

ITEM #: 6.20

**COMMITTEE OF ADJUSTMENT REPORT
CONSENT APPLICATION
B011/23
9801 JANE STREET, BLDG G, 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 Recieved to Date
Development Planning *Schedule B	X	X		Recommend Approval/No Conditions
Development Engineering	X	X		Recommend Approval/No Conditions
Parks, Forestry and Horticulture Operations	X	X		General Comments
By-law & Compliance, Licensing & Permits	X	X		General Comments
Development Finance	X	X		General Comments
Real Estate				
Fire Department	X			No Comments Recieved to Date
AGENCIES	Circulated	Comments Received	Conditions	Nature of Comments
TRCA *Schedule B	X	X		General Comments
Ministry of Transportation (MTO) *Schedule B				
Region of York *Schedule B	X			No Comments Received to Date
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 Recieved 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
Applicant			08/25/2023	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
B011/23
9801 JANE STREET, BLDG G, VAUGHAN**

ITEM NUMBER: 6.20	CITY WARD #: 1
APPLICANT:	Major Mackenzie Property Limited
AGENT:	Dillon Consulting Limited
PROPERTY:	9801 Jane Street, Building G, Vaughan
ZONING DESIGNATION:	See Below
VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:	City of Vaughan Official Plan 2010 ('VOP 2010'): "Mid-Rise Mixed-Use"
RELATED DEVELOPMENT APPLICATIONS:	None
PURPOSE OF APPLICATION:	Consent is being requested to permit a lease agreement in excess of 21 years to be registered on title for lands described as 'Building G' on the plans submitted with the application. The site is municipally known as 9801 Jane Street and currently supports an existing restaurant and drive-thru.

HEARING INFORMATION

DATE OF MEETING: Thursday, October 19, 2023

TIME: 6:00 p.m.

MEETING LOCATION: Vaughan City Hall, Woodbridge Room (2nd Floor), 2141 Major Mackenzie Drive

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

To speak electronically, pre-registration is required by completing the [Request to Speak Form](#) on-line and submitting it to cofa@vaughan.ca no later than NOON on the last business day before the meeting.

THE DEADLINE TO REGISTER TO SPEAK ELECTRONICALLY 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 5, 2023	
Date Applicant Confirmed Posting of Sign:	September 29, 2023	
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. *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.</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 confirm the legal description of the subject land by providing a copy of the draft transfer. Subject land confirms the legal description of the leased land. 2. That the applicant provides one full sized hard copy of the deposited plan of reference of the entire land which conforms substantially with the application 3. That the applicant email an electronic copy of the deposited plan of reference to cofa@vaughan.ca 4. Payment of the Certificate Fee as provided on the City of Vaughan's Committee of Adjustment Fee Schedule. 	

BUILDING STANDARDS (ZONING) COMMENTS

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

DEVELOPMENT PLANNING COMMENTS

<small>**See Schedule B for Development Planning Comments.</small>	
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 (DE) Department does not object to Consent Application B011/23.	
Development Engineering Recommended Conditions of Approval:	None

PARKS, FORESTRY & HORTICULTURE (PFH) COMMENTS

Forestry has no comment at this time	
PFH Recommended Conditions of Approval:	None

DEVELOPMENT FINANCE COMMENTS

No comment no concerns	
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DEVELOPMENT FINANCE COMMENTS

Development Finance Recommended Conditions of Approval:	None
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BY-LAW AND COMPLIANCE, LICENSING AND PERMIT SERVICES COMMENTS

No objections or comments - no active files

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 cofa@vaughan.ca	1. That the applicant's solicitor confirm the legal description of the subject land by providing a copy of the draft transfer. Subject land confirms the legal description of the leased land. 2. That the applicant provides one full sized hard copy of the deposited plan of reference of the entire land which conforms substantially with the application 3. That the applicant email an electronic copy of the deposited plan of reference to cofa@vaughan.ca 4. Payment of the Certificate Fee as provided on the City of Vaughan's Committee of Adjustment Fee Schedule.

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.

IMPORTANT INFORMATION – PLEASE READ

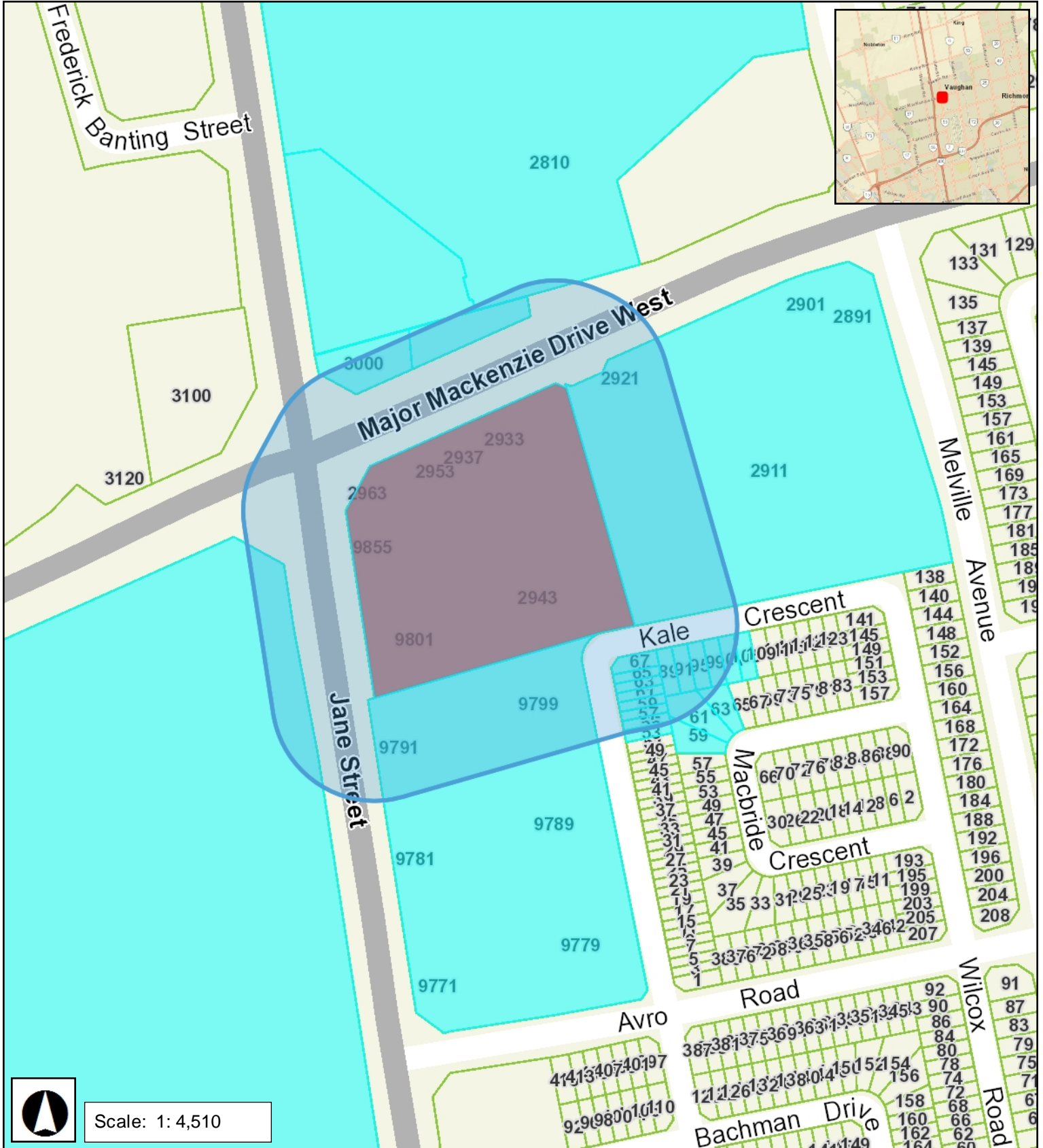
That the payment of the Education Development Charge if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the Boards of Education By-laws in effect at the time of payment

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

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

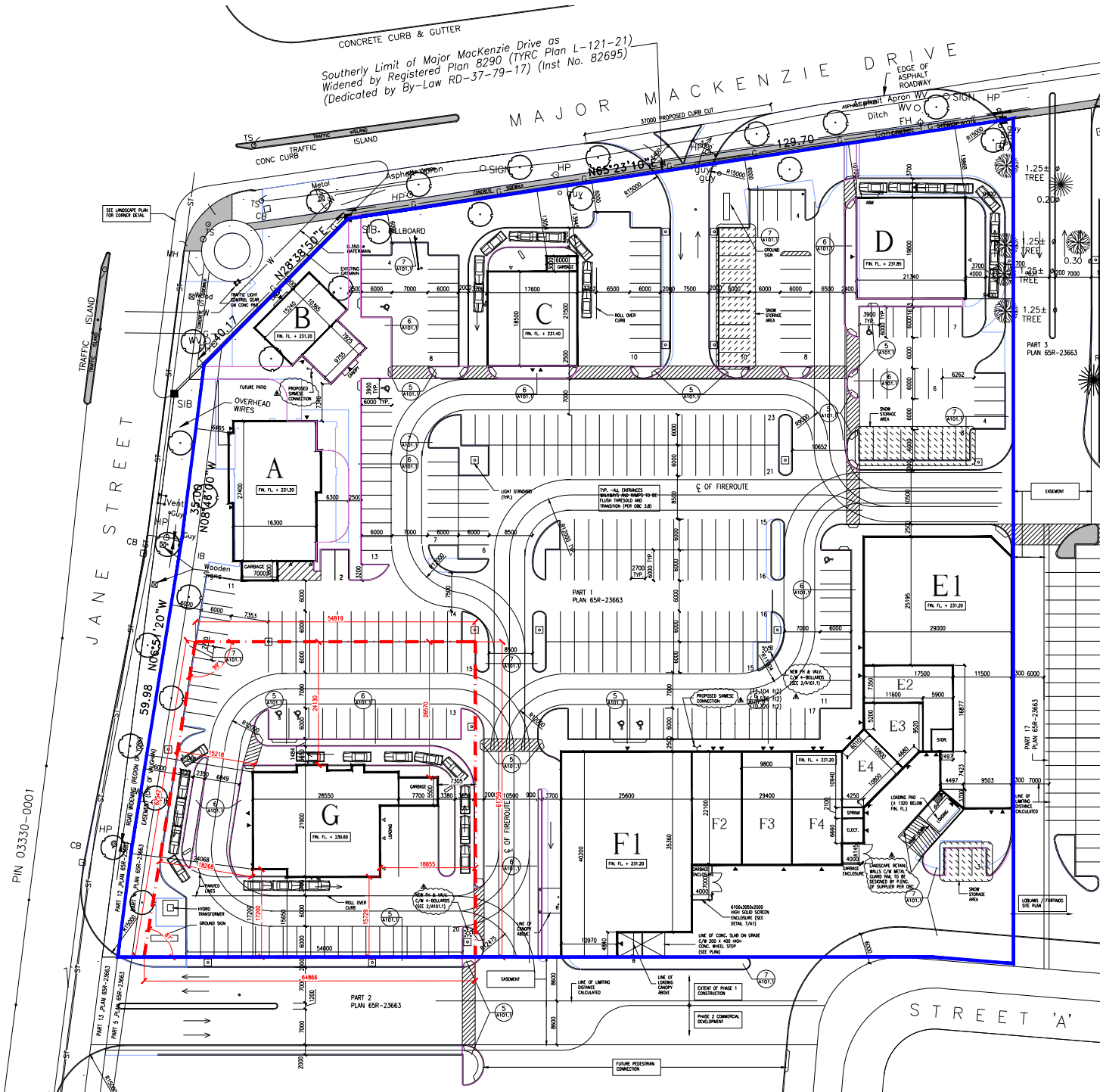
9801 Jane Street Bldg G , Vaughan



B011/23

Property Area: 24,768.4 sq.m
Leased Area (Building G): 3695.8 sq.m

- Leased Area Boundary
- Property Area Boundary



PIN 03330-0001

SCHEDULE B: STAFF & AGENCY COMMENTS				
DEPT/AGENCY	Circulated	Comments Received	Conditions	Nature of Comments
TRCA *Schedule B	X	X		General Comments
Ministry of Transportation (MTO) *Schedule B				
Region of York *Schedule B	X			No Comments Received to Date
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: October 3rd 2023
Attention: **Christine Vigneault**
RE: Request for Comments

File No.: **B011-23**

Related Files:

Applicant: Dillon Consulting Limited

Location 2933-2963 Major Mackenzie Drive (9801 Jane Street),



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)

Supervisor, Distribution Design-Subdivisions

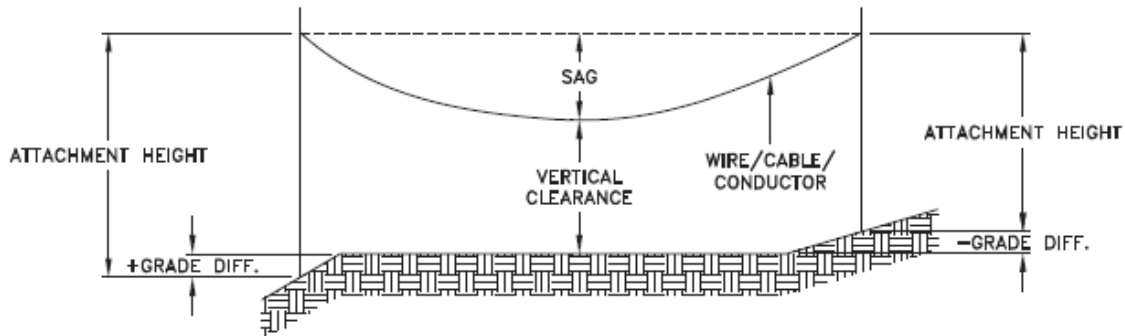
Phone: 1-877-963-6900 ext. 31297

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.

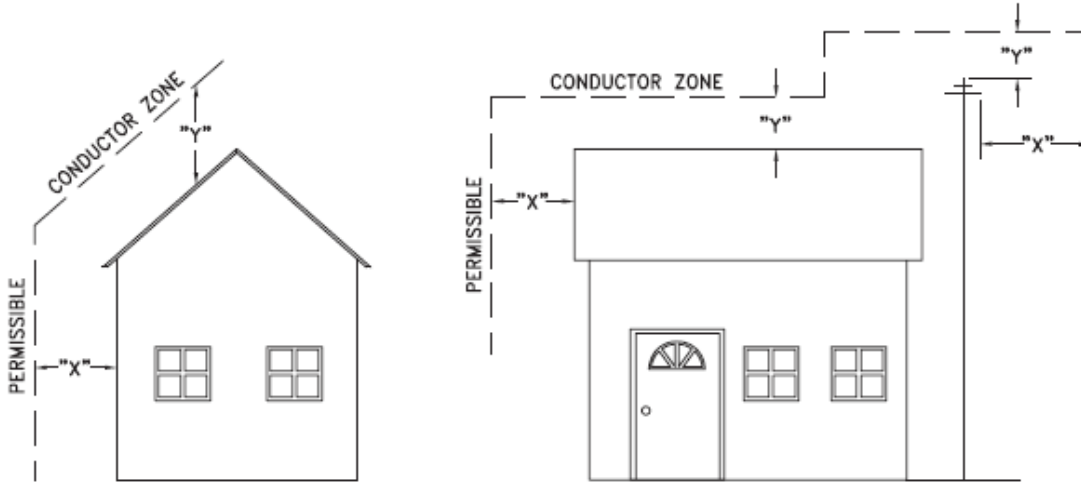
METRIC	IMPERIAL (APPROX)
810cm	27'-0"
760cm	25'-4"
730cm	24'-4"
520cm	17'-4"
480cm	16'-0"
442cm	15'-5"
370cm	12'-4"
340cm	11'-4"
310cm	10'-4"
250cm	8'-4"

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: *D. Dadwani*

ORIGINAL ISSUE DATE: 2010-MAY-05 REVISION NO: REVISION DATE:
P:\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: Lindsay Haviland, Building Standards Department
Date: Thursday , September 28, 2023
Applicant: Dillon Consulting Limited
Location: 9801 Jane St G Vaughan ON L6A 3N9
File No.(s): B011/23

Zoning Classification:

The subject lands are zoned GMU – General Mixed-Use Zone and subject to the provisions of Exception 14.765 under Zoning By-law 001-2021, as amended.

1. The subject consent application is to permit a lease in excess of 21 years on the existing subject lands and therefore the Zoning By-law requirements for Lot Area, Lot Frontage and Lot Depth are not applicable.

Staff Comments:

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

There are no outstanding Orders on file.

Building Permit(s) Issued:

Other Comments:

None

Conditions of Approval:

None

* 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: September 26, 2023
Name of Owner: Major MacKenzie Property Limited
Location: 2933 – 2963 Major MacKenzie Drive
File No.(s): B011/23

Proposal:

The Owner has submitted Consent Application File B011/23 to permit a lease in excess of 21 years on the subject lands.

Official Plan:

City of Vaughan Official Plan 2010 ('VOP 2010'): "Mid-Rise Mixed-Use"

Comments:

The Owner has submitted a consent application to facilitate a lease agreement in excess of 21 years. As it is a lease application, the Zoning By-law requirements of Lot Area, Lot Frontage and Lot Depth are not applicable.

The portion of the subject lands where the lease is proposed is located within the southwest corner of the commercial plaza, and pertains to the Tim Hortons and Wendy's restaurant. The lease is specific to the building, surrounding parking area and drive-thru. The proposal adds further permanency to the established restaurant use on this portion of the subject property. The lands are zoned "GMU – General Mixed-Use Zone" subject to Exceptions 14.765 in By-law 001-2021, which permits the existing Restaurant/Eating Establishment use. There are no changes proposed to the existing use or site.

The Development Planning Department 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:

Michelle Perrone, Planner 1
David Harding, Senior Planner

Pravina Attwala

Subject: FW: [External] RE: B011/23 (2933 - 2963 MAJOR MACKENZIE DRIVE) - REQUEST FOR COMMENTS

From: Kristen Regier <Kristen.Regier@trca.ca>

Sent: September-29-23 10:27 AM

To: Committee of Adjustment <CofA@vaughan.ca>

Cc: Pravina Attwala <Pravina.Attwala@vaughan.ca>; Christine Vigneault <Christine.Vigneault@vaughan.ca>

Subject: [External] RE: B011/23 (2933 - 2963 MAJOR MACKENZIE DRIVE) - REQUEST FOR COMMENTS

Hello,

The subject property at 2933-2963 Major Mackenzie Drive, Vaughan is not located within TRCA's Regulated Area. TRCA's Planning and Regulatory policy interests are not impacted.

As such, TRCA has no comments on the application.

Best,

Kristen Regier, MA (she / her)

Planner I

Development Planning and Permits | Development and Engineering Services
Toronto and Region Conservation Authority (TRCA)

T: [437-880-2129](tel:437-880-2129)

E: kristen.regier@trca.ca

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



SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE

Correspondence Type	Name	Address	Date Received (mm/dd/yyyy)	Summary
Applicant			08/25/2023	Application Cover Letter

RECEIVED

By attwalap at 10:02 am, Aug 25, 2023

August 24, 2023

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

Attention: Christine Vigneault, Secretary Treasurer

Re: Application for Consent for a Lease Greater than 21 Years
TIMWEN# 6679/102226 – 2933-2963 Major Mackenzie Drive (9801 Jane Street),
Vaughan, ON

Dillon Consulting Limited (Dillon) has been authorized by Major Mackenzie Property Limited (the Landlord) to facilitate the Consent process under the Planning Act to permit the lease agreement registered on title between the Landlord and TIMWEN Partnership (the Tenant) to be extended for a period of 21 years or greater at 2933-2963 Major Mackenzie Drive (9801 Jane Street), Vaughan, ON (subject lands).

As required by the *Planning Act*, any conveyance of land or the creation of any interest or entitlement in land if it exceeds a period of 21 years or more pursuant to s. 50(3) unless relief is granted under the specific exception of s. 50(3)(f):

A consent is given to convey, mortgage or charge the land or grant, assign or exercise a power of appointment in respect of the land or enter into an agreement in respect of land or with the land

We understand the intent of this application is to seek relief from the *Planning Act* in order for the TIMWEN Partnership to remain in their current location for a period greater than 21 years, thus allowing the existing lease agreement to be extended. The purpose of giving Consent therefore is largely an administrative exercise. We confirm there are no other approvals under the *Planning Act* required or being applied for to create this interest in the property at this time.

Alignment with Provincial Policy

Under subsection 3(5) of the *Planning Act*, all decisions rendered by the Committee of Adjustment must be consistent with the *Provincial Policy Statement, 2020* and must conform with all provincial plans that may apply to the subject lands.



235 Yorkland Blvd.
Suite 800
Toronto, Ontario
Canada
M2J 4Y8
Telephone
416.229.4646
Fax
416.229.4692

Conformity with Provincial Plans

At the time of this application, neither the subject lands nor the proposed leased lands fall within the regulated area of any provincial plan currently in effect.

Application for Consent

This letter and associated submission materials constitute an application for Consent in support of the existing Tenant to continue operations.

Required Material
Application Form
Consent Sketch
Tree Declaration Form

Closing

On behalf of the landlord, we trust that this submission is to the satisfaction of the City of Vaughan. Should you have any questions or wish to discuss this application, please contact Raphael Romeral by phone (**416-229-4646 ext. 2006**) or by email (**rromeral@dillon.ca**).

Yours sincerely,

DILLON CONSULTING LIMITED

Raphael Romeral,

Planner

RMR:

Enclosure(s) or Attachment(s)

Our file: 21-2700

SCHEDULE D: PREVIOUS COA DECISIONS ON THE SUBJECT LAND

None