, and the impact on the adjacent property is minor.

The Planning Department has no objection to Variances #2 and #3. The width of the landscape strip in front of Building "D" is proposed to accommodate a row of parking and an internal access driveway parallel to Rutherford Road connecting the subject lands to the existing gas station property to the west. A 1.0 m high masonry wall consistent with the existing decorative wall on the adjacent gas station development is proposed along Rutherford Road in front of Building "D" to screen the parking. The Planning Department can support the variance provided sufficient planting is provided to screen the parking area. The final approval of the landscape plan is a condition of approval for the concurrent Site Development File.

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The owner is proposing to reduce the setback from Building “A” to Melville Avenue (Variance #4), the setback from Building “E” to Melville Avenue (Variance #5), and the setback from Building “C” to Rutherford Road (Variance #6), which will result in a built form that is located closer to the street while still providing sufficient space for landscaping. The Planning Department has no objection to Variances #4 - #6.

The Planning Department is of the opinion that the proposal is minor in nature, meets the intent of the Zoning By-law, and is desirable for the appropriate development of the land.

Recommendation: The Planning Department supports Minor Variance Application A105/14.

Condition(s): None.

Report Prepared By: Gillian McGinnis, Planner 1
Christina Napoli, Senior Planner

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