



File: B001/20

Applicant: 9773 Keele Development Inc.

Address: 9773 Keele Street, Vaughan

Agent: Weston Consulting Group Inc.

Please note that comments received after the preparation of this Staff Report (up until 4:00 p.m. on the last business day prior to the day of the scheduled hearing date) will be provided as an addendum.

Commenting Department	<input checked="" type="checkbox"/> Positive Comment	Condition(s) <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
	<input checked="" type="checkbox"/> Negative Comment	
Committee of Adjustment	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Building Standards	<input checked="" type="checkbox"/>	
Development Planning		
Cultural Heritage (Urban Design)		
Development Engineering	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Parks, Forestry and Horticulture Operations		
By-law & Compliance		
Financial Planning & Development	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Real Estate Department		
Fire Department		
TRCA		
Ministry of Transportation	<input checked="" type="checkbox"/>	
Region of York	<input checked="" type="checkbox"/>	
Alectra (Formerly PowerStream)	<input checked="" type="checkbox"/>	
Public Correspondence (see Schedule B)	<input checked="" type="checkbox"/>	

Adjournment History: None

Background History: None



Consent Application
B001/20

Agenda Item: 9
Ward: 1

Prepared By: Adriana MacPherson Assistant Secretary Treasurer

Date of Hearing: Thursday, February 27, 2020

Applicant: 9773 Keele Development Inc.

Agent: Weston Consulting Group Inc.

Property: 9773 Keele Street, Vaughan

Zoning: The subject lands are zoned R1 and subject to the provisions of Exception under By-law 1-88 as amended.

OP Designation: Vaughan Official Plan 2010: Low-Rise Residential

Related Files: None

Purpose: Consent is being requested to permit an easement over Part 1 (on the Site Plan submitted with the application) for access purposes (vehicular & pedestrian) in favour of the lands to the north municipally known as 9785 Keele Street (dominant land).

Background (Previous Applications approved by the Committee on the subject land: None

For information on the previous approvals listed above please visit www.vaughan.ca. To search for a file number, enter it using quotes around it. For example, "B001/17".

To search property address, enter street number and street name using quotes. For example, "2141 Major Mackenzie". Do not include street type (i.e. drive).

Adjournment History: None

Staff & Agency Comments

Please note that staff/agency comments received after the preparation of this Report will be provided as an addendum item to the Committee. Addendum items will shall only be received by the Secretary Treasurer until **4:00 p.m.** on the last business day **prior** to the day of the scheduled Meeting.

Committee of Adjustment:
Public notice was mailed on February 12, 2020

Applicant confirmed posting of signage on February 12, 2020

Existing Building or Structures on the subject land: 1 existing building (residential).

Recommended conditions of approval:

1. That the applicant’s solicitor provides the secretary-treasurer with a copy of the prepared draft transfer document to confirm the legal description and PIN of the subject lands. Subject land applies **only** to the severed parcel, leased land, easement etc. as conditionally approved by the Committee of Adjustment.
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. Payment of the Certificate Fee as provided on the City of Vaughan’s Committee of Adjustment Fee Schedule.

Adjournment Request: None

Building Standards (Zoning Review):
Stop Work Order(s) and Order(s) to Comply: There are no outstanding Orders on file.

A Building Permit has not been issued. The Ontario Building Code requires a building permit for structures that exceed 10m2.

Easements and/or Right-of-ways shall be registered on title to permit shared parking and access over all the adjacent subject lands

Development Planning:
Application under review.

Cultural Heritage (Urban Design):
No Response.

Development Engineering:
The Development Engineering (DE) Department does not object to consent application B001/20 subject to the following condition(s):

1. The Owner shall arrange to prepare and register a reference plan at their expense showing all required subsurface easements for servicing & surface easements for drainage and/or access to the satisfaction of DE. The Owner shall submit a draft reference plan to the Development Engineering Department for review prior to deposit to ensure easement dimension are acceptable. DE shall be in receipt of the deposited reference plan prior to clearance of said condition.
2. In conjunction with conditions of approval already issued through development applications 19T-17V001, OP.17.001, Z.17.002 & DA.18.073, the Owner shall provide proof of a mutual servicing and/or access agreement between the two landowners (9773 Keele St. & 9785/9797 Keele St.) to the satisfaction of DE.

Parks Development:
No Response.

By-Law and Compliance, Licensing and Permit Services:
No Response.

Financial Planning and Development Finance:
That the payment of the City Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and City-wide Development Charge By-law in effect at time of payment.

That the payment of Region of York Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and Regional Development Charges By-laws in effect at time of payment.

That the payment of Education Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Education Act and York Region District School Board and York Catholic District School Board Development Charges By-laws in effect at time of payment

That the payment of applicable Special Area Development Charges are payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and Special Area Development Charge By-laws in effect at time of payment.

The following conditions are recommended:

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).

Fire Department:
No Response.

Schedule A – Plans & Sketches

Schedule B – Public Correspondence
Application Cover Letter

Schedule C - Agency Comments
Alectra (Formerly PowerStream) – No concerns or objections
Region of York – No concerns or objections
MTO

Schedule D - Previous Approvals (Notice of Decision)
None

Staff Recommendations:

Staff and outside agencies (i.e. TRCA) act as advisory bodies to the Committee of Adjustment. Comments received are provided in the form of recommendations to assist the Committee.

The Planning Act sets the standard to which provincial interests, provincial and local policies and goals are implemented. Accordingly, review of the application considers the following:

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

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

	Department/Agency	Condition
1	Committee of Adjustment Christine Vigneault 905-832-8585 x 8332 christine.vigneault@vaughan.ca	1. That the applicant’s solicitor provides the secretary-treasurer with a copy of the prepared draft transfer document to confirm the legal description and PIN of the subject lands. Subject land applies only to the severed parcel, leased land, easement etc. as conditionally approved by the Committee of Adjustment. 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. Payment of the Certificate Fee as provided on the City of Vaughan’s Committee of Adjustment Fee Schedule.
2	Development Engineering Brad Steeves 905-832-8585 x 8977 Brad.Steeves@vaughan.ca	1. The Owner shall arrange to prepare and register a reference plan at their expense showing all required subsurface easements for servicing & surface easements for drainage and/or access to the satisfaction of DE. The Owner shall submit a draft reference plan to the Development Engineering Department for review prior to deposit to ensure easement dimension are acceptable. DE shall be in receipt of the deposited reference plan prior to clearance of said condition. 2. In conjunction with conditions of approval already issued through development applications 19T-17V001, OP.17.001, Z.17.002 & DA.18.073, the Owner shall provide proof of a mutual servicing and/or access agreement between the two land owners (9773 Keele St. & 9785/9797 Keele St.) to the satisfaction of DE.
3	Development Finance Nelson Pereira 905-832-8585 x 8393 nelson.pereira@vaughan.ca	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).

Warning:

Conditions must be fulfilled within one year 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.

Notice to the Applicant – Development Charges

That the payment of the Regional Development Charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the Regional Development Charges By-law in effect at the time of payment.

That the payment of the City Development Charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the City's Development Charges By-law in effect at the time of payment.

That the payment of the Education Development Charge if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the Boards of Education By-laws in effect at the time of payment

That the payment of Special Area Development charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and The City's Development Charge By-law in effect at the time of Building permit issuance to the satisfaction of the Reserves/Capital Department;

Notice to Public

WRITTEN SUBMISSIONS: Any person who supports or opposes this application, but is unable to attend the hearing, may make a written submission, together with reasons for support or opposition. Public written submissions on an Application shall only be received by the Secretary Treasurer until **4:00 p.m.** on the last business day **prior** to the day of the scheduled Meeting.

Written submissions can be mailed and/or emailed to:

City of Vaughan
Committee of Adjustment
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1
CofA@vaughan.ca

ORAL SUBMISSIONS: If you wish to attend the meeting you will be given an opportunity to make an oral submission. Presentations to the Committee are generally limited to 5 minutes in length. Please note that Committee of Adjustment meetings are audio recorded. Your name, address comments and any other personal information will form part of the public record pertaining to this application.

PUBLIC RECORD: Personal information is collected under the authority of the Municipal Act, the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), the Planning Act and all other relevant legislation, and will be used to assist in deciding on this matter. All personal information (as defined by MFIPPA), including (but not limited to) names, addresses, opinions and comments collected will become property of the City of Vaughan, will be made available for public disclosure (including being posted on the internet) and will be used to assist the Committee of Adjustment and staff to process this application.

NOTICE OF DECISION: If you wish to be notified of the decision in respect to this application or a related Local Planning Appeal Tribunal (LPAT) hearing you must complete a Request for Decision form and submit to the Secretary Treasurer (ask staff for details). In the absence of a written request to be notified of the Committee's decision you will **not** receive notice.

For more information please contact the City of Vaughan, Committee of Adjustment
Adriana MacPherson
T 905 832 8585 Extension 8360
E CofA@vaughan.ca

Schedule A: Plans & Sketches

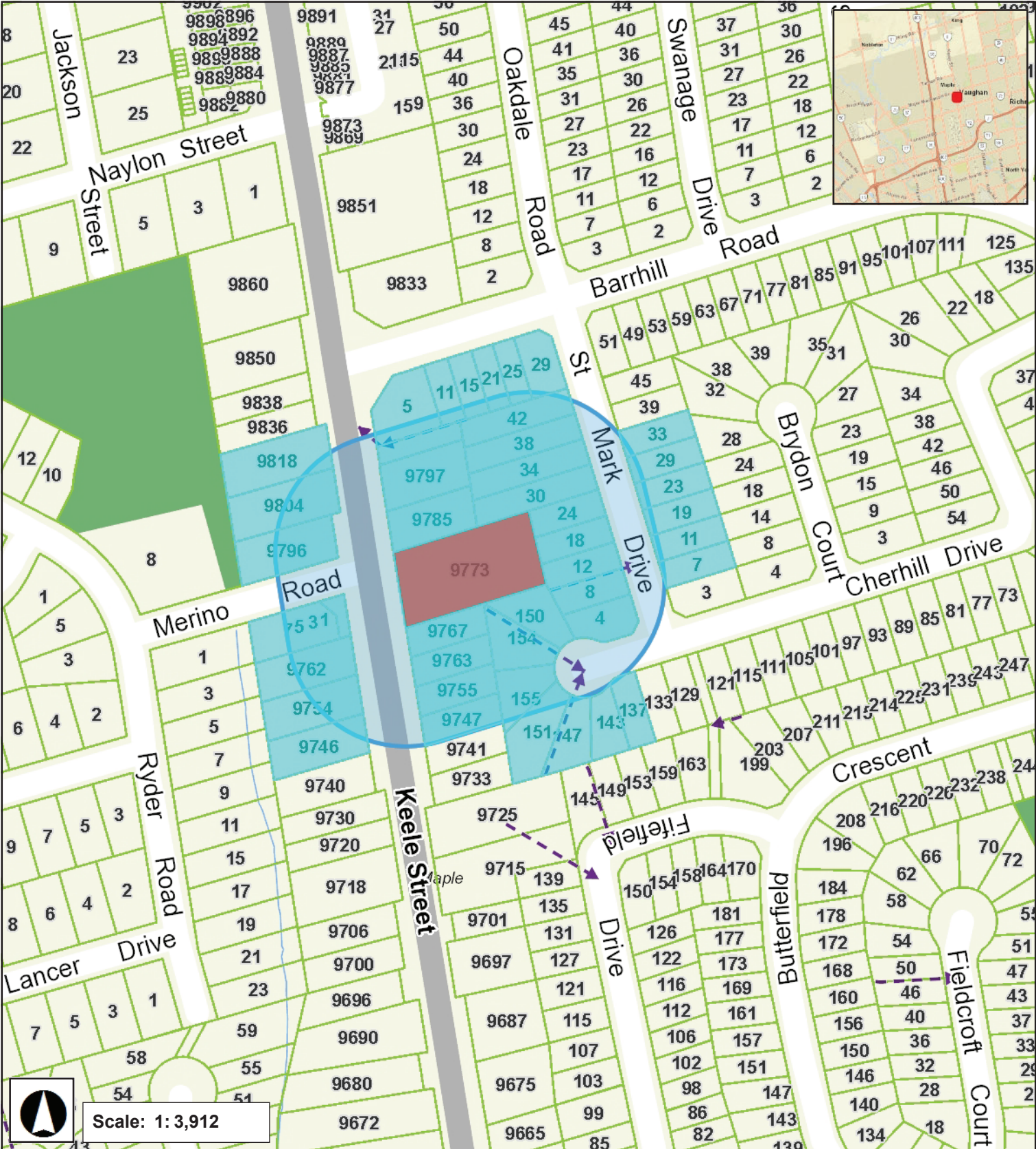
Please note that the correspondence listed in Schedule A is not comprehensive. Plans & sketches received after the preparation of this staff report will be provided as an addendum. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

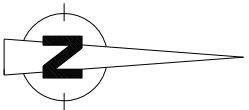
Location Map
Sketches



B001/20 - Notification Map

9773 Keele Street, Maple





BARHILL RD

EASEMENT SKETCH

9773 KEELE STREET
CITY OF VAUGHAN
REGIONAL MUNICIPALITY OF YORK

KEY MAP

Not to scale



LEGEND



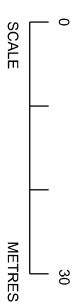
SUBJECT LANDS- 9773 KEELE ST



SHARED ACCESS EASEMENT
IN FAVOUR OF 9785 KEELE ST



9785 & 9797 KEELE STREET



SCALE: SEE SCALE BAR

FILE NO. 6728-1



WESTON
CONSULTING
planning + urban design

1-800.363.3558 westonconsulting.com

Vaughan:
201 Millway Ave., Suite 19
Vaughan, Ontario L4K 5K8
T. 905.738.8080 F. 905.738.6637

Schedule B: Public Correspondence Received

Please note that the correspondence listed in Schedule B is not comprehensive. Written submissions received after the preparation of this staff report will be provided as an addendum. Written submissions from the public will only be accepted / processed until 12:00 p.m. on the date of the scheduled hearing.

Application Cover Letter



**WESTON
CONSULTING**

planning + urban design

B001/20

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

January 8, 2020
File 6728-1

Attn: Christine Vigneault, Secretary Treasurer

**RE: Application for Consent
9773 Keele Street
City of Vaughan**

Weston Consulting is the planner for Laurier Harbour (Keele) Inc., the legally registered land owner of the properties located at 9785 & 9797 Keele Street (the "Laurier Lands"). The adjacent property located to the south at 9773 Keele Street has entered into a Cost Sharing Agreement with Laurier Harbour (Keele) Inc. for the shared access from Keele Street. Both properties are located on the east side of Keele Street and south of Barrhill Road. This letter has been prepared in support of a Consent application to facilitate an access and servicing easement over 9773 Keele Street lands (the "Subject Lands") in favour of the Laurier Lands as shown on the attached easement sketch.

Description of the Subject Lands

9773 Keele Street (9773 Keele Development Inc.)

The Subject Lands are approximately 0.81 acres (0.32 hectares) in size with approximately 47.7 metre frontage along Keele Street. The property is currently occupied by a residential single detached dwelling and is proposing to redevelop the lands to relocate the existing residential dwelling and construct two 2.5 storey townhouse blocks.

A Draft Plan of Subdivision, Zoning By-law Amendment, Official Plan Amendment and Site Plan Applications have been submitted to the City of Vaughan to facilitate the development of two townhouse blocks with heights of 2.5 storeys and relocating the existing residential dwelling.

9797 & 9785 Keele Street (Laurier Harbour (Keele) Inc.)

The Laurier Lands are located directly adjacent to the north of 9773 Keele Street property. They have a lot area of approximately 0.6 acres (0.24 hectares) with approximately 62 metre frontage along Keele Street. The Laurier Lands are currently occupied by two single detached residential dwellings. These lands are proposed to be redeveloped to construct 8 semi-detached dwellings and 8 townhouse dwellings.

The Laurier Lands are subject to Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Subdivision and Site Plan applications. The applications received approval at Committee of the Whole and Council in November 2019 approving the proposed development, subject to a number of conditions. One of the conditions states that "a permanent reciprocal access and servicing easements between the owners of the Subject Lands and 9773 Keele Street for shared road access and services shall be obtained from the Vaughan Committee of Adjustment and registered on title to the respective lands."

Purpose and Justification of the Proposed Applications

The purpose of the Consent application is to facilitate an access and servicing easements over the Subject Lands in favour of Laurier Harbour (Keele) Inc. The attached easement sketch submitted with the Consent application identifies the location of the easement.

As shown on the attached easement sketch, a shared access and servicing easement will allow for pedestrian and vehicle access over the property at 9773 Keele Street to the proposed development at 9785 and 9797 Keele Street lands. The proposed easement is approximately 11.1 metre in width and approximately 23.3 metres in length which includes the proposed road with access from Keele Street for the proposed development on the 9773 Keele Street lands. The lands owners for Laurier Harbour (Keele) Inc. and 9773 Keele Development Inc. have entered into a Cost Sharing Agreement ("CSA") for the construction of the road which provides access to Laurier Harbour (Keele) Inc. lands. The CSA has been included as part of this application.

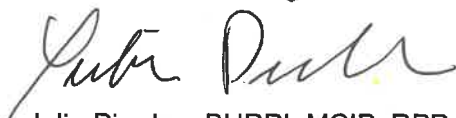
We have reviewed the requirements of the Planning Act and it is our opinion that the proposed easement complies with the Planning Act.

In support of the application, please find enclosed:

- One original, signed copy of the Application Form;
- 1 copy of the Easement Sketch;
- 1 copy of the Cost Sharing Agreement;
- Consent application fee for \$3,653;
- 1 copy of the Council meeting minutes dated November 19, 2019;
- 1 USB containing a digital copy of the above noted documents.

We trust that the above is in order and request that the hearing for these applications be scheduled for the earliest possible Committee of Adjustment date. Should you have any questions, please contact the undersigned at ext. 307 or AJ Taylor at ext. 274.

Yours truly,
Weston Consulting

A handwritten signature in black ink, appearing to read 'Julia Pierdon', with a stylized flourish at the end.

Julia Pierdon, BURPI, MCIP, RPP
Senior Planner

Schedule C: Agency Comments

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

- Powerstream Comments
- York Region Comments
- MTO Comments



Discover the possibilities

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:

Mr. Stephen Cranley, C.E.T
Supervisor, Distribution Design, ICI
Phone: 1-877-963-6900 ext. 31297
Fax: 905-532-4401
E-mail: stephen.cranley@alectrautilities.com

Mr. Tony D'Onofrio
Supervisor, Subdivisions & New Services
Phone: 1-877-963-6900 ext. 24419
Fax: 905-532-4401
Email: tony.donofrio@alectrautilities.com

MacPherson, Adriana

Subject: FW: RESPONSE B001/20 - Request for Comments

From: Hurst, Gabrielle <Gabrielle.Hurst@york.ca>
Sent: February-03-20 12:04 PM
To: MacPherson, Adriana <Adriana.MacPherson@vaughan.ca>
Subject: RESPONSE B001/20 - Request for Comments

Good afternoon Adriana,

The Regional Municipality of York has completed its review of the above Consent and has no comment.
Regards,

Gabrielle

Gabrielle Hurst | MCIP, RPP, Planning and Economic Development, Corporate Services

1-877-464-9675 ext. 71538

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

MacPherson, Adriana

Subject: FW: B001/20 - Request for Comments

From: Della Mora, Dan (MTO) <Dan.DellaMora@ontario.ca>
Sent: January-27-20 11:20 AM
To: MacPherson, Adriana <Adriana.MacPherson@vaughan.ca>
Cc: Scholz, Kevin (MTO) <Kevin.Scholz@ontario.ca>
Subject: RE: B001/20 - Request for Comments

Hi Adriana,

MTO Highway Corridor Management Section has reviewed the location of 9773 Keele St., Vaughan. Please be advised that the subject land is located outside of MTO Permit Control Area. As a result, an MTO Permit from this office is not required.

Regards,

Dan

Dan Della Mora
Senior Project Manager
416-235-4081
Dan.DellaMora@ontario.ca

****PLEASE NOTE: I will be away from the office beginning Friday, March 6 2020 and returning Monday, March 23, 2020.****