

ITEM #: 6.1	COMMITTEE OF ADJUSTMENT REPORT CONSENT APPLICATION B008/22 9711 Huntington Rd, Woodbridge
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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 w/conditions
Building Standards -Zoning Review <i>*Schedule B</i>	X	X		General Comments
Building Inspection (Septic)	X			No Comments Recieved to Date
Development Planning <i>*Schedule B</i>	X	X		Application Under Review
Development Engineering	X	X	X	Recommend Approval w/Conditions
Parks, Forestry and Horticulture Operations	X	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	X	X	General Comments w/Conditions
Fire Department	X			No Comments Recieved to Date
AGENCIES	Circulated	Comments Received	Conditions	Nature of Comments
TRCA <i>*Schedule B</i>	X	X	X	Recommend Approval w/Conditions
Ministry of Transportation (MTO) <i>*Schedule B</i>	X	X		General Comments
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	X		General Comments
Metrolinx <i>*Schedule B</i>				
Propane Operator <i>*Schedule B</i>				

PUBLIC & APPLICANT CORRESPONDENCE				
<i>*Please see Schedule C of this report for a copy of the public & applicant correspondence listed below.</i>				
The deadline to submit public comments is noon on the last business day prior to the scheduled hearing date.				
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	Di Poce Management Ltd.			Planning Justification

PREVIOUS COA DECISIONS ON THE SUBJECT LAND		
*Please see Schedule D for a copy of the Decisions listed below		
File Number	Date of Decision MM/DD/YYYY	Decision Outcome
B001/17, A038/17, A039/17	N/A	Applications Withdrawn

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



**COMMITTEE OF ADJUSTMENT REPORT
CONSENT APPLICATION
B008/22
9711 Huntington Rd**

FILE MANAGER: Lenore Providence, Administrative Coordinator - Committee of Adjustment

ITEM NUMBER: 6.1	CITY WARD #: 2
APPLICANT:	Di Poce Real Estate Holdings Limited
AGENT:	None
PROPERTY:	9711 Huntington Rd, Vaughan
ZONING DESIGNATION:	See Below
VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:	Vaughan Official Plan 2010 ('VOP 2010'): "General Employment", Volume 2, 11.9 West Vaughan Employment Area Secondary Plan
RELATED DEVELOPMENT APPLICATIONS:	B008/22, A204/22, A205/22
PURPOSE OF APPLICATION:	Consent is being requested to sever a parcel of land for future employment purposes, approximately 11,200 square metres and retain a parcel of land approximately 14, 800 square metres. Both the severed and retained land will have frontage onto Huntington Road and are currently vacant.

HEARING INFORMATION

DATE OF MEETING: Thursday, October 27, 2022

TIME: 6:00 p.m.

MEETING LOCATION: Vaughan City Hall, Council Chamber, 2141 Major Mackenzie Drive, Vaughan

LIVE STREAM LINK: [Vaughan.ca/LiveCouncil](https://vaughan.ca/LiveCouncil)

PUBLIC PARTICIPATION

If you would like to speak to the Committee of Adjustment at the meeting, either remotely or in person, please complete the [Request to Speak Form](#) and submit to cofa@vaughan.ca

If you would like to submit written comments, please quote file number above and submit by mail or email to:

Email: cofa@vaughan.ca

Mail: City of Vaughan, Office of the City Clerk, Committee of Adjustment, 2141 Major Mackenzie Drive, Vaughan, ON, L6A 1T1

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.

INTRODUCTION

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.

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:

- ✓ Conformity to Section 51(24) as required by Section 53(12) of the Planning Act.
- ✓ Conformity to the City of Vaughan Official Plan.
- ✓ Conformity to the Provincial Policy Statements as required by Section 3 (1) of the Planning Act.

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:	October 13, 2022
Date Applicant Confirmed Posting of Sign:	October 11, 2022

COMMITTEE OF ADJUSTMENT COMMENTS		
Adjournment Requests (from staff): *Adjournment requests provided to applicant prior to issuance of public notice	None	
Was a Zoning Review Waiver (ZRW) Form submitted by Applicant: *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. *A revised submission may be required to address staff / agency comments received as part of the application review process. *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.	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 A204/22 & A205/22 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. Application under review.	
Development Planning Recommended Conditions of Approval:	Under Review

DEVELOPMENT ENGINEERING COMMENTS	
Link to Grading Permit Link to Pool Permit Link to Curb Curt Permit Link Culvert Installation	
The Development Engineering (DE) Department does not object to consent application B008/22 subject to the following condition(s):	
Development Engineering Recommended Conditions of Approval:	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.

PARKS, FORESTRY & HORTICULTURE (PFH) COMMENTS	
No comments received to date.	
PFH Recommended Conditions of Approval:	N/A

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.	
Development Finance Recommended Conditions of Approval:	<ol style="list-style-type: none">1. The owner shall pay of a Tree Fee, approved by Council as of the date of granting the consent. 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).2. 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).

REAL ESTATE	
General Comments	
Real Estate Recommended Conditions of Approval:	The applicant shall provide the City with an appraisal report and valuation of the subject land (land only) to be prepared by an accredited appraiser. Payment of a Parkland levy to the City in lieu of the deeding of land for park purposes shall be made if a new lot is being created. Said levy is to be 2% of the appraised market value of the subject land as of the date of the Committee of Adjustment giving notice to the Applicant of the herein decision. Said levy shall be approved by the Director of Real Estate. Payment shall be made by certified cheque only.

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

BUILDING INSPECTION (SEPTIC) COMMENTS	
No comments received to date.	
Building Inspection Recommended Conditions of Approval:	None

FIRE DEPARTMENT COMMENTS	
No comments received to date.	
Fire Department Recommended Conditions of Approval:	None

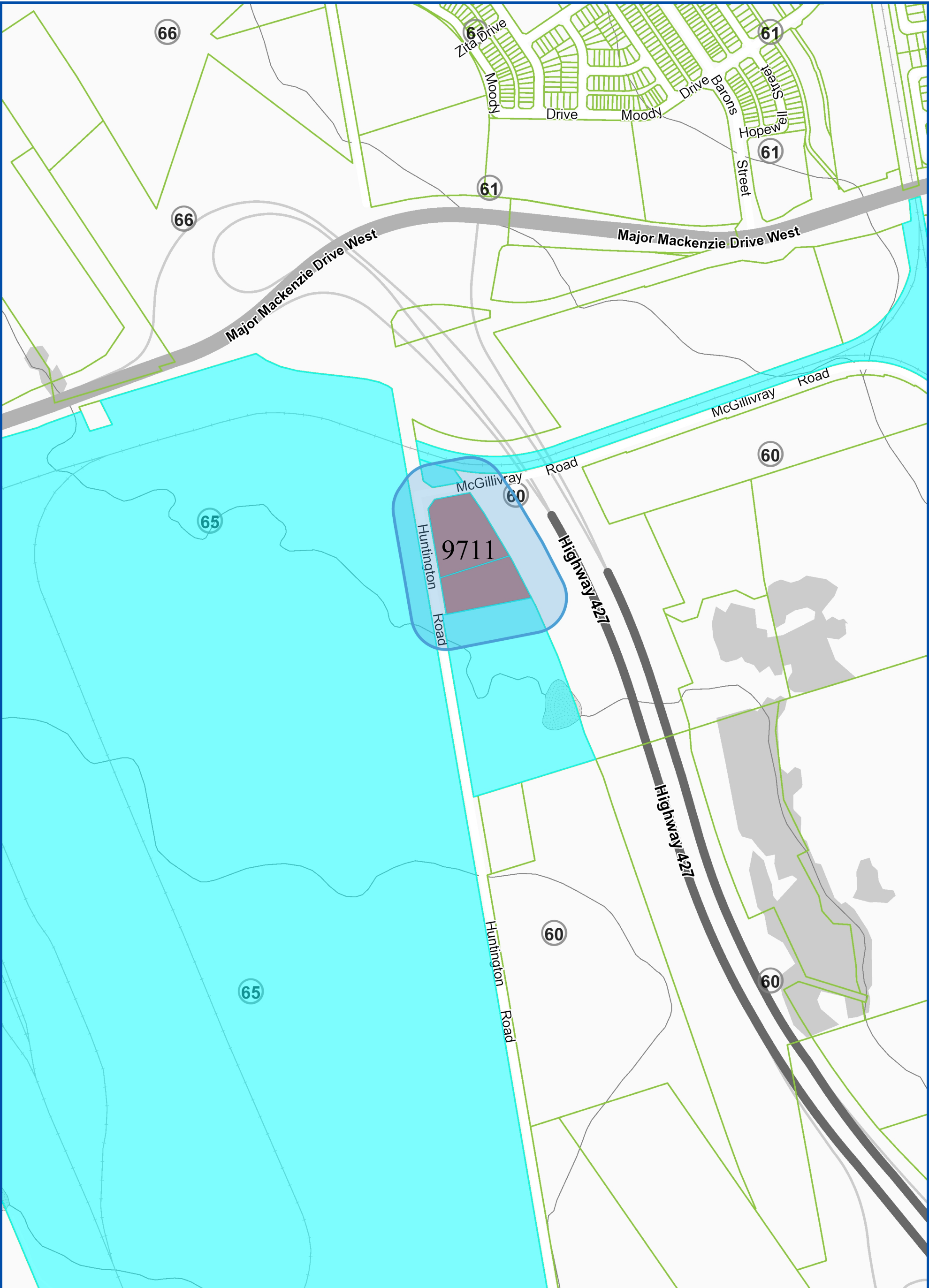
SCHEDULES TO STAFF REPORT	
*See Schedule for list of correspondence	
Schedule A	Drawings & Plans Submitted with the Application
Schedule B	Staff & Agency Comments
Schedule C (if required)	Correspondence (Received from Public & Applicant)
Schedule D (if required)	Previous COA Decisions on the Subject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

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

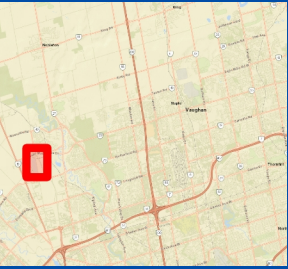
SUMMARY OF RECOMMENDED CONDITIONS OF APPROVAL		
All conditions of approval, unless otherwise stated, are considered to be incorporated into the approval “if required”. If a condition is no longer required after an approval is final and binding, the condition may be waived by the respective department 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 christine.vigneault@vaughan.ca	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 A204/22 & A205/22 are approved by the Committee of Adjustment and become final and binding.
2	Development Planning joshua.cipolletta@vaughan.ca	Application under review.
3	Real Estate ashley.ben-lolo@vaughan.ca	The applicant shall provide the City with an appraisal report and valuation of the subject land (land only) to be prepared by an accredited appraiser. Payment of a Parkland levy to the City in lieu of the deeding of land for park purposes shall be made if a new lot is being created. Said levy is to be 2% of the appraised market value of the subject land as of the date of the Committee of Adjustment giving notice to the Applicant of the herein decision. Said levy shall be approved by the Director of Real Estate. Payment shall be made by certified cheque only.
4	Development Engineering ian.Reynolds@vaughan.ca	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.
5	Development Finance nelson.pereira@vaughan.ca	1. The owner shall pay of a Tree Fee, approved by Council as of the date of granting the consent. 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). 2. 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).
6	TRCA hamedeh.razavi@trca.ca	The applicant submits the application fee of \$110.00 payable to the Toronto and Region Conservation Authority.

IMPORTANT INFORMATION – PLEASE READ
CONDITIONS: Conditions must be fulfilled within <u>two years</u> 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.
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 OF DECISION: 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 not receive notice.

SCHEDULE A: DRAWINGS & PLANS



Map Information:



Title:
NOTIFICATION MAP - B008/22, A204/22 & A205/22

9711 HUNTINGTON ROAD, WOODBRIDGE

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: 1:9,028

0 0.14 km



Created By:
Infrastructure Delivery
Department
August 17, 2022 5:59 PM

Projection:
NAD 83
UTM Zone
17N

B008/22

EMPLOYMENT

EMPLOYMENT

KNOWN AS
HUNTINGTON ROAD

OPEN SPACE

HWY 427
EXTENSION

OTHER LANDS
OWNED BY
APPLICANT

OTHER LANDS
OWNED BY
APPLICANT

PART 4

EMPLOYMENT

PART 1
RETAINED
A205/22

136.82 m

70 m

65 m

147.24 m

PART 8
SUBJECT
A204/22

PART 6

PART 2
PLAN 65R-35738
SUBJECT TO EASEMENT AS IN
INST. NO. YR2323234

PART 3

PART 7
PLAN 65R-35738
SUBJECT TO EASEMENT AS IN
INST. NO. YR2323234

PART 5

Received
August 15, 2022

EMPLOYMENT

SCHEDULE			
PART	LOT	CONCESSION	FIN
1			
2	PART OF 20		03320-0253 (LT)
3			03320-0255 (LT)
4			03320-0243 (LT)
5		9	03320-0242 (LT)
6	PART OF 19		
7			
8			

PART 2 SUBJECT TO EASEMENT AS IN INST. NO. YR2323234
PART 7 SUBJECT TO EASEMENT AS IN INST. NO. YR2323234

PLAN OF SURVEY OF
PART OF LOTS 19 AND 20
CONCESSION 9
CITY OF VAUGHAN
REGIONAL MUNICIPALITY OF YORK

SCALE 1: 1500
30 0 30 60 90 120 METRES
RONNEY GEYER
ONTARIO LAND SURVEYOR INC.

THE INTENDED PLOT SIZE OF THIS PLAN IS 915mm IN WIDTH BY 610mm IN HEIGHT WHEN PLOTTED AT A SCALE OF 1:1500.

NOTES

BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B BY REAL TIME NETWORK OBSERVATIONS AND ARE REFERRED TO THE CENTRAL MERIDIAN 81°W, ZONE 17 BASED ON NAD 83 CSRS (2010 EPOCH).
DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999781

OBSERVED REFERENCE POINTS (ORP's) ARE DERIVED FROM GPS BEARINGS TO THE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B BY REAL TIME NETWORK OBSERVATIONS AND ARE REFERRED TO THE CENTRAL MERIDIAN 81°W, ZONE 17 BASED ON NAD 83 CSRS (2010 EPOCH)			
COORDINATES TO URBAN ACCURACY PER SEC. 14 (2) OF O.REG. 216/10			
POINT ID	NORTHING	EASTING	
ORP A	4852428.261	607015.952	
ORP B	4852619.396	608488.683	

COORDINATES CANNOT IN THEMSELVES BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

FOR BEARING COMPARISONS APPLY THE FOLLOWING ROTATION
P1. COUNTERCLOCKWISE 0°59'40"
P3, P4, P5 COUNTERCLOCKWISE 0°10'23.30"

NOTES

DISTANCES AND COORDINATES SHOWN HEREON ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

LEGEND

- P1 DENOTES PLAN 65R-35260
- P2 DENOTES PLAN 65R-35738
- P3 DENOTES PLAN 65R-34873
- P4 DENOTES PLAN 65R-26659
- P5 DENOTES PLAN 65R-14583
- P6 DENOTES SURVEY MONUMENT FOUND
- S1B DENOTES STANDARD IRON BAR
- S1B DENOTES SURVEY MONUMENT FOUND
- S1B DENOTES STANDARD IRON BAR
- IB DENOTES IRON BAR
- (OU) DENOTES ORIGIN UNKNOWN
- (UN) DENOTES UNDEVELOPED
- (UN) DENOTES NO DEMARCATION
- 1017 DENOTES CALLON, DIETZ O.L.S.s
- 1225 DENOTES D. B. SEARLES, O.L.S.s
- 1574 DENOTES DELPH AND JENKINS LTD, O.L.S.
- (MS) DENOTES MEASURED
- 1312 DENOTES J. STEL O.L.S.
- P6 DENOTES 65R-35095

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT AND THE REGULATIONS MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON THE 5th DAY OF FEBRUARY, 2021.

DATE: DECEMBER 02, 2021
RONNEY H. GEYER
ONTARIO LAND SURVEYOR

RONNEY GEYER
ONTARIO LAND SURVEYOR, INC.
ALUSTON, ONTARIO L4R 1E8
PHONE (705) 434-0411
www.geyerbvrs.com

CONCESSION NO.	PLAN NO.	DATE	NO.	REV.
P4R/RHG	S5 & P4	DECEMBER 02, 2021	19-3011-R1	A

9711 HUNTINGTON ROAD, VAUGHAN

CONSENT &
MINOR VARIANCE
SKETCH

(REVISED) AUGUST 12, 2022

PARCEL 1 & 2
TOTAL LAND AREA
2.60 ha / 6.424 acres
EXISTING FRONTAGE
(McGillivray Road)
73.99 m (242.74 ft)

PARCEL 1
LANDS TO BE RETAINED
PROPOSED LOT AREA
1.40 ha / 3.459 acres
PROPOSED FRONTAGE
(McGillivray Road)
70 m (229.65 ft)

PARCEL 2
LANDS TO BE CONVEYED
PROPOSED LOT AREA
1.10 ha / 2.718 acres
PROPOSED FRONTAGE
(Huntington Road)
65 m (213.25 ft)

NOTE:

EXACT SEVERANCE / LOT
MEASUREMENTS SUBJECT TO
APPROVED R-PLAN

SCHEDULE B: STAFF & AGENCY COMMENTS				
DEPT/AGENCY	Circulated	Comments Received	Conditions	Nature of Comments
TRCA *Schedule B	X	X	X	Recommend Approval w/Conditions
Ministry of Transportation (MTO) *Schedule B	X	X		General Comments
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	X		General Comments
Metrolinx *Schedule B				
Propane Operator *Schedule B				
Development Planning	X			Application under review
Building Standards	X	X		General Comments

To: Committee of Adjustment
From: Pia Basilone, Building Standards Department
Date: May 13, 2022
Applicant: Di Poce Real Estate Holdings Limited
Location: CONC 9 Part of Lot 19 municipally known as 9711 Huntington Road
File No.(s): B008/22

Zoning Classification:

The subject lands are zoned FD, Future Development under Zoning By-law 001-2021, as amended.

#	Zoning By-law 01-2021	Variance requested
1	Lot Frontage: Existing	<p>The proposed lot frontage of 68.0 metres for the conveyed lands does not comply with the minimum lot frontage requirement.</p> <p>The proposed lot frontage of 85.0 metres for the retained lands does not comply with the minimum lot frontage requirement.</p>
2	Lot Area: Existing	<p>The proposed lot area of 1.12 hectares for the conveyed lands does not comply with the minimum lot area requirement.</p> <p>The proposed lot area of 1.48 hectares does not comply with the minimum lot area requirement.</p>

The subject lands are zoned A, Agricultural under Zoning By-law 1-88, as amended.

	Zoning By-law 1-88	Variance requested
3	Lot Frontage: The minimum lot frontage requirement for the conveyed lands is 100.0 metres. The minimum lot frontage requirement for the retained lands is 100.0 metres	<p>The proposed lot frontage of 68 metres for the conveyed lands does not comply with the minimum lot frontage requirement.</p> <p>The proposed lot frontage of 85 metres for the retained lands does not comply with the minimum lot frontage requirement.</p>
4	Lot Area: The minimum lot area requirement for the conveyed lands is 10.0 hectares or 100,000.0 m2. The minimum lot area requirement for the retained lands is 10.0 hectares or 100,000.0 m2.	<p>The proposed lot area of 1.12 hectares for the conveyed lands does not comply with the minimum lot area requirement.</p> <p>The proposed lot area of 1.48 hectares for the retained lands does not comply with the minimum lot area requirement.</p>

Staff Comments:

Stop Work Order(s) and Order(s) to Comply:

There are no outstanding Orders on file.

Other Comments:

General Comments	
1	Please note minor variances are required for the above-noted deficiencies.
2	The applicant shall be advised that additional variances may be required upon review of detailed drawing for building permit/site plan approval.
3	Our comments are based on the approximate dimensions provided by the applicant.
4	The subject lands may be subject to Ontario Regulation 166/06 (TRCA - Toronto and Region Conservation Authority).

Conditions of Approval:

none

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

Date: August 12th , 2021
Attention: **Christine Vigneault**
RE: Request for Comments

File No.: **B008-22**
Related Files:
Applicant: Di Poce Real Estate Holdings Limited
Location 9711 Huntington 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

Email: Mitchell.Penner@alectrautilities.com

From: [Rajevan, Niranjan](#)
To: [David Harding](#)
Cc: [Christine Vigneault](#); [Joshua Cipolletta](#); [Lenore Providence](#); [Wong, Justin](#)
Subject: RE: [External] RE: CONS.22.V.0071 (B008/22) 9711 Huntington Road
Date: Tuesday, September 20, 2022 1:04:51 PM
Attachments: [image002.png](#)
[image004.png](#)

Hi David,

We have completed our review of the minor variances (A204/22 & A205/22) as well and have no comment.

Thank you,
Niranjan

Niranjan Rajevan, M.Pl. | 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 | niranjan.rajevan@york.ca | www.york.ca

Our Values: Integrity, Commitment, Accountability, Respect, Excellence



Our Mission: **Working together to serve our thriving communities – today and tomorrow**

Please consider the environment before printing this email.

From: [Hamedeh Razavi](#)
To: [Lenore Providence](#)
Cc: [Committee of Adjustment](#)
Subject: [External] TRCA Comment - B008/22, A204/22 and A205/22 - 9711 Huntington Road - CFN 66403.03
Date: Wednesday, September 7, 2022 1:11:15 PM
Attachments: [image002.png](#)
[APPCIRC_A204-22.pdf](#)
[APPCIRC_A205-22.pdf](#)
[APPCIRC_B008_22.pdf](#)

Good afternoon,

-
TRCA staff reviewed the submitted materials (attached) and provided the following comments:

The TRCA has an interest in conserving, protecting and enhancing all natural features and functions and discourages the fragmentation of ownership of valley and stream corridors and/or hazard lands within our jurisdiction. Based on TRCA's review of the submitted materials (attached), TRCA staff are satisfied that the subject proposal will not result in any fragmentation of the natural features or natural hazard lands on the property nor have any negative impact on the natural features and their associated functions.

Fees

By copy of this letter, the applicant is advised that TRCA has implemented a fee schedule for our planning application review services. This application is subject to a review fee of \$110.00 (Screening Letter-other projects). The applicant is responsible for fee payment and should forward the application fee to this office as soon as possible.

Recommendation

Based on the above-noted comments, TRCA staff provide a recommendation of **conditional approval** of Consent Application B008/22, and Minor Variance Applications A204/22 and A205/22, subject to the following condition:

1. The applicant submits the application fee of \$110.00 payable to the Toronto and Region Conservation Authority.

TRCA trusts these comments are of assistance. Don't hesitate to contact me should you have any questions

Sincerely,

Hamedeh Razavi MURP

Planner

Development Planning and Permits | Development and Engineering Services

T: [437-880-1940](tel:437-880-1940)

E: Hamedeh.Razavi@trca.ca

A: [101 Exchange Avenue, Vaughan, ON. L4K 5R6](#) | trca.ca

Lenore Providence

Subject: FW: [External] RE: B008/22 - REQUEST FOR COMMENTS, CITY OF VAUGHAN

From: Blaney, Cameron (MTO) <Cameron.Blaney@ontario.ca>

Sent: August-18-22 4:57 PM

To: Lenore Providence <Lenore.Providence@vaughan.ca>

Subject: [External] RE: B008/22 - REQUEST FOR COMMENTS, CITY OF VAUGHAN

No concerns with the proposed severance but due to the proximity of Highway 427 MTO should be involved in the review and issuance of applicable permits for any construction activity on site.

Cameron Blaney | Corridor Management Planner | Simcoe & York

Highway Corridor Management Section – Central Operations

159 Sir William Hearst Avenue | Ministry of Transportation

7th Floor, Building D | Downsview, Ontario | M3M 0B7

416-358-7871

Cameron.Blaney@ontario.ca

August 19, 2022

Christine Vigneault,
Manager, Development Services & Secretary-Treasurer to the Committee of Adjustment
Committee of Adjustment

Office of the City Clerk
Committee of Adjustment
2141 Major Mackenzie Drive
Vaughan ON, L6A 1T1

Via email: cofa@vaughan.ca

Dear Christine Vigneault:

Re: Minor Variance Application
9711 Huntington Road, City of Vaughan
Di Poce Management Limited
Your File: A204-22 & A205-22
Our File: PAR 50090

MacNaughton Hermesen Britton Clarkson (MHBC) are the planning consultants for TransCanada Pipelines Limited (TCPL). This letter is in response to notification of the minor variance application outlined above. We understand that the purpose of the variance is to permit reduced lot areas and frontages for the lands identified as 9711 Huntington Road in the City of Vaughan (the "Subject Lands"). TCPL has one (1) high pressure natural gas pipeline contained within a right-of-way ("easement") crossing the Subject Lands.

TCPL's pipelines and related facilities are subject to the jurisdiction of the Canada Energy Regulator (CER) – formerly the National Energy Board. As such, certain activities must comply with the Canadian Energy Regulator Act (Act) and associated Regulations. The Act and the Regulations noted can be accessed from the CER's website at www.cer-rec.gc.ca.

TCPL has no concerns with the proposed variances as the following setbacks set out in Section 4.23 of Zoning By-law 01-2021 would still apply:

"4.23 TransCanada Pipeline and Facilities

1. *Notwithstanding any other requirements of this By-law, where any TransCanada pipeline is shown on Schedule B-5, the following requirements shall apply:*
 - a. *A minimum setback of 7.0 m shall be required from any part of a principal building or structure from the edge of the TransCanada pipeline easement.*

- b. *A minimum setback of 3.0 m shall be required from any part of an accessory building or accessory structure from the edge of the TransCanada pipeline easement.*
- c. *A minimum setback of 7.0 m from the nearest portion of a TransCanada pipeline easement shall also apply to any minimum required parking area or loading area, including any minimum required parking space, loading space, stacking space, bicycle parking space, and any associated aisle or driveway.*
- d. *A minimum setback of 7.0 m shall apply to any minimum required amenity area.*
- e. *A permitted encroachment of a structure or feature in accordance with Section 4.13 of this By-law shall not be permitted."*

TCPL also requests that the following regulatory requirements be forwarded to the Applicant:

1. Written consent from TCPL must be obtained in Canada before any of the following:
 - a. Constructing or installing a facility across, on, along or under a TCPL pipeline right-of-way;
 - b. Conducting ground disturbance (excavation or digging) on or within the prescribed area (30 metres from the centerline of a pipeline);
 - c. Driving a vehicle, mobile equipment or machinery across a TCPL pipeline right-of-way outside the travelled portion of a highway or public road;
 - d. Using any explosives within 300 metres TCPL's right-of-way; and
 - e. Use of the prescribed area for storage purposes.

How to apply for written consent:

- Determine the location of your work relative to TCPL's facilities.
 - When planning, and before any of the work or activities, listed above, can begin, a request for written consent must be submitted to TCPL through our online application form
 - We no longer accept applications through email
 - Location of the work is required, along with the proximity to TCPL's rights-of-way
 - This information can be obtained through survey plans, or through a locate request
 - **Make a locate request** either online (ClickBeforeYouDig.com) or by calling your [local One-Call Centre](#).
 - The One-Call Centre will notify owners of buried utilities in your area, who will send representatives to mark these facilities with flags, paint or other marks, helping you avoid damaging them. Often written consent for minor activities can be obtained directly from a regional TC Energy representative through a locate request.
 - **Apply for written consent** using TCPL's online application form at <https://writtenconsent.tcenergy.com/> or call [1-877-872-5177](tel:1-877-872-5177).
 - **Application assessment and consent.** Once your information has been assessed and potential impacts have been evaluated, TCPL may:
 - Grant consent without any conditions
 - Grant consent that requires certain conditions to be met to assure safety, or
 - Not grant consent
2. No buildings or structures shall be installed anywhere on TCPL's right-of-way. Permanent buildings and structures are to be located a minimum of 7 metres from the edge of the right-of-way. Temporary or accessory buildings are to be located a minimum of 3 metres from the edge of the right-of-way.
 3. A minimum setback of 7 metres from the nearest portion of a TCPL right-of-way shall also apply

to any parking area or loading area, including any parking spaces, loading spaces, stacking spaces, bicycle parking spaces, and any associated drive aisle or driveway.

4. During any construction activities in proximity of the right-of-way, the owner must install and maintain temporary fencing along the limits of TCPL's right-of-way to prevent unauthorized access onto the pipeline right-of-way with heavy equipment. The fence must meet TCPL's specifications concerning type, height and location and must be maintained by the owner for the duration of construction.
5. Storage of materials and/or equipment on TCPL's right-of-way is not permitted.
6. Any landscaping of TCPL's right-of-way is to be approved in writing by TCPL and done in accordance with TCPL's Landscaping Guidelines:
 - a. TCPL's Right-of-way is to be seeded with Canada #1 seed.
 - b. Grantee shall ensure a 5 metre continuous access way is maintained over, through and within the right-of-way to facilitate access for future pipeline operation and maintenance activities.
 - c. No portion of trees or shrubs at the time of maturity shall be permitted to encroach within 5 metres of the edge of the TCPL pipeline within the right-of-way.
 - d. No trees or shrubs at the time of maturity that will reach a height greater than 4 metres shall be planted within the right-of-way.
 - e. Tree roots must not interfere with the pipeline.
 - f. A minimum of 5 metres between all groups of trees/shrubs will be established. A group is defined as 3-5 trees/shrubs.
 - g. Irrigation systems are not permitted within TCPL's right-of-way.
7. In the event that TCPL's pipelines suffer contact damage or other damage as a result of an Owner's operations, work shall stop immediately and TCPL shall be notified at once.
8. The Owner shall ensure through all contracts entered into, that all contractors and subcontractors are aware of and observe the foregoing terms and conditions.

Enclosed is a copy of TC Energy's Work Safely Handbook for additional information on constructing near TCPL's pipelines.

Thank you for the opportunity to comment. Kindly forward a copy of the decision to TCEnergy@mhbcplan.com. If you have any questions, please do not hesitate to contact our office.

Sincerely,



Kaitlin Webber, MA
Planner

on behalf of TransCanada PipeLines Limited

Work safely.

Development near our pipelines and facilities

These guidelines are intended to provide useful and timely safety information. TC Energy endeavors to ensure the information is as current and accurate as possible.

[TCEnergy.com](https://www.tcenenergy.com)



About us

For over 65 years, TC Energy has proudly delivered the energy millions of North Americans rely on to power their lives and fuel industry.

Guided by our values of safety, responsibility, collaboration and integrity, our more than 7,000+ employees are deeply rooted in their communities and ensure that we develop and operate our facilities safely, reliably and with minimal impact on the environment. We are committed to listening to our neighbours and working with all our stakeholders to develop better project plans and create long-term opportunities and economic benefits in the communities where we operate across Canada, the U.S. and Mexico.

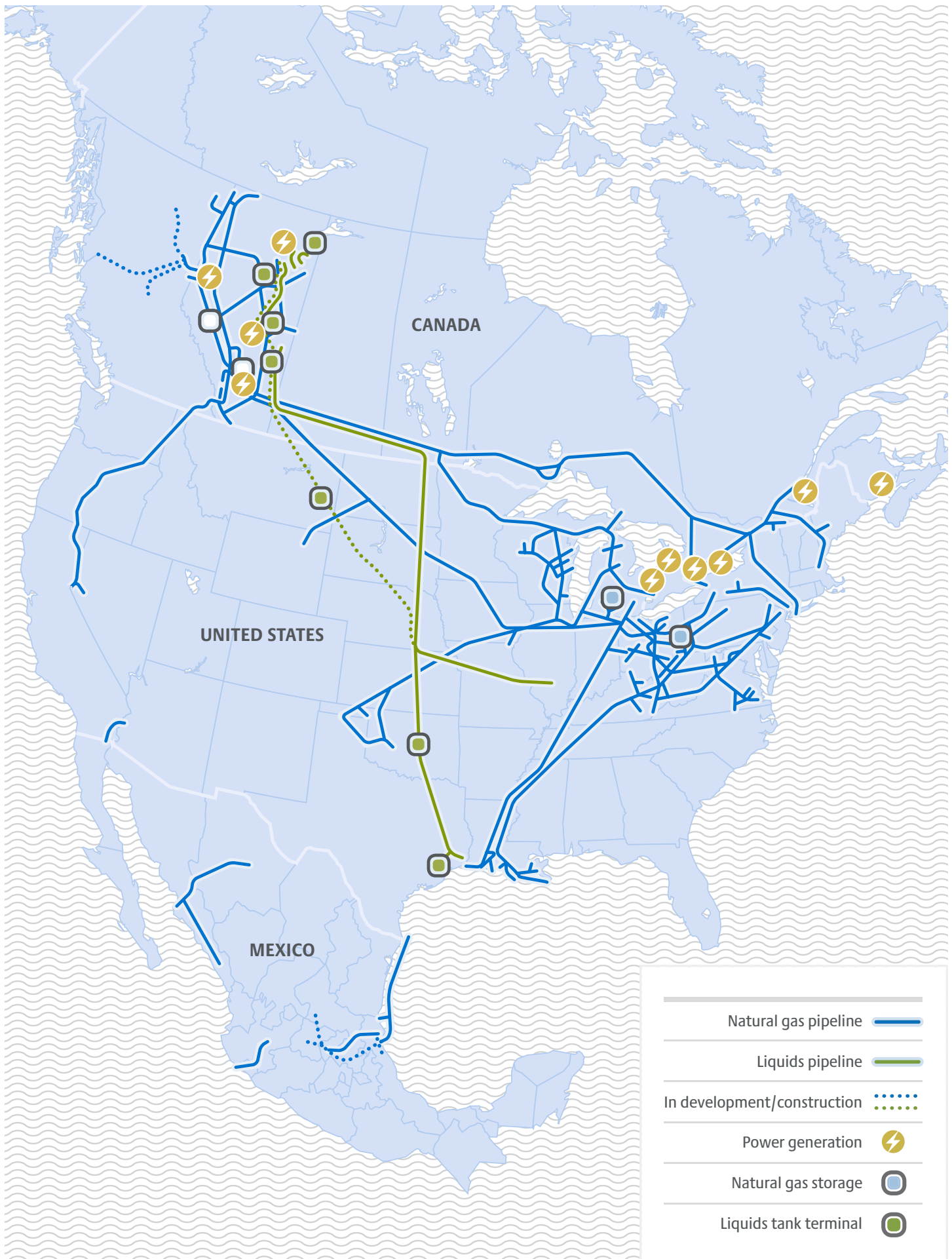
In May 2019, we changed our name from TransCanada to TC Energy to better reflect the scope of our operations and to reinforce our position as a leading North American energy infrastructure company. Whether our stakeholders know us as TC Energy in English, TC Énergie in French, or TC Energía in Spanish, our neighbours, partners and investors can continue to count on us to follow through on our commitments and live up to our values in everything we do.

Our pipelines

Pipelines are the safest and most efficient method to transport natural gas and oil to market. Natural gas is odourless, colourless and will dissipate quickly when released because it is lighter than air. However, the gas is flammable and can be explosive if ignited. Crude oil is a liquid mixture of naturally occurring petroleum hydrocarbons and can possess a rotten egg, gasoline, tar or “skunk-like” odour. Crude oil vapours are volatile, and can be flammable and explosive.

Typically, TC Energy does not own the land where our pipelines are located, but instead acquires the right prior to construction to install and operate the pipeline and related facilities within a pipeline right-of-way through an easement or right-of-way agreement with the landowner. The terms of the right-of-way agreements vary but generally provide TC Energy with the right to access, construct, operate, maintain and abandon the pipeline within the right-of-way.

The width of the right-of-way is based on the size and type of the pipeline and related facilities. By contrast, TC Energy does typically own the land where both compressor stations, which re-pressurize gas along the pipeline to ensure the gas flows continuously at a desired flow rate, and pump stations, which pump oil through the pipeline from one point to the next, are located. The lands required for meter stations, which measure product volume, are either leased directly from landowners or owned by TC Energy.



Regulatory requirements

TC Energy's pipeline design, construction and maintenance programs meet or exceed industry and government standards. In Canada, our operations are regulated by provincial and federal authorities including the Canada Energy Regulator (CER). Legislation and regulations set out the requirements governing activities in proximity and on pipeline rights-of-way, including vehicle and equipment crossings, construction of facilities on or near a right-of-way, and other activities that could cause ground disturbances, which might impact the pipeline. Such legislation and regulations aim to ensure the safety and protection of the public, our employees, the environment as well as our pipeline facilities and other property.

Safety

At TC Energy, we seek to anticipate and minimize hazards of every description. From design and construction to operation and maintenance, safety is an integral part of everything we do. TC Energy regularly communicates pipeline safety information to stakeholders through our public awareness program.

Our safety practices include monitoring changes in land use near our pipeline facilities. This can involve meetings with landowners, municipal decision makers, administrative staff and land use planners.

TC Energy also has an extensive pipeline maintenance program that ensures our pipeline facilities are regularly monitored, inspected and repaired in order to meet or exceed best industry practices and regulatory requirements. Our entire pipeline transmission system is monitored from our control centres 24 hours a day, 7 days a week. In addition, TC Energy carries out the following activities as part of our pipeline maintenance program:

Aerial patrols – TC Energy carries out aerial patrols of the pipeline route to identify hazards from outside sources, including unauthorized construction and ground disturbances near the pipeline. Sensitive detection equipment may be used during these patrols to identify gas leaks.

In-line pipeline inspections – TC Energy conducts in-line pipeline inspections using tools that travel through the pipeline collecting data and looking for locations where corrosion, metal loss or dents may have occurred.

Hydrostatic testing – TC Energy uses hydrostatic testing, typically at the completion of pipeline construction, but to verify the safety of existing pipelines. Sections of the pipeline are filled with water and the pressure is increased beyond normal operating pressure to test pipeline strength and identify any pipeline leaks.

Cathodic protection – TC Energy uses cathodic protection, which involves applying a low-voltage electrical current to the metal pipe to protect the pipeline against corrosion. The cathodic protection system is monitored regularly to ensure proper protection against pipeline corrosion.

Pipeline signage – TC Energy installs pipeline signs at all road, rail, and waterbody crossings and at other strategic points along the pipeline route to identify the approximate location of our pipelines. Pipeline signs contain important information such as:

- The owner of the pipeline
- The product shipped in the pipeline
- Emergency contact numbers

BE AWARE: Pipeline signs will not designate the exact location, depth or number of pipelines in the area. Contact your local one-call centre and TC Energy will send a representative to the proposed excavation site to mark the pipeline.



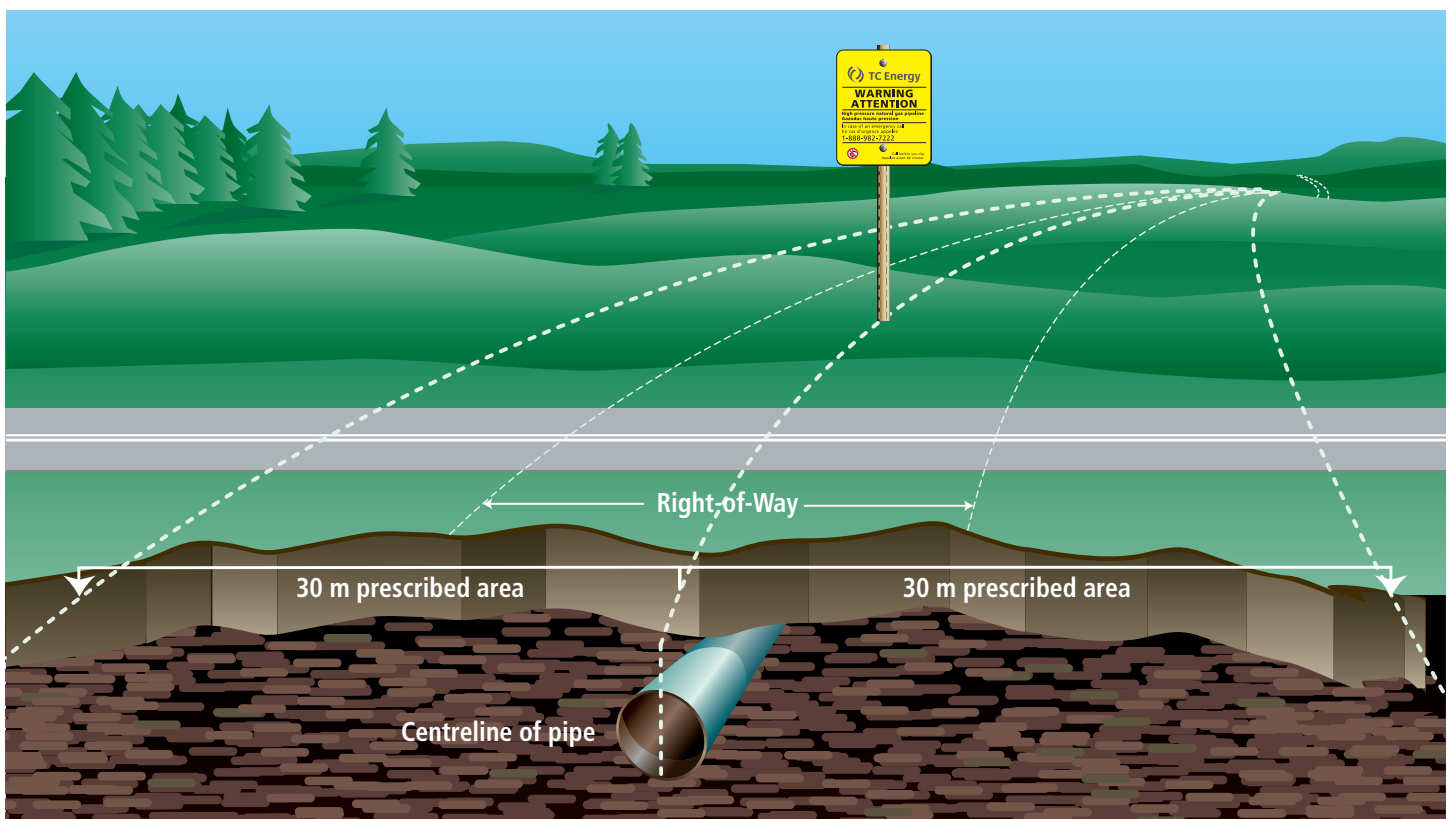
Approvals for working around TC Energy's facilities

To ensure our pipelines and facilities operate safely, written consent from TC Energy must be obtained in Canada before any of the following:

- Constructing or installing a facility across, on, along or under a TC Energy pipeline right-of-way
- Conducting ground disturbance (excavation or digging) on or within the prescribed area (30 metres or 100 feet from the centreline of the pipeline)
- Driving a vehicle, mobile equipment or machinery across a TC Energy pipeline right-of-way outside the travelled portion of a highway or public road
- Using any explosives within 300 metres or 1,000 feet of TC Energy's pipeline right-of-way
- Use of the prescribed area for storage purposes

The following are examples of ground disturbances:

- Digging
- Excavation
- Trenching
- Tunneling
- Boring/drilling/pushing
- Augering
- Topsoil stripping
- Land leveling/grading
- Plowing to install underground infrastructure
- Tree or shrub planting
- Cleaning and stump removal
- Subsoiling
- Blasting/using explosives
- Quarrying
- Grinding and milling of asphalt/concrete
- Seismic exploration
- Driving fence posts, bar, rods, pins, anchors or pilings
- In-ground swimming pools



Locate request

Any person planning to construct a facility across, on, along or under a pipeline (including the right-of-way), conduct a ground disturbance activity within 30 metres of the centreline of a pipe, or operate a vehicle or mobile equipment across a right-of-way, must request a locate service.

Locate requests can be made online (www.clickbeforeyoudig.com), via mobile apps (Saskatchewan and Quebec) or via phone (see the back of this booklet for more details). The locate request must be made at least three working days in advance of the ground disturbance, construction activity, or vehicle or mobile equipment crossing.

The One-Call Centre will notify TC Energy to send a representative to mark the facilities with flags, paint or other markings in order to help you avoid damaging them. The TC Energy representative will explain the significance of the markings and provide you with a copy of the locate report. The service is free and could prevent accidents, injuries or deaths.

Written consent

After you apply for written consent, TC Energy will assess the planned work to ensure it does not pose a risk of damage to the pipeline and to ensure that access to the pipeline for maintenance or emergency purposes is not impeded.

Obstacles on a right-of-way, such as sheds, trailers, boats, garbage and vegetation can interfere with TC Energy's pipeline maintenance program (detailed in safety section above). In some cases, TC Energy may require additional time to assess the situation prior to providing consent.

In review, prior to commencing any activities in proximity to the pipeline, you must:

- Make a locate request
- Obtain TC Energy's written consent (apply online at writtenconsent.transcanada.com or call 1-877-872-5177). Often written consent for minor activities can be obtained directly from regional TC Energy representative through a locate request.
- Obtain TC Energy's safety practices to be followed while working in the vicinity of its pipes or prescribed area and information that clearly explains the significance of the locate markings.

Mobile equipment and vehicle crossings

The operation of a vehicle or mobile equipment across a TC Energy right-of-way requires TC Energy's written consent, except in the following circumstances:

- Vehicle or mobile equipment is operating within the travelled portion of a highway or public road across the right-of-way
- Vehicle and mobile equipment is being used to perform an agricultural activity and the following conditions are being met:
 1. The loaded axle weight and tire pressures of the vehicle is being operated within the manufacturer's approved limits and operating guidelines; and
 2. The point of crossing has not been identified by TC Energy as a location where a crossing could impair the pipeline's safety or security

Agricultural activities

Agricultural activity involves the work of producing crops and raising livestock and includes tillage, plowing, disking, harrowing, and pasturing but does not include the construction of new buildings or the placement of footings, foundations, pilings or posts.

The following agricultural activities do not require written consent from TC Energy:

- Cultivation activities (e.g. tillage, plowing, disking and harrowing) to a depth of less than 45 centimetres, as these activities are exempt from the applicable statutory definitions of a ground disturbance (See the Approvals for Working Around TC Energy's Facilities section).
- Agricultural vehicle and mobile equipment crossings as described in the mobile equipment and vehicle crossings section above.



Warning sign



Warning sign



Vent marker



Aerial marker

Development on or near the pipeline right-of-way

It is important for municipal authorities, developers and landowners to consult with TC Energy early in the planning stage of a development project on or near a right-of-way to ensure that TC Energy's pipelines and facilities are appropriately incorporated into the plan and that any new development near our facilities meets regulatory and TC Energy requirements.

Contact TC Energy before developing within 750 metres of TC Energy compressor stations and pump stations so that we can analyze potential impacts and recommend measures to protect adjacent lands from industrial impacts.

TC Energy requires significant advance notice for any development which increases the population density within approximately 200 metres of a pipeline. Population growth means potential changes to the operating requirements of the pipeline, and could result in a revision to operating pressure, a pipeline replacement, and/or other mitigation actions as necessary. Failure to consult with TC Energy in advance may result in significant delays and costs to the development. during these patrols to identify gas leaks.

Municipalities often prescribe minimum setback distances to restrict the building of a structure within a prescribed distance from a curb, property line, right-of-way or structure. These setbacks can help to minimize the risk of damage to buried infrastructure. As municipal setback requirements vary, contact the local authority and TC Energy to determine the requirements in your area.

Any ground disturbance within 30 metres of the centerline of the pipe, construction of a facility across, on, along or under a pipeline (including the right-of-way), or vehicle or mobile equipment crossing the pipeline right-of-way may not occur without TC Energy's written consent.

For detailed guidelines about applying for written consent from TC Energy, visit [writtenconsent.transcanada.com](https://www.transcanada.com/writtenconsent) or call **1-877-872-5177**. A copy of the guidelines can also be provided upon request.

The following must be taken into consideration when planning a development project.

Subdivisions – Contact TC Energy early in the design process so that we can comment on the proposed subdivision plans. TC Energy's practice is that our right-of-way be used as a passive green space or as part of a linear park system. Permanent structures on the right-of-way are not permissible.

Roads and Utilities – Contact TC Energy when designing roads and utilities. Roads may be permitted to cross and/or run parallel to the right-of-way, but no portion of a road allowance can be located on the right-of-way (apart from approved road crossings). TC Energy will also review the location of utilities, which are often proposed to be installed within road allowances.

Blasting – Contact TC Energy before conducting any blasting activities within 300 metres of the pipeline right-of-way so TC Energy can review your plans for potential impacts to its facilities. Blasting activities related to prospecting for mines and minerals within 40 metres of a federally regulated pipeline right-of-way require permission from the CER.

Landscaping – Contact TC Energy for written consent before landscaping. Projects such as pedestrian pathways and the planting of trees and shrubs may be permitted as long as they do not impede TC Energy's access along its right-of-way for operational or maintenance activities. Our written consent will specify the permitted landscaping requirements.

Important contact information

Canadian One-Call centres

British Columbia 1-800-474-6886
Alberta 1-800-242-3447
Saskatchewan. 1-866-828-4888
Manitoba 1-800-940-3447
Ontario 1-800-400-2255
Quebec 1-800-663-9228
www.clickbeforeyoudig.com

Mobile phone apps

Saskatchewan. Sask1st Call
Quebec Info-Excavation
Emergency 1-888-982-7222

General inquiries

Phone 1-855-458-6715
Email public_awareness@tcenergy.com

Landowner inquiries

Phone 1-866-372-1601
Email cdn_landowner_help@tcenergy.com

Applying for written consent

Online. writtenconsent.transcanada.com
Phone 1-877-872-5177

Crossings inquiries

Email crossings@tcenergy.com
Quebec email. quebec_crossings@tcenergy.com

The majority of TC Energy's pipelines are regulated by the Canada Energy Regulator in Canada, with some pipelines regulated provincially. For more information on CER-regulated pipelines, visit www.cer-rec.gc.ca.

SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE				
Correspondence Type	Name	Address	Date Received (mm/dd/yyyy)	Summary
Applicant	Di Poce Management Ltd.			Planning Justification

DI POCE

Management Limited

February 28, 2022

Office of the City Clerk
Committee of Adjustment
2141 Major Mackenzie Drive
Vaughan ON, L6A 1T1

Attn: Christine Vigneault, Manager, Development Services &
Secretary-Treasurer to the Committee of Adjustment

**RE: APPLICATION FOR CONSENT TO SEVER / TECHNICAL SEVERANCE
9711 HUNTINGTON ROAD, VAUGHAN
PARTS 1, 2 & 3 OF LOT 20, CONCESSION 9 AND PARTS 6, 7 & 8 OF LOT 19, CONCESSION 9**

We, Di Poce Real Estate Holdings Limited, are the property owners of the lands described as Parts 1, 2 & 3 of Lot 20, Concession 9 and Parts 6, 7 & 8 of Lot 19, Concession 9, and municipally addressed as 9711 Huntington Road, in the City of Vaughan (herein referred to as the 'Subject Lands' and or 'Site'). We are pleased to submit an application for Consent to Sever ("technical severance") for the subject lands.

In support of the application, the following documents have been submitted digitally to **coa.application@vaughan.ca** for preliminary review:

1. Completed and signed Consent Application form; and,
2. Severance Sketch & Location Map.

SITE DESCRIPTION & HISTORY

The Subject Lands are located southeast of Huntington Road and McGillivray Road, and are presently vacant. The Subject Lands are legally described as Parts 1, 2 & 3 of Lot 20, Concession 9 ("the retained lot") and Parts 6, 7 & 8 of Lot 19, Concession 9 ("the severed (conveyed) lot"). The retained lot consists of approximately 1.48 ha (3.657 acres) with approximately 85 m (226 ft) of frontage on McGillivray Road while the severed (conveyed) lot consists of approximately 1.12 ha (2.77 acres), with approximately 68 m (223 ft) of frontage on Huntington Road. See **Table 1** for a summary of property details.

Note, these lands are located within Block 60 in the City of Vaughan and are currently participating lots in the Block 60 West Landowners Group, Block Plan process currently underway.

The Subject Lands were acquired in 2006 under two separate corporations under the Di Poce Group of Companies. At the time, these parcels were legally described as follows (see attached **Figure 1** illustrating the land holdings in 2006):

TABLE 1:

PART	LOT	CONCESSION	PIN	AREA	OWNERSHIP
1	20	9	03320-0007 (LT)	11.420 ha (28.219 acres)	North Capital Corp.
2	19	9	03320-0010 (LT)	9.094 ha (22.471 acres)	North Capital (2) Corp.
7	19	9	03320-0010 (LT)	0.050 ha (0.123 acres)	North Capital (2) Corp.

In 2015, a portion of both of the above noted land holdings were expropriated by the Ministry of Transportation (MTO) in order to secure the lands for the construct of the Highway 427 Extension. As a result of the expropriation, the two parcels were severed into 4 separate parcels as follows (see attached **Figure 2** illustrating the current land holdings).

On May 25th, 2016, North Capital Corp, North Capital (2) Corp., and 14 other Di Poce Group Corporations amalgamated title ownerships with “Di Poce Real Estate Holdings Limited” as part of a corporation reorganization. As a result, of the title amalgamation, the Subject Lands noted above and below were automatically merged and are therefore considered one property under the Planning Act. This exercise was executed for company restructuring purposes and not for land development purposes and therefore, the merger was inadvertent and never intended.

TABLE 2: CURRENT (SUBJECT LANDS IN BOLD)

PART	LOT	CONCESSION	PIN	AREA	OWNERSHIP	
1	20	9	03320-0253 (LT)	1.48 (3.657 acres)	Di Poce Real Estate Holdings Limited	
2						
3			03320-0255 (LT)	7.553 ha (18.663 acres)		
4						
5	19	9	03320-0243 (LT)	3.603 ha (8.903 acres)	Di Poce Real Estate Holdings Limited	
6			03320-0242 (LT)	1.12 ha (2.770 acres)		
7						
8						

Di Poce Real Estate Holdings Limited has entered into an agreement of purchase and sale to sell Parts 6, 7 & 8 of Lot 19, Concession 9 to an interested party. The new land owner will subsequently join the Block 60 West Landowners Group and continue to participate in the City of Vaughan’s Block Plan process and under all cost sharing agreements.

SURROUNDING LAND USES

NORTH:	Vacant lot currently under ownership by Di Poce Real Estate Holdings Limited. CP Rail Lands beyond McGillivray Road
SOUTH:	Vacant Lands
EAST:	Highway 427 Extension
WEST:	Vacant Lands (Hydro Corridor) and CP Railyard further west

PROPOSAL DESCRIPTION

The purpose of this application is to request a technical severance to re-establish and formally legalize the existing lot boundaries as they existed prior to the title and lot merger of the Subject Lands, which occurred in 2016 (see **Consent Sketch**).

TABLE 3: SEVERANCE SUMMARY

	SEVERED (CONVEYED) LANDS Parts 6, 7 & 8 Lot 19, Concession 9	RETAINED LANDS Parts 1, 2 & 3 Lot 20, Concession 9
Lot Area	1.12 ha (2.77 acres)	1.48 ha (3.65 acres)
Lot Frontage	+/- 68 m (223 ft)	+/- 85 m (278.8 ft)
Existing Use	Vacant	
Proposed Use	Future Employment Uses in accordance with the City of Vaughan Official Plan and the West Vaughan Employment Area Secondary Plan	

PLANNING ANALYSIS AND JUSTIFICATION

The following is a summary of how the proposed severance conforms to and meets applicable Provincial, Regional and Municipal Policies.

PLANNING ACT

In accordance with Section 10.1.2.46 of the City of Vaughan Official Plan, the approval of consents to sever land shall be in conformity with the relevant policies contained within the Official Plan and the provisions of the Planning Act. Section 51(24) of the *Planning Act* requires that regard be had for the following considerations when creating new lots:

- ***In considering a draft plan of subdivision, regard shall be had, among other matters, to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality and to,***
 - a) The effect of development of the proposed subdivision on matters of provincial interest as referred to in Section 2;***

A Plan of Subdivision is not required given that no new roads are proposed or required and the application is to sever one property into two to re-establish the previous lot boundaries prior to the title amalgamation/ merger. The proposed consent will not impact the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality. All applicable AODA Standards will be addressed at the future Site Plan Approval and Building Permit stages.

Furthermore, the proposed consent is consistent with the matters of provincial interest listed in Section 2 of the Planning Act, including but not limited to the adequate provision of employment opportunities, the appropriate location of growth and development, the adequate provision of the orderly development of safe and healthy communities, and the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems.

b) Whether the proposed subdivision is premature or in the public interest;

The proposed severance will re-establish the previous lot boundaries prior to the title amalgamation/ merger under the Planning Act and is therefore not premature. The Severed and retained lots will facilitate future employment uses in accordance with the City of Vaughan Official Plan and the West Vaughan Employment Area Secondary Plan and therefore is in the public interest.

c) Whether the plan conforms to the official plan and adjacent plans of subdivision, if any;

The subject lands are designated "Employment Areas" in the City of Vaughan Official Plan and "General Employment" in the West Vaughan Employment Area Secondary Plan. Therefore, the proposed consent will permit the establishment of the severed and retained lots for the purposes of developing suitable future employment uses as contemplated by the City of Vaughan Official Plan and the West Vaughan Employment Area Secondary Plan.

d) The suitability of the land for the purposes for which it is to be subdivided;

The proposed severance application will re-establish the previous lot boundaries prior to the title amalgamation/ merger and therefore create lots which are suitable, appropriate and compatible with the existing character of the surrounding employment area.

d.1) If any affordable housing units are being proposed, the suitability of the proposed units for affordable housing;

This item is not applicable to this application as residential uses are not proposed.

e) The number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;

The subject lands are located within Block 60 in the City of Vaughan and are currently participating lots in the Block 60 West Landowners Group, Block Plan process. The Subject Lands will be designed through the Block Plan process such that grades, elevations and connections to nearby municipal streets and highways (Highway 27) will be facilitated to the satisfaction of the City of Vaughan and any other applicable approval authority.

f) The dimensions and shapes of the proposed lots;

The proposal results in the creation of two lots that have dimensions and shapes which are consistent with employment lands and will be able to facilitate employment uses in accordance with the City of Vaughan Official Plan and the West Vaughan Employment Area Secondary Plan.

g) The restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;

The Subject Lands contain registered Easements for the purposes of the TransCanada Pipeline. Any future applications for development will have regard for the appropriate restrictions and or setbacks dictated by the appropriate authority and or Zoning By-law.

h) Conservation of natural resources and flood control;

There are no known natural features on the Subject Lands, however, the appropriate reports and studies are currently being undertaken in order to confirm any and all natural resources and flood control issues and mitigation measures if required.

i) The adequacy of utilities and municipal services;

As noted above, the Subject Lands are currently participating lots within the Block 60 West Block Plan process. The appropriate Municipal services and utilities will be designed and approved through the Block Plan process which will in turn become a requirement of any future development applications including but not limited to Draft Plans of Subdivision, Rezoning and or Site Plan processes.

j) The adequacy of school sites;

This item is not applicable to this consent application given the Subject Lands form part of the City's Employment Land area base.

k) The area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;

None are proposed, nor required at this time.

l) The extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and

The optimization of supply, efficient use and conservation of energy will be addressed in detail at Site Plan Approval stages for the future development of the Subject Lands.

- m) The interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act or subsection 114 (2) of the City of Toronto Act, 2006.***

Following the future rezoning of the Subject Lands to implement the Vaughan Official Plan and the West Vaughan Employment Area Secondary Plan Policies, a site plan application will be required to facilitate the development of any employment uses and or buildings on the Subject Lands.

Based on the above analysis, the proposed severance meets the tests under section 51(24), and given the context of the ongoing City of Vaughan Block Plan process for this Block, and subsequent Planning approvals to facilitate Employment uses in accordance with the applicable policies of the Vaughan Official Plan and the West Vaughan Employment Area Secondary Plan, the proposed severance is in the public interest, represents good planning and has sufficient regard for the matters under Section 51(24) of the *Planning Act*.

PROVINCIAL POLICY STATEMENT, 2020

The PPS provides policy direction on matters relating to land use planning and development within the Province of Ontario. The Planning Act requires that decisions affecting a planning matter “be consistent with” the policies of the Provincial Policy Statement.

Sections 1.1.3.2 identifies policy directives aimed at focusing growth and development to Settlement areas by promoting the “efficient use of land and resources”, and, making sure that land uses are “appropriate for and efficiently use the infrastructure and public service facilities which are planned or available and avoid the need for unjustified and or uneconomical expansion”.

Similarly, Section 1.3.1 provides policy context to for the promotion of economic development and competitiveness within Employment Areas by “providing an appropriate mix and range of employment uses to meet long term need” as well as “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 take into account the needs of existing and future businesses”.

The subject lands are located within City of Vaughan’s Urban Boundary where growth is directed. The Subject Lands are further located within Block 60 West in the City of Vaughan which is an Employment Area in the West Vaughan Employment Area Secondary Plan currently participating in the City of Vaughan’s Block Plan process in order to comprehensively plan the block for a range of suitable sites for employment uses within an employment district. Given the status of the Block Plan process is ongoing, a number of supporting studies are being developed to determine the appropriate design and function of various municipal services, road network and protection of natural features in order for the lands to develop over time.

Based on the above, the proposed severance is consistent with the Provincial Policy Statement 2020 as it will serve to encourage intensification and the efficient use of land and public infrastructure as well as provide variety of lot sizes within the West Vaughan Employment Area in order to accommodate a variety of employment uses and activities for the economic benefit and well being of the City.

GROWTH PLAN FOR THE GREATER GOLDEN HORSESHOE, 2017

While building on the objectives of the Provincial Policy Statement, the Growth Plan for the Greater Golden Horseshoe provides a framework to implement the provincial government's vision for building stronger, prosperous communities by managing growth within the region. The Planning Act also requires that decisions affecting planning matters "be in conformity with" the policies of the Growth Plan for the Greater Golden Horseshoe.

Similar to the PPS (2020) policies noted above, Section 2.2.1 of the Growth Plan provide policy direction related to focusing growth within settlement areas and locations with existing or planned public services, while Section 2.2.5 identifies policies aimed at promoting economic development for Employment uses. These policies include "making more efficient use of existing employment areas and vacant and underutilized employment lands and increasing employment densities" as well as "ensuring the availability of sufficient land, in appropriate locations, for a variety of employment to accommodate forecasted employment growth...".

Similar to the analysis provided in the PPS discussion above, the proposed severance conforms to the policy objectives of the Growth Plan as it serves to provide lots for employment uses of varying sizes with the support of future public infrastructure guided by the City of Vaughan Block Plan process.

YORK REGION OFFICIAL PLAN

The York Region Official Plan (YROP) designates the subject lands as "Urban Area" on Map 1 (Regional Structure) and further identifies the Subject Lands to as "Strategic Employment Lands" on Figure 2 (York Region Strategic Employment Lands). It is the goal of the YROP "to ensure the long-term supply and effective planning and design of employment lands". The plan also notes the importance for local municipalities to designate and protect employment lands in order to maintain and enhance the long-term viability of all employment lands.

Based on the above, the proposed severance conforms to the Policies and objectives of the York Region Official Plan given the lands are designated General Employment and the future implementing Zoning By-law will implement the corresponding General Employment Zone.

CITY OF VAUGHAN OFFICIAL PLAN

The subject lands are designated as "Employment Areas" on Schedule '1' (Urban Structure) and "Lands Subject to Secondary Plans" on Schedule '13' (Land Use) of the City of Vaughan Official Plan. Consistent with the Provincial and Regional Plan policies discussed above, the general policies of the Employment Area designation include supporting economic activity by supplying land for a range of industrial, manufacturing, warehousing and, where appropriate, some office uses as well as the encouragement of a range of parcel sizes, street patterns and building design in order to maintain the flexibility to attract a variety of businesses and allow redevelopment and intensification.

The proposed severance of the Subject Lands will facilitate the policies of the Employment Area designation by providing land supply options in the Block 60 West Employment Area to accommodate a range of industrial, manufacturing, warehousing and where appropriate office uses through the future development of the Block. As such, the proposed severance is in conformity with the Employment Area policies of the Vaughan Official Plan.

Furthermore, the Sections 10.1.2.38, 10.1.2.40, 10.1.2.46 and 10.1.2.47 of the Official Plan identifies additional matters which the Committee of Adjustment shall have regard for when determining whether a consent is to be granted. The following is a summary of how the proposed severance of the Subject Lands addresses these matters:

Section 10.1.2.38

That a lot(s) may be created only if there is enough net *developable area* on both the severed lot and the remainder lot to accommodate proposed uses, buildings and structures and accessory uses without encroachment on the Natural Heritage Network.

The proposed severed and retained lots are of sufficient size to accommodate future employment uses. This acknowledgment comes from the position that subject to a future rezoning process which will occur post Block Plan approval, the severed and retained lots will meet the corresponding provisions of the General Employment Zones of the Vaughan Zoning By-law (whether it be By-law 1-88 or the new City of Vaughan Zoning By-law 001-2021). See specific discussion on future re-zoning in the Zoning By-law conformance section below.

Section 10.1.2.40

That a lot shall not be created if it would extend or promote strip development.

The proposed severed and retained lots will not result in strip development.

Section 10.1.2.46

- a. in the case of non-conformity of the approval with the Official Plan, no consent shall be granted;***

As demonstrated above, the Subject Lands are designated for Employment Uses and therefore conform to the York Region Official Plan, City of Vaughan Official Plan and West Vaughan Employment Area Secondary Plan and corresponding policies.

- b. in cases where either or both of the subject or retained lands are not in conformity with the approved Zoning By-law, the applicant shall file a Zoning By-law amendment application prior to or concurrently with the consent application, or where the required zoning exceptions to facilitate the severance are minor in nature and maintain the intent of this Plan, a minor variance application. When considering such Zoning Bylaw Amendment or minor variance applications, Council or the Committee of Adjustment shall have regard for the consent policies of this Plan; and***

Based on the analysis discussed under the Zoning By-law compliance section below, the proposed consent will be in conformity with the prevailing General Employment Zones following a future rezoning application post Block plan approval.

- c. in cases where a Site Plan application is deemed necessary to assess a consent application, the City may defer the consent application until the related Site Plan has been approved by Council.***

Given the Subject Lands are currently participating in the City of Vaughan Block Plan process, it would be premature to require a Site Plan to assess the consent application. Future development applications including Site Plan related applications will be required at the appropriate stages of development.

Section 10.1.2.47

a. Compatibility of the proposed size, shape and use of the lot with:

- i. the local pattern of lots, streets and blocks;**
- ii. the size and configuration of existing lots;**
- iii. the building type of nearby properties;**
- iv. the heights and scale of nearby properties;**
- v. the setback of buildings from the street;**
- vi. the pattern of rear and side-yard setbacks; and**
- vii. conservation and enhancement of heritage buildings, heritage districts and cultural heritage landscapes.**

The proposed severed and retained lots will achieve compatibility with the above noted items by conforming to the applicable provisions of the future corresponding General Employment Zone requirements. See specific discussion on future re-zoning in the Zoning By-law compliance section below.

b. Access:

- i. consent to sever a lot shall be permitted only when both the lot severed and the remaining parcel front on an existing assumed public highway or street, or upon a dedicated public road allowance upon which the applicant is constructing a road pursuant to an Agreement with the City. Valley lands acquired for conservation purposes by the Toronto and Region Conservation Authority are exempt from these access requirements;**

Both the severed and retained lots will maintain their existing frontages and access onto Huntington Road and McGillivray Road, respectively.

- ii. if the proposed lot or remaining parcel has frontage on a Provincial Highway, any consent shall be subject to the requirements of the Ministry of Transportation. If the proposed lot or remaining parcel has frontage on a Regional or City Road, any consent shall be subject to the requirements of appropriate Regional or City authorities. Consent shall be conditional on the dedication of required road widenings, free of all costs and encumbrances, approval of access driveway locations or other requirements, to the satisfaction of the appropriate authorities;**

This item is not applicable to this application given the Subject Lands do not contain frontage onto a Provincial Highway.

- iii. creation of lots fronting on designated arterial streets shall be discouraged, as granting of an entrance permit to serve a new lot provides another point of conflict with the smooth flow of traffic for which the road is designed, particularly in areas where strip development already poses traffic problems;**

This item is not applicable to this application given the Subject Lands do not contain frontage onto designated arterial streets.

- iv. ***a daylighting triangle at intersections may be required to be dedicated in order to improve visibility for traffic movement to the satisfaction of the City and York Region; and***

Daylight triangles, where applicable through any corresponding development application, will be implemented to the satisfaction of the approval authority accordingly.

- v. ***a reserve may be required to be deeded to York Region or the City if requested by the Regional or City Engineer, as a means of controlling access.***

Reserves, where applicable through any corresponding development application, will be implemented to the satisfaction of the approval authority accordingly.

c. Services:

- i. ***all proposed lots shall be serviced by either a public water supply or other adequate supply of potable water, and either a connection to a public sanitary sewer system or provision for other sanitary waste treatment facility on the site appropriate to the proposed use, approved by the City. Where a proposed lot is located in an area serviced by a municipal water system and/or sanitary sewer, the Committee of Adjustment shall obtain confirmation from the appropriate City and/or regional authority that servicing capacity can be allocated to the proposed lot without straining the capacity of the present system or jeopardizing anticipated development by Plan of Subdivision; and***
- ii. ***where a consent has been applied for to create a lot which is dependent upon an individual water supply, approval shall be conditional upon the City and or Region, as appropriate, being satisfied that an adequate potable water supply can be made available, and that the location of the well in relation to the septic tank is acceptable. The City and or Region, as appropriate, may require a hydrology report from a qualified professional engineer in regard to the adequacy of the potable water supply without adversely affecting either the quantity or quality of adjacent potable water supplies.***

In response to items i and ii above, the severed and retained lands will be serviced by municipal services in accordance with the approved Block Plan.

d. Conservation:

- i. ***the Toronto and Region Conservation Authority shall be consulted in respect of applications for consent which are subject to flooding, wind or water erosion, or characterized by steep slopes, groundwater recharge, valuable wildlife or fish habitat, mature tree stands and areas of high aggregate potential.***

As part of the ongoing Block 60 West Block Plan process, the TRCA has been engaged and will continue to be consulted with in order to receive formal Block Plan approval.

e. Financial Implications:

- i. *creation of lots shall not be permitted where capital expenditures by a public authority would be required for the extension of any major service or facility.***

There are no capital costs to a public authority warranted as a result of the proposed severance.

Based on the above, it is our opinion that the proposed consent to sever conforms to the applicable policies and matters of the City of Vaughan's Official Plan related to Consent Applications.

WEST VAUGHAN EMPLOYMENT AREA SECONDARY PLAN

The subject lands are designated "General Employment" on Schedule '3' of the "West Vaughan Employment Area Secondary Plan". Implementing the Employment Area policies of the Vaughan Official Plan discussed above, "the General Employment designation is intended to accommodate employment uses such as industrial, manufacturing and warehousing that due to their need for outside storage and their possibility of producing noise, odour or other emissions are not compatible with other uses and therefore cannot be accommodated within other designations".

The proposed severance of the Subject Lands will accommodate industrial, manufacturing and warehouse uses through future development applications as contemplated through the General Employment designation. Therefore, the proposal conforms to the West Vaughan Employment Area Secondary Plan.

CITY OF VAUGHAN ZONING BY-LAW NO. 1-88 and No. 001-2021

The Subject Lands are currently regulated by Zoning By-law 1-88 which was passed by the Council of the Corporation of the Town of Vaughan on September 19, 1988. The City of Vaughan recently passed By-law 001-2021, however, this By-law was subsequently appealed and therefore, based on correspondence with City of Vaughan Staff, for the purposes of determining zoning Compliance, both by-laws must be addressed.

BY-LAW 1-88:

Under By-law 1-88, the severed and retained lots are zoned "Agricultural" (A). Section 8.0 of By-law 1-88 outlines the permitted use and various provisions associated with the Agricultural (A) Zone. Amongst the list of permitted uses, Agricultural uses, including limited accessory uses related to Residential, Institutional, Recreational and Commercial uses are permitted on the subject lands.

Schedule 'A' to By-law 1-88 outlines the zone standards relative to lot requirements. The following is a summary of lot requirements relative to the proposed severed and retained lots:

ZONING PROVISION	REQUIRED	PROVIDED (SEVERED)	PROVIDED (RETAINED)	ZONING COMPLIANCE
Min. Lot Area	10 ha	1.12 ha (2.770 acres)	1.48 ha (3.657 acres)	NO
Min. Lot Frontage	100 m	+/- 68 m (223 ft)	+/- 85 m (278.8 ft)	NO

Given the above, the proposed severance does not conform to the applicable zoning standards for the "Agricultural" zone in By-law 1-88, HOWEVER, given the Subject Lands are designated General Employment in the City of Vaughan Official Plan and West Vaughan Employment Area Secondary Plan and the lands are participating in the Block 60 West Block Plan process, a future rezoning application will be required to implement the policies of the Official Plan and Secondary Plan. Therefore, if we consider what conformity would look like with the corresponding "General Employment" (EM2) Zone standards of By-law 1-88, the proposed severed and retained lots would meet the requirements of the by-law for that zone.

The following is a summary of lot requirements relative to the future "General Employment Area" (EM2) Zone:

ZONING PROVISION	REQUIRED	PROVIDED (SEVERED)	PROVIDED (RETAINED)	ZONING COMPLIANCE
Min. Lot Area	3,000 sq m (0.3 ha)	1.125 ha (2.780 acres)	1.481 ha (3.661 acres)	YES
Min. Lot Frontage	34 m	+/- 88 m	+/- 69 m	YES

All other zone standards related to setbacks, coverage and building heights will be assessed at the appropriate Site Plan Development stages.

It should be noted, that while By-law 1-88 must be reviewed in the context of this Consent application, the existing Agricultural (A) Zone predates the planning and implementation of The Region of York and the City of Vaughan's Key Strategic Employment Areas and implementing Secondary Plans. Therefore, regard should be had for current policy direction and initiatives such as the new City of Vaughan Zoning By-law 001-2021 which was prepared in order to modernize the existing By-law and bring the Zoning By-law in conformity with the Vaughan Official Plan and corresponding Secondary Plans.

CITY OF VAUGHAN ZONING BY-LAW NO. 001-2021

Under By-law 001-2021, the severed and retained lots are zoned "Future Development" (FD) Zone. Section 2.1 of By-law 001-2021 identifies the uses permitted in each zone. The Future Development Zone permits only existing uses and buildings, however *requires a planning application to amend the By-law in order to evaluate a proposal for urban Development*. This zone has been implemented on the Subject Lands given the lands have been appropriately planned and designated for General Employment Uses under the West

Vaughan Employment Area Secondary Plan and in light of ongoing Block Plan processes to bring these lands into conformity with Official Plan and Secondary Plan policies.

As such, in accordance with the “Future Development Zone” requirements, a zoning By-law amendment would be required following the Block 60 West Block Plan approval. The implementing zone under By-law 001-2021 would be the **“General Employment (EM2) Zone”**.

Table 11-2 and 11-3 of By-law 001-2021 outlines the permitted use and lot standards associated with the “General Employment (EM2) Zone”. Amongst other uses, manufacturing, processing and warehousing are uses permitted in this zone which correspond to the General Employment Area designation in the West Vaughan Employment Area Secondary Plan.

The following is a summary of lot requirements relative to the proposed severed and retained lots:

ZONING PROVISION	REQUIRED	PROVIDED (SEVERED)	PROVIDED (RETAINED)	ZONING COMPLIANCE
Min. Lot Area	1800 sq m (0.18 ha)	1.125 ha (2.780 acres)	1.481 ha (3.661 acres)	YES
Min. Lot Frontage	30 m	+/- 88 m	+/- 69 m	YES

All other zone standards related to setbacks, coverage and building heights will be assessed at the appropriate Site Plan Development stages.

Based on the above, the proposed severed and retain lots will be in conformity with By-law 001-2021 following a future rezoning to the General Employment (EM2) Zone.

CONCLUSION

Based on the above analysis, it is my professional opinion that the proposed severance is appropriate for the subject lands and surrounding area and represents good planning. The proposed severance is in conformity with the current policy and regulatory framework of the applicable Vaughan Official Plan, West Vaughan Employment Area Secondary Plan and City of Vaughan Zoning By-law and meets the requirements of Section 51(24) of the Planning Act.

We respectfully request to be scheduled for the earliest Committee of Adjustment hearing possible. In the meantime, should you require any further information or questions, please do not hesitate to contact us.

Thank you,

Sincerely,



Armando Lopes, BURPI, MCIP, RPP
Development Manager

9711 HUNTINGTON ROAD, VAUGHAN

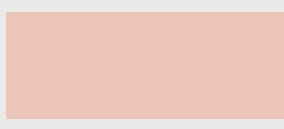
CONSENT SKETCH

FEBRUARY 28, 2022



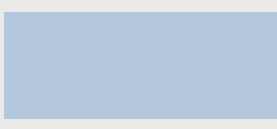
TOTAL LAND AREA
2.60 ha / 6.42 acres

EXISTING FRONTAGE
+/- 85 m / 278.87 ft



LANDS TO BE CONVEYED
1.12 ha / 2.77 acres

PROPOSED FRONTAGE
+/- 68 m / 223 ft



LANDS TO BE RETAINED
1.48 ha / 3.65 acres

PROPOSED FRONTAGE
+/- 85 m / 278.87 ft

NOTE:
EXACT SEVERANCE / LOT
MEASUREMENTS SUBJECT TO
APPROVED R-PLAN

SCHEDULE			
PART	LOT	CONCESSION	PIN
1	PART OF 20	9	03320-0253 (LT)
2			
3			
4			
5	PART OF 19	9	03320-0255 (LT)
6			
7			
8			

PART 2 SUBJECT TO EASEMENT AS IN INST. No. YR2323275
PART 7 SUBJECT TO EASEMENT AS IN INST. No. YR2323234

PLAN OF SURVEY OF
PART OF LOTS 19 AND 20
CONCESSION 9
CITY OF VAUGHAN
REGIONAL MUNICIPALITY OF YORK

SCALE 1: 1500



RODNEY GEYER
ONTARIO LAND SURVEYOR INC.

THE INTENDED PLOT SIZE OF THIS PLAN IS 915mm IN WIDTH BY 610mm IN HEIGHT WHEN PLOTTED AT A SCALE OF 1:1500.

NOTES

BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B BY REAL TIME NETWORK OBSERVATIONS AND ARE REFERRED TO THE CENTRAL MERIDIAN 81°W, ZONE 17 BASED ON NAD 83 CSRS (2010 EPOCH).

DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.9997181

OBSERVED REFERENCE POINTS (ORP's) ARE DERIVED FROM GPS OBSERVATIONS USING THE CAN-NET VRS NETWORK, UTM ZONE 17 NAD 83 CSRS (2010 EPOCH)
COORDINATES TO URBAN ACCURACY PER SEC. 14 (2) OF O.REG. 216/10

POINT ID	NORTHING	EASTING
ORP A	4852428.261	607915.952
ORP B	4852619.396	608488.683

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

FOR BEARING COMPARISONS APPLY THE FOLLOWING ROTATION
P1 COUNTERCLOCKWISE 00°59'40"
P3, P4, P5 COUNTERCLOCKWISE 01°02'30"

NOTES

DISTANCES AND COORDINATES SHOWN HEREON ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

LEGEND

- P1 DENOTES PLAN 65R-36260
P2 DENOTES PLAN 65R-35738
P3 DENOTES PLAN 65R-34873
P4 DENOTES PLAN 65R-28669
P5 DENOTES PLAN 65R-14755
■ DENOTES SURVEY MONUMENT FOUND
□ DENOTES SURVEY MONUMENT SET
SIB DENOTES STANDARD IRON BAR
SSIB DENOTES SHORT STANDARD IRON BAR
IB DENOTES IRON BAR
(OU) DENOTES ORIGIN UNKNOWN
(NI) DENOTES NO IDENTIFICATION
JDB DENOTES J. D. BARNES LIMITED, O.L.S.
1017 DENOTES CALLON, DIETZ, O.L.S.s
1225 DENOTES D. B. SEARLES, O.L.S.
1574 DENOTES DELPH AND JENKINS LTD, O.L.S.
(MS) DENOTES MEASURED
WIT DENOTES WITNESS
1312 DENOTES J. STEL O.L.S.
P6 DENOTES 65R-35095

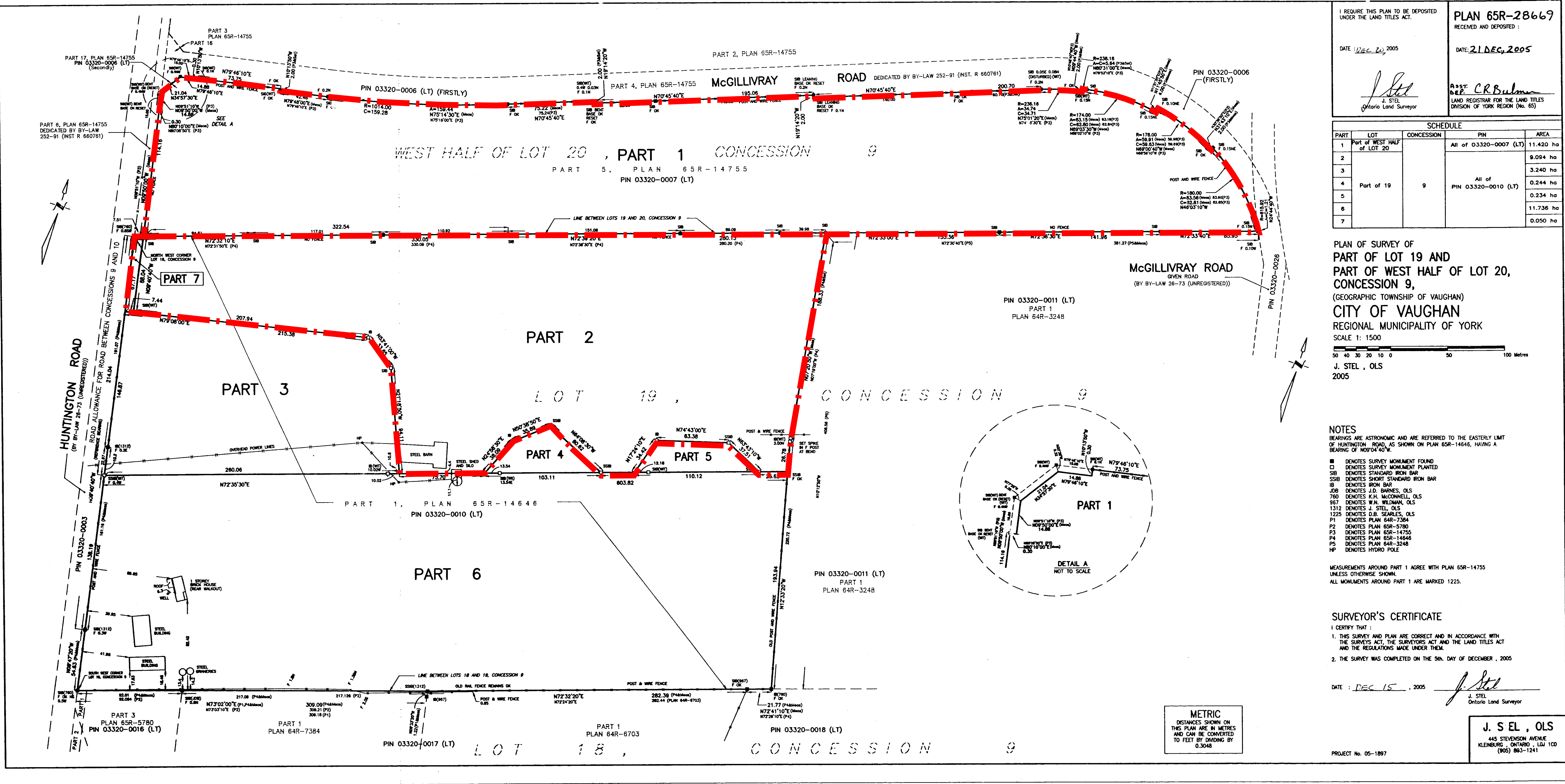
SURVEYOR'S CERTIFICATE

- I CERTIFY THAT:
- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
 - THE SURVEY WAS COMPLETED ON THE 5th DAY OF FEBRUARY, 2021.

DECEMBER 02, 2021
DATE: RODNEY H. GEYER
ONTARIO LAND SURVEYOR

RODNEY GEYER
ONTARIO LAND SURVEYOR INC.
180 PARSONS ROAD, UNIT 29
ALLISTON, ONTARIO L9R 1E8
PHONE (705) 434-0411
www.geyersurveys.com

CHECKED BY:	DRAWN BY:	REV. DATE:	W.O.	REV.
PAR/RHG	SG & PB	DECEMBER 02, 2021	19-3011-R1	A



9711 HUNTINGTON ROAD, VAUGHAN

FIGURE NO.1

FEBRUARY 28, 2022

NORTH CAPITAL CORP. & NORTH CAPITAL (2) CORP.

2005

- PART (S) 1: 11.420 ha (28.219 acres)
- PART (S) 2: 9.094 ha (22.471 acres)
- PART (S) 7: 0.050 ha (0.123 acres)

9711 HUNTINGTON ROAD, VAUGHAN

FIGURE NO.2

FEBRUARY 28, 2022



DIPOCE
REAL ESTATE
HOLDINGS
LIMITED

2022

PART (S) 1, 2 & 3: 1.48 ha (3.657 acres)
PART (S) 4: 7.55 ha (18.66 acres)
PART (S) 5: 3.60 ha (8.90 acres)
PART (S) 6, 7 & 8: 1.12 ha (2.77 acres)

SCHEDULE			
PART	LOT	CONCESSION	PIN
1	PART OF 20	9	03320-0253 (LT)
2			03320-0255 (LT)
3			03320-0243 (LT)
4			03320-0242 (LT)
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6			
7			
8			

PART 2 SUBJECT TO EASEMENT AS IN INST. No. YR2323275
PART 7 SUBJECT TO EASEMENT AS IN INST. No. YR2323234

PLAN OF SURVEY OF
PART OF LOTS 19 AND 20
CONCESSION 9
CITY OF VAUGHAN
REGIONAL MUNICIPALITY OF YORK

SCALE 1: 1500

RODNEY GEYER
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DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.9997181

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- WIT DENOTES WITNESS
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- P6 DENOTES 65R-35095

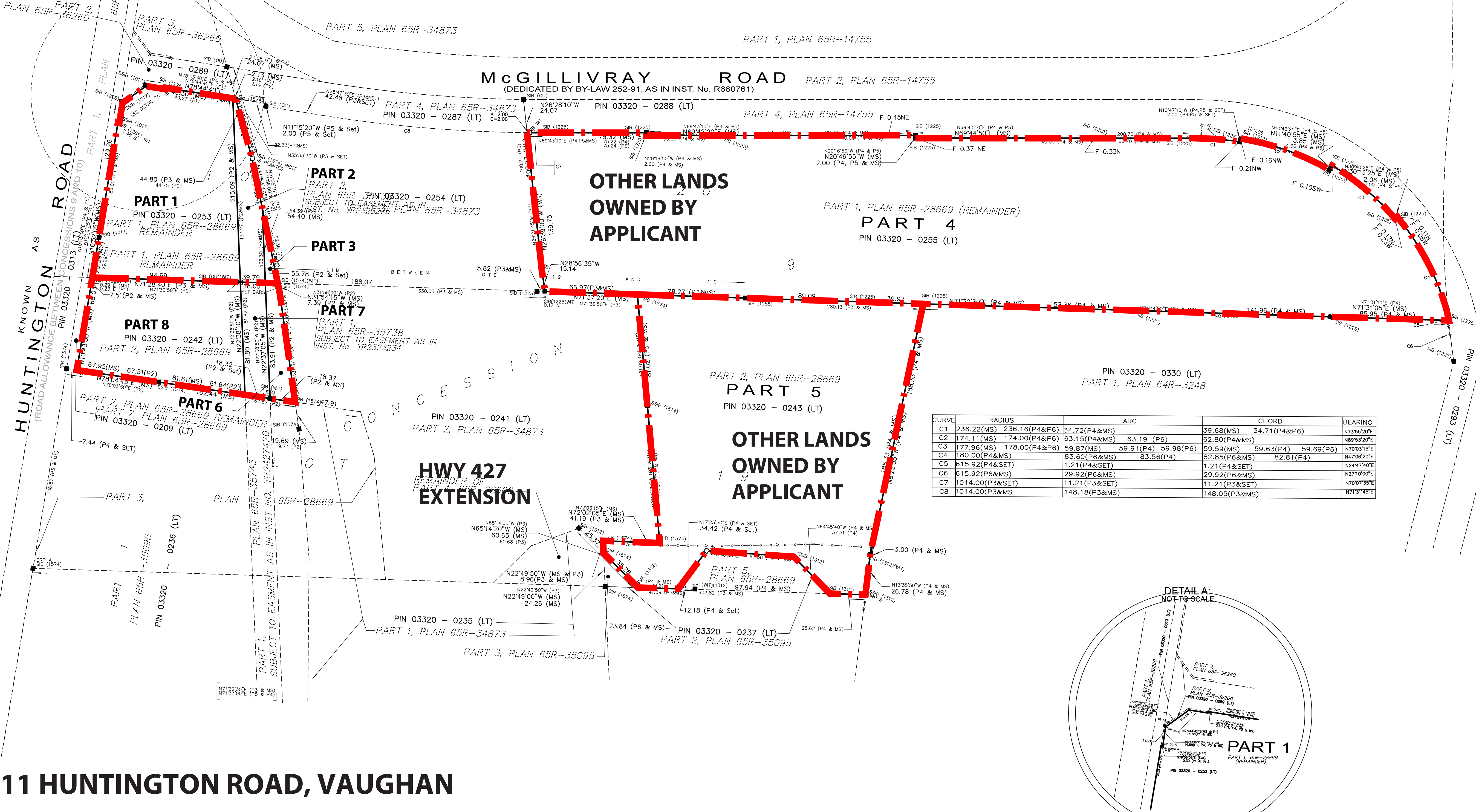
SURVEYOR'S CERTIFICATE

- I CERTIFY THAT:
- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
 - THE SURVEY WAS COMPLETED ON THE 5th DAY OF FEBRUARY, 2021.

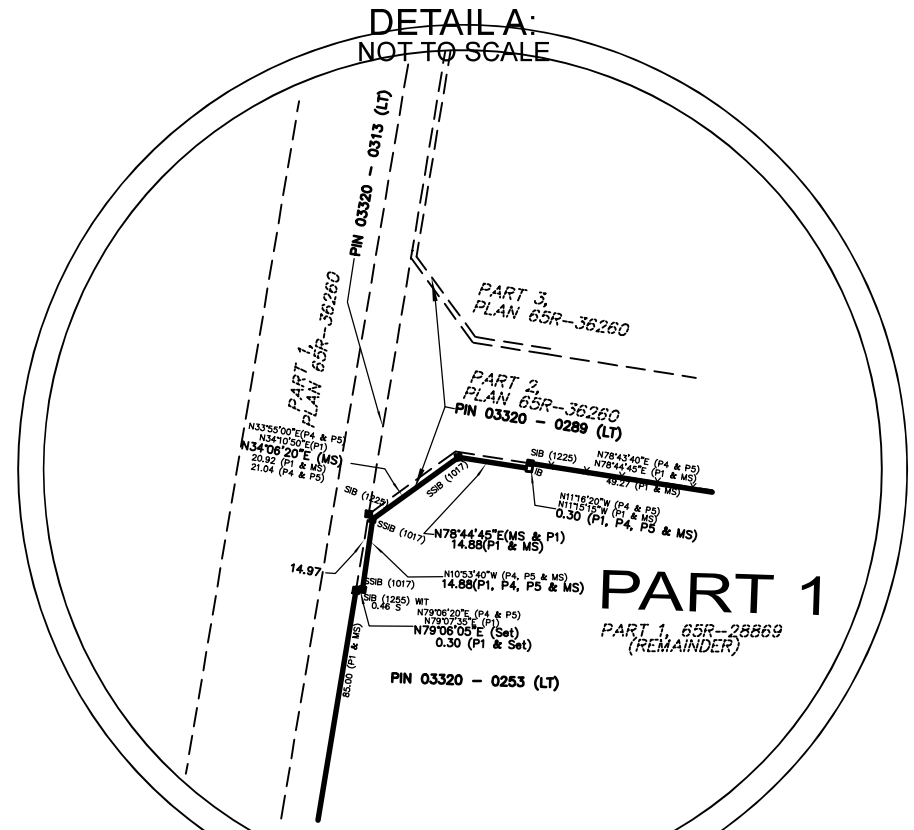
DECEMBER 02, 2021
DATE: RODNEY H. GEYER
ONTARIO LAND SURVEYOR

RODNEY GEYER
ONTARIO LAND SURVEYOR INC.
180 PARSONS ROAD, UNIT 29
ALLISTON, ONTARIO L9R 1E8
PHONE (705) 434-0411
www.geyersurveys.com

CHECKED BY: PAR/RHG	DRAWN BY: SG & PB	REV. DATE: DECEMBER 02, 2021	W.O. 19-3011-R1	REV. A
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CURVE	RADIUS		ARC		CHORD		BEARING
C1	236.22(MS)	236.16(P4&P6)	34.72(P4&MS)		39.68(MS)	34.71(P4&P6)	N73°55'20"E
C2	174.11(MS)	174.00(P4&P6)	63.15(P4&MS)	63.19 (P6)	62.80(P4&MS)		N89°53'20"E
C3	177.96(MS)	178.00(P4&P6)	59.87(MS)	59.91(P4) 59.98(P6)	59.59(MS)	59.63(P4) 59.69(P6)	N70°03'15"E
C4	180.00(P4&MS)		83.60(P6&MS)	83.56(P4)	82.82(P6&MS)	82.81(P4)	N47°58'20"E
C5	615.92(P4&SET)		1.21(P4&SET)		1.21(P4&SET)		N24°47'40"E
C6	615.92(P6&MS)		29.92(P6&MS)		29.92(P6&MS)		N27°10'00"E
C7	1014.00(P3&SET)		11.21(P3&SET)		11.21(P3&SET)		N70°07'35"E
C8	1014.00(P3&MS)		148.18(P3&MS)		148.05(P3&MS)		N71°31'45"E



SCHEDULE D: PREVIOUS COA DECISIONS ON THE SUBJECT LAND		
File Number	Date of Decision MM/DD/YYYY	Decision Outcome
B001/17, A038/17, A039/17	N/A	Applications Withdrawn