

<b>ITEM #: 6.1</b>	<b>COMMITTEE OF ADJUSTMENT REPORT CONSENT APPLICATION B011/22 4850 King-Vaughan Road, Woodbridge</b>
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**COA REPORT SUMMARY**

**THIS REPORT CONTAINS COMMENTS FROM THE FOLLOWING  
DEPARTMENTS & AGENCIES:**

*\*Please see **Schedule B** of this report for a copy of Staff and Agency correspondence.*

*Additional comments from departments and agencies may be received after the publication of the Staff Report. These comments will be processed as an addendum and posted on the City's Website.*

DEPARTMENTS	Circulated	Comments Received	Conditions	Nature of Comments
Committee of Adjustment	X	X	X	General Comments
Building Standards -Zoning Review <i>*Schedule B</i>	X	X	X	General Comments
Building Inspection (Septic)	X			No Comments Recieved to Date
Development Planning <i>*Schedule B</i>	X			Application Under Review
Development Engineering	X	X	X	Recommend Approval w/Conditions
Parks, Forestry and Horticulture Operations	X			No Comments or Concerns
By-law & Compliance, Licensing & Permits	X			No Comments Recieved to Date
Development Finance	X	X	X	Recommend Approval w/Conditions
Real Estate	X			
Fire Department	X			No Comments Recieved to Date
AGENCIES	Circulated	Comments Received	Conditions	Nature of Comments
TRCA <i>*Schedule B</i>	X			General Comments
Ministry of Transportation (MTO) <i>*Schedule B</i>	X			No Comments Recieved to Date
Region of York <i>*Schedule B</i>	X	X		General Comments
Alectra <i>*Schedule B</i>	X	X		General Comments
Bell Canada <i>*Schedule B</i>	X			No Comments Recieved to Date
YRDSB <i>*Schedule B</i>				
YCDSB <i>*Schedule B</i>				
CN Rail <i>*Schedule B</i>				
CP Rail <i>*Schedule B</i>				
TransCanada Pipeline <i>*Schedule B</i>	X			No Comments Recieved to Date
Metrolinx <i>*Schedule B</i>				
Propane Operator <i>*Schedule B</i>				

PUBLIC & APPLICANT CORRESPONDENCE				
<i>*Please see <b>Schedule C</b> of this report for a copy of the public &amp; applicant correspondence listed below.</i>				
The deadline to submit public comments is <b>noon on the last business day prior to the scheduled hearing date.</b>				
Comments and written public submissions received after the publication of this Staff Report will be processed as an addendum and posted on the City's Website.				
All personal information collected because of this public meeting (including both written and oral submissions) 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.				
Correspondence Type	Name	Address	Date Received (mm/dd/yyyy)	Summary
Applicant / Authorized Agent	Bousfields Inc. (Michael Bissett)		05/02/2022	Planning Justification Report

PREVIOUS COA DECISIONS ON THE SUBJECT LAND		
*Please see <b>Schedule D</b> for a copy of the Decisions listed below		
File Number	Date of Decision MM/DD/YYYY	Decision Outcome
None		

ADJOURNMENT HISTORY	
* Previous hearing dates where this application was adjourned by the Committee and public notice issued.	
None	

	<p align="center"><b>COMMITTEE OF ADJUSTMENT REPORT CONSENT APPLICATION B011/22 4850 King-Vaughan Rd Vaughan ON</b></p>
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**FILE MANAGER:** Lenore Providence, Administrative Coordinator - Committee of Adjustment

ITEM NUMBER: 6.1	CITY WARD #: 1
APPLICANT:	The Estate of Teresa Montemarano, Saverio Montemarano and Giuseppina Cipollone
AGENT:	Bousfields Inc. (Michael Bissett)
PROPERTY:	4850 King-Vaughan Road, Vaughan
ZONING DESIGNATION:	See below.
VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:	Vaughan Official Plan 2010 ("VOP 2010"): "Agricultural" and "Natural Areas"
RELATED DEVELOPMENT APPLICATIONS:	A171/22 & A201/22
PURPOSE OF APPLICATION:	<p>Consent is being requested to sever a parcel of land for residential purposes, as a lot addition, to be merged on title with the abutting lands to the south, municipally known as 4840 King-Vaughan Road (shown as Part 3 on the draft plan), reserving an easement for access (vehicular and pedestrian) over the severed (servient) land (Part 4) in favour of the retained (dominant) land (Part 1).</p> <p>The lands to be severed are approximately 4,686 square metres (Part 2 and 4 on the draft plan). The retained parcel of land (Part 1) is approximately 175,730 square meters has frontage onto King Vaughan Road. The easement is being requested to provide access over the existing shared driveway to the two existing homes on the existing parcels.</p>

HEARING INFORMATION
<p><b>DATE OF MEETING:</b> Thursday, September 22, 2022  <b>TIME:</b> 6:00 p.m.  <b>MEETING LOCATION:</b> Vaughan City Hall, Council Chamber, 2141 Major Mackenzie Drive, Vaughan  <b>LIVE STREAM LINK:</b> <a href="http://Vaughan.ca/LiveCouncil">Vaughan.ca/LiveCouncil</a></p>
<p align="center"><b>PUBLIC PARTICIPATION</b></p> <p>If you would like to speak to the Committee of Adjustment at the meeting, either remotely or in person, please complete the <a href="#">Request to Speak Form</a> and submit to <a href="mailto:cofa@vaughan.ca">cofa@vaughan.ca</a>  If you would like to submit written comments, please quote file number above and submit by mail or email to:  <b>Email:</b> <a href="mailto:cofa@vaughan.ca">cofa@vaughan.ca</a></p> <p><b>Mail:</b> City of Vaughan, Office of the City Clerk, Committee of Adjustment, 2141 Major Mackenzie Drive, Vaughan, ON, L6A 1T1</p> <p align="center"><b>THE DEADLINE TO REGISTER TO SPEAK OR SUBMIT WRITTEN COMMENTS ON THE ABOVE NOTED FILE(S) IS NOON ON THE LAST BUSINESS DAY BEFORE THE MEETING.</b></p>

INTRODUCTION
<p>Staff and Agencies act as advisory bodies to the Committee of Adjustment. The comments contained in this report are presented as recommendations to the Committee.</p> <p>The Planning Act sets the standard to which provincial interests, provincial and local policies and goals are implemented. Accordingly, review of this application considers the following:</p> <ul style="list-style-type: none"> <li>✓ Conformity to Section 51(24) as required by Section 53(12) of the Planning Act.</li> <li>✓ Conformity to the City of Vaughan Official Plan.</li> <li>✓ Conformity to the Provincial Policy Statements as required by Section 3 (1) of the Planning Act.</li> </ul>

INTRODUCTION	
Public written and oral submissions relating to this application are taken into consideration by the Committee of Adjustment as part of its deliberations and final decision on this matter.	

COMMITTEE OF ADJUSTMENT COMMENTS	
Date Public Notice Mailed:	September 8, 2022
Date Applicant Confirmed Posting of Sign:	September 6, 2022
Adjournment Requests (from staff): <small>*Adjournment requests provided to applicant prior to issuance of public notice</small>	None
Was a Zoning Review Waiver (ZRW) Form submitted by Applicant: <small>*ZRW Form may be used by applicant in instances where a revised submission is made, and zoning staff do not have an opportunity to review and confirm variances prior to the issuance of public notice.</small>  <small>*A revised submission may be required to address staff / agency comments received as part of the application review process.</small>  <small>*Where a zoning review has not been completed on a revised submission, an opportunity is provided to the applicant to adjourn the proposal prior to the issuance of public notice.</small>	No
Adjournment Fees: In accordance with Procedural By-law 069-2019, an Adjournment Fee is applicable to reschedule an application after the issuance of public notice where a request for adjournment has been provided to the applicant prior to the issuance of public notice.  An Adjournment Fee can only be waived in instances where adjournment of an application is requested by the Committee or staff after the issuance of public notice.	
Committee of Adjustment Comments:	None
Committee of Adjustment Recommended Conditions of Approval:	1. That the applicant's solicitor confirm the legal description of both the severed and retained land. 2. That the applicant provides two (2) full size copies of the deposited plan of reference of the entire land which conforms substantially with the application as submitted. 3. That the applicant provide an electronic copy of the deposited reference plan to cofa@vaughan.ca 4. Payment of the Certificate Fee as provided on the City of Vaughan's Committee of Adjustment Fee Schedule. 5. That Minor Variance Applications A171/22 & A201/22 are approved by the Committee of Adjustment and become final and binding.

BUILDING STANDARDS (ZONING) COMMENTS	
**See Schedule B for Building Standards (Zoning) Comments.	
Building Standards Recommended Conditions of Approval:	None

DEVELOPMENT PLANNING COMMENTS	
**See Schedule B for Development Planning Comments.	
Development Planning Recommended Conditions of Approval:	

DEVELOPMENT ENGINEERING COMMENTS	
<a href="#">Link to Grading Permit</a> <a href="#">Link to Pool Permit</a> <a href="#">Link to Curb Curt Permit</a> <a href="#">Link Culvert Installation</a>	
The Development Engineering (DE) Department does not object to consent application B011/22 subject to the following condition(s):	
Development Engineering Recommended Conditions of Approval:	1. The Owner/applicant shall prepare and register a reference plan at their expense showing all easements to the satisfaction of Development Engineering Department (DE) for the Subject Lands applicable to the Consent Application. The Owner/applicant shall submit a draft reference plan to DE for review prior to deposit with the Land Registry.

DEVELOPMENT ENGINEERING COMMENTS	
<a href="#">Link to Grading Permit</a> <a href="#">Link to Pool Permit</a> <a href="#">Link to Curb Curt Permit</a> <a href="#">Link Culvert Installation</a>	
	The Owner/applicant shall submit the deposited reference plan to DE in order to clear this condition. 2. The Owner/applicant shall provide proof of an agreement or easement documents between the property owners of the severed and retained lands including sufficient language to clearly describe the nature of the shared servicing and /or access easements, all to the satisfaction of Development Engineering. The easement agreement should indicate that the owners are responsible to ensure proper maintenance and repairs in the easement.

PARKS, FORESTRY & HORTICULTURE (PFH) COMMENTS	
Parks: Forestry: Horticulture:	
<b>PFH Recommended Conditions of Approval:</b>	None

DEVELOPMENT FINANCE COMMENTS	
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 Area Specific Development Charges are payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and Area Specific Development Charge By-laws in effect at time of payment.	
<b>Development Finance Recommended Conditions of Approval:</b>	The owner shall pay all property taxes as levied. Payment is to be made by certified cheque, to the satisfaction of the City of Vaughan Financial Planning and Development Finance Department (contact Nelson Pereira to have this condition cleared).

BY-LAW AND COMPLIANCE, LICENSING AND PERMIT SERVICES COMMENTS	
No comments received to date.	
<b>BCLPS Recommended Conditions of Approval:</b>	None

BUILDING INSPECTION (SEPTIC) COMMENTS	
No comments received to date.	
None	None

FIRE DEPARTMENT COMMENTS	
No comments received to date.	
None	None

SCHEDULES TO STAFF REPORT	
*See Schedule for list of correspondence	
<b>Schedule A</b>	Drawings & Plans Submitted with the Application
<b>Schedule B</b>	Staff & Agency Comments
<b>Schedule C</b> (if required)	Correspondence (Received from Public & Applicant)
<b>Schedule D</b> (if required)	Previous COA Decisions on the Subject Land

Should the Committee find it appropriate to approve this application, the following conditions have been recommended:

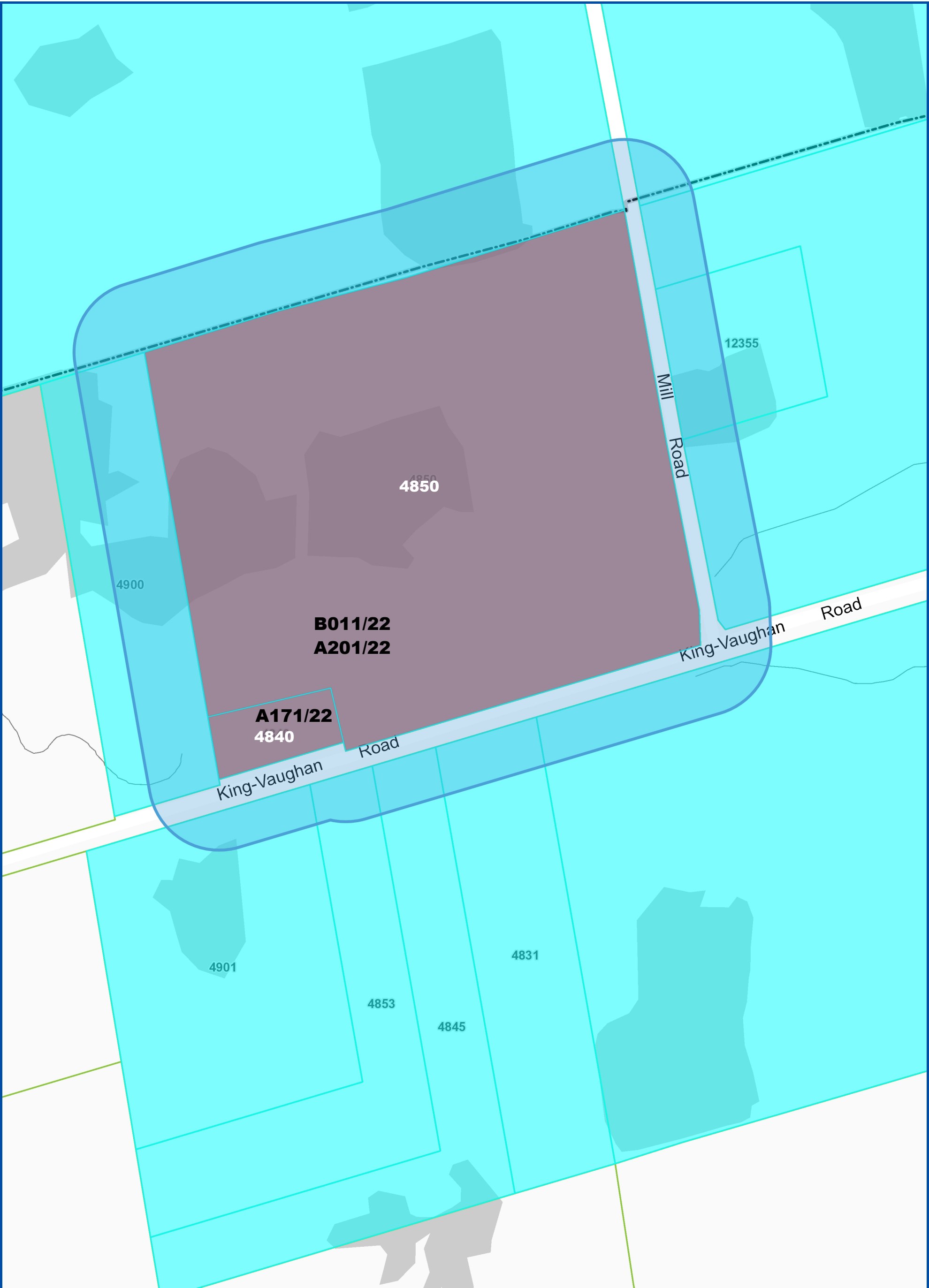
SUMMARY OF RECOMMENDED CONDITIONS OF APPROVAL		
All conditions of approval, unless otherwise stated, are considered to be incorporated into the approval “if required”. If a condition is no longer required after an approval is final and binding, the condition may be waived by the respective department or agency requesting conditional approval. A condition cannot be waived without written consent from the respective department or agency.		
#	DEPARTMENT / AGENCY	CONDITION(S) DESCRIPTION
1	Committee of Adjustment <a href="mailto:christine.vigneault@vaughan.ca">christine.vigneault@vaughan.ca</a>	<div>1. That the applicant’s solicitor confirm the legal description of both the severed and retained land.</div> <div>2. That the applicant provides two (2) full size copies of the deposited plan of reference of the entire land which conforms substantially with the application as submitted.</div> <div>3. That the applicant provide an electronic copy of the deposited reference plan to <a href="mailto:cofa@vaughan.ca">cofa@vaughan.ca</a></div> <div>4. Payment of the Certificate Fee as provided on the City of Vaughan’s Committee of Adjustment Fee Schedule.</div> <div>That Minor Variance Applications A171/22 &amp; A201/22 are approved by the Committee of Adjustment and become final and binding.</div>
2	Development Planning <a href="mailto:Joshua.cipolletta@vaughan.ca">Joshua.cipolletta@vaughan.ca</a>	Application under review.
3	Development Engineering <a href="mailto:farzana.khan@vaughan.ca">farzana.khan@vaughan.ca</a>	<div>1. The Owner/applicant shall prepare and register a reference plan at their expense showing all easements to the satisfaction of Development Engineering Department (DE) for the Subject Lands applicable to the Consent Application. The Owner/applicant shall submit a draft reference plan to DE for review prior to deposit with the Land Registry. The Owner/applicant shall submit the deposited reference plan to DE in order to clear this condition.</div> <div>2. The Owner/applicant shall provide proof of an agreement or easement documents between the property owners of the severed and retained lands including sufficient language to clearly describe the nature of the shared servicing and /or access easements, all to the satisfaction of Development Engineering. The easement agreement should indicate that the owners are responsible to ensure proper maintenance and repairs in the easement.</div>
4	Development Finance <a href="mailto:nelson.pereira@vaughan.ca">nelson.pereira@vaughan.ca</a>	The owner shall pay all property taxes as levied. Payment is to be made by certified cheque, to the satisfaction of the City of Vaughan Financial Planning and Development Finance Department (contact Nelson Pereira to have this condition cleared).

IMPORTANT INFORMATION – PLEASE READ
<b>CONDITIONS:</b> Conditions must be fulfilled within <b>two years</b> from the date of the giving of the Notice of Decision, failing which this application shall thereupon be deemed to be refused. No extension to the last day for fulfilling conditions is permissible.
<b>DEVELOPMENT CHARGES:</b> 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.

IMPORTANT INFORMATION – PLEASE READ
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.
<b>NOTICE OF DECISION:</b> If you wish to be notified of the decision in respect to this application or a related Ontario Land Tribunal (OLT) 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 <b>not</b> receive notice.

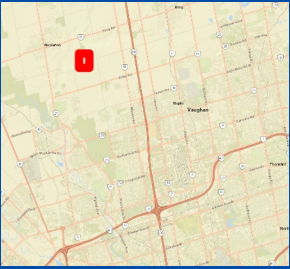
**SCHEDULE A: DRAWINGS & PLANS**





PINE VALLEY DRIVE

Map Information:



Title: 4840 & 4850 KING-VAUGHAN ROAD,  
WOODBIDGE

NOTIFICATION MAP  
B011/22, A171/22 & A201/22

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.



Scale: 1: 4,514  
0 0.07 km



Created By:  
Infrastructure Delivery  
Department  
September 7, 2022 12:29 PM

Projection:  
NAD 83  
UTM Zone  
17N



SCHEDULE			
PART	LOT	CONCESSION	PIN
1			175730
2	PART OF 1		03362-0127
3			6470
4			1123

PLAN OF SURVEY OF  
PART OF LOT 1,  
CONCESSION 7,  
GEOGRAPHIC TOWNSHIP OF VAUGHAN  
CITY OF VAUGHAN  
REGIONAL MUNICIPALITY OF YORK

SCALE 1 : 750 METRES  
0 15 30 60  
THE INTENDED PLOT SIZE OF THIS PLAN IS 914MM  
IN WIDTH BY 662MM IN HEIGHT  
A SCALE OF 1:750 WHEN PLOTTED AT

- LEGEND**
- DENOTES SURVEY MONUMENT FOUND
  - DENOTES SURVEY MONUMENT SET
  - SSB DENOTES SHORT STANDARD IRON BAR
  - SB DENOTES STANDARD IRON BAR
  - SBP DENOTES PLASTIC BAR
  - PB DENOTES PLASTIC BAR
  - CP DENOTES CONCRETE PIN
  - φ DENOTES ROUND
  - WIT DENOTES WITNESS
  - M DENOTES MEASURED

**BEARING NOTES**  
BEARINGS ARE UTM GRID. DERIVED FROM OBSERVED REFERENCE POINTS A AND B, BY REAL TIME NETWORK OBSERVATIONS, UTM ZONE 17 (81° WEST LONGITUDE), NAD83(CRS)(2011).  
FOR BEARING COMPARISONS, THE FOLLOWING ROTATIONS WERE APPLIED: P1P2P3 - 0°00'00" COUNTER-CLOCKWISE

**DISTANCE NOTES - METRIC**  
DISTANCES ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.  
DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.9989\*\*\*.

**SURVEYOR'S CERTIFICATE**

I CERTIFY THAT THE PLAN AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT AND THE REGULATIONS MADE UNDER THEM.

1. THIS SURVEY IS IN ACCORDANCE WITH THE SURVEY ACT AND THE REGULATIONS MADE UNDER THEM.

2. THE SURVEY WAS COMPLETED ON (FIELD NOTE DATE).  
**DRAFT**

(SIGNATURE DATE) \*\*\*. O.L.S.  
DATE  
THIS PLAN OF SURVEY RELATES TO AOLS PLAN  
SUBMISSION FORM NUMBER #####

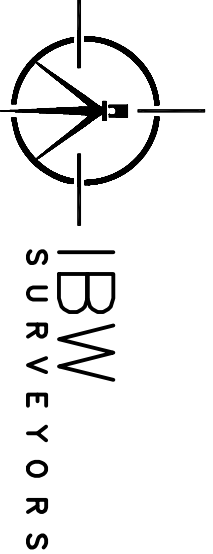
**INTEGRATION DATA**

GENERATED REFERENCE POINTS DERIVED FROM GPS OBSERVATIONS USING A REAL TIME NETWORK OBSERVATIONS, UTM ZONE 17 (81° WEST LONGITUDE), NAD83(CRS)(2011).

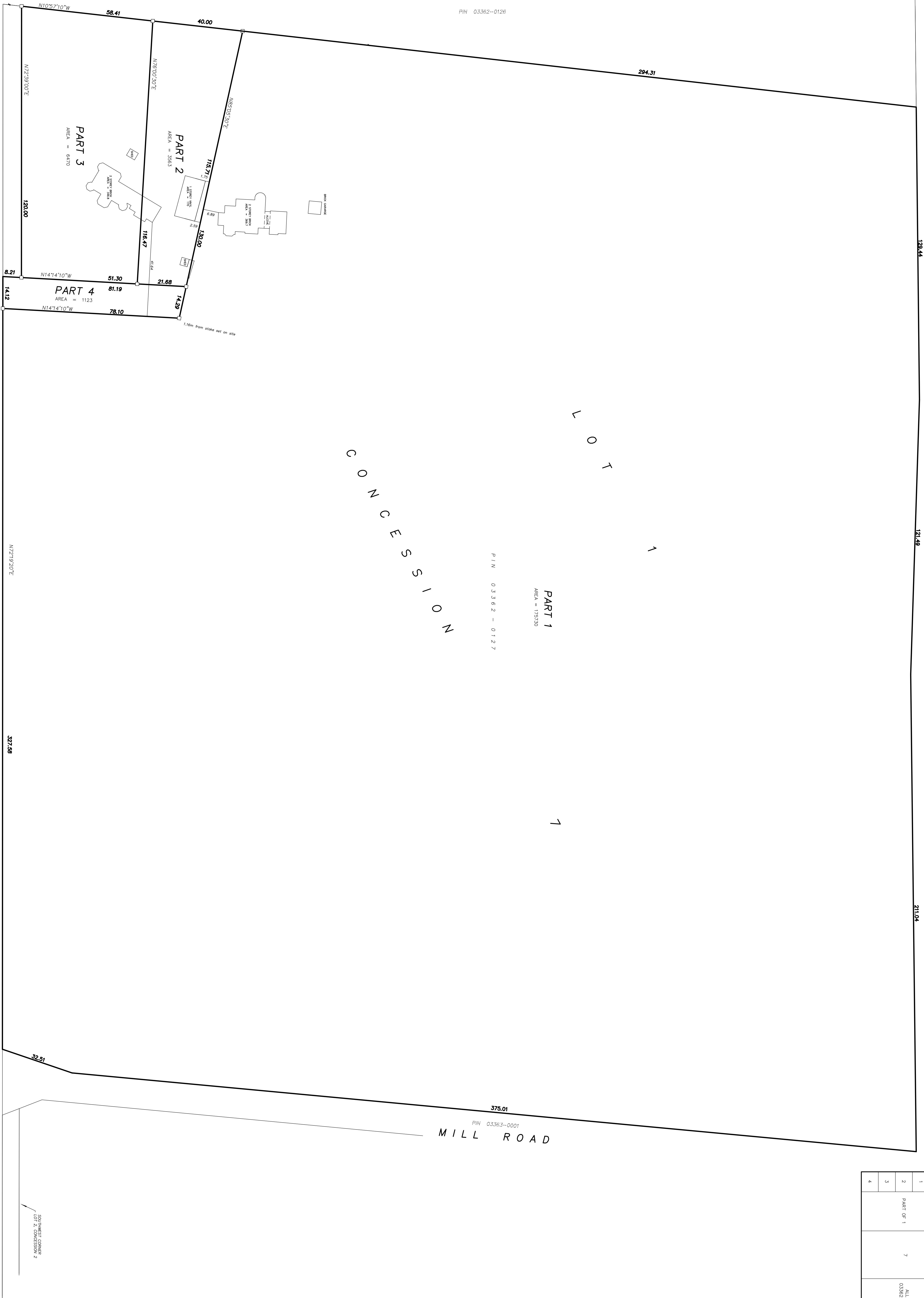
URBAN ACCURACY PER SEC. 14(2), OREG. 216/10.

POINT ID	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	X	Y	Z
	#####	#####	#####	#####	#####	#####	#####	#####	#####	#####	#####	#####	#####	#####	#####	#####	#####	#####	#####	#####	#####	#####	#####	#####	#####	#####

LEGEND, COORDINATES, CORNER, MONUMENT, SET, MEASURED, DISTANCE, BEARING, ROTATION, SCALE, FACTOR, COMBINED, SCALE, FACTOR, OF, 0.9989\*\*\*.



IBWSURVEYORS.COM | 1.800.667.0696  
PROXY OFFICE, 58 IRISMAN BY GC (SIGNED BY: ) [FOI DATE: JULY 9 2023]  
FILE NAME: A-028725  
Source: Available at: [www.surveyrecords.com](#)



KING VAUGHAN ROAD  
( ROAD ALLOWANCE BETWEEN TOWNSHIPS OF KING AND VAUGHAN )  
PIN: 03362-0002

MILL ROAD

SCHEDULE B: STAFF & AGENCY COMMENTS				
DEPT/AGENCY	Circulated	Comments Received	Conditions	Nature of Comments
TRCA *Schedule B	X			General Comments
Ministry of Transportation (MTO) *Schedule B	X			No Comments Recieved to Date
Region of York *Schedule B	X	X		General Comments
Alectra *Schedule B	X	X		General Comments
Bell Canada *Schedule B	X			No Comments Recieved to Date
YRDSB *Schedule B				
YCDSB *Schedule B				
CN Rail *Schedule B				
CP Rail *Schedule B				
TransCanada Pipeline *Schedule B	X			No Comments Recieved to Date
Metrolinx *Schedule B				
Propane Operator *Schedule B				
Development Planning	X			Application under review
Building Standards (Zoning)	X	X	X	General Comments

**From:** Punya Marahatta, Building Standards Department

**Date:** June 20, 2022 – REVISED August 31, 2022

**Applicant:** COA\_Applicant\_Zoning

**Location:** CONC 7 Part of Lot 1 municipally known as 4850 King-Vaughan Road

**File No.(s):** B011/22

**Zoning Classification:**

The subject lands described as Part 1 are zoned A-Agriculture. The existing lot, as described as Part 3, is Zoned A- Agriculture and subject to the provisions of Exception 14. 472 under Zoning By-law 001-2021.

#	Zoning By-law 001-2021	Consent requested
1	<p>Lot Frontage:</p> <p>The minimum Lot Frontage requirement for the severed lands is 100 metres. [Table 12-3]</p> <p>The minimum Lot Frontage requirement for the retained lands is 100 metres. [Table 12-3]</p>	<p>The proposed lot frontage of 134.12 metres for the severed lands complies with the minimum lot frontage requirement.</p> <p>The proposed lot frontage of 461.0 metres for the severed lands complies with the minimum lot frontage requirement.</p>
2	<p>Lot Area:</p> <p>The minimum Lot Area requirement for the severed lands 0.5 Ha [Exception 472]</p> <p>The minimum Lot Area requirement for the retained lands is 40 Ha. [Table 12-3]</p>	<p>The proposed lot area of 1.16 Ha for the severed lands complies with the minimum lot area requirement.</p> <p>The proposed lot area of 17.57 Ha for the retained lands does not comply with the minimum lot area requirement and variance is required. Refer to associated Minor Variance Application A201/22.</p>
3	<p>Lot Depth:</p> <p>There is no requirement for minimum Lot Depth requirement for the conveyed lands and retained lands.</p>	Not applicable.

The subject lands described as Part 1 are zoned A-Agricultural Zone. The existing lot, as described as Part 3, is Zoned A- Agriculture and subject to the provisions of Exception 9 (767) under Zoning By-law 1-88, as amended.

	Zoning By-law 1-88	Consent Requested
1	<p>Lot Frontage:</p> <p>The minimum Lot Frontage requirement for the severed lands is 100 metres. [Schedule A]</p> <p>The minimum Lot Frontage requirement for the retained lands is 100 metres. [Schedule A]</p>	<p>The proposed lot frontage of 134.12 m for the severed lands complies with the minimum lot frontage requirement.</p> <p>The proposed lot frontage of 461.0 m for the severed lands complies with the minimum lot frontage requirement.</p>
2	Lot Area:	

	<p>The minimum Lot Area requirement for the severed lands 0.5 Ha [Exception 9(767)]</p> <p>The minimum Lot Area requirement for the retained lands is 10 Ha. [Schedule A]</p>	<p>The proposed lot area of 1.16 Ha for the severed lands complies with the minimum lot area.</p> <p>The proposed lot area of 17.57 Ha for the retained lands complies with the minimum lot area requirement.</p>
3	<p>Lot Depth:</p> <p>There is no requirement for minimum Lot Depth requirement for the conveyed lands and retained lands.</p>	Not applicable

**Other Comments:**

**Zoning By-law 001-2021**

1	<p>Minimum required lot area is 40 ha. [Table 12-3]</p> <p>Whereas lot area of the retained lot (pt 1) is 17.57 ha. Refer Minor Variance Application A201/22.</p>
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**General Comments**

1	<p>Proposed consolidated lot (pts 2,3 and 4) is non-compliant in terms of minimum yard requirements. A separate minor variance application for the consolidated lot has been submitted by current owner of Part 3. <b>Refer Minor Variance Application A171/22.</b></p>
2	<p>The subject lands are subject to Ontario Regulation 166/06 (TRCA - Toronto and Region Conservation Authority).</p>

**Conditions of Approval:**

If the committee finds merit in the application, the following conditions of approval are recommended.

**NA**

\* Comments are based on the review of documentation supplied with this application.

**Date:** September 1<sup>st</sup> , 2021

**Attention:** **Christine Vigneault**

**RE:** Request for Comments

**File No.:** **B011-22**

**Related Files:**

**Applicant:** Saverio Montemarano Giuseppina Cipollone The Estate of  
Teresa Montemarano

**Location** 4840 & 4850 King Vaughan Road



COMMENTS:

- ☐ We have reviewed the proposed Consent Application and have no comments or objections to its approval.
- ☒ We have reviewed the proposed Consent Application and have no objections to its approval, subject to the following comments (attached below).
- ☐ We have reviewed the proposed Consent Application and have the following concerns (attached below).

Alectra Utilities (formerly PowerStream) has received and reviewed the proposed Consent 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:

Stephen Cranley, C.E.T

Mitchell Penner

Supervisor, Distribution Design, ICI & Layouts (North)  
**Phone:** 1-877-963-6900 ext. 31297

Supervisor, Distribution Design-Subdivisions  
**Phone:** 416-302-6215

**E-mail:** [stephen.cranley@alectrautilities.com](mailto:stephen.cranley@alectrautilities.com)

**Email:** [Mitchell.Penner@alectrautilities.com](mailto:Mitchell.Penner@alectrautilities.com)



**Lenore Providence**

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**Subject:** FW: [External] RE: B011/22, A171/22, A201/22 (4840 & 4850 King Vaughan Road) - REQUEST FOR COMMENTS, CITY OF VAUGHAN

**From:** Development Services <developmentservices@york.ca>

**Sent:** September-07-22 5:00 PM

**To:** Christine Vigneault <Christine.Vigneault@vaughan.ca>; Committee of Adjustment <CofA@vaughan.ca>

**Cc:** Wong, Justin <Justin.Wong@york.ca>

**Subject:** [External] RE: B011/22, A171/22, A201/22 (4840 & 4850 King Vaughan Road) - REQUEST FOR COMMENTS, CITY OF VAUGHAN

Hi Christine,

The Regional Municipality of York has completed its review of the above application. TRCA will be providing technical comments on behalf of York Region.

We would like to be notified of the decision.

Thank you,  
Niranjan

**Niranjan Rajevan, M.Pl.** | Associate Planner, Programs and Process Improvement, Planning and Economic Development, Corporate Services

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The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1  
1-877-464-9675 ext. 71521 | [niranjan.rajevan@york.ca](mailto:niranjan.rajevan@york.ca) | [www.york.ca](http://www.york.ca)

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**SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE**

Correspondence Type	Name	Address	Date Received (mm/dd/yyyy)	Summary
Applicant / Authorized Agent	Bousfields Inc. (Michael Bissett)		05/02/2022	Planning Justification Report

March 7, 2022  
**Revised May 2, 2022**

Project No. 21295

***Via Digital Delivery***

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

To Whom it May Concern:

***Re: 4840 to 4850 King-Vaughan Road  
Consent and Minor Variance Applications  
Planning Justification Letter***

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We are the land use planners to Saverio Montemarano, the owner of the lands municipally known as 4840 to 4850 King-Vaughan Road, in the City of Vaughan.

The subject site is located on the north side of King-Vaughan Road, approximately 1-kilometre west of Pine Valley Drive. The surrounding area is mainly undeveloped and primarily consists of open agricultural areas. The larger parcel is 18 hectares and is municipally known as 4850 King-Vaughan Road with a single detached dwelling and accessory garage structure. The smaller of the two parcels, municipally known as 4840 King-Vaughan Road, is 0.65 hectares and is occupied by a single detached dwelling and an accessory garage. Both homes are accessed via a shared driveway from King Vaughan Road.



This letter provides a planning justification for a consent application for a boundary adjustment. Our client is seeking the boundary adjustment to rationalize the lot

lines with what is currently constructed on site, and to provide an easement over the existing shared driveway that provides access to the two existing homes on the existing parcels. The parcels are both zoned (A) Agricultural, with 4840 King Vaughan Road also subject to site specific section 9(767) allowing for a minimum lot size of 0.5 hectares (E-847A). .

### ***Natural Features***

The subject lands are located within the Greenbelt Plan Area and a Toronto Region and Conservation Authority (TRCA) Regulated Area. The TRCA was contacted to confirm if any natural heritage features would be impacted by the lot adjustment. The TRCA confirmed that no natural heritage features will be impacted by the proposed boundary adjustment.

### **Proposed Lot Adjustment**

Consent is being requested to sever a parcel of land for residential purposes, as a lot addition, to be merged on title with the abutting lands to the south, municipally known as 4840 King-Vaughan Road (shown as Part 3 on the draft plan), reserving an easement for access (vehicular and pedestrian) over the severed (servient) land (Part 4) in favour of the retained (dominant) land (Part 1).

The lands to be severed are approximately 4,686 square metres (Part 2 and 4 on the draft plan). The retained parcel of land (Part 1) is approximately 175,730 square meters has frontage onto King Vaughan Road.

The adjustment to the boundary will result in a setback from the accessory building at 4840 King Vaughan Road being 1.75 metres from the north property line at the closest point.

Below are the statistics for the proposed lots, following the lot adjustments and easements:

	<b>Lot Area</b>	<b>Lot Width / Frontage</b>	<b>Lot Depth</b>
<b>Part 1 – 4850 King-Vaughan Rd</b>	175,730 sq.m 17.57 ha	461 m	294 m
<b>Part 2, 3 and 4 – 4840 King-Vaughan Rd</b>	<b>11,156 sq.m (1.12 ha)</b>	<b>134 m</b>	<b>98 m</b>
<b>Part 2</b>	3,563 sq.m	116 m	40 m
<b>Part 3</b>	6,470 sq.m	120 m	58 m
<b>Part 4</b>	1,123 sq.m	14 m	81 m

*\*See R-Plan for precise measurements*

## **Policy Framework**

### ***Provincial Policy Statement***

The Provincial Policy Statement, 2020 (PPS) provides policy direction on matters of Provincial interest related to land use planning and development. In accordance with PPS, the subject site is located in an *Agricultural* area. Policy 1.3.4.2 supports lot adjustments in *prime agricultural areas* permitting it is for *legal or technical reasons*<sup>1</sup>.

### ***Greenbelt Plan Area***

The Greenbelt Plan, 2017 contains policies that permanently protect the agricultural land base in Ontario and the associated ecological and hydrological features, areas, and functions occurring on such lands. The plan identifies the protected areas and provides policy to direct future development.

The subject lands are located entirely within the Greenbelt Plan and is designated *Protected Countryside*. Policy 4.6.1(e) – Lot Creation provides that for lands located within the *Protected Countryside* designation, minor lot adjustments or boundary additions are permitted “provided they do not create a separate lot for a residential dwelling in *prime agricultural areas*, including *speciality crop areas*, and there is no increased fragmentation of a *key natural heritage feature* or *key hydrologic feature*.”

Given the minor nature of the lot boundary adjustment, the proposal conforms with the policies outlined in the Greenbelt Plan.

### ***York Region Official Plan***

The York Region Official Plan (YROP 2010) was adopted by the Region in 2009, approved by the minister of Municipal Affairs and Housing on September 7, 2010 and subsequently appealed to the Ontario Land Tribunal (OLT), formerly known as the Local Planning Appeal Tribunal (LPAT). Since that time the YROP 2010 has been approved by the OLT with modifications which occurred by way of decision orders issued between August 2010 and November 2015.

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<sup>1</sup> **Legal or technical reasons:** means severances for purposes such as easements, corrections of deeds, quit claims, and minor boundary adjustments, which do not result in the creation of a new lot.

The site is identified as being within the *Protected Countryside Areas* on Map 1 – Regional Structure. In accordance with the YROP 2010 policy 6.3.7, minor lot adjustments or boundary additions are permitted.

### ***Vaughan Official Plan***

The Vaughan Official Plan (VOP 2010) was adopted by Vaughan Council in September 2010, and was subsequently endorsed by the Region of York Council on June 28, 2012. It was appealed to the LPAT and has since received partial approval by the LPAT between 2013 and 2015. The outstanding appeals are largely related to employment area policies, parkland dedication policies, or site-specific, and therefore have little to no bearing on the subject site.

The subject site is outside the Urban Boundary and within a *Natural Areas and Countryside* designation on Schedule 1 – Urban Structure of the VOP 2010. On Schedule 13 – Land Use of the VOP 2010, the lands are designated as *Agricultural*.

Section 10.1.2 provides Implementation Policies for the City of Vaughan and includes specific policies for 'Consents (Severances)'. Policy 10.1.24.3 provides guidance for consents and severances for lands designated *Natural Area or Agricultural*. Policy 10.1.2.43(c) suggests that minor lot adjustments or boundary additions should be permitted 'provided that they do not create a separate lot for a residential dwelling in specialty crop or prime agricultural areas; and there is no increased fragmentation of a key natural heritage feature or key hydrological feature'. This is consistent with the policy framework identified in both the YROP 2010 and the Greenbelt Plan.

### ***City of Vaughan Zoning By-law***

In accordance with the City of Vaughan Zoning By-law 1-88, the subject lands are zoned *Agricultural*. The *Agricultural* zone permits a range of uses, including residential. The existing uses on the site are permitted in the *Agricultural* zone and a variance appears to be required to permit the northerly 1.75m setback of the existing accessory garage structure. There are no changes to the existing built form and no new development. The lot adjustment is to rationalize the lot lines with what is existing on the ground. In my opinion the proposed variance maintains the general intent and purpose of the Official Plan and Zoning By-law, is desirable and minor pursuant to Section 45 of the Planning Act.

Should you have any questions or require clarification or further information with respect to the above, please do not hesitate to contact the undersigned at 416-903-6950.

Yours very truly,  
**Bousfields Inc.**



Michael Bissett, MCIP, RPP