

ITEM #: 6.4

**COMMITTEE OF ADJUSTMENT REPORT
CONSENT APPLICATION
B022/22
4919 KIRBY ROAD, VAUGHAN**

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

PUBLIC & APPLICANT CORRESPONDENCE

*Please see **Schedule C** of this report for a copy of the public & applicant correspondence listed below.

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
Agent	James Welsh		12/21/2022	Application Cover Letter

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
None		

ADJOURNMENT HISTORY

* Previous hearing dates where this application was adjourned by the Committee and public notice issued.

None	
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**COMMITTEE OF ADJUSTMENT REPORT
CONSENT APPLICATION
B022/22
4919 KIRBY RD VAUGHAN**

ITEM NUMBER: 6.4	CITY WARD #: 1
APPLICANT:	Vitale and Maria Lunardon
AGENT:	Walsh & Associates Barristers & Solicitors
PROPERTY:	4919 Kirby Rd Vaughan ON
ZONING DESIGNATION:	See below
VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:	Vaughan Official Plan 2010 ('VOP 2010'): "Agricultural" and "Natural Areas"
RELATED DEVELOPMENT APPLICATIONS:	None
PURPOSE OF APPLICATION:	Consent is being requested to sever a parcel of land, approximately 68,474 square metres to facilitate a lot addition / boundary adjustment. The severed lands are to be merged on title with the lands to the south municipally known as 11291 Kipling Avenue. The existing dwelling and chicken coop on the retained lands (Part 2) are to remain.

HEARING INFORMATION

DATE OF MEETING: Thursday, March 2, 2023
TIME: 6:00 p.m.
MEETING LOCATION: Vaughan City Hall, Council Chamber, 2141 Major Mackenzie Drive, Vaughan
LIVE STREAM LINK: 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:	February 8, 2023, February 15, 2023
Date Applicant Confirmed Posting of Sign:	February 6, 2023

COMMITTEE OF ADJUSTMENT COMMENTS

Adjournment Requests (from staff): <small>*Adjournment requests provided to applicant prior to issuance of public notice</small>	None
Was a Zoning Review Waiver (ZRW) Form submitted by Applicant: <small>*ZRW Form may be used by applicant in instances where a revised submission is made, and zoning staff do not have an opportunity to review and confirm variances prior to the issuance of public notice.</small> <small>*A revised submission may be required to address staff / agency comments received as part of the application review process.</small> <small>*Where a zoning review has not been completed on a revised submission, an opportunity is provided to the applicant to adjourn the proposal prior to the issuance of public notice.</small>	No
Adjournment Fees: In accordance with Procedural By-law 069-2019, an Adjournment Fee is applicable to reschedule an application after the issuance of public notice where a request for adjournment has been provided to the applicant prior to the issuance of public notice. An Adjournment Fee can only be waived in instances where adjournment of an application is requested by the Committee or staff after the issuance of public notice.	
Committee of Adjustment Comments:	None
Committee of Adjustment Recommended Conditions of Approval:	<ol style="list-style-type: none"> 1. That the applicant's solicitor confirms the legal description of both the severed and retained land by way of draft transfer. 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 provides an electronic copy of the deposited reference plan to cofa@vaughan.ca 5. Payment of the Certificate Fee as provided on the City of Vaughan's Committee of Adjustment Fee Schedule. 6. That the severed parcel be merged on title with the abutting land to the south municipally known as 11291 Kipling Avenue and that the applicant's solicitor provides an undertaking in writing that this condition will be fulfilled (please obtain standard undertaking form from Committee of Adjustment staff). Please note that Subsection 50 (3) or (5) of the Planning Act, R.S.O, 1990, as amended, applies to any subsequent conveyance of or transaction involving the parcel of land that is subject of this consent.

BUILDING STANDARDS (ZONING) COMMENTS

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

DEVELOPMENT PLANNING COMMENTS

**See Schedule B for Development Planning Comments.	
Development Planning Recommended Conditions of Approval:	None

DEVELOPMENT ENGINEERING COMMENTS

Link to Grading Permit Link to Pool Permit Link to Curb Curt Permit Link Culvert Installation	
The Development Engineering Department does not object to the consent application B022/22, Subject to the following Condition(s):	
Development Engineering Recommended Conditions of Approval:	The Owner/applicant shall arrange to prepare and register a reference plan at their expense showing all existing and proposed easements to the satisfaction of Development Engineering Department (DE) for the Subject Lands applicable to the Consent Application. 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:	None
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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:	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).
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BY-LAW AND COMPLIANCE, LICENSING AND PERMIT SERVICES COMMENTS

No comments received to date.

BCLPS Recommended Conditions of Approval:	None
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BUILDING INSPECTION (SEPTIC) COMMENTS

No comments received to date.

Building Inspection Recommended Conditions of Approval:	None
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FIRE DEPARTMENT COMMENTS

No comments received to date.

Fire Department Recommended Conditions of Approval:	None
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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 confirms 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

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.

		<p>entire land which conforms substantially with the application as submitted.</p> <p>3. That the applicant provides an electronic copy of the deposited reference plan to cofa@vaughan.ca</p> <p>5. Payment of the Certificate Fee as provided on the City of Vaughan’s Committee of Adjustment Fee Schedule.</p> <p>6. That the severed parcel be merged on title with the abutting land to the south municipally known as 11291 Kipling Avenue and that the applicant’s solicitor provides an undertaking in writing that this condition will be fulfilled (please obtain standard undertaking form from Committee of Adjustment staff). Please note that Subsection 50 (3) or (5) of the Planning Act, R.S.O, 1990, as amended, applies to any subsequent conveyance of or transaction involving the parcel of land that is subject of this consent.</p>
2	<p>Development Engineering ian.reynolds@vaughan.ca</p>	<p>The Owner/applicant shall arrange to prepare and register a reference plan at their expense showing all existing and proposed easements to the satisfaction of Development Engineering Department (DE) for the Subject Lands applicable to the Consent Application. The Owner/applicant shall submit the deposited reference plan to DE in order to clear this condition.</p>
3	<p>Development Finance Nelson.Periaera@vaughan.ca</p>	<p>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).</p>
4	<p>TRCA Kristen.Regier@trca.ca</p>	<p>That the applicant provides the required fee amount of \$1,590.00 payable to the Toronto and Region Conservation Authority.</p>

IMPORTANT INFORMATION – PLEASE READ

CONDITIONS: Conditions must be fulfilled within **two years** 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.

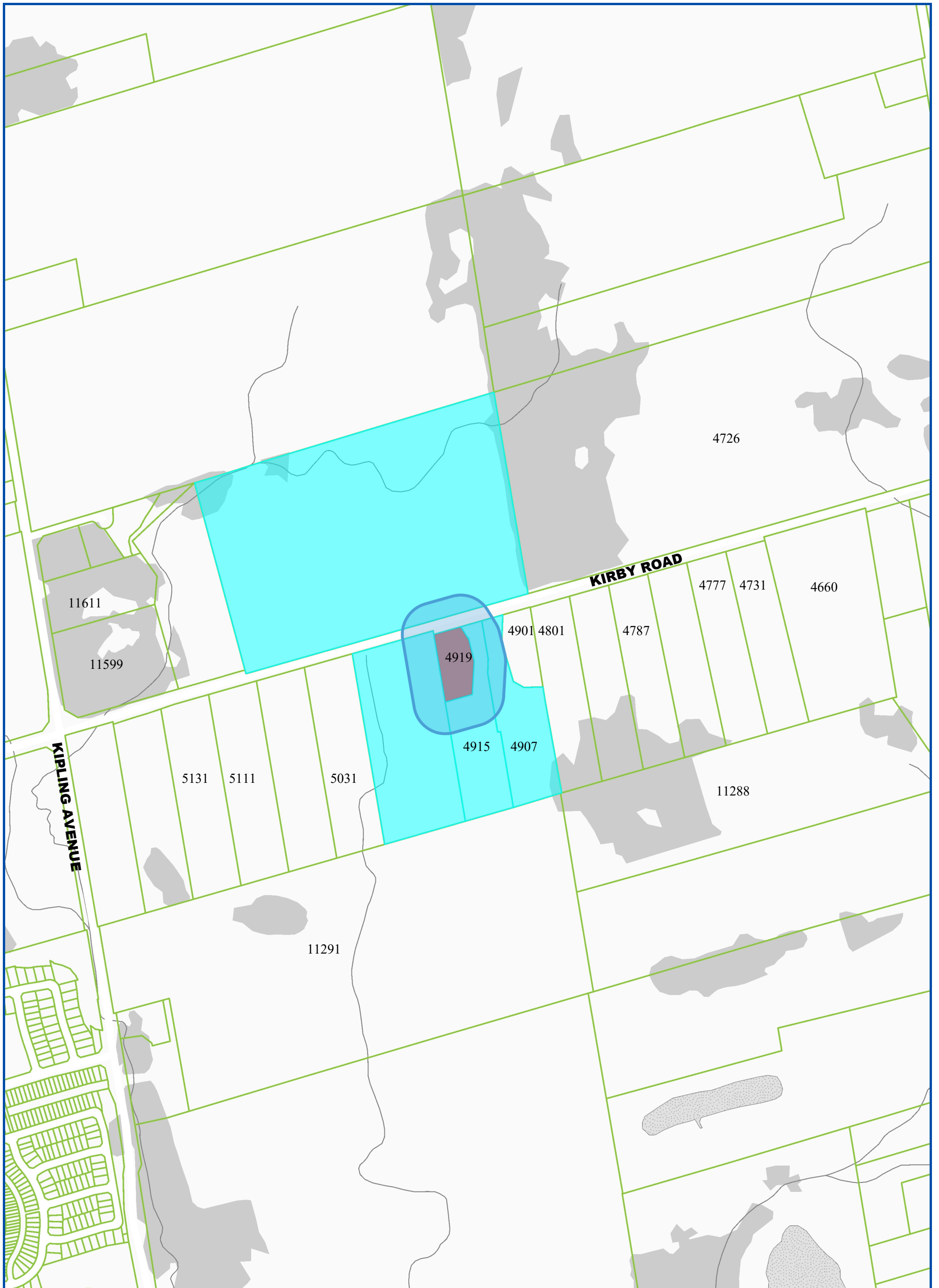
That the payment of the City Development Charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the City’s Development Charges By-law in effect at the time of payment.

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

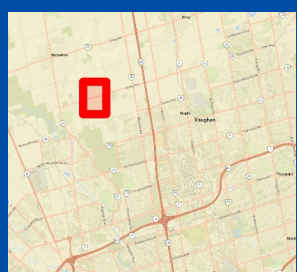
That the payment of Special Area Development charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and The City’s Development Charge By-law in effect at the time of Building permit issuance to the satisfaction of the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

4919 Kirby Road, Woodbridge

NOTIFICATION MAP - B022/22

Disclaimer:

Every reasonable effort has been made to ensure that the information appearing on this map is accurate and current. We believe the information to be reliable, however the City of Vaughan assumes no responsibility or liability due to errors or omissions. Please report any discrepancies to Infrastructure Programming.



Scale:

1: 10,079

0 0.16 km



Created By:

Infrastructure Delivery
Department

January 24, 2023 11:27 AM

Projection:
NAD 83
UTM Zone
17N

SURVEYOR'S CERTIFICATE:

- I CERTIFY THAT:
- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT AND THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
 - THE SURVEY WAS COMPLETED ON THE 8th DAY OF JULY, 2015

DATE: JULY 22, 2015

VALERIO G. PAPA
ONTARIO LAND SURVEYOR

NOTE:

BEARINGS SHOWN HEREON ARE GRID BEARINGS AND ARE REFERRED TO THE SOUTHERLY LIMIT OF KIRBY ROAD AS SHOWN ON PLAN 65R-35566, HAVING A BEARING OF N74°31'30"E.

DENOTES	
■	SURVEY MONUMENT FOUND
□	SURVEY MONUMENT PLANTED
SIB	STANDARD IRON BAR
IB	IRON BAR
CC	CUT CROSS
WIT	WITNESS
OU	ORIGIN UNKNOWN
Ms	MEASURED
P	PLAN 65R-17660
P2	PLAN 65R-35566
P3	PLAN 65R-11933
ON	OLD NOTES AND RECORDS
D	INST. NO. VA 61766
D2	INST. NO. VA 74995
PWF	POST AND WIRE FENCE
CLF	CHAIN LINK FENCE
967	W. N. WILDMAN, O.L.S.
1302	A. SKRANDA, O.L.S.
⊗	Spike

NOTE:

GUIDO PAPA SURVEYING LTD. is not liable for use of this REPORT by any party or parties for FUTURE TRANSACTIONS or for any unrelated purposes.

This REPORT reflects conditions at time of survey. UPDATING may be required to issue ADDITIONAL COPIES subsequent to DATE of the SURVEYOR'S CERTIFICATE.

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

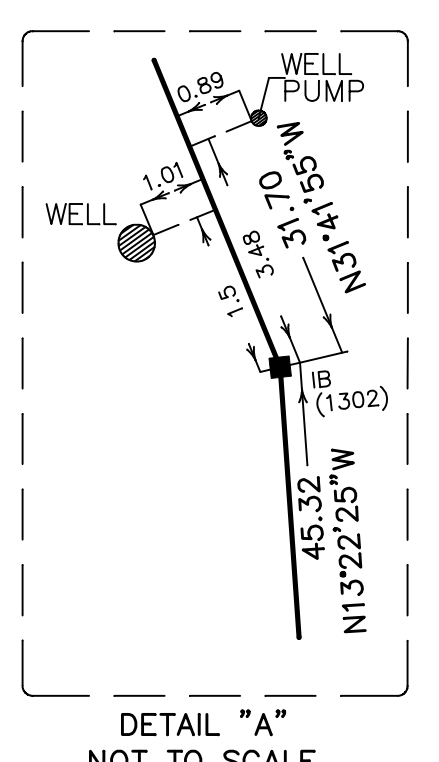
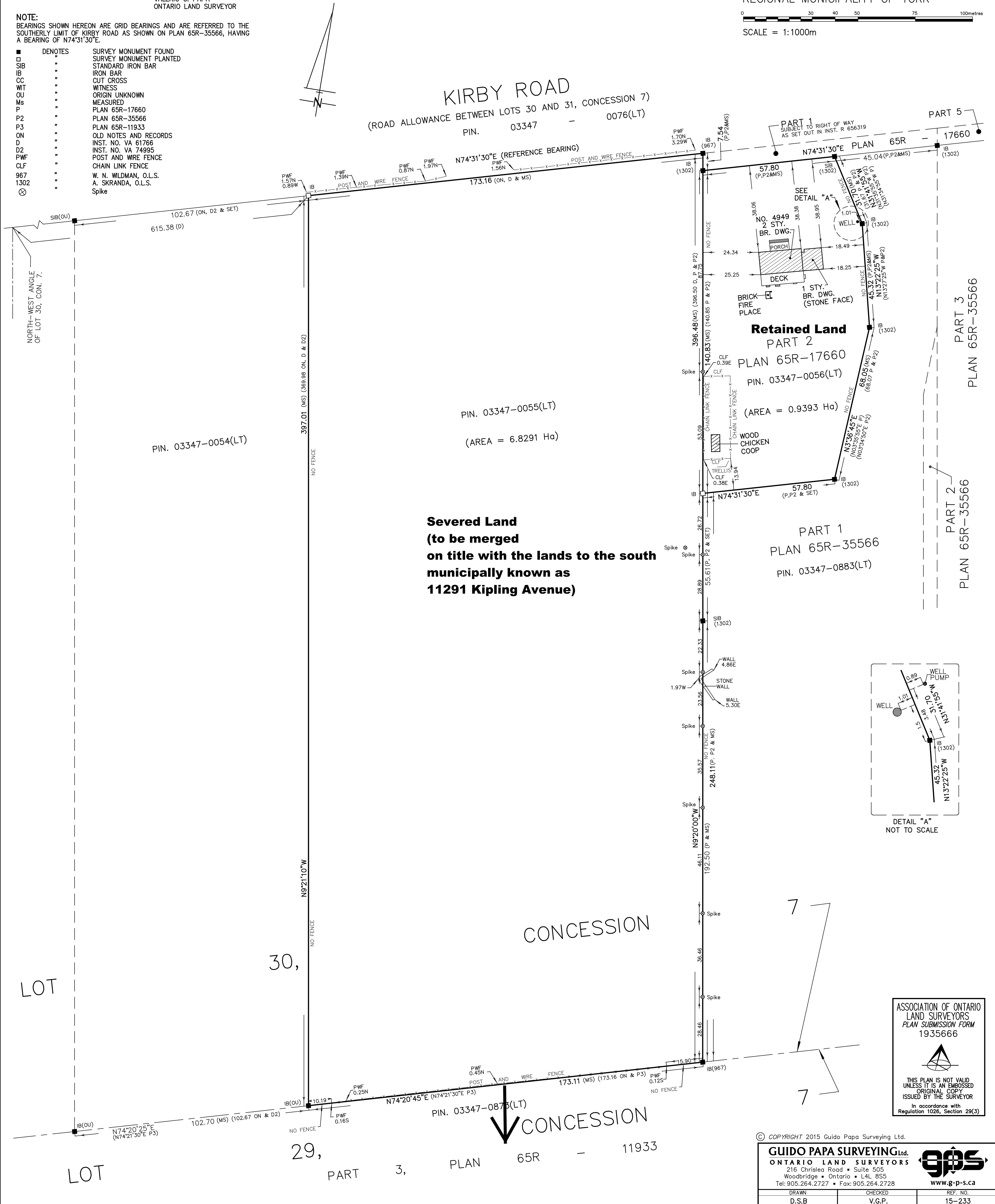
PART 2 THIS PLAN MUST BE READ IN CONJUNCTION WITH REPORT DATED JULY 22, 2015

THIS REPORT HAS BEEN PREPARED FOR "MR. VITALE LUNARDON" AND GUIDO PAPA SURVEYING LTD. ACCEPTS NO RESPONSIBILITY FOR USE BY OTHER PARTIES.

SURVEYOR'S REAL PROPERTY REPORT

PART 1
PLAN OF
PART OF LOT 30
CONCESSION 7
CITY OF VAUGHAN
REGIONAL MUNICIPALITY OF YORK

SCALE = 1:1000m



ASSOCIATION OF ONTARIO
LAND SURVEYORS
PLAN SUBMISSION FORM
1935666

THIS PLAN IS NOT VALID
UNLESS IT IS AN EMBOSSED
ORIGINAL COPY
ISSUED BY THE SURVEYOR
In accordance with
Regulation 1026, Section 29(3)

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GUIDO PAPA SURVEYING Ltd.
ONTARIO LAND SURVEYORS
216 Chrislea Road • Suite 505
Woodbridge • Ontario • L4L 8S5
Tel: 905.264.2727 • Fax: 905.264.2728
www.g-p-s.ca

DRAWN	CHECKED	REF. NO.
D.S.B	V.G.P.	15-233

Site & Structure



4919 Kirby Road, Principal Residence

Kipling Avenue
Kirby Road

Subject 17 acre property

Abutting property to the South – approx.. 93 acres

Lot Size | Area: 737,047.29 ft² (16.920 ac) | Perimeter: 3,743.44 ft
Measurements: 569.39 ft x 1,303.65 ft x 568.70 ft x 1,302.07 ft
Lot Measurement Accuracy: LOW

Assessment 1 | ARN : 192800031066000

Site | Frontage: 568.11 ft

Structure | Property Description: Farm property without any buildings/stru



4919 Kirby Rd, Vaughan, L4L1A6

RETAINED LANDS



Map data ©2022 Report a map error

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				
Region of York *Schedule B	X	X		General Comments
Alectra *Schedule B	X	X		General Comments
Bell Canada *Schedule B	X			No Comments Received to Date
YRDSB *Schedule B				
YCDSB *Schedule B				
CN Rail *Schedule B				
CP Rail *Schedule B				
TransCanada Pipeline *Schedule B	X			No Comments Received to Date
Metrolinx *Schedule B				
Propane Operator *Schedule B				
Development Planning	X	X		Recommend Approval/no conditions
Building Standards (Zoning)	X	X		General Comments

Date: January 25th 2023
Attention: **Christine Vigneault**
RE: Request for Comments

File No.: **B022-22**
Related Files:
Applicant: Vitale and Maria Lunardon
Location 4919 Kirby Road



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:

Stephen Cranley, C.E.T

Mitchell Penner

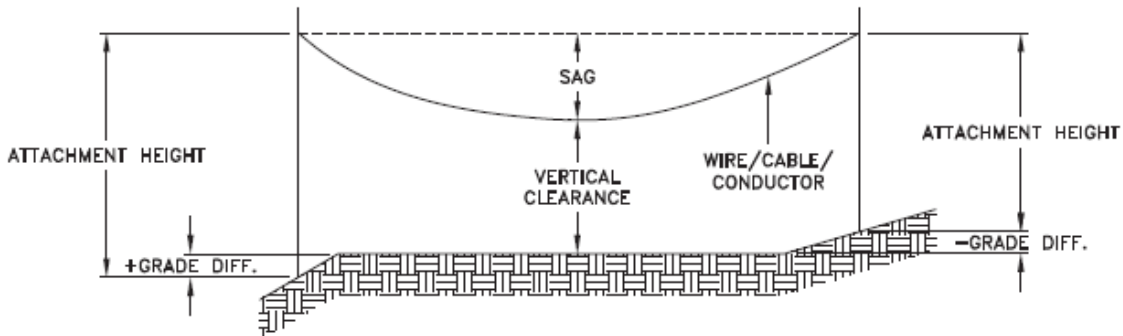
Supervisor, Distribution Design, ICI & Layouts (North)
Phone: 1-877-963-6900 ext. 31297

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

E-mail: stephen.cranley@alectrautilities.com

Email: Mitchell.Penner@alectrautilities.com

LOCATION OF WIRES, CABLES OR CONDUCTORS	SYSTEM VOLTAGE			
	SPAN GUYS AND COMMUNICATIONS WIRES	UP TO 600V AND NEUTRAL	4.16/2.4kV TO 27.6/16kV (SEE NOTE 1)	44kV
	MINIMUM VERTICAL CLEARANCES (SEE NOTE 2)			
OVER OR ALONGSIDE ROADS, DRIVEWAYS OR LANDS ACCESSIBLE TO VEHICLES	442cm	442cm	480cm	520cm
OVER GROUND ACCESSIBLE TO PEDESTRIANS AND BICYCLES ONLY	250cm	310cm	340cm	370cm
ABOVE TOP OF RAIL AT RAILWAY CROSSINGS	730cm	730cm	760cm	810cm



MINIMUM ATTACHMENT HEIGHT = MAXIMUM SAG
 + MINIMUM VERTICAL CLEARANCE (FROM ABOVE TABLE)
 ± GRADE DIFFERENCE
 + 0.3m (VEHICLE OR RAILWAY LOCATION)
 + SNOW DEPTH (PEDESTRIAN LOCATION, SEE NOTE 3)

NOTES:

1. THE MULTIGROUNDED SYSTEM NEUTRAL HAS THE SAME CLEARANCE AS THE 600V SYSTEM.
2. THE VERTICAL CLEARANCES IN THE ABOVE TABLE ARE UNDER MAXIMUM SAG CONDITIONS.
3. REFER TO CSA STANDARD C22.3 No.1, ANNEX D FOR LOCAL SNOW DEPTH VALUES.
4. ALL CLEARANCES ARE IN ACCORDANCE TO CSA STANDARD C22.3.

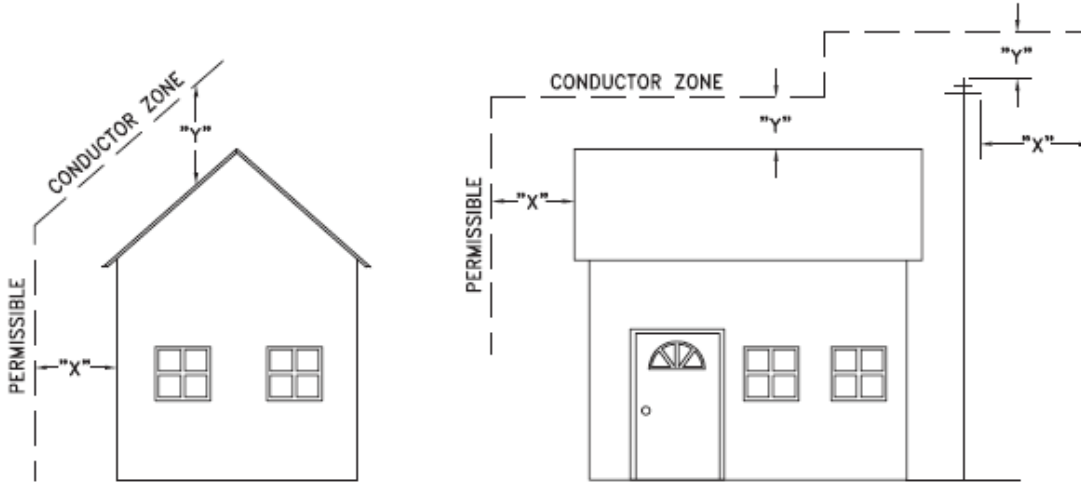
METRIC	IMPERIAL (APPROX)
810cm	27'-0"
760cm	25'-4"
730cm	24'-4"
520cm	17'-4"
480cm	16'-0"
442cm	15'-5"
370cm	12'-4"
340cm	11'-4"
310cm	10'-4"
250cm	8'-4"

SAGS AND TENSIONS	SECTION 02
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MINIMUM VERTICAL CLEARANCES OF WIRES, CABLES AND CONDUCTORS ABOVE GROUND OR RAILS

ORIGINAL ISSUE DATE: 2010-DEC-24 REVISION NO: R1 REVISION DATE: 2012-JAN-09

This construction Standard meets the safety requirements of Section 4 of Regulation 22/04	
Joe Crozier, P.Eng.	2012-JAN-09
Name	Date
P.Eng. Approval By:	Joe Crozier



VOLTAGE	MINIMUM HORIZONTAL CLEARNACE UNDER MAXIMUM SWING CONDITIONS DIMENSION "X" (SEE NOTES 1, 3 & 4)	MINIMUM VERTICAL CLEARANCE UNDER MAXIMUM DESIGN SAG CONDITIONS DIMENSION "Y" (SEE NOTES 1, 2, 4 & 5)
0-600V AND NEUTRAL	100cm	250cm
4.16/2.4 TO 44kV	300cm	480cm

NOTES

1. UNDER NO CIRCUMSTANCES SHALL A CONDUCTOR BE PERMITTED TO PENETRATE THE ENVELOPE SHOWN BY THE DOTTED LINE.
2. THE VERTICAL CLEARANCES ARE UNDER CONDITIONS OF MAXIMUM DESIGN SAG.
3. THE HORIZONTAL CLEARANCES ARE UNDER CONDITIONS OF MAXIMUM SWING. WHERE THE CONDUCTOR SWING IS NOT KNOWN A HORIZONTAL CLEARANCE OF 480CM SHALL BE USED.
4. BUILDINGS THAT EXCEED 3 STOREYS OR 15M IN HEIGHT, THE MINIMUM HORIZONTAL CLEARANCE OF THE SECONDARY CONDUCTORS SHOULD BE INCREASED TO 300cm WHERE IT IS NECESSARY TO ALLOW FOR THE RAISING OF LADDERS BY LOCAL FIRE DEPARTMENTS.
5. IN SITUATIONS SUCH AS MULTI-LEVEL GARAGES, WHERE ROOFS ARE NORMALLY USED BY PERSONS AND VEHICLES, THE VERTICAL CLEARANCES OF POWERSTREAM STANDARD 03-1 SHALL APPLY.
6. DISTRIBUTION LINES CONSTRUCTED NEAR BUILDINGS SHALL BE BUILT TO AVOID OVERHANG WHEREVER POSSIBLE. WHERE LINES MUST BE CONSTRUCTED OVER OR ADJACENT TO BUILDINGS THE APPLICABLE HORIZONTAL AND VERTICAL CLEARANCES SHALL BE AT CONDITIONS OF MAXIMUM CONDUCTOR SWING AND MAXIMUM SAG. THE ABOVE CLEARANCES ARE DESIGNED TO PREVENT PERSONS ON OR IN BUILDINGS AS WELL AS EXTERNAL MACHINERY USED IN CONJUNCTION WITH A BUILDING TO COME IN CONTACT WITH CONDUCTORS. EFFORTS SHOULD BE MADE TO INCREASE THESE CLEARANCES WHERE POSSIBLE.
7. ALL CLEARANCES ARE IN ACCORDANCE TO CSA C22.3 NO.1-06 (TABLE-9).

CONVERSION TABLE	
METRIC	IMPERIAL (APPROX)
480cm	16'-0"
300cm	10'-0"
250cm	8'-4"
100cm	3'-4"

MINIMUM VERTICAL & HORIZONTAL CLEARANCES OF CONDUCTORS FROM BUILDINGS OR OTHER PERMANENT STRUCTURES (CONDUCTORS NOT ATTACHED TO BUILDINGS)

Certificate of Approval	
This construction Standard meets the safety requirements of Section 4 of Regulation 22/04	
Debbie Dadwani, P.Eng.	2010-MAY-05
Name	Date
P.Eng. Approval By: <i>D. Dadwani</i>	

ORIGINAL ISSUE DATE: 2010-MAY-05 REVISION NO: REVISION DATE:
F:\System Planning and Standards\Standard Design\PowerStream Standards\PowerStream Standards working files\Section 03-4 DWG 03-4 RD May 5, 2010.dwg, 5/5/2010 9:27:52 AM, Adobe PDF

To: Committee of Adjustment
From: Punya Marahatta, Building Standards Department
Date: January 18, 2023
Applicant: Vitale and Maria Lunardon
Location: 4919 Kirby Road
 CONC 7 Part of Lot 30
File No.(s): B022/22

Zoning Classification:

The subject lands are zoned A – Agriculture and subject to the provisions of Exception 14.555 under Zoning By-law 001-2021, as amended.

#	Zoning By-law 001-2021	Consent requested
1	Lot Frontage: The minimum Lot Frontage requirement for the severed lands is 100 metres. [Table 12-3] The minimum Lot Frontage requirement for the retained lands is 56.0 metres. [Exception 14.555]	The proposed lot frontage of 173.16 metres for the severed lands complies with the minimum lot frontage requirement. The proposed lot frontage of 57.8 metres for the retained lands complies with the minimum lot frontage requirement.
2	Lot Area: The minimum Lot Area requirement for the severed lands is 40 Ha. [Table 12-3] The minimum Lot Area requirement for the retained lands 7800.00 m ² [Exception 14.555]	The proposed lot area of 6.98 Ha for the severed lands does not comply with the minimum lot area requirement. (See note 2 below.) The proposed lot area of 1.16 Ha for the severed lands complies with the minimum lot area requirement.
3	Lot Depth: There is no requirement for minimum Lot Depth requirement for the conveyed lands and retained lands.	Not applicable.

Staff Comments:

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

There are no outstanding Orders on file

Building Permit(s) Issued:

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

Other Comments:

General Comments	
1	The applicant shall be advised that additional variances may be required upon review of detailed drawing for building permit/site plan approval.
2	The proposed consent is to facilitate a merger of the severed lands with the lands to the south therefore a minor variance is not required for the minimum lot area of the severed lands.
3	The applicant shall be advised that subject property is historically significant, therefore any development proposal on this site requires Cultural Dept. Review.
4	The subject lands may be subject to Ontario Regulation 166/06 (TRCA - Toronto and Region Conservation Authority).
5	The subject lands may be subject to the Oak Ridges Moraine Conservation Act, RSO 2001.

6	The subject lands may be subject to designated Protected Countryside within the Green Belt Act, 2005.
7	The subject lands may be located within the GTA West corridor.

Conditions of Approval:

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

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

To: Christine Vigneault, Committee of Adjustment Secretary Treasurer

From: Nancy Tuckett, Director of Development Planning

Date: February 21, 2023

Name of Owners: Vitale and Maria Lunardon

Location: 4919 Kirby Road

File No.(s): B022/22

Proposal:

The Owner has submitted Consent Application File B022/22 to sever a 6.98 ha portion of the subject lands, which are currently vacant, with the lands to the south, municipally known 11291 Kipling Avenue. A 1.16 ha portion of the subject lands containing an existing dwelling is proposed to be retained.

Official Plan:

City of Vaughan Official Plan 2010 ('VOP 2010'): "Agricultural" and "Natural Areas" by Schedule 13 and "Greenbelt Natural Heritage System" by Schedule 4

Comments:

The Owners are proposing to sever the subject lands and consolidate it with the lands to the south (11291 Kipling Avenue). The proposal is for a lot line adjustment as no new lots are being created. The severed and retained lands were formally two separate properties. The properties merged on title after the Owners acquired title to the severed lands in 2004.

The severed lands and benefitting lands are zoned "A – Agriculture Zone" under Zoning By-law 001-2021. The retained lands are zoned "A – Agriculture Zone" and site-specific exception 14.555 under Zoning By-law 001-2021. The retained lands meet the minimum lot area requirement of site-specific exception 14.555. The consolidated benefitting lands meet the minimum lot area requirement of the "A – Agriculture Zone".

The proposed severed lands contain a watercourse which is considered a "Core Feature" of the City's Natural Heritage Network (NHN) and is subject to the relevant policies within Chapter 3 within VOP 2010. Environmental Planning staff have reviewed the materials provided and determined that no natural heritage features will be impacted by the proposed severance.

Accordingly, the Development Planning Department has no objection to the requested severance and is of the opinion that the proposal meets the intent of the Official Plan, complies with the Zoning By-law, and conforms to Section 51(24) as required by Section 53(12) of the Planning Act.

Recommendation:

The Development Planning Department recommends approval of the application.

Conditions of Approval:

If the Committee finds merit in the application, the following conditions of approval are recommended:

None.

Comments Prepared by:

Joshua Cipolletta, Planner I
David Harding, Senior Planner

February 3, 2023

CFN 66401.01

SENT BY E-MAIL: Christine.Vigneault@vaughan.ca

Ms. Christine Vigneault, Secretary Treasurer
Committee of Adjustment, City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario L6A 1T1

Dear Ms. Vigneault:

Re: Consent Application B022.22
4919 Kirby Road, Part of Lot 30 Concession 7
City of Vaughan, Region of York
Owner: Vitale and Maria Lunardon
Agent: Jim Walsh and Angela Romualdi

This letter acknowledges receipt of the above-noted application circulated by the City of Vaughan. The materials were received by the Toronto and Region Conservation Authority (TRCA) on January 19, 2023. TRCA staff have reviewed the application and offer the following comments for the consideration of the Committee of Adjustment.

Purpose of the Applications

It is our understanding that the purpose of the above noted application is to request the consent of the committee of adjustment to sever an approximately 6.83 ha parcel of land from the existing lot (known municipally as 4919 Kirby Road) as a lot addition to be merged on title with the abutting property to the south (known municipally as 11291 Kipling Avenue), leaving a 0.94 ha lot to be retained.

Ontario Regulation 166/06

Portions of the subject property are located within TRCA's Regulated Area of the Humber River Watershed. Under Ontario Regulation 166/06, development, interference or alteration may be permitted in the Regulated Area where it can be demonstrated to TRCA's satisfaction that the control of flooding, erosion, dynamic beaches, pollution, or the conservation of land will not be affected. In this regard, TRCA must be contacted prior to any works taking place in the Regulated Area.

Application-Specific Comments

The subject property contains a stream corridor associated with a tributary of the Humber River. The stream corridor transverses the western portion of the property. There are also provincially significant wetland features to the north and east of the subject lands.

It is the understanding of TRCA that the proposed consent will not result in new lot creation. The result of the application will be a lot line adjustment to add 6.83 ha of land to the adjacent property at 11291 Kipling Avenue. The noted stream corridor that exists on the subject property also extends on

to the property at 11291 Kipling Avenue. As such, TRCA staff are satisfied that the application will not result in any further fragmentation of the stream corridor beyond the currently existing conditions.

Fees

By copy of this letter, the applicant is advised that the TRCA has implemented a fee schedule for our planning application review services. This application is subject to a \$1,590.00 (Consent – Minor) review fee. 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 have **no objection** to the approval of the Consent Application B022.22 subject to the following condition:

1. That the applicant provides the required fee amount of \$1,590.00 payable to the Toronto and Region Conservation Authority.

TRCA trusts these comments are of assistance. Should you have any questions, please contact the undersigned at 437-880-2129 or at kristen.regier@trca.ca.

Sincerely,

Kristen Regier

Kristen Regier
Planner I
Development Planning and Permits

KR/sb

From: [Wong, Justin](#)
To: [David Harding](#)
Cc: [Committee of Adjustment](#); [Christine Vigneault](#); [Joshua Cipolletta](#)
Subject: [External] RE: B022/22 (4801 Teston Road) - York Region Comments
Date: Tuesday, February 14, 2023 2:22:48 PM

Hi David,

After further discussions internally, since the application is to re-establish the lotting prior to the 2004 purchase, the Region does not have any comments.

Thank you,

Our working hours may be different. Please do not feel obligated to reply outside of your scheduled working hours. Let's work together to help foster healthy work-life boundaries.

Justin Wong, MCIP, RPP | Planner, Planning and Economic Development Branch, Corporate Services Department

The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1
1-877-464-9675 ext. 71577 | Justin.Wong@york.ca | york.ca

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

SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE

Correspondence Type	Name	Address	Date Received (mm/dd/yyyy)	Summary
Agent	James Welsh		12/21/2022	Application Cover Letter

Walsh & Associates

BARRISTERS & SOLICITORS

December 21, 2022

*Sent by email to committee of adjustments, City of
Vaughan*

City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1T1

Attention: Committee of Adjustment

Re: Application to Sever 17 Acre Parcel From Adjoining Principal Residence 4919 Kirby Road

We represent Mr. Vitale Lunardon and Mrs. Maria Lunardon who are the owners of both properties including the property to be severed. Please see sketch attached. Mr. and Mrs. Lunardon purchased 4919 Kirby Road, Vaughan, on March 5, 1999 as their principal residence. Several years later, they purchased a separate vacant 17 acre lot abutting their property to the west on September 20, 2004 (the subject property to be severed) as a retirement investment.

Upon registration of the subject 17 acre vacant parcel there was a technicality upon closing. Specifically, the property already owned at 4919 Kirby Road was severed from the adjacent property to the East; so the understanding was by taking the property in the same names on closing there would be no merger of the two properties because "once a severance, always a severance.

In conclusion, we are seeking the Committee's approval for the severance to correct this technicality. The applicants have received an offer to purchase the 17 acre parcel of land by the abutting property owner to the south. See sketch attached.

Please note that there will be no separate lot created by this severance

Yours truly,



James J. Walsh, Q.C.
JJW:er


25355 Major Mackenzie Drive Suite 215
Maple, ON L6A 1C6

TELEPHONE: (905) 832-2611, Ext 101
FAX: (905) 832-1499

REPLY TO: James J. Walsh, Q. C.
E-MAIL: jjwalsh@wmdlawmaple.ca
CLERK: Antonette Persechino, x106
E-MAIL: apersechino@wmdlawmaple.ca

Site & Structure



Lot Size | Area: 737,047.29 ft² (16.920 ac) | Perimeter: 3,743.44 ft
Measurements: 569.39 ft x 1,303.65 ft x 568.70 ft x 1,302.07 ft 
Lot Measurement Accuracy: LOW ⓘ

Assessment 1 | ARN : 192800031066000

Site | Frontage: 568.11 ft

Structure | Property Description: Farm property without any buildings/stru

SURVEYOR'S CERTIFICATE:

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

2. THE SURVEY WAS COMPLETED ON THE
 6th DAY OF JULY, 2015

DATE: JULY 22, 2015

(Signature)
 VALERIO G. PAPA
 ONTARIO LAND SURVEYOR

NOTE:
 BEARINGS SHOWN HEREON ARE GRID BEARINGS AND ARE REFERRED TO THE SOUTHERLY LIMIT OF KIRBY ROAD AS SHOWN ON PLAN 65R-35566, HAVING A BEARING OF N74°31'30"E.

SYMBOL	DENOTES	SURVEY MONUMENT FOUND
■	•	SURVEY MONUMENT PLANTED
□	•	STANDARD IRON BAR
○	•	IRON BAR
△	•	CUT CROSS
▽	•	WITNESS
◇	•	ORIGIN UNKNOWN
○	•	MEASURED
○	•	PLAN 65R-17660
○	•	PLAN 65R-11833
○	•	OLD NOTES AND RECORDS
○	•	INST. NO. VA 61766
○	•	INST. NO. VA 74995
○	•	POST AND WIRE FENCE
○	•	CHAIN LINK FENCE
○	•	W. N. WILDMARK, G.L.S.
○	•	A. SORANDA, G.L.S.
○	•	Spike

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This REPORT reflects conditions of time of survey. UPDATING may be required to issue ADDITIONAL COPIES subsequent to DATE of the SURVEYOR'S CERTIFICATE.

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

PART 2: THIS PLAN MUST BE READ IN CONJUNCTION WITH REPORT DATED JULY 22, 2015

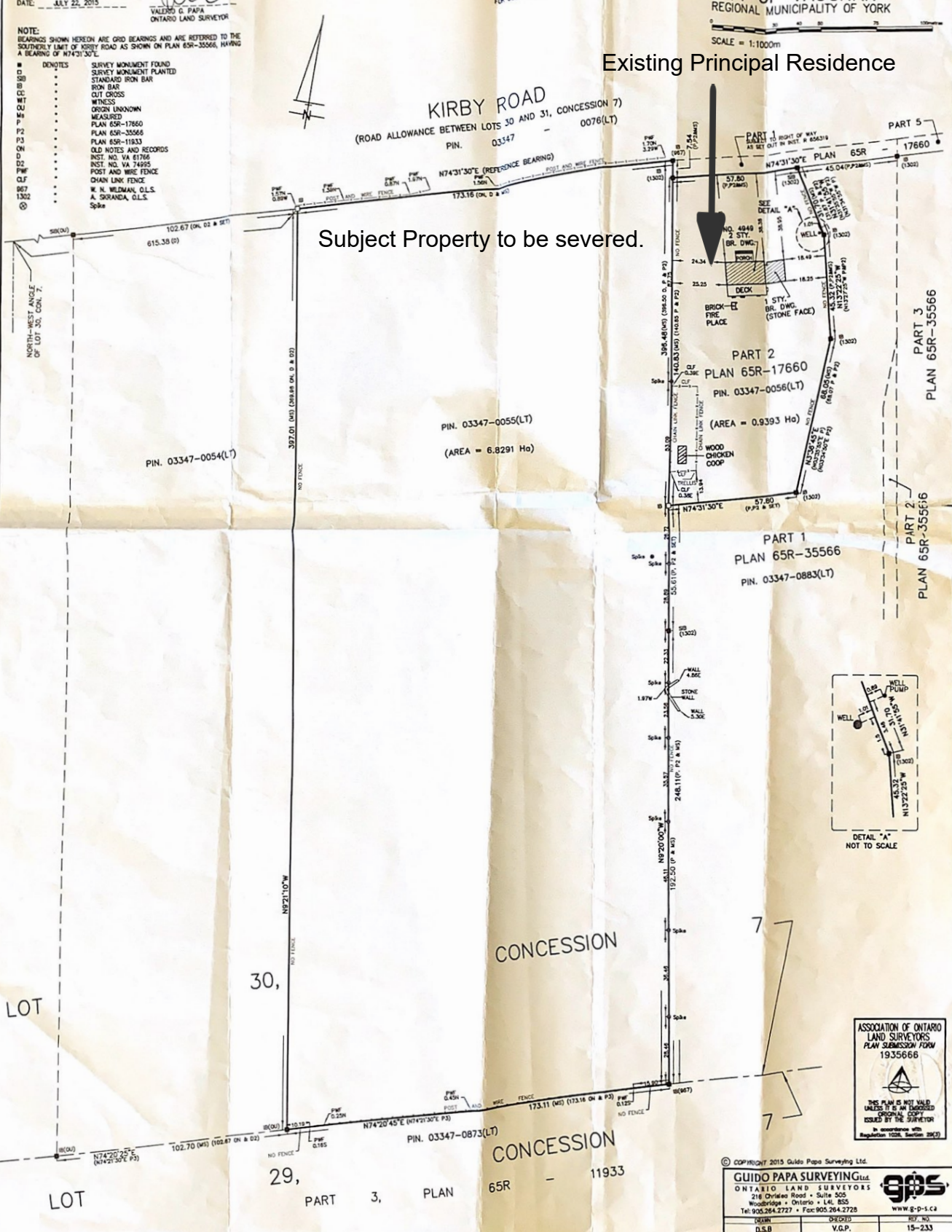
THIS REPORT HAS BEEN PREPARED FOR "MR. VITALE LUNARDON" AND GUIDO PAPA SURVEYING LTD. ACCEPTS NO RESPONSIBILITY FOR USE BY OTHER PARTIES.

SURVEYOR'S REAL PROPERTY REPORT
 PART 1
 PLAN OF
 PART OF LOT 30
 CONCESSION 7
 CITY OF VAUGHAN
 REGIONAL MUNICIPALITY OF YORK

SCALE = 1:1000m

Existing Principal Residence

Subject Property to be severed.



ASSOCIATION OF ONTARIO
 LAND SURVEYORS
 PLAN SUBMISSION FORM
 1935666

THIS PLAN IS NOT VALID
 UNLESS IT IS AN UNCORRECTED
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 Regulation 1228, Section 29(2)

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