

<b>ITEM #: 6.2</b>	<b>COMMITTEE OF ADJUSTMENT REPORT CONSENT APPLICATION B006/22 11260 Jane Street, Maple</b>
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**COA REPORT SUMMARY**

**THIS REPORT CONTAINS COMMENTS FROM THE FOLLOWING  
DEPARTMENTS & AGENCIES:**

*\*Please see **Schedule B** of this report for a copy of Staff and Agency correspondence.*

*Additional comments from departments and agencies may be received after the publication of the Staff Report. These comments will be processed as an addendum and posted on the City's Website.*

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

PUBLIC & APPLICANT CORRESPONDENCE				
<i>*Please see <b>Schedule C</b> of this report for a copy of the public &amp; applicant correspondence listed below.</i>				
The deadline to submit public comments is <b>noon on the last business day prior to the scheduled hearing date.</b>				
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 / Authorized Agent	Billy Tung	Agent	03/23/2022	Justification Letter

PREVIOUS COA DECISIONS ON THE SUBJECT LAND		
*Please see <b>Schedule D</b> 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	



**COMMITTEE OF ADJUSTMENT REPORT  
CONSENT APPLICATION  
B006/22  
11260 Jane Street, Maple**

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

<b>ITEM NUMBER: 6.2</b>	<b>CITY WARD #: 1</b>
<b>APPLICANT:</b>	Jane St. Nominee Inc.
<b>AGENT:</b>	KLM Planning Partners Inc.
<b>PROPERTY:</b>	11260 Jane Street, Maple
<b>ZONING DESIGNATION:</b>	See Below
<b>VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:</b>	Vaughan Official Plan 2010 ('VOP 2010'): "Prestige Areas", "Potential Valley & Stream Corridor", and "General Employment Areas".
<b>RELATED DEVELOPMENT APPLICATIONS:</b>	None
<b>PURPOSE OF APPLICATION:</b>	Consent is being requested to sever a parcel of land for employment purposes, approximately 47,793.70 square metres, as a lot addition, to be merged on title with the abutting lands to the north (municipally known as 11424 Jane Street). The retained lands have frontage along Jane Street and are approximately 361,314.3 square metres.

**HEARING INFORMATION**

**DATE OF MEETING:** Thursday, July 7, 2022

**TIME:** 6:00 p.m.

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

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

**PUBLIC PARTICIPATION**

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

<b>Date Public Notice Mailed:</b>	June 22, 2022
<b>Date Applicant Confirmed Posting of Sign:</b>	June 23, 2022

COMMITTEE OF ADJUSTMENT COMMENTS	
<b>Adjournment Requests (from staff):</b> *Adjournment requests provided to applicant <b>prior</b> to issuance of public notice	None
<b>Was a Zoning Review Waiver (ZRW) Form submitted by Applicant:</b> *ZRW Form may be used by applicant in instances where a revised submission is made, and zoning staff do not have an opportunity to review and confirm variances prior to the issuance of public notice.  *A revised submission may be required to address staff / agency comments received as part of the application review process.  *Where a zoning review has not been completed on a revised submission, an opportunity is provided to the applicant to adjourn the proposal prior to the issuance of public notice.	No
<b>Adjournment Fees:</b> 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 <b>after</b> the issuance of public notice.	
<b>Committee of Adjustment Comments:</b>	None
<b>Committee of Adjustment Recommended Conditions of Approval:</b>	<ol style="list-style-type: none"><li>1. That the applicant's solicitor confirm the legal description of both the severed and retained land.</li><li>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.</li><li>3. That the applicant provide an electronic copy of the deposited reference plan to cofa@vaughan.ca</li><li>4. Payment of the Certificate Fee as provided on the City of Vaughan's Committee of Adjustment Fee Schedule.</li><li>5. That the severed parcel be merged on title with the abutting land to the north municipally known as 11424 Jane Street 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.</li></ol> <p><b>CONFIRM S. 118 NOT REQUIRED</b></p>

BUILDING STANDARDS (ZONING) COMMENTS	
<b>**See Schedule B for Building Standards (Zoning) Comments</b>	
<b>Building Standards Recommended Conditions of Approval:</b>	<ol style="list-style-type: none"><li>1. Easements and/or Right-of-ways shall be registered on title to permit shared parking and access over all the adjacent subject lands (as created through consent applications B000/11 and B000/11).</li><li>2. The subject consent shall become null and void if the newly created parcel is not merged on title with the adjacent lands to the (north, south, east or west) identified as Parts , 65R-00000.</li><li>3. That minor variance A220/11 is approved and becomes final and binding.</li><li>4. Easements and/or Rights-of-ways over the adjacent lands are registered on title to permit access to the retained lands.</li><li>5. The 0.3 metre reserve(s) along the front lot lines shall be lifted to provide proper access to the newly created lots from the street.</li></ol>

DEVELOPMENT PLANNING COMMENTS
<b>**See Schedule B for Development Planning Comments.</b>

DEVELOPMENT PLANNING COMMENTS	
<b>Development Planning Recommended Conditions of Approval:</b>	1. That the Owner shall apply for a Minor Variance Application to address the deficient lot frontage and area on the proposed retained lands, and the variances be in effect.

DEVELOPMENT ENGINEERING COMMENTS	
<a href="#">Link to Grading Permit</a> <a href="#">Link to Pool Permit</a> <a href="#">Link to Curb Curt Permit</a> <a href="#">Link Culvert Installation</a>	
The Development Engineering (DE) Department does not object to consent application B006/22 subject to the following condition(s):	
<b>Development Engineering Recommended Conditions of Approval:</b>	The Owner/applicant shall 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 a draft reference plan to DE for review prior to deposit with the Land Registry. The Owner/applicant shall submit the deposited reference plan to DE in order to clear this condition.

PARKS, FORESTRY & HORTICULTURE (PFH) COMMENTS	
Parks: Forestry: Horticulture:	
<b>PFH Recommended Conditions of Approval:</b>	None

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.	
<b>Development Finance Recommended Conditions of Approval:</b>	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).

BY-LAW AND COMPLIANCE, LICENSING AND PERMIT SERVICES COMMENTS	
None	
<b>BCLPS Recommended Conditions of Approval:</b>	None

BUILDING INSPECTION (SEPTIC) COMMENTS	
None	
<b>Building Inspection Recommended Conditions of Approval:</b>	None

FIRE DEPARTMENT COMMENTS	
None	
<b>Fire Department Recommended Conditions of Approval:</b>	None

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

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

SUMMARY OF RECOMMENDED CONDITIONS OF APPROVAL		
All conditions of approval, unless otherwise stated, are considered to be incorporated into the approval “if required”. If a condition is no longer required after an approval is final and binding, the condition may be waived by the respective department or agency requesting conditional approval. A condition cannot be waived without written consent from the respective department or agency.		
#	DEPARTMENT / AGENCY	CONDITION(S) DESCRIPTION
1	Committee of Adjustment <a href="mailto:christine.vigneault@vaughan.ca">christine.vigneault@vaughan.ca</a>	<div>1. That the applicant’s solicitor confirm the legal description of both the severed and retained land.</div> <div>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.</div> <div>3. That the applicant provide an electronic copy of the deposited reference plan to <a href="mailto:cofa@vaughan.ca">cofa@vaughan.ca</a></div> <div>4. Payment of the Certificate Fee as provided on the City of Vaughan’s Committee of Adjustment Fee Schedule.</div> <div>5. That the severed parcel be merged on title with the abutting land to the north municipally known as 11424 Jane Street 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.</div> <div>CONFIRM S. 118 NOT REQUIRED</div>
2	Building Standards, Zoning Section <a href="mailto:christian.tinney@vaughan.ca">christian.tinney@vaughan.ca</a>	<div>1. Easements and/or Right-of-ways shall be registered on title to permit shared parking and access over all the adjacent subject lands (as created through consent applications B000/11 and B000/11).</div> <div>2. The subject consent shall become null and void if the newly created parcel is not merged on title with the adjacent lands to the (north, south, east or west) identified as Parts , 65R-00000.</div> <div>3. That minor variance A220/11 is approved and becomes final and binding.</div> <div>4. Easements and/or Rights-of-ways over the adjacent lands are registered on title to permit access to the retained lands.</div> <div>5. The 0.3 metre reserve(s) along the front lot lines shall be lifted to provide proper access to the newly created lots from the street.</div>
3	Development Planning <a href="mailto:Michelle.perrone@vaughan.ca">Michelle.perrone@vaughan.ca</a>	<div>1. That the Owner shall apply for a Minor Variance Application to address the deficient lot frontage and area on the proposed retained lands, and the variances be in effect.</div>
4	Development Engineering <a href="mailto:farzana.khan@vaughan.ca">farzana.khan@vaughan.ca</a>	<div>The Owner/applicant shall 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 a draft reference plan to DE for review prior to deposit with the Land Registry. The Owner/applicant shall submit the deposited reference plan to DE in order to clear this condition.</div>
5	Development Finance <a href="mailto:nelson.pereira@vaughan.ca">nelson.pereira@vaughan.ca</a>	<div>The owner shall pay all property taxes as levied. Payment is to be made by certified cheque, to the</div>



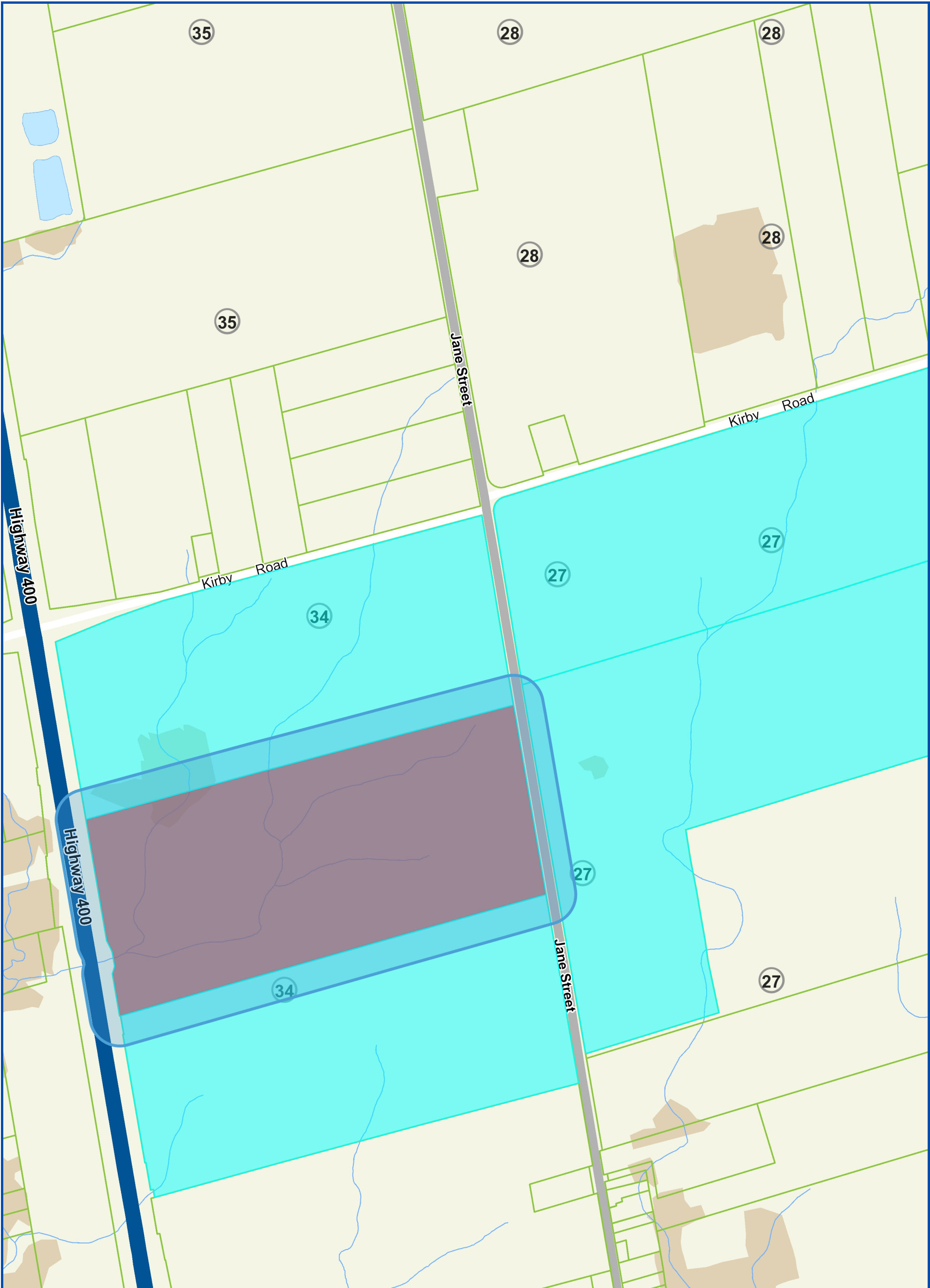
SUMMARY OF RECOMMENDED CONDITIONS OF APPROVAL		
All conditions of approval, unless otherwise stated, are considered to be incorporated into the approval “if required”. If a condition is no longer required after an approval is final and binding, the condition may be waived by the respective department or agency requesting conditional approval. A condition cannot be waived without written consent from the respective department or agency.		
		satisfaction of the City of Vaughan Financial Planning and Development Finance Department (contact Nelson Pereira to have this condition cleared).
6	The Regional Municipality of York <a href="mailto:niranjan.rajevan@york.ca">niranjan.rajevan@york.ca</a> Niranjan Rajevan at ext. 71521	<ol style="list-style-type: none"><li>1. The Region is protecting up to 41 metre right-of-way for this section of Jane Street. As such, the Region requires that all municipal setbacks shall be referenced from a point 20.5 metre(s) from the centreline of construction of Jane Street.</li><li>2. The Owner shall convey the following lands, along the entire frontage of the site adjacent to Jane Street, to The Regional Municipality of York, free of all costs and encumbrances:<ul style="list-style-type: none"><li>• Sufficient property to provide a road widening to establish 18 metres from the centre line of construction of Jane Street</li></ul></li><li>3. The Owner shall provide a solicitor’s certificate of title in a form satisfactory to the Regional Solicitor, at no cost to the Region, with respect to the conveyance of these lands to the Region.</li><li>4. The Region requires the Owner submit a Phase One Environmental Site Assessment (“ESA”) in general accordance with the requirements of the <i>Environmental Protection Act</i> and O. Reg. 153/04 Records of Site Condition, as amended (“O. Reg. 153/04”). The Phase One ESA must be for the Owner’s property that is the subject of the application and include the lands to be conveyed to the Region (the “Conveyance Lands”). The Phase One ESA cannot be more than two (2) years old at: (a) the date of submission to the Region; and (b) the date title to the Conveyance Lands is transferred to the Region. If the originally submitted Phase One ESA is or would be more than two (2) years old at the actual date title of the Conveyance Lands is transferred to the Region, the Phase One ESA will need to be either updated or a new Phase One ESA submitted by the Owner. Any update or new Phase One ESA must be prepared to the satisfaction of the Region and in general accordance with the requirements of O. Reg. 153/04. The Region, at its discretion, may require further study, investigation, assessment, delineation, and preparation of reports to determine whether any action is required regardless of the findings or conclusions of the submitted Phase One ESA. The further study, investigation, assessment, delineation and subsequent reports or documentation must be prepared to the satisfaction of the Region and in general accordance with the requirements of O. Reg. 153/04. Reliance on the Phase One ESA and any subsequent reports or documentation must be provided to the Region in the Region’s standard format and/or contain terms and conditions satisfactory to the Region. The Region requires a certified written statement from the Owner that, as of the date title to the Conveyance Lands is transferred to the Region: (i) there are no contaminants of concern, within the meaning of O. Reg. 153/04, which are present at, in, on, or under the property, or emanating or migrating from the property to the Conveyance Lands at levels that exceed the MOECC full depth site condition standards applicable to the property; (ii) no pollutant, waste of any nature, hazardous substance, toxic substance, dangerous goods, or other substance or material defined or regulated under applicable environmental laws is present at, in, on or under the Conveyance Lands; and (iii) there are no underground or aboveground tanks,</li></ol>

SUMMARY OF RECOMMENDED CONDITIONS OF APPROVAL		
All conditions of approval, unless otherwise stated, are considered to be incorporated into the approval “ <b>if required</b> ”. 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>related piping, equipment and appurtenances located at, in, on or under the Conveyance Lands.</p> <p>5. The Owner shall be responsible for all costs associated with the preparation and delivery of the following: a draft and deposited 65Rplan, Phase One ESA, any subsequent environmental work, reports or other documentation, reliance, and the Owner’s certified written statement.</p> <p>6. This application is subject to York Region’s development applications processing fees as identified in By-law No. 2020-04. The review fee for Consent to Sever is \$1,100. The Review and approval of the Environmental Site Assessment Report fee is \$1,800. All payments shall be in the form of a cheque and made payable to “The Regional Municipality of York” and forwarded to Community Planning + Development Services. Development application fees are subject to annual adjustments and increases. Any unpaid fees, regardless of the year the application is submitted, will be subject to current fee requirements.</p> <p>7. Prior to final approval, the Planning and Economic Development Branch shall certify that Conditions 1-6 have been met to its satisfaction.</p>

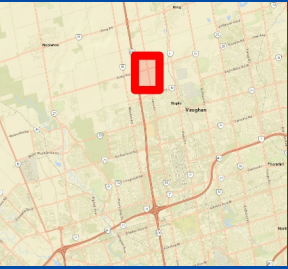
IMPORTANT INFORMATION – PLEASE READ
<p><b>CONDITIONS:</b> Conditions must be fulfilled within <u>one year</u> from the date of the giving of the Notice of Decision, failing which this application shall thereupon be deemed to be refused. No extension to the last day for fulfilling conditions is permissible.</p>
<p><b>DEVELOPMENT CHARGES:</b> 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.</p> <p>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.</p> <p>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</p> <p>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.</p>
<p><b>NOTICE OF DECISION:</b> 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 <b>not</b> receive notice.</p>



**SCHEDULE A: DRAWINGS & PLANS**



Map Information:



Title:

# 11260 JANE STREET, MAPLE

NOTIFICATION MAP - B006/22

**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: 10,654**  
0 0.17 km



**Created By:**  
Infrastructure Delivery  
Department  
April 25, 2022 7:27 AM

**Projection:**  
NAD 83  
UTM Zone  
17N

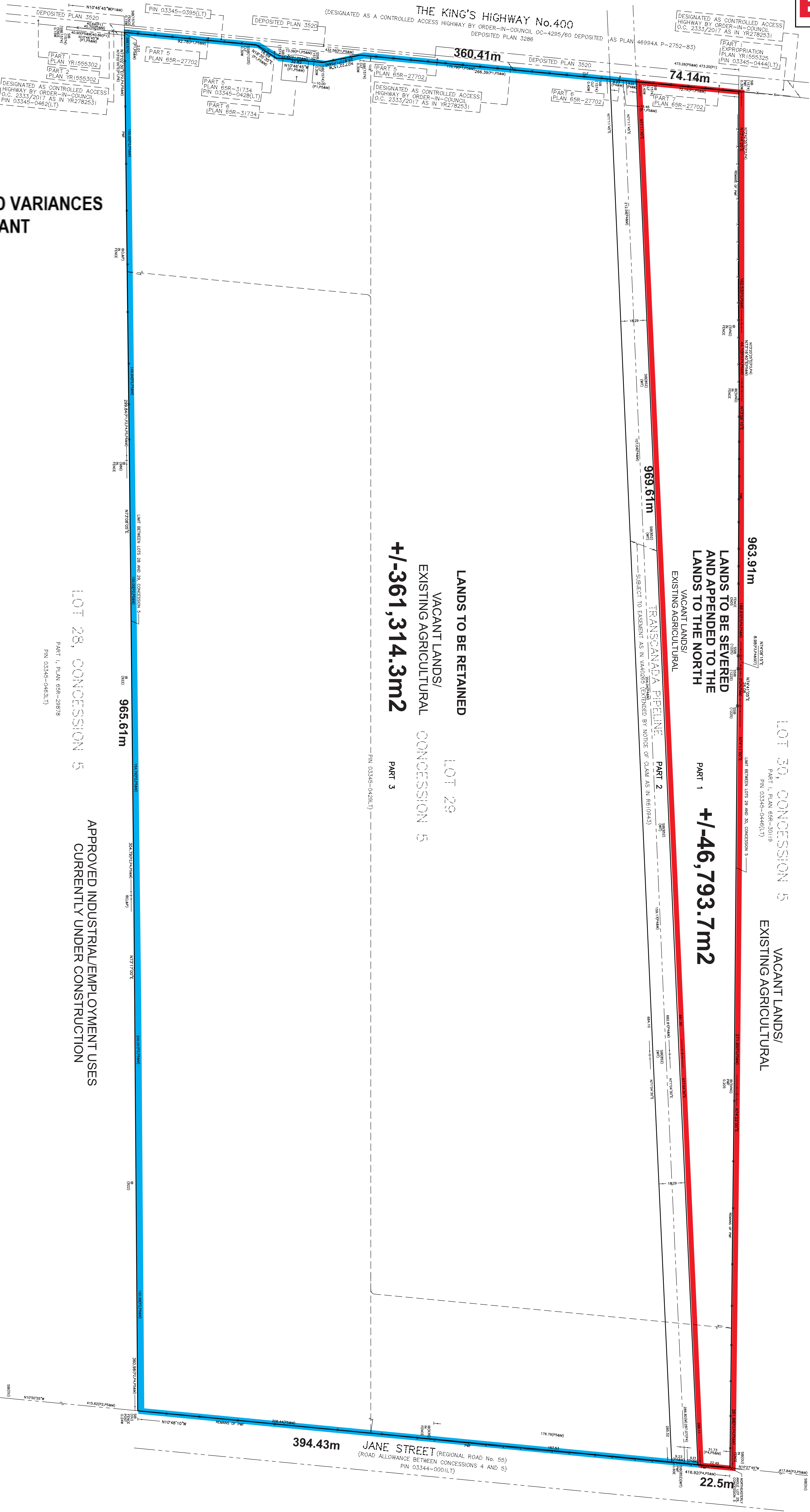






CONSENT SKETCH

11260 Jane Street



PLANS PREPARED AND VARIANCES IDENTIFIED BY APPLICANT

PLAN 65R-  
PART 1, PLAN 65R-2019  
PIN 03345-0446(LT)

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SCHEDULE B: STAFF & AGENCY COMMENTS				
DEPT/AGENCY	Circulated	Comments Received	Conditions	Nature of Comments
TRCA *Schedule B	X			No Comments Recieved to Date
Ministry of Transportation (MTO) *Schedule B	X			No Comments Recieved to Date
Region of York *Schedule B	X	X	X	Recommend Approval w/Conditions
Alectra *Schedule B	X	X		General Comments
Bell Canada *Schedule B	X	X		General Comments
YRDSB *Schedule B				
YCDSB *Schedule B				
CN Rail *Schedule B				
CP Rail *Schedule B				
TransCanada Pipeline *Schedule B	X	X		General Comments
Metrolinx *Schedule B				
Propane Operator *Schedule B				
Development Planning	X	X		Recommend Approval / no Conditions
Building Standards (Zoning)	X	X	X	Recommend Approval w/Conditions

**To:** Christine Vigneault, Committee of Adjustment Secretary Treasurer

**From:** Nancy Tuckett, Director of Development Planning

**Date:** June 29, 2022

**Name of Owner:** Jane St. Nominee Inc.

**Location:** 11260 Jane Street

**File No.(s):** B006/22

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**B006/22**

The Owner has submitted Consent Application File B006/22 to sever a 46,793.7 m<sup>2</sup> northerly portion of the subject lands and consolidate it with the abutting property to the north, municipally known as 11424 Jane Street, and retain a 361,314.3 m<sup>2</sup> portion.

**Official Plan:**

City of Vaughan Official Plan 2010 ('VOP 2010'): "Natural Areas" by Schedule 13 – Land Use and "Prestige Areas", "Potential Valley & Stream Corridor", and "General Employment Areas", Volume 2, Section 11.4 Highway 400 North Employment Lands Secondary Plan.

**Comments:**

The Owner is proposing to sever a portion of subject lands and add it to the abutting property to the north, municipally known as 11424 Jane Street. As per By-law 1-88, the lot frontage requirement for the consolidated benefitting and retained lands is 100 m and the lot area requirement is 10.0 hectares or 100,000 m<sup>2</sup>. As per Ontario Regulation 156/22 (Ministerial Zoning Order), By-law 001-2021 is not applicable of the review of this application but the requirements of 1-88 continue to apply. The consolidated benefitting lands propose a lot frontage of 440.33 m, a lot depth of 963.9 m, and a lot area of 444,103.7 m<sup>2</sup>. The retained lands propose a lot frontage of 394.43 m, a lot depth of 963.9 m, and a lot area of 361,314.3 m<sup>2</sup>. The reduced area for the proposed retained lands is not anticipated to adversely impact the ability of those lands to accommodate the uses permitted by the MZO. The TransCanada Pipeline easement runs diagonally through the northern portion of the subject lands. The lot line adjustment application proposes to realign the mutual lot line between 11260 and 11424 Jane Street so that it borders the TransCanada Pipeline. The existing servicing easement for the TransCanada Pipeline will continue to be fully contained on the retained portion of the subject lands.

Accordingly, the Development Planning Department has no objection to the requested lot line adjustment severance and is of the opinion that the proposal conforms to VOP 2010, complies with Zoning By-law 1-88 and the MZO, and conforms to the consent criteria stipulated in Section 51(24) of the Planning Act, R.S.O. 1990, c P.13.

**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



**To:** Committee of Adjustment  
**From:** Christian Tinney, Building Standards Department  
**Date:** June 9, 2022  
**Applicant:** Jane St. Nominee Inc.  
**Location:** CONC 5 Part of Lot 29 municipally known as 11260 Jane Street  
**File No.(s):** B006/22

**Zoning Classification:**

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

#	Zoning By-law 001-2021 requirements	Proposal
	None	

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

	Zoning By-law 1-88 requirements	Proposal
4	<b>Lot Frontage:</b> The minimum Lot Frontage requirement for the conveyed lands is 100.0 metres. The minimum Lot Frontage requirement for the retained lands is 100.0 metres.	The proposed lot frontage of 440.33 metres for the conveyed lands complies with the minimum lot frontage requirement.  The proposed lot frontage of 394.43 metres for the retained lands complies with the minimum lot frontage requirement.
5	<b>Lot Area:</b> The minimum Lot Area requirement for the conveyed lands is 10.0 Hectares or 100,000.0 m <sup>2</sup> . The minimum Lot Area requirement for the retained lands is 10.0 Hectares or 100,000.0 m <sup>2</sup> .	The proposed lot area of 444,103.7 m <sup>2</sup> for the conveyed lands complies with the minimum lot area requirement.  The proposed lot area of 361,314.3 m <sup>2</sup> for the retained lands complies with the minimum lot area requirement.
6	<b>Lot Depth:</b> N/A	The proposed lot depth of 963.9 metres for the conveyed lands complies with the minimum lot depth requirement.  The proposed lot depth of 963.9 metres for the retained lands complies with the minimum lot depth requirement.

**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 10m<sup>2</sup>

**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 subject lands may be subject to Ontario Regulation 166/06 (TRCA - Toronto and Region Conservation Authority).
3	That the severed parcel be merged on title with the abutting land to the north municipally known as 11424 Jane Street.

**Conditions of Approval:**

To be

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



Authorized commenting Agency for



KITCHENER  
WOODBRIDGE  
LONDON  
KINGSTON  
BARRIE  
BURLINGTON

June 23, 2022

Committee of Adjustment  
Vaughan City Hall, Level 100  
2141 Major Mackenzie Dr.  
Vaughan, ON  
L6A 1T1

Via email: [cofa@vaughan.ca](mailto:cofa@vaughan.ca)

**Re: Notice of Application for Consent**  
**11260 Jane Street, City of Vaughan**  
Jane St. Nominee Inc.  
Your File: B006/22  
Our File: PAR 44148

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MacNaughton Hermesen Britton Clarkson (MHBC) are the planning consultants for TransCanada PipeLines Limited (TCPL). This letter is in response to notification of the consent application outlined above. We understand the purpose of the consent is to sever a portion of land from the property located at 11260 Jane Street in the City of Vaughan (the "Subject Lands") as a lot addition to be merged on title with the abutting property to the north. TCPL has three high pressure natural gas pipelines contained within an easement (right-of-way) crossing the retained parcel and abutting the parcel to be severed.

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

We request as a condition of approval that the landowner be required to enter into an agreement with TCPL and same be registered on title prior to the registration of a reference plan. The recommended wording for the condition is:

The conditions, restrictions or covenants specified by TransCanada PipeLines Limited (TCPL) shall be registered against title (by agreement) in relation to the "Lands" by way of application to register conditions, restrictions or covenants as applicable, pursuant to the Land Titles Act, or any amendments thereto.

The agreement set out in the recommended condition shall contain the items outlined below. TCPL can provide a template for the agreement at the landowner's request.

1. Written consent from TCPL must be obtained before any of the following:
  - Constructing or installing a facility across, on, along or under a TCPL pipeline right-of-way (easement). A facility may include, but is not limited to: driveways, roads, access ramps, trails, pathways, utilities, berms, fences/fence posts;
  - Conducting ground disturbance (excavation or digging) on TCPL's right-of-way or within 30 metres of the centreline of TCPL's pipeline (the "Prescribed Area");
  - Driving a vehicle, mobile equipment or machinery across a TCPL right-of-way outside the travelled portion of a highway or public road;
  - Using any explosives within 300 metres of TCPL's right-of-way; and
  - Use of TCPL's Prescribed Area for storage purposes.

How to apply for written consent:

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

bicycle parking spaces, and any associated drive aisle or driveway.

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

Enclosed is a copy of TC Energy's Work Safely Handbook for additional information on constructing near TCPL's pipelines. Information can also be found on TC Energy's website:

<https://www.tcenergy.com/sustainability/landowners/>

Thank you for the opportunity to comment. Kindly forward a copy of the Decision of the Director of Planning to the undersigned by mail or by email to [TCEnergy@mhbcplan.com](mailto:TCEnergy@mhbcplan.com). If you have any questions, please do not hesitate to contact our office.

Sincerely,



Kaitlin Webber,  
Planner

on behalf of TransCanada PipeLines Limited

**Date:** June 21<sup>st</sup> , 2021  
**Attention:** **Christine Vigneault**  
**RE:** Request for Comments

**File No.:** **B006-22**  
**Related Files:**  
**Applicant:** Jane St. Nominee Inc.  
**Location** 11260 Jane Street



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](mailto:stephen.cranley@alectrautilities.com)

**Email:** [Mitchell.Penner@alectrautilities.com](mailto:Mitchell.Penner@alectrautilities.com)



File No.: CONS.22.V.0050 (B006/22)

June 28, 2022

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

**RE: Consent Application B006-22 (CONS.22.V.0050)  
KLM Planning / Jane Street Nominee Inc.  
11260 Jane Street  
City of Vaughan**

The Regional Municipality of York ("Region") has completed its review of the above noted consent application to sever a portion of the subject land (11260 Jane Street) to be merged on title with the abutting property to the north (11424 Jane Street).

The site is designated "Urban" on Map 1 of the York Region Official Plan – 2010 (YROP-2010). The site is located within Significant Groundwater Recharge Areas and Recharge Management Areas (WHPA-Q) and there is an Ecologically Significant Forest on the property. The TRCA will provide technical comments on behalf of the Region.

The property abuts Jane Street which is a Regional Road as identified on Map 12 of the YROP-2010 and protects for a road widening of up to 36 metre(s) right-of-way along this section of Jane Street as per Section 7.2.49. In the new draft York Region Official Plan (YROP) Map 11, the Region is protecting for up to 41 metre(s) right-of-way along this section of Jane Street and all setbacks will need to reference 20.5 from centreline of construction of Jane Street.

The Region has no objection to the consent application subject to the following conditions being satisfied:

1. The Region is protecting up to 41 metre right-of-way for this section of Jane Street. As such, the Region requires that all municipal setbacks shall be referenced from a point 20.5 metre(s) from the centreline of construction of Jane Street.
2. The Owner shall convey the following lands, along the entire frontage of the site adjacent to Jane Street, to The Regional Municipality of York, free of all costs and encumbrances:
  - Sufficient property to provide a road widening to establish 18 metres from the centre line of construction of Jane Street
3. The Owner shall provide a solicitor's certificate of title in a form satisfactory to the Regional Solicitor, at no cost to the Region, with respect to the conveyance of these lands to the Region.
4. The Region requires the Owner submit a Phase One Environmental Site Assessment ("ESA") in general accordance with the requirements of the *Environmental Protection Act* and O. Reg. 153/04 Records of Site Condition, as amended ("O. Reg. 153/04"). The Phase One ESA must be for the Owner's property that is the subject of the application and include the lands to be conveyed to the Region (the "Conveyance Lands"). The Phase One ESA cannot be more than two (2) years old at: (a) the date of submission to the Region; and (b) the date title to the Conveyance Lands is transferred to the Region. If the originally submitted Phase One ESA is or would be more than two (2) years old at the actual date title of the Conveyance Lands is transferred to the Region, the Phase One ESA will need to be either updated or a new Phase One ESA submitted by the Owner. Any update or new Phase One ESA must be prepared to the satisfaction of the Region and in general accordance with the requirements of O. Reg. 153/04. The Region, at its discretion, may require further study, investigation, assessment, delineation, and preparation of reports to determine whether any action is required regardless of the findings or conclusions of the submitted Phase One ESA. The further study, investigation, assessment, delineation and subsequent reports or documentation must be prepared to the satisfaction of the Region and in general accordance with the requirements of O. Reg. 153/04. Reliance on the Phase One ESA and any subsequent reports or documentation must be provided to the Region in the Region's standard format and/or contain terms and conditions satisfactory to the Region.

The Region requires a certified written statement from the Owner that, as of the date title to the Conveyance Lands is transferred to the Region: (i) there are no contaminants of concern, within the meaning of O. Reg. 153/04, which are present at, in, on, or under the property, or emanating or migrating from the property to the Conveyance Lands at levels that exceed the MOECC full depth site condition

standards applicable to the property; (ii) no pollutant, waste of any nature, hazardous substance, toxic substance, dangerous goods, or other substance or material defined or regulated under applicable environmental laws is present at, in, on or under the Conveyance Lands; and (iii) there are no underground or aboveground tanks, related piping, equipment and appurtenances located at, in, on or under the Conveyance Lands.

5. The Owner shall be responsible for all costs associated with the preparation and delivery of the following: a draft and deposited 65Rplan, Phase One ESA, any subsequent environmental work, reports or other documentation, reliance, and the Owner's certified written statement.
6. This application is subject to York Region's development applications processing fees as identified in By-law No. 2020-04. The review fee for Consent to Sever is \$1,100. The Review and approval of the Environmental Site Assessment Report fee is \$1,800. All payments shall be in the form of a cheque and made payable to "The Regional Municipality of York" and forwarded to Community Planning + Development Services. Development application fees are subject to annual adjustments and increases. Any unpaid fees, regardless of the year the application is submitted, will be subject to current fee requirements.
7. Prior to final approval, the Planning and Economic Development Branch shall certify that Conditions 1-6 have been met to its satisfaction.

Access to any Regional Road needs to be approved by the Region. The access arrangement for the future development fronting Jane Street shall comply with the Regional Official Plan and be consistent with the recommendations of the Region's Access Guidelines (November 2020).

With respect to the conditions above, we request a copy of the Notice of Decision when it becomes available.

Should you have any questions regarding the above, please contact Niranjana Rajevan at extension 71521 or through electronic mail at [niranjana.rajevan@york.ca](mailto:niranjana.rajevan@york.ca)

Regards,

Niranjana



Niranjana Rajevan, M. Pl. Associate Planner  
Programs and Process Improvement, Planning and Economic Development Branch

**Lenore Providence**

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**Subject:** FW: [External] RE: B006/22 - REQUEST FOR COMMENTS, CITY OF VAUGHAN - 905-22-305

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**From:** Gordon, Carrie <carrie.gordon@bell.ca>

**Sent:** June-24-22 8:04 AM

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

**Cc:** Committee of Adjustment <CofA@vaughan.ca>

**Subject:** [External] RE: B006/22 - REQUEST FOR COMMENTS, CITY OF VAUGHAN - 905-22-305

Hello,

Re: B006/22

Subsequent to review of the abovementioned application at 11260 Jane Street, Bell Canada’s engineering department have determined that there are no concerns or comments at this time.

Kind regards,

*Carrie Gordon*



Associate, External Liaison  
Right of Way Control Centre  
140 Bayfield St, Fl 2  
Barrie ON, L4M 3B1  
T: 705-722-2244/844-857-7942  
F :705-726-4600

<b>SCHEDULE C: PUBLIC &amp; APPLICANT CORRESPONDENCE</b>
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Correspondence Type	Name	Address	Date Received (mm/dd/yyyy)	Summary
Applicant / Authorized Agent	Billy Tung	Agent	03/23/2022	Justification Letter



KLM File: P-3235

March 23, 2022

(via E-Mail)  
City of Vaughan  
2141 Major Mackenzie Drive  
Vaughan, Ontario  
L6A 1T1

**Attention:** Christine Vigneault  
Manager Development Services & Secretary Treasurer Committee of Adjustment

**Re:** Jane St. Nominee Inc.  
Consent to Sever Application  
11260 Jane Street  
Part of Lot 29, Concession 5  
City of Vaughan, Regional Municipality of York

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Ms. Vigneault,

KLM Planning Partners Inc. is the land use planner on behalf of Jane St. Nominee Inc. (**'the client'**) with respect to their above noted lands. On behalf of our client, we are pleased to submit the following enclosed materials in support of an application for Consent for a Lot Addition.

The subject lands are legally known as Part of Lot 29, Concession 5, City of Vaughan and municipally known as 11260 Jane Street, generally located south of Kirby Road, on the west side of Jane Street, east of Highway 400 and north of Teston Road (the **'subject lands'**). The subject lands are currently vacant agricultural lands and are designated for employment uses under the City's Official Plan. The proposed Consent for Lot Addition application will sever a portion of land as a lot addition to be merged on title with the abutting property to the north, municipally known as 11424 Jane Street.

A Consent Sketch has been prepared by KLM Planning Partners Inc. dated March 16, 2022, outlining the proposed severance of the above noted lands. The application will reconfigure the property by splitting the lands into two (2) parcels and appending the severed lands to the abutting lands to the north. The severed and appended portion of lands (Part 1, Draft R-Plan) is proposed to be approximately 46,793 sq.m. in size and the retained portion (Parts 2 and 3, Draft R-Plan) is proposed to be approximately 361,314 sq.m. in size.

Given the above and in support of the proposed application for Consent for Lot Addition, please find enclosed the following materials in accordance with the City of Vaughan Consent Application submission requirements:

1. One (1) copy of the completed application form;
2. One (1) copy of the Draft Reference Plan, prepared by David B. Searles Surveying Ltd.; and
3. One (1) copy of the Consent Sketch, prepared by KLM Planning Partners Inc., dated March 16, 2022.

Please note that a cheque in the amount of \$3,875.00 for the applicable Consent Application Fee will be submitted separately from this digital submission.

I trust that the above materials are in order. Should you have any questions with respect to the enclosed or require anything further, please do not hesitate to contact the undersigned.

Yours truly,  
**KLM PLANNING PARTNERS INC.**



Billy Tung, BES, MCIP, RPP  
Partner

CC: Carttera Management Inc.