

**COMMITTEE OF THE WHOLE SEPTEMBER 15, 2003**

**ONTARIO MUNICIPAL BOARD HEARING  
VARIANCE APPLICATION FILE A142/03  
SITE DEVELOPMENT APPLICATION DA.02.050  
RUTHERFORD COMMERCIAL HOLDINGS LTD.**

**Recommendation**

The Commissioner of Planning recommends:

THAT Council provide direction with respect to the City's position on an appeal of the Committee of Adjustment's refusal of Variance Application A142/03 (Rutherford Commercial Holdings Ltd.) and the appeal of Site Development Application DA.02.050 (Rutherford Commercial Holdings Ltd.).

**Purpose**

To seek direction from Council with respect to Staff's attendance at the Ontario Municipal Board (OMB) hearing scheduled for September 30, 2003.

**Background - Analysis and Options**

The site is located at the northeast corner of Weston Road and Rutherford Road, being Block 37, Registered Plan 65M-3373, in Lot 16, Concession 5, City of Vaughan. The lands are designated "Neighbourhood Commercial Centre" by OPA 600 and zoned C4 Neighbourhood Commercial by By-law 1-88.

On May 29, 2003, the Committee of Adjustment considered variances to permit a commercial retail campus, comprised of a supermarket, an eating establishment, retail stores and a financial institution with a proposed drive-through. Variances are required for the number of parking spaces, loading between a building and a street, and to permit a drive-through associated with a bank or financial institution.

The related site plan application for the commercial development was submitted in August 2002. The site plan was reviewed for conformity with the approved architectural design guidelines for the Vellore Woods Community. The site planning and landscaping issues had not been fully resolved by the time the variances were to be considered by the Committee of Adjustment. As such, Staff recommended that Application A142/03 be adjourned, pending Council approval of the related site plan.

Site Development Application DA.02.050 was approved by Council on June 23, 2003. The proposed variances are required to implement the approved site plan.

**Conclusion**

Planning Staff is now in the position to support Variance Application A142/03 since the issues have been resolved, and Council approved Site Development Application DA.02.050 on June 23, 2003. The matters are scheduled to proceed to the OMB on September 30, 2003, and Council's direction is requested.

**Attachments**

1. Location Map
2. Site Plan

**Report prepared by:**

Glenn White, Planner, ext. 8213

Todd Coles, Planner, ext. 8634

Marco Ramunno, Manager of Development Planning, ext. 8485

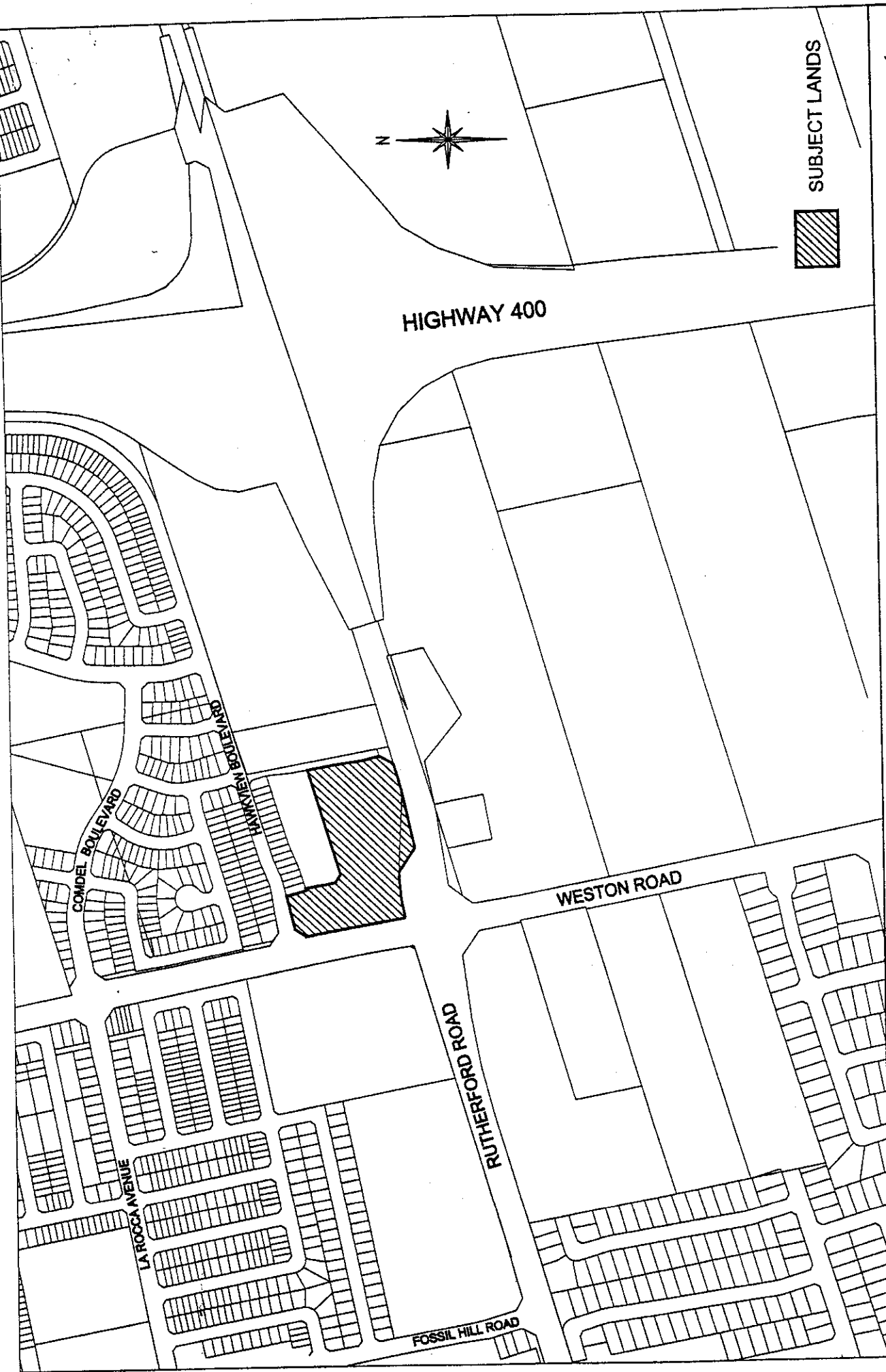
Respectfully submitted,

MICHAEL DeANGELIS  
Commissioner of Planning

JOANNE R. ARBOUR  
Director of Community Planning

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 SUBJECT LANDS

# Attachment **1**

FILE No.:  
DA.02.050  
December 20, 2002  
Not to Scale

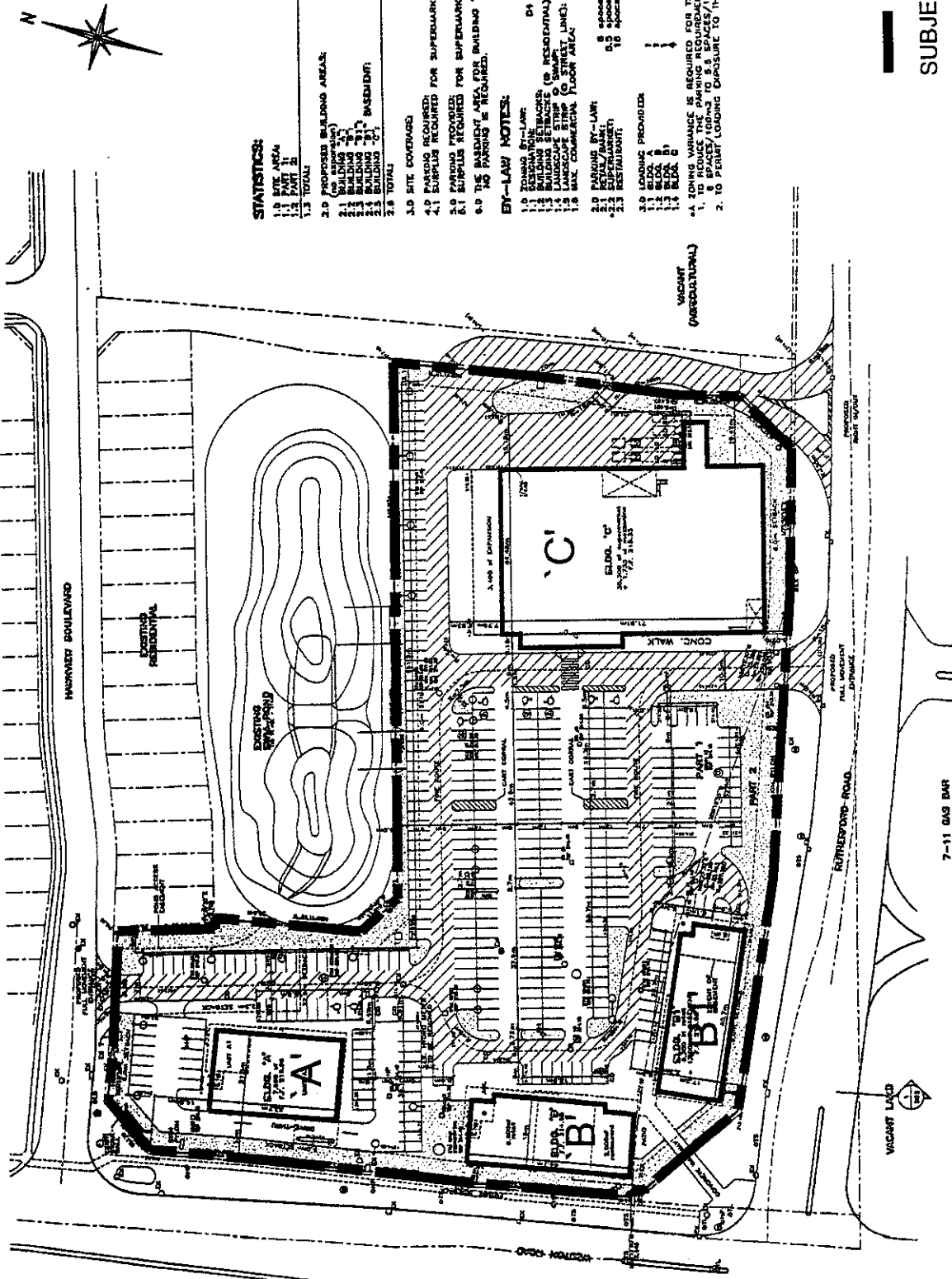
City of  
**Vaughan**

Community Planning Department

## Location Map

Lot 16,  
Concession 5

APPLICANT:  
RUTHERFORD COMMERCIAL  
HOLDINGS LIMITED



**STATISTICS:**

1.0 SITE AREA	2.42 AC.	5.99 acres
1.1 PART 1	0.83 AC.	0.83 acres
1.2 PART 2	0.83 AC.	0.83 acres
1.3 TOTAL	2.42 AC.	5.99 acres
2.0 PROPOSED BUILDING AREAS		
2.1 BUILDING A	708 sq. ft.	7,800 sq. ft.
2.2 BUILDING B	798 sq. ft.	8,400 sq. ft.
2.3 BUILDING C	771 sq. ft.	8,400 sq. ft.
2.4 BUILDING D	3,441 sq. ft.	37,203 sq. ft.
2.5 BUILDING E	3,441 sq. ft.	37,203 sq. ft.
2.6 TOTAL	8,169 sq. ft.	88,006 sq. ft.

- 3.0 SITE COVERAGE 22.1%
- 4.0 PARKING PROVIDED FOR SUPERMARKET EXPANSION 348 spaces
- 4.1 SURPLUS REQUIRED FOR SUPERMARKET EXPANSION +10 spaces
- 5.0 PARKING PROVIDED FOR SUPERMARKET EXPANSION 384 spaces
- 5.1 SURPLUS REQUIRED FOR SUPERMARKET EXPANSION +18 spaces
- 6.0 THE BASEMENT AREA FOR BUILDING "B" IS NOT USED FOR RETAIL. NO PARKING IS REQUIRED.

**BY-LAW NOTES:**

- 1.0 ZONING BY-LAW: D4 NEIGHBOURHOOD COMMERCIAL
- 1.1 SIGNAGE: 18 RESIDENTIAL
- 1.2 BUILDING SETBACKS: 18 RESIDENTIAL
- 1.3 LAUNDRY: 18 RESIDENTIAL
- 1.4 LANDSCAPE STRIP: 18 RESIDENTIAL
- 1.5 MAX. COMPLEXION: 18 RESIDENTIAL
- 2.0 PARKING BY-LAW: 8 spaces/1000 sq. ft. D.F.A. = 118 spaces
- 2.1 SUPERMARKET: 0.5 spaces/1000 sq. ft. D.F.A. = 180 spaces
- 2.2 RESTAURANT: 1.5 spaces/1000 sq. ft. D.F.A. = 148 spaces
- 2.3 TOTAL: 20,000 sq. ft. D.F.A. = 446 spaces

\*A ZONING VARIANCE IS REQUIRED FOR THE FOLLOWING:  
 1. TO REDUCE THE PARKING REQUIREMENTS FOR THE PROPOSED SUPERMARKET.  
 2. TO PERMIT LOADING EXPOSURE TO THE STREET.

**SUBJECT LANDS**

**Attachment 2**  
 FILE No.: DA.02.050  
 December 20, 2002  
 Not to Scale

City of **Vaughan**  
 Community Planning Department

**Site Plan**  
 Lot 16,  
 Concession 5  
 APPLICANT:  
 RUTHERFORD COMMERCIAL  
 HOLDINGS LIMITED