



File: B019/21

Applicant: 9773 Keele Development Inc.

Address: 9773 Keele St Vaughan ON

Agent: Sandra Patano - Weston Consulting

Please note that comments and written public submissions received after the preparation of this Staff Report (up until noon 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 <input checked="" type="checkbox"/> Negative Comment	Condition(s) <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
Committee of Adjustment	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Building Standards	<input checked="" type="checkbox"/>	
Development Planning	Application Under Review	
Development Engineering	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Parks, Forestry and Horticulture Operations		
By-law & Compliance	<input checked="" type="checkbox"/>	
Financial Planning & Development	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Real Estate Department	<input checked="" type="checkbox"/>	
Fire Department	<input checked="" type="checkbox"/>	
Metrolinx	<input checked="" type="checkbox"/>	
Ministry of Transportation	<input checked="" type="checkbox"/>	
Region of York	withdrawn, revised comments to follow	
Alectra (Formerly PowerStream)	<input checked="" type="checkbox"/>	
Public Correspondence (see Schedule B)	<input checked="" type="checkbox"/>	

Adjournment History: None.

Background History: B001/20 (see next page for details)

Staff Report Prepared By: Lenore Providence
Hearing Date: Thursday, October 28, 2021

**Please note that additional comments may be received after the publication of the Staff Report. These comments will be processed as an addendum (see website for details).*



Consent Application

Agenda Item: 03

B019/21

Ward: 1

Prepared By: Lenore Providence Assistant Secretary Treasurer

Date & Time of Live Stream Hearing: Thursday, October 28, 2021 at 6:00 p.m.

As a result of COVID-19, Vaughan City Hall and all other City facilities are closed to the public at this time.

A live stream of the meeting is available at [Vaughan.ca/LiveCouncil](https://vaughan.ca/LiveCouncil)

Please submit written comments by mail or email to:

City of Vaughan
Office of the City Clerk – Committee of Adjustment
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1
cofa@vaughan.ca

To make an electronic deputation at the meeting please contact the Committee of Adjustment at cofa@vaughan.ca or 905-832-8504. Ext. 8332

Written comments or requests to make a deputation must be received by noon on the last business day before the meeting.

Applicant: 9773 Keele Development Inc.

Agent: Sandra Patano - Weston Consulting

Property: 9773 Keele Street, Maple

Zoning: The subject lands are zoned RT1, Townhouse Residential Zone, subject to Exception 9(1515) under By-law 1-88 as amended.

OP Designation: Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential" and within the Maple Heritage Conservation District Plan Area

Related Files: Draft Plan of Subdivision 19T-17V001, Zoning By-law Amendment Z.17.002, Official Plan Amendment OP.17.001 and Site Plan Approval DA.18.073.

Purpose: Consent is being requested to establish an easement over Parts 1-5 (servient lands - as shown on the plan submitted with the application) for the purposes of servicing a future subsurface storm outlet in favour of the lands to the north municipally known as 9785 & 9797 Keele Street (dominant land).

**Applicant has confirmed that 9785 & 9797 Keele Street (dominant land) have merged on title and are considered one parcel of land.

**The draft plan submitted with the application to be updated to remove the encroachment of the existing heritage structure.

Background (Previous Applications approved by the Committee on the subject land:

Application No.:	Description:	Status of Approval: Approved/Refused/Withdrawn/ OMB/Concurrent
B001/20	An easement in favour of the Laurier Lands was established to provide for the shared road access and services. A Cost Sharing Agreement was also executed and registered between the two owners with regards to this easement.	APPROVED Feb. 27, 2020 and Revised Certificate of Official issued July 2, 2021.

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: N/A

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 only be received by the Secretary Treasurer until **noon** on the last business day **prior** to the day of the scheduled Meeting.

Committee of Adjustment:

Public notice was mailed on October 06, 2021

Applicant confirmed posting of signage on October 01, 2021

Existing Building or Structures on the subject land:

The easement lands is vacant.

Committee of Adjustment 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 / File Review History:

The applicant was provided an opportunity to adjourn the application prior to the issuance of public notice to permit time to address Development Planning Department concerns below:

- Based on the information provided by Alexandra, the Development Planning Department is requesting an adjournment to allow City staff to review the most updated Arborist Report/TPP the email below makes reference too. Additionally, given the trees are in the Ownership of the Region, it is my opinion that this matter should be dealt with prior to the completion of this consent application. As identified by urban design, the area identified as part 5 encroaches within the tree protection zones of Tree #103 and there is still outstanding issues that need to be satisfied in the 4th submission before the Region's Forestry Department provides final sign-off.

Building Standards (Zoning Review):

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

There are no outstanding Orders on file

Building Department Staff have no additional comments in respect to this application.

Building Standards Recommended conditions of approval:

Development Planning: Application Under Review

Development Engineering:

The Development Engineering (DE) Department does not object to consent application B019/21 subject to the following condition(s):

- 1) The Owner/applicant shall arrange to prepare and register a reference plan at their expense for the conveyance of the subject lands and showing all existing and proposed easements to the satisfaction of DE. The Owner/applicant shall submit a draft reference plan to the Development Engineering Department for review prior to deposit. DE shall be in receipt of the deposited reference plan prior to clearance of said condition.
- 2) The Owner/applicant shall provide proof of an agreement or easement documents between the property owners of the severed and retained lands including sufficient language to clearly describe the nature of the shared servicing & access easements, all to the satisfaction of Development Engineering. The easement agreement should indicate that the owners are responsible to ensure proper maintenance and repairs of servicing connection(s) in the easement.

Parks Development - Forestry:

No comments received to date.

By-Law and Compliance, Licensing and Permit Services:

No comments nor concerns.

Development Finance:

1. 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.
2. 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.
3. 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
4. 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.

Real Estate:

No comments nor concerns.

Fire Department:

No comments received to date.

Schedule A – Plans & Sketches

Schedule B – Public Correspondence

Agent Correspondence –Cover Letter
Agent Correspondence –Engineer’s Report (Storm Sewer Easement (PART 3) Letter

Schedule C - Agency Comments

Alectra (Formerly PowerStream) – No concerns or objections
Region of York – No concerns or objections
Metrolinx (Site is greater than 300 meters from Metrolinx)

Schedule D - Previous Approvals (Notice of Decision)

Consent Application B001/20

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 **adjourn** this application the following condition(s) is required:

	Department/Agency	Condition
1	Committee of Adjustment Christine Vigneault 905-832-8585 x 8332 christine.vigneault@vaughan.ca	Applicant to provide payment of Adjournment Fee of \$562.00 prior to the rescheduling of Application B019/21 , if required.

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	<ol style="list-style-type: none">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 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).
3	Development Engineering Farzana Khan 905-832-8585 x 3608 Farzana.Khan@Vaughan.ca	<ol style="list-style-type: none">1. The Owner/applicant shall arrange to prepare and register a reference plan at their expense for the conveyance of the subject lands and showing all existing and proposed easements to the satisfaction of DE. The Owner/applicant shall submit a draft reference plan to the Development Engineering Department for review prior to deposit. DE shall be in receipt of the deposited reference plan prior to clearance of said condition.2. The Owner/applicant shall provide proof of an agreement or easement documents between the property owners of the severed and retained lands including sufficient language to clearly describe the nature of the shared servicing & access easements, all to the satisfaction of Development Engineering. The easement agreement should indicate that the owners are responsible to ensure proper maintenance and repairs of servicing connection(s) in the easement.

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

PLEASE NOTE: As a result of COVID-19, Vaughan City Hall and all other City facilities are closed to the public at this time.

PUBLIC CONSULTATION DURING OFFICE CLOSURE: 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. Written submissions on an Application shall only be received until **noon** on the last business day **prior** to the day of the scheduled hearing. Written submissions can be mailed and/or emailed to:

City of Vaughan
Office of the City Clerk – Committee of Adjustment
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1
cofa@vaughan.ca

ELECTRONIC PARTICIPATION: During the COVID-19 emergency, residents can view a live stream of the meeting [Vaughan.ca/LiveCouncil](https://vaughan.ca/LiveCouncil). To make an electronic deputation, residents must complete and submit a [Public Deputation Form](#) no later than **noon** on the last business prior to the scheduled hearing. To obtain a Public Deputation Form please contact our office or visit www.vaughan.ca

Presentations to the Committee are generally limited to 5 minutes in length. Please note that Committee of Adjustment meetings may be audio/video 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 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.

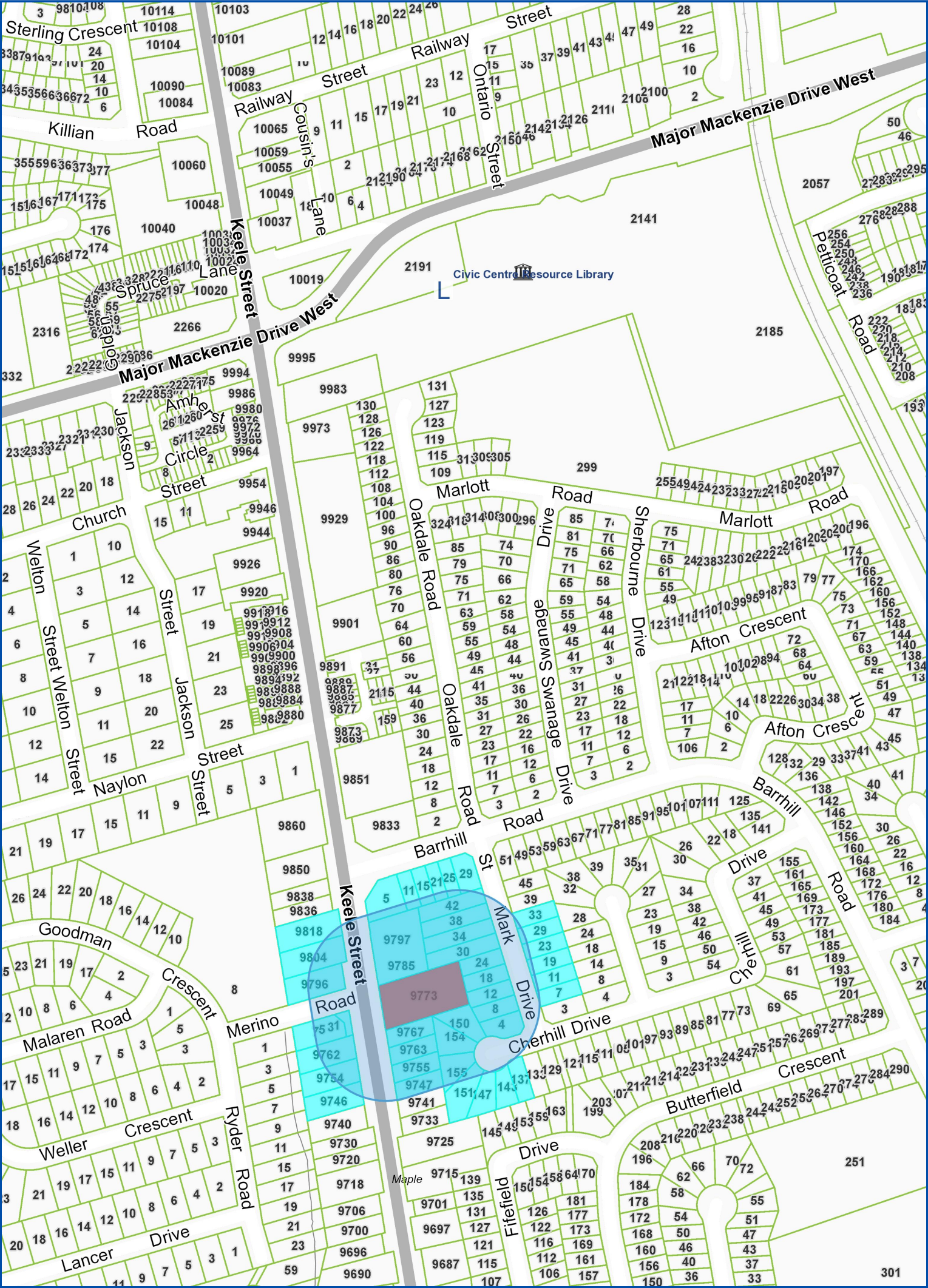
For more information please contact the City of Vaughan, Committee of Adjustment

T 905 832 8585 Extension 8394
E CofA@vaughan.ca

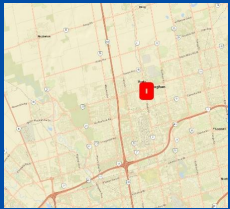
Schedule A: Plans & Sketches

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.

Location Map
Plans & Sketches



Map Information:



Title:

9773 KEELE STREET, MAPLE

NOTIFICATION MAP - B019/21

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.



VAUGHAN

Scale: 1:4,514

0 0.07 km



Created By:

Infrastructure Delivery

Department

October 12, 2021 10:02 AM

Projection:

NAD 83

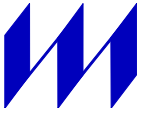
UTM Zone

17N

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.

Agent Correspondence –Cover Letter
Agent Correspondence –Engineer’s Report (Storm Sewer Easement (PART 3) Letter



**WESTON
CONSULTING**

planning + urban design

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

October 8, 2021
File 6728-1

Attn: Christine Vigneault, Secretary Treasurer

**RE: Consent Application B019/21
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 purpose of this letter is to provide additional information to yourself and the Development Engineering reviewer regarding the proposed Consent application.

Revised Easement Sketch

Per our correspondence with yourself and the Development Engineering reviewer, the Easement Sketch has been revised per the following:

- Jogged the easement geometry around the heritage dwelling to eliminate the previous encroachment;
- Added an 8 inch (21 cm) offset between the easement and the dwelling;
- Revised the legend to explicitly denote 9785 & 9797 Keele Street as the Dominant Lands and to refer to Parts 1 to 5; and,
- Added in Detail A to provide for a detailed outlining of the proposed Parts.

In addition, we would like to clarify that Parts 1, 2 to 3 will permanently remain within the private ownership of the Subject Lands as a private easement between the parties. Furthermore, the southwest corner of Part 3 will contain a retaining wall and bollard. An easement agreement will be registered between the owners of the Subject Lands and Laurier Lands to permit the retaining wall and bollard within Part 3. The agreement will further state that if access is required to Part 3 for required servicing works which results in the temporary removal of the retaining wall and bollard, these features will be reinstated upon completion of the work. Please refer to the attached engineering and lighting drawings for further details regarding the retaining wall and bollard. A copy of the easement agreement will be provided to the City upon completion.

In support of the Consent application, please find enclosed the following materials:

- One digital copy of the revised Easement Sketch dated October 8, 2021;

- One digital copy of the Civil Engineering Drawing Set dated July 30, 2021; and
- One digital copy of the Site Lighting Plan and Photometric Analysis dated August 23, 2021.

At this time, a digital submission has been made given the closure of the municipal offices due to the Covid-19 Pandemic. We trust that a digital submission is satisfactory; however, hard copies of the materials can be made available as required.

We trust that the above is in order and request that the hearing for these applications be scheduled for the October 28, 2021 Committee of Adjustment hearing. Should you have any questions, please contact the undersigned at ext. 245 or Steven Pham at ext. 312.

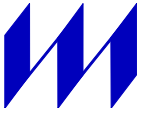
Yours truly,

Weston Consulting



Sandra Patano, BES, MES, MCIP, RPP
Vice President

c. Charles Vallance, Laurier Group
Philip Rubinoff, Laurier Group
Matthew Baldassarra, 9773 Keele Development Inc.



WESTON CONSULTING

planning + urban design

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

August 31, 2021
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"). An access and servicing easement over the adjacent property to the south, 9773 Keele Street (the "Subject Lands") was previously established in favour of the Laurier Lands via Consent application B-001/20. The purpose of this application is to establish an additional easement over the Subject Lands in favour of the Laurier Lands for mutual access to a subsurface storm outlet.

Description of the Subject Lands

9773 Keele Street (9773 Keele Development Inc.)

The Subject Lands, identified as the Servient Land are approximately 0.81 acres (0.32 hectares) in size with approximately 41.7m of frontage along Keele Street. The Subject Lands are currently occupied by a residential, single-detached heritage dwelling.

Applications for Draft Plan of Subdivision (19T-17V001), Zoning By-law Amendment (Z.17.002), Official Plan Amendment (OP.17.001) and Site Plan Approval (DA.18.073) were submitted to the City of Vaughan to facilitate the development of two 2.5-storey townhouse blocks and to relocate the existing heritage dwelling. OP.17.001 and Z.17.002 were approved by Vaughan Council on March 10, 2021 while 19T-17V001 and DA.18.073 received draft approval on the same day.

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

The Laurier Lands, identified as the Dominant Land are located directly adjacent to the north of 9773 Keele Street property. The lot area is approximately 0.6 acres (0.24 hectares) with approximately 62m of 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 6 townhouse blocks for a total of 16 units.

The Laurier Lands are subject to applications for Official Plan Amendment (OP.15.020), Zoning By-Law Amendment (Z.15.019), Draft Plan of Subdivision (19T-15V007) and Site Plan Approval (DA.17.068). The applications received approval at Committee of the Whole and Council in November 2019, subject to a number of conditions. Condition 3c) of Item No. 2, Report No. 34 of the November 5, 2019 Committee of the Whole was replaced with the following:

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

Condition 3c) for shared road access and services between the two owners has since been satisfied through the approval of Consent application B-001/20 at the February 27, 2020 Committee of Adjustment hearing, with Notice of Decision issued March 6, 2020, and Revised Certificate of Official issued July 2, 2021. An easement in favour of the Laurier Lands was established to provide for the shared road access and services. A Cost Sharing Agreement was also executed and registered between the two owners with regards to this easement.

The purpose of this Consent application is to establish additional easements over the Subject Lands (9773 Keele Street) in favour of the Laurier Lands (9785 & 9797 Keele Street) to provide mutual access to a subsurface storm outlet.

As shown on the attached Severance Sketch, the servicing easements will be located over the Subject Lands (9773 Keele Street) and contain the subsurface storm outlet as indicated by Parts 1, 2, and 3. Cumulatively, these proposed easements range from 1.32m to 2.5m in width and is approximately 32.0m in length. Parts 1 and 2 will necessarily include portions of a daylight triangle and 0.3m reserve that will contain portions of the subsurface storm outlet. In our correspondence with the Region of York, dated August 24, 2021 no objections were raised with regards to the registration of these easements. As well, the existing heritage dwelling that is proposed to be relocated will slightly encroach into Part 3. The amount of surface and subsurface encroachment as illustrated on the Severance Sketch is conceptual and approximate, and will be finalized during the Building Permits process.

Furthermore, it was agreed that Parts 4 and 5 will be required to establish temporary easements on the outlet pipe which connects to the Region's existing infrastructure. The Parts are located within the future road widening to the Region and will be in favour of both the Subject Lands (9773 Keele Street) and the Laurier Lands (9785 & 9797 Keele Street). Parts 4 and 5 will no longer be required upon conveyance of the road widening, at which time they will be transferred to the Region and the storm outlet would be in public ownership. We have attached the email correspondence, dated August 24, 2021 confirming the above details as part of our submission.

A Draft R-Plan confirming the location, boundaries, and dimensions of the easements is in the process of being prepared and will be submitted at a later date upon completion.

The existing Cost Sharing Agreement for the shared road access and servicing will be amended to include this additional easement and associated subsurface servicing. Once completed, the amended Cost Sharing Agreement will be forwarded to yourself for review.

We have reviewed the *Planning Act* and it is our opinion that the proposed easement has appropriate regard for the Act. The proposed easement will provide mutual access to servicing infrastructure, which demonstrates regard for ss. 2 (f) regarding the adequate provision and efficient use of sewage and water services as a matter of provincial interest. The establishment of this easement will enable the subsurface storm outlet to efficiently service both the Subject Lands and Laurier Lands.

In support of the Consent application, please find enclosed the following materials:

- One digital copy of the original, signed Application Form;
- One digital copy of the Severance Sketch dated August 31, 2021;
- One digital copy of the email correspondence with Region of York dated August 24, 2021;
- One digital copy of the Confirmation of Servicing Form;
- One digital copy of the Tree Declaration Form; and,
- One digital copy of the Arborist Report & Tree Preservation Plan dated March 25, 2020.

One cheque for the Consent application fee of \$3,759.00, payable to the City of Vaughan, will be couriered to City Hall and addressed to your attention. Please provide us with the receipt once payment has been processed.

At this time, a digital submission has been made given the closure of the municipal offices due to the Covid-19 Pandemic. We trust that a digital submission is satisfactory; however, hard copies of the materials can be made available as required.

We trust that the above is in order and request that the hearing for these applications be scheduled for the September 30, 2021 Committee of Adjustment hearing. Should you have any questions, please contact the undersigned at ext. 245 or Steven Pham at ext. 312.

Yours truly,

Weston Consulting



Sandra Patano, BES, MES, MCIP, RPP
Vice President

c. Charles Vallance, Laurier Group
Philip Rubinoff, Laurier Group
Matthew Baldassarra, 9773 Keele Development Inc.
Ryan Guetter, Weston Consulting

OCTOBER 14, 2021

PROJECT NO: 1152-4304/1331-4528

SENT VIA EMAIL

Vaughan City Hall, Level 200
Development Engineering Department
2141 Major MacKenzie Drive West
Vaughan, ON, L6A 1T1

Attention: Farzana Khan
Development Engineering

RE: STORM SEWER EASEMENT (PART 3) LETTER
SPA AND CONSENT APPLICATIONS (B019/21, DA.18.073 & DA.17.068)
9773 & 9785-9797 KEELE STREET, CITY OF VAUGHAN

Dear Farzana,

C.F. Crozier & Associates Inc. (Crozier) has prepared this letter in support of the adjusted easement for the proposed private storm sewer located along the Keele Street property line in support of the Site Plan Applications and ongoing Consent Application for the properties located at 9773 & 9785-9797 Keele Street in the City of Vaughan. Part 3 of the easement was adjusted to accommodate the relocation of the existing heritage dwelling on the property.

From the perspective of site servicing, the adjusted easement layout will provide sufficient space to contain the storm sewer. Unshrinkable fill will need to be used around the pipe where space is deficient for the required bedding thickness outlined in OPSD 802.010. The proposed relocation of the heritage dwelling is not anticipated to preclude the proposed storm sewer within the easement or its operation however, the structural engineer must ensure that the foundation footing does not place load upon the pipe at the time of construction.

Should you have any questions or require any further information, please do not hesitate to contact the undersigned.

Sincerely,

C.F CROZIER & ASSOCIATES INC.



Isabelle Cl  roux, E.I.T.
Land Development
/ic

C.F CROZIER & ASSOCIATES INC.



Ashish Shukla, P.Eng.
Associate

I:\1100\1152-A.Baldassara Architect\4304-Keele St Townhomes\Letters\4304_Storm Sewer Easement Letter.docx

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.

- Alectra (Formerly PowerStream) – No concerns or objections
- Region of York – No concerns or objections
- Metrolinx (Site is greater than 300 meters from Metrolinx)



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 & Layouts (North)
Phone: 1-877-963-6900 ext. 31297
Fax: 905-532-4401
E-mail: stephen.cranley@alectrautilities.com

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

Lenore Providence

Subject: FW: B019/21 - Request for Comments: (9773 Keele Street, Maple)

From: Hurst, Gabrielle <Gabrielle.Hurst@york.ca>

Sent: October-01-21 9:11 AM

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

Subject: [External] FW: B019/21 - Request for Comments: (9773 Keele Street, Maple)

**WITHDRAWN, REVISED COMMENTS
TO BE PROVIDED**

Good morning Lenore,
The Regional Municipality of York has completed its review of the above consent for easement and has no comment.

Gabrielle

Gabrielle Hurst mcip rpp | Community Planning and Development Services | The Regional Municipality of York | 1-877
464 9675 ext 71538 | gabrielle.hurst@york.ca | www.york.ca

Lenore Providence

Subject: FW: B019/21 - Request for Comments: (9773 Keele Street, Maple)

From: Alexandra Goldstein <Alexandra.Goldstein@metrolinx.com>

Sent: September-27-21 3:18 PM

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

Subject: [External] RE: B019/21 - Request for Comments: (9773 Keele Street, Maple)

Thank you for circulating the above listed application (9773 Keele Street, Maple) for Metrolinx’s review. I note that the subject site is greater than 300 meters from Metrolinx’s Newmarket Subdivision which carries Barrie GO Train service. As such, it is outside of our zone of influence for comment. Please kindly remove Metrolinx from any future circulations related to this application.

Thanks,
ALEXANDRA GOLDSTEIN

Project Manager
Third Party Projects Review, Capital Projects Group
Metrolinx | 20 Bay Street | Suite 600 | Toronto | Ontario | M5J 2W3
T: 416-202-5708



Schedule D: Previous Approvals (Notice of Decision)

Consent Application B001/20

NOTICE OF DECISION

Consent Application B001/20

Section 53 of the Planning Act, R.S.O, 1990, c.P.13

Re-Issuance of Notice Pursuant to Section 4 of O.Reg 149/20

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).

Sketch: A sketch illustrating the request has been attached to the decision.

Having regard to the written and oral submissions related to this application as required by Section 53(18), the requirements of Section 51(24) as required by Section 53(12) and matters of Provincial interest (Provincial Policy Statement) as required by Section 3(1) of the Planning Act, R.S.O. 1990, c. P. 13, as amended, it is the decision of the Committee that provisional consent of the application:

THAT Application No. B001/20 on behalf of 9773 Keele Development Inc. be **APPROVED**, in accordance with the sketches attached and subject to the following conditions:

	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 Planning Michael DiFebo 905-832-8585 x 8990 michael.difebo@vaughan.ca	1. The Owner of the land municipally known as 9773 Keele Street shall successfully obtain approval from Vaughan Council of the Official Plan and Zoning By-law Amendment, Draft Plan of Subdivision and Site Development Applications for 9773 Keele Street; or 2. The Owner of the Subject Lands and the owner of 9773 Keele Street shall have entered into an agreement with the City, pursuant to Section 53(12) and 51(26) of the <i>Planning Act</i> , to secure the design and construction of the access route and joint services to be constructed at 9773

	Department/Agency	Condition
		Keele Street for the Subject Lands and 9773 Keele Street.
3	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.
4	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 be deemed to be refused. Section 53(41), The Planning Act R.S.O., 1990

For the following reasons:

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

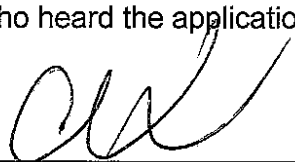
Written & oral submissions were received from the following:

Public Written Submissions	Public Oral Submissions
* Public Correspondence received and considered by the Committee in making this decision	*Please refer to the approved meeting minutes for submission details.
N/A	N/A

Late Written Public Submissions:

In accordance with the Committee of Adjustment Procedural By-law (069-2019) 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.

**ORIGINAL NOTICE OF DECISION DATED MARCH 6, 2020 SIGNED BY ALL MEMBERS
PRESENT WHO CONCURRED IN THIS DECISION**

DATE OF HEARING:	Thursday, February 27, 2020
DATE OF ORIGINAL NOTICE:	March 6, 2020
DATE OF RE-ISSUED NOTICE PURSUANT TO O. REG 149/20: <i>Pursuant to Section 4 of O.Reg 149/20 notices of decision issued pursuant to subsections 53(17) and (24) of the Planning Act on or after February 26, 2020 and before April 15, 2020 are deemed to have not been completed and the notices shall be given again (no later than 15 days after the lifting of the provincial statutory COVID-19 emergency Order).</i>	April 22, 2020
LAST DAY FOR *APPEAL: *Please note that appeals must be received by this office no later than 4:30 p.m. on the last day of appeal.	May 12, 2020 4:30 p.m.
LAST DAY FOR FULFILLING CONDITIONS:	April 22, 2021 4:30 p.m.
CERTIFICATION: I hereby certify that this is a true copy of the decision of the City of Vaughan Hill Committee of Adjustment and this decision was concurred in by a majority of the members who heard the application.  <hr/> Christine Vigneault, ACST Manager Development Services & Secretary-Treasurer Committee of Adjustment	

Appealing to The Local Planning Appeal Tribunal
The *Planning Act*, R.S.O. 1990, as amended, Section 53

The applicant, the Minister or any other person or public body who has an interest in the matter may within **20 days after** the giving of notice appeal to the Local Planning Appeal Tribunal (LPAT) against the decision of the Committee by filing with the Secretary-Treasurer of the Committee a notice of appeal (A1 Appeal Form) setting out the objection to the decision and the reasons in support of the objection accompanied by payment to the Secretary-Treasurer of the fee prescribed by the Tribunal under the *Local Planning Appeal Tribunal Act*.

Note: A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

When **no appeal is lodged** within twenty days after the giving of notice the decision becomes final and binding and notice to that effect will be issued by the Secretary-Treasurer.

PLEASE NOTE: As a result of COVID-19, Vaughan City Hall and all other City facilities are closed to the public at this time. Please mail or courier appeals and prescribed fees to:

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

If you have questions regarding the appeal process, please email cofa@vaughan.ca

Appeal Fees & Forms

Local Planning Appeal Tribunal: The LPAT appeal fee is \$300 plus \$25 for each additional consent/variance appeal filed by the same appellant against connected applications. The LPAT Appeal Fee must be paid by certified cheque or money order payable to the "Minister of Finance". Notice of appeal forms (A1 Appeal Form – Minor Variance) can be obtained at www.elto.gov.on.ca or by visiting our office.

City of Vaughan LPAT Processing Fee: \$841.00 per application
*Please note that all fees are subject to change.

Important Information

Conditions of Approval: It is the applicant's responsibility to ensure that all conditions of approval have been fulfilled in accordance with the Committee's decision and the last day for fulfilling conditions (by 4:30 p.m.). Contact information has been provided for each respective department and agency to assist you with completing these conditions. Please note that some conditions may require two to three months to process.

No extension to the last day for fulfilling conditions is permissible and no further notice will be provided regarding the lapsing of your consent application.

Notice of Changes to the Provisional Consent: The Committee of Adjustment may change the conditions of a provisional consent at any time before the consent is given. You will be entitled to receive notice of any changes to the conditions of the provisional consent if you have made a written request to be notified of changes to the conditions of the provisional consent.

Lapsing of the Consent: If the conditions of approval are not satisfied within the prescribed time period (as provided in Section 53(41) of the Planning Act), the consent is deemed refused for failure to fulfill the conditions and has lapsed.

Final Approval: Final approval of the application will be issued in the form of a Certificate (pursuant to Section 53(42) of the Planning Act) once all conditions of the provisional consent have been satisfied.

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;

For further information please contact the City of Vaughan, Committee of Adjustment

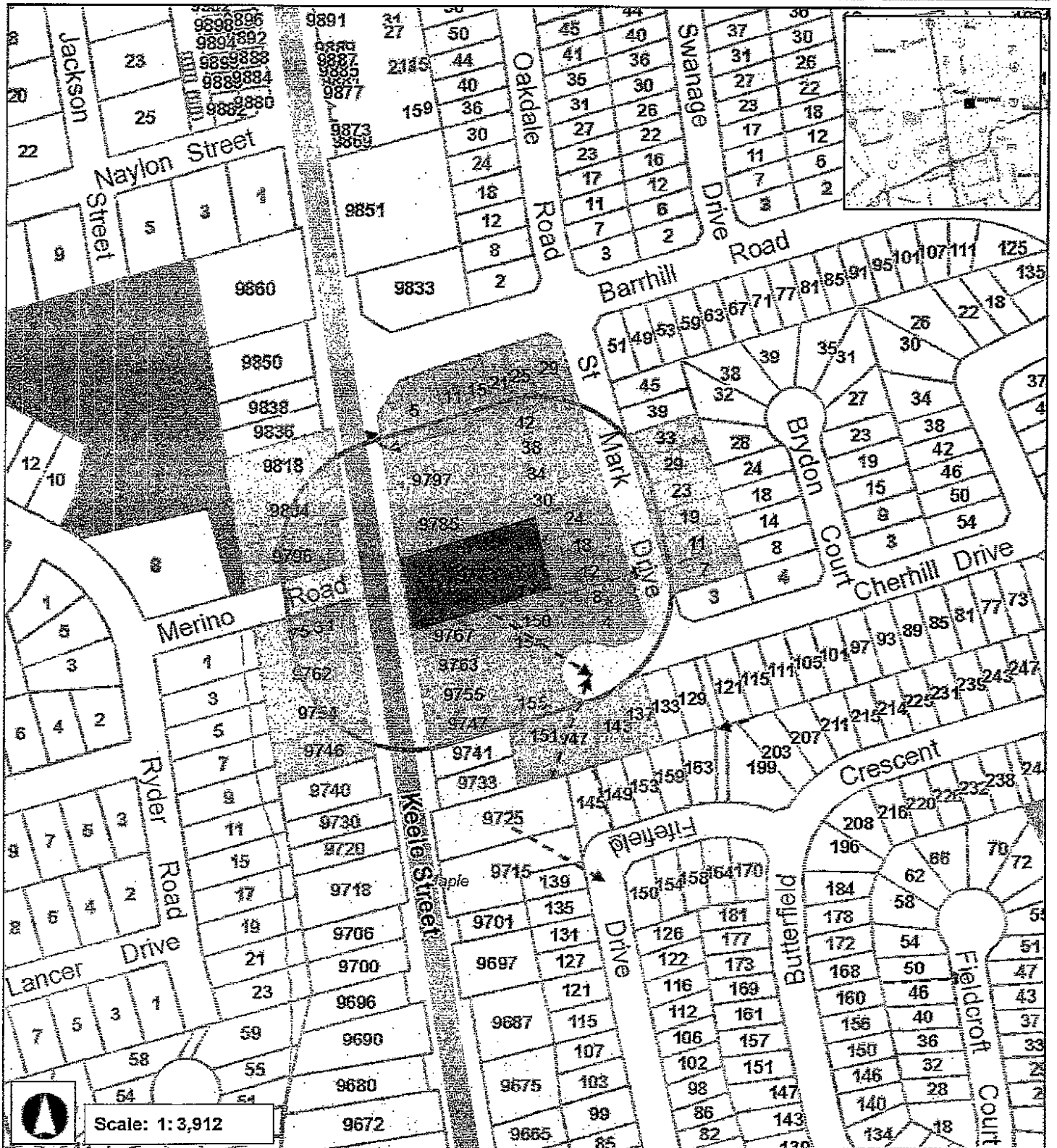
T 905 832 8585
CofA@vaughan.ca

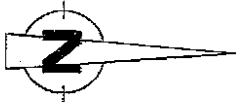


VAUGHAN

B001/20 - Notification Map

9773 Keele Street, Maple





BARHILL RD

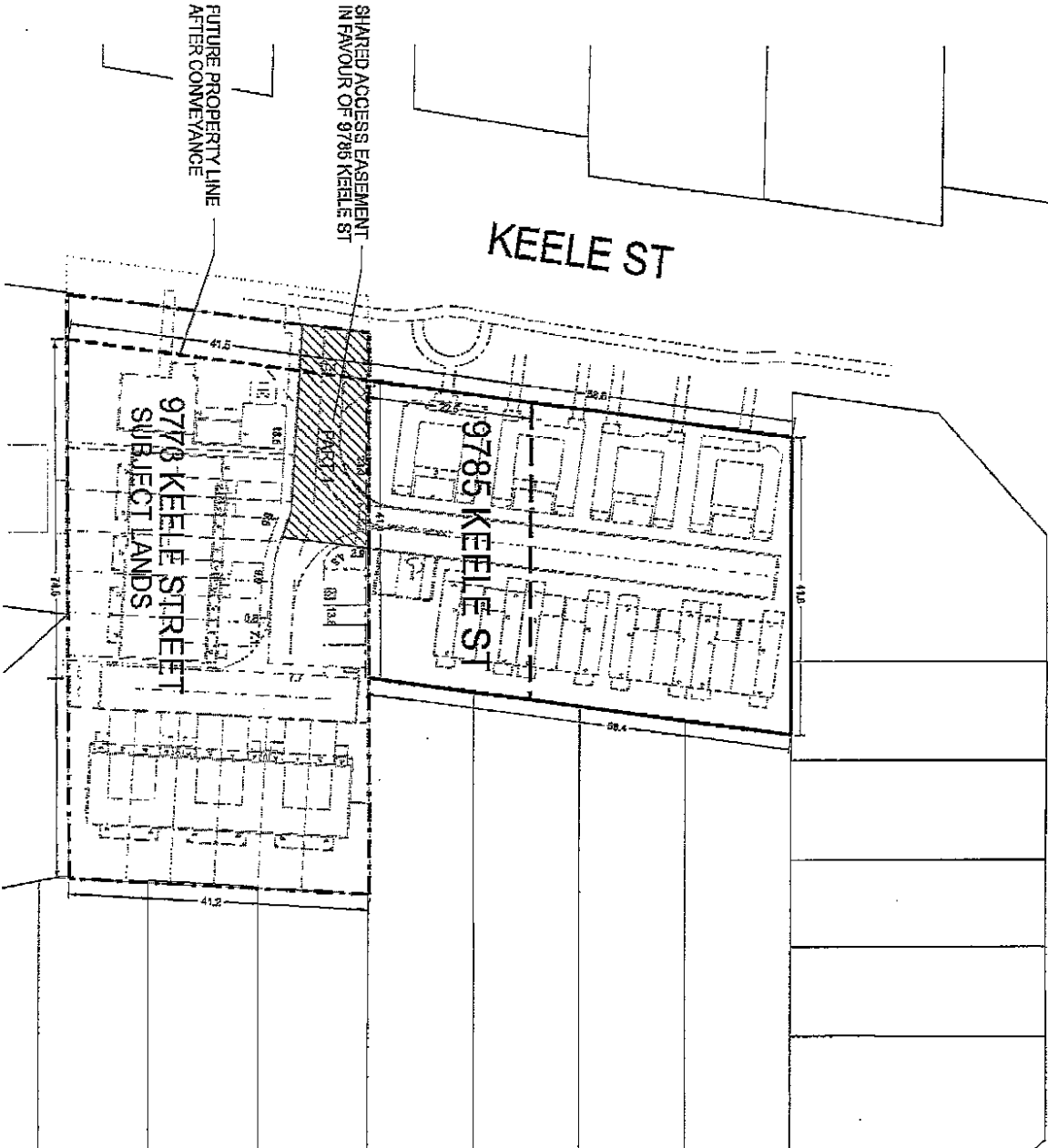
KEELE ST

SHARED ACCESS EASEMENT
IN FAVOUR OF 9785 KEELE ST

FUTURE PROPERTY LINE
AFTER CONVEYANCE

9785 KEELE ST

9778 KEELE STREET
SUBJECT LANDS



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 & 9787 KEELE STREET



SCALE: SEE SCALE BAR
DATE DRAWN: JAN 27, 2020
FILE NO: 07201



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