



File: A100/19

Applicant: 350467 Ontario Limited

Address: 1531 Langstaff Rd Vaughan

Agent: WSP Group Canada Limited

Please note that comments received after the preparation of this Staff Report (up until 12:00 p.m. on 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"/>	
Building Inspection	<input checked="" type="checkbox"/>	
Development Planning	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Cultural Heritage (Urban Design)	<input checked="" type="checkbox"/>	
Development Engineering	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Parks Department		
By-law & Compliance		
Financial Planning & Development	<input checked="" type="checkbox"/>	
Fire Department		
TRCA		
Ministry of Transportation		
Region of York		
Alectra (Formerly PowerStream)	<input checked="" type="checkbox"/>	
Public Correspondence (see Schedule B)	<input checked="" type="checkbox"/>	

Adjournment History: N/A

Background History: B036/10; B037/10 (see next page for details)



Minor Variance  
Application

Agenda Item: 9

A100/19

Ward: 4

Staff Report Prepared By: Pravina Attwala, Assistant Secretary Treasurer

**Date of Hearing:** Thursday, August 22, 2019

**Applicant:** 350467 Ontario Limited

**Agent:** WSP Group Canada Limited

**Property:** 1531 Langstaff Rd Vaughan

**Zoning:** The subject lands are zoned C1 and subject to the provisions of Exception 9(283) under By-law 1-88 as amended.

**OP Designation:** VOP 2010: “Prestige Employment”

**Related Files:** Consent Application B027/19; DA.18.098; DA.15.077

**Purpose:** Relief from the by-law is being requested to accommodate joint access between subject lands and 8470/8484 Dufferin Street along with modification to the existing servicing, an expansion of the existing parking area and a curb update to facilitate Site Plan Application DA.18.098.

The following variances are being requested from By-Law 1-88, as amended, to accommodate the above proposal:

By-law Requirement	Proposal
1. A minimum access driveway width of 6.0m to the parking area is required.	1. To permit a minimum access driveway width of 3.0m and 3.3m to the parking area as identified on the attached site plan.
2. A minimum joint ingress and egress driveway width of 7.3m in the location identified on Schedule E-287 is permitted.	2. To permit a 14.0m access width in the location identified on the attached site plan.
3. A minimum landscape strip width of 2.15m abutting Langstaff Road in the location identified on Schedule E-287 is permitted.	3. To permit a landscape strip abutting Langstaff road in the location identified on the attached site plan.

Background (previous applications approved by the Committee on the subject land): N/A

Application No.:	Description:	Status of Approval: Approved/Refused/Withdrawn/ OMB/Concurrent
B036/10	ADDITION to an existing lot taken into the title of the lands to the EAST, being 8484 & 8470 Dufferin Street. -	Approved November 10, 2011
B037/10	Easement in favour of the lands to the east for shared driveway/mutual access purposes.	Approved November 10, 2011

For information on the previous approvals listed above please visit [www.vaughan.ca](http://www.vaughan.ca). To search for a file number, enter it using quotes around it. For example, “A001/17”.

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 shall only be received by the Secretary Treasurer until **4:00 p.m.** on the last business day **prior** to the day of the scheduled Meeting.

Committee of Adjustment:

Public notice was mailed on August 7, 2019

Applicant confirmed posting of signage on August 2, 2019

Property Information	
Existing Structures	Year Constructed
Building	1950's (date of purchase 1979)

Applicant has advised that they cannot comply with By-law for the following reason(s):

**Parking Lot Access Driveway Width** - The proposal for the Subject Site seeks to reconfigure and formalize a rear yard parking area. Currently access to the parking area exists on the west side of the existing building. The width of the current access is 3.16m, below the current standard. Through paving and construction of a curb along the western property line, this would be reduced slightly to 3.0m. However, as part of the formalization of the parking area, this access will be restricted to one-way inbound traffic only through the use of a "do not enter" sign for traffic seeking to leave the parking area, traveling north. A second one-way driveway on the east of the existing building will be paved and will provide an exit to the parking area while restricting access to the parking area through the use of a "do not enter" sign located at the northern extent of the access driveway. Due to site constraints between the existing commercial building and the eastern lot line, the maximum width of this new driveway is 3.3 metres.

**Joint Ingress and Egress Driveway Size and Location** - A relocated and expanded joint ingress and egress driveway is proposed on the western portion of the Subject Site. The width of the driveway is 14 metres, to permit safe vehicle operations, including for trucks accessing the properties, as well as to permit a right-in and an all movements condition. By-law 198-2011, Schedule E-0287, requires a width of 7.3 metres. It is noted that a Consent application to expand an existing easement that permits shared access with the neighbouring property at 8470 and 8484 Dufferin Street has been filed concurrently with this Application for Minor Variance.

**Minimum Landscape Strip Location** - The reconfigured site access and parking area requires the relocation of the landscaping strip identified on Schedule "E-287" to By-law 1-88 Section 9(283) from the east side of the property to the west side. It is noted however, that by moving the strip from the eastern edge of the property where the joint access with the neighbouring property at 8470 and 8484 Dufferin Street is proposed, to the western edge of the property, it allows for the provision of a landscape strip is considerably larger than the one currently required by Schedule E-287.

Recommended conditions of approval:

- 1. That Consent Application B027/19 receive final certification from the Secretary Treasurer and be registered on title. A copy of the registered transfer confirming registration of the Certificate of Official must be provided to the Secretary Treasurer to satisfy this condition.

**Adjournment Request:** N/A

Building Standards (Zoning Review):

Stop Work Order(s) and Order(s) to Comply: There are no outstanding Orders on file

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

The applicant shall be advised that additional variances may be required upon review of detailed drawing for building permit/site plan approval.

The subject lands shall be used only for the purpose of a professional office, and such use shall be restricted to the existing building on site, which shall not be enlarged

Building Inspections (Septic):

No comments or concerns

**Development Planning:**

Official Plan: VOP 2010: "Prestige Employment"

The Owner has submitted Minor Variance Application A100/19 which is related to Council Approved Site Development Application DA.18.098 to permit modifications to existing servicing, parking area and curbing. Additionally, the proposal contemplates a joint access between the Subject Land and the proposed Shell Gas Station at 8470 and 8484 Dufferin Street (B028/19 & A101/19). The Site Development Application (DA.18.098) poses no changes to the existing 2-storey office building on site and was approved by Council on March 19, 2019.

The Development Planning Department has no objection to the requested variances #1 to #3 associated with DA.18.098. The proposed access driveway widths (3.0m & 3.3m) abutting the existing office building are not being modified and recognize an existing situation. Planning staff is of the opinion that increasing the driveway width (joint ingress and egress) to an existing shared access driveway is appropriate given that it will adequately service two neighboring properties and minimize multiple entry points along Langstaff Road. The Planning Department acknowledges the relocation of a minimum landscape strip to be minor in nature as the newly proposed location provides the same function. Furthermore, Planning staff consider an increase in landscape width to be desirable for the appropriate development of the land, as it properly screens the public right-of-way from the surface parking lot.

The Development Planning Department has no objection to the proposed water servicing easement, a stormwater servicing easement and shared access easement variances as they facilitate the development Council approved through DA.18.098. The Development Planning Department is of the opinion that the easements maintain the intent of VOP 2010, and the consent criteria listed in Section 51(24) of the Planning Act. R.S.O. 1990, c. P.13. The Development Planning is also of the opinion that the requested variances are minor in nature, maintain the general intent and purpose of the Official Plan and Zoning By-law, and are desirable for the appropriate development of the land.

The Owner of 1531 Langstaff Road is requesting permission to facilitate a water servicing easement, a stormwater servicing easement and shared access easement in favor of 8470 and 8484 Dufferin Street.

The Development Planning Department recommends approval of the application, subject to the conditions below:

1. The Minor Variance Application A100/19 be approved and the decision be Final and Binding.
2. The Consent Application B028/19 and Minor Variance Application A101/19 be approved and the decision be Final and Binding.

**Development Engineering:**

The Transportation Division of the Development Engineering (DE) Department has reviewed minor variance application A100/19 and provides the following comment(s) listed below:

**Variance #1:**

To permit a minimum access driveway width of 3.0m and 3.3m to the parking area as identified on the attached site plan.

As previously commented through the development application process (DA.18.098), one-way signage, do not enter signs and directional arrow pavement markings shall be provided to support one-way traffic on site.

**Variance #2 & 3:**

DE supports the noted variances and offers no further comment.

Subsequent to Transportations clearance of the above noted variances, DE does not object to variance application A100/19 subject to the following condition:

The Owner shall obtain approval for the related Site Development Applications (DA.18.098 & DA.15.077) from the Development Engineering (DE) Department.

**Parks Development:**

No comment no concerns

**By-Law and Compliance, Licensing and Permit Services:**

No Response.

**Financial Planning and Development Finance:**

No comment no concerns

**Fire Department:**

No Response.

**Schedule A – Plans & Sketches**

Schedule B – Public Correspondence  
Cover Letter (Agent)

Schedule C - Agency Comments  
Alectra (Formerly PowerStream) – No concerns or objections

Schedule D - Previous Approvals (Notice of Decision)  
Consent Applications B036/10 & B037/10

**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 criteria for authorizing minor variances to the City of Vaughan’s Zoning By-law. Accordingly, review of the application considers the following:

- ✓ That the general intent and purpose of the by-law will be maintained.
- ✓ That the general intent and purpose of the official plan will be maintained.
- ✓ That the requested variance(s) is/are acceptable for the appropriate development of the subject lands.
- ✓ That the requested variance(s) is/are minor in nature.

Should the Committee find it appropriate to approve this application in accordance with request and the sketch submitted with the application as required by Ontario Regulation 200/96, the following conditions have been recommended:

	Department/Agency	Condition
1	Committee of Adjustment Christine Vigneault  905-832-8585 x 8332 <a href="mailto:christine.vigneault@vaughan.ca">christine.vigneault@vaughan.ca</a>	1. That Consent Application B027/19 receive final certification from the Secretary Treasurer and be registered on title. A copy of the registered transfer confirming registration of the Certificate of Official must be provided to the Secretary Treasurer to satisfy this condition.
2	Development Planning Roberto Simbana  905-832-8585 x 8810 <a href="mailto:Roberto.simbana@vaughan.ca">Roberto.simbana@vaughan.ca</a>	1. The Minor Variance Application A100/19 be approved and the decision be Final and Binding. 2. The Consent Application B028/19 and Minor Variance Application A101/19 be approved and the decision be Final and Binding.
3	Development Engineering Brad Steeves  905-832-8585 x 8977 <a href="mailto:brad.steeves@vaughan.ca">brad.steeves@vaughan.ca</a>	The Owner shall obtain approval for the related Site Development Applications (DA.18.098 & DA.15.077) from the Development Engineering (DE) Department.

Please Note:

Relief granted from the City’s Zoning By-law is determined to be the building envelope considered and approved by the Committee of Adjustment.

Development outside of the approved building envelope (subject to this application) must comply with the provisions of the City’s Zoning By-law or additional variances may be required.

Elevation drawings are provided to reflect the style of roof to which building height has been applied (i.e. flat, mansard, gable etc.) as per By-law 1-88 and the Committee of Adjustment approval. Please note, that architectural design features (i.e. window placement), that do not impact the style of roof approved by the Committee, are not regulated by this decision.

Conditions

It is the responsibility of the owner/applicant and/or authorized agent to obtain and provide a clearance letter from respective department and/or agency. This letter must be provided to the Secretary-Treasurer to be finalized. All conditions must be cleared prior to the issuance of a Building Permit.

## Notice to the Applicant – Development Charges

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

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

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

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

## Notice to Public

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

Written submissions can be mailed and/or emailed to:

City of Vaughan  
Committee of Adjustment  
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1  
[CofA@vaughan.ca](mailto:CofA@vaughan.ca)

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

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

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

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

T 905 832 8585 Extension 8002  
E [CofA@vaughan.ca](mailto:CofA@vaughan.ca)

Schedule A: Plans & Sketches

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

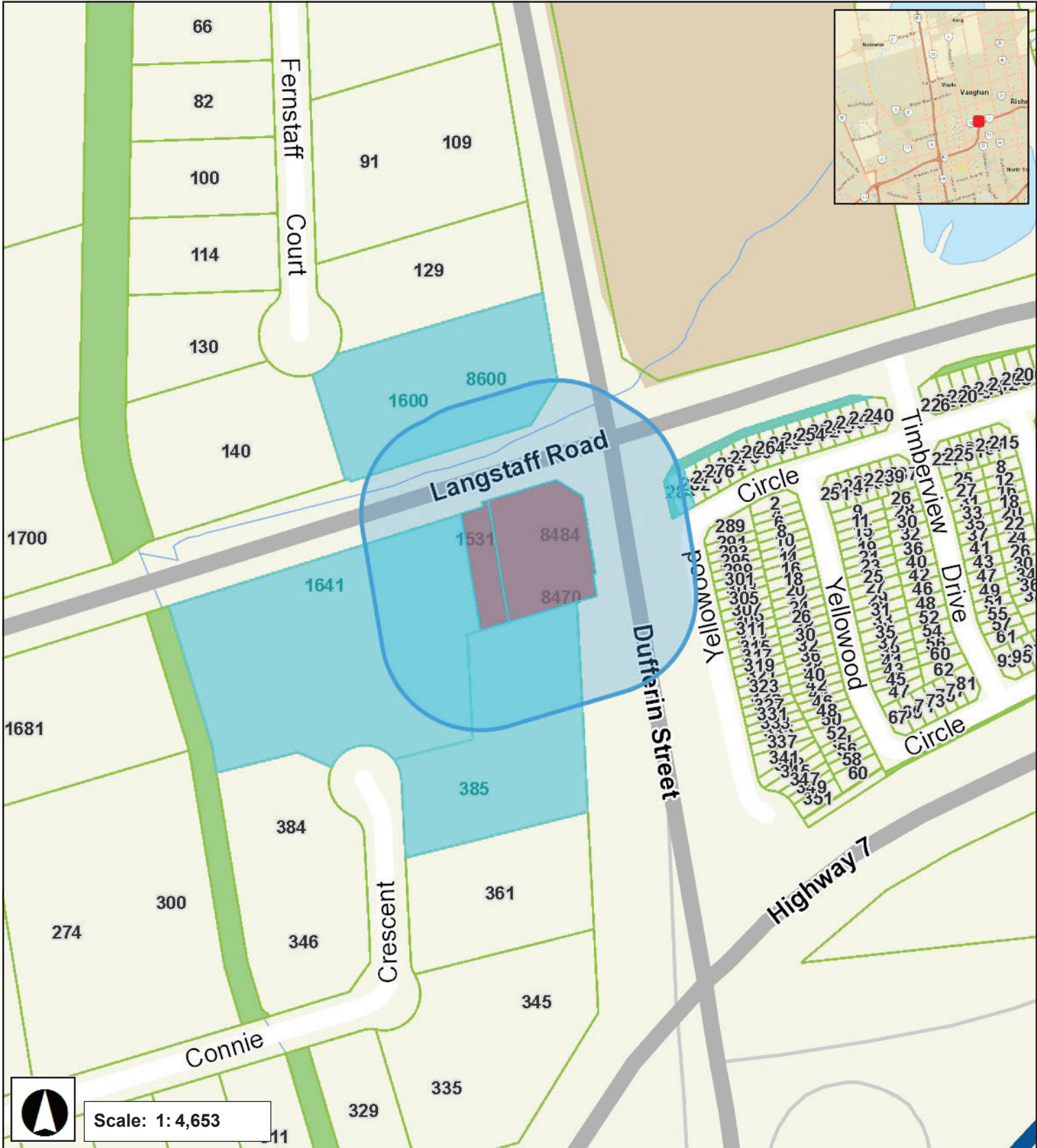
Location Map  
Sketches





B027/19, B028/19, A100/19 & A101/19

1531 LANGSTAFF ROAD  
8470 & 8484 DUFFERIN STREET, VAUGHAN





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## REGISTRATION

## LEGAL DESCRIPTION

[illegible]

## ISSUE/REVISION

B	2019-04-24	ISSUED FOR REVIEW
A	2019-04-21	ISSUED FOR REVIEW
IR	DATE	DESCRIPTION

## DRAWN BY

## KEY PLAN

PROJECT NUMBER	605264B4
SHEET TITLE	SITE PLAN

# AECOM

**PROJECT**

Shell Canada Projects  
Deacur Property

1531 Langstaff Road  
VAUGHAN, ONTARIO

## CLIENT

**Shell Canada**  
400-4th Avenue SW  
Calgary, AB T2P 0J4  
403.252.4554 tel  
www.shell.ca

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**AECOM Canada Ltd**  
Fourth Floor, 3292 Production Way  
Burnaby, British Columbia V5A 4R4  
604.444.6400 tel 604.294.8597 fax  
[www.aecom.com](http://www.aecom.com)

**INTEGRATION NOT**

[illegible]

PLAN OF SURVEY OF  
PART OF LOT 10,  
CONCESSION 3  
CITY OF VAUGHAN  
REGIONAL MUNICIPALITY OF YORK

STAFF-PENNER & EDWARD SURVEYING LTD., O.L.S.  
DATE: 12/20/2009  
SCALE: 1:500

METRIC  
DIMENSIONS SHOWN ON THIS PLAN ARE IN METRES AND  
CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

LANGSTAFF ROAD (REGIONAL ROAD No. 72)  
(ROAD ALLOWANCE BETWEEN LOTS 10 AND 11, CONCESSION 3)  
(PART 1, WFO PLAN P-1718-300)  
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TOPOGRAPHIC AND BOUNDARY SURVEY OF  
PART OF LOT 10  
CONCESSION 3  
CITY OF VAUGHAN  
REGIONAL MUNICIPALITY OF YORK

SCALE 1 : 250

SPEIGHT, VAN NOSTRAND & GIBSON LIMITED  
ONTARIO LAND SURVEYORS

(C) THE INFORMATION CONTAINED ON THIS PLAN IS THE PROPERTY OF SPEIGHT, VAN NOSTRAND & GIBSON LIMITED. IT IS TO BE USED ONLY FOR THE PURPOSES AND IN THE MANNER SPECIFIED HEREON.

#### ELEVATION NOTE

BEARINGS ARE GIVEN AS THE CHORDS OF THE CIRCULARS. ALL ANGLES ARE MEASURED FROM THE CITY OF VAUGHAN BEACH, JUNE 17-19, 1947, HAVING A PUBLISHED ELEVATION OF 208.210 METERS.

#### BEARING NOTE

BEARINGS ARE GIVEN AS THE CHORDS OF THE CIRCULARS. ALL ANGLES ARE MEASURED FROM THE CITY OF VAUGHAN BEACH, JUNE 17-19, 1947, HAVING A PUBLISHED ELEVATION OF 208.210 METERS.

#### LEGEND

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- 99. SURVEY MONUMENT PLANT
- 100. SURVEY MONUMENT PLANT

#### SURVEYOR'S CERTIFICATE

I CERTIFY THAT THE SURVEY WAS MADE BY ME OR UNDER MY SUPERVISION AND THAT THE SURVEY WAS MADE IN ACCORDANCE WITH THE SURVEY ACT, AND THE REGULATIONS MADE UNDER THEREIN.

DATE: MAY 5, 2013

S. A. WILSON

REGISTERED LAND SURVEYOR

1945533

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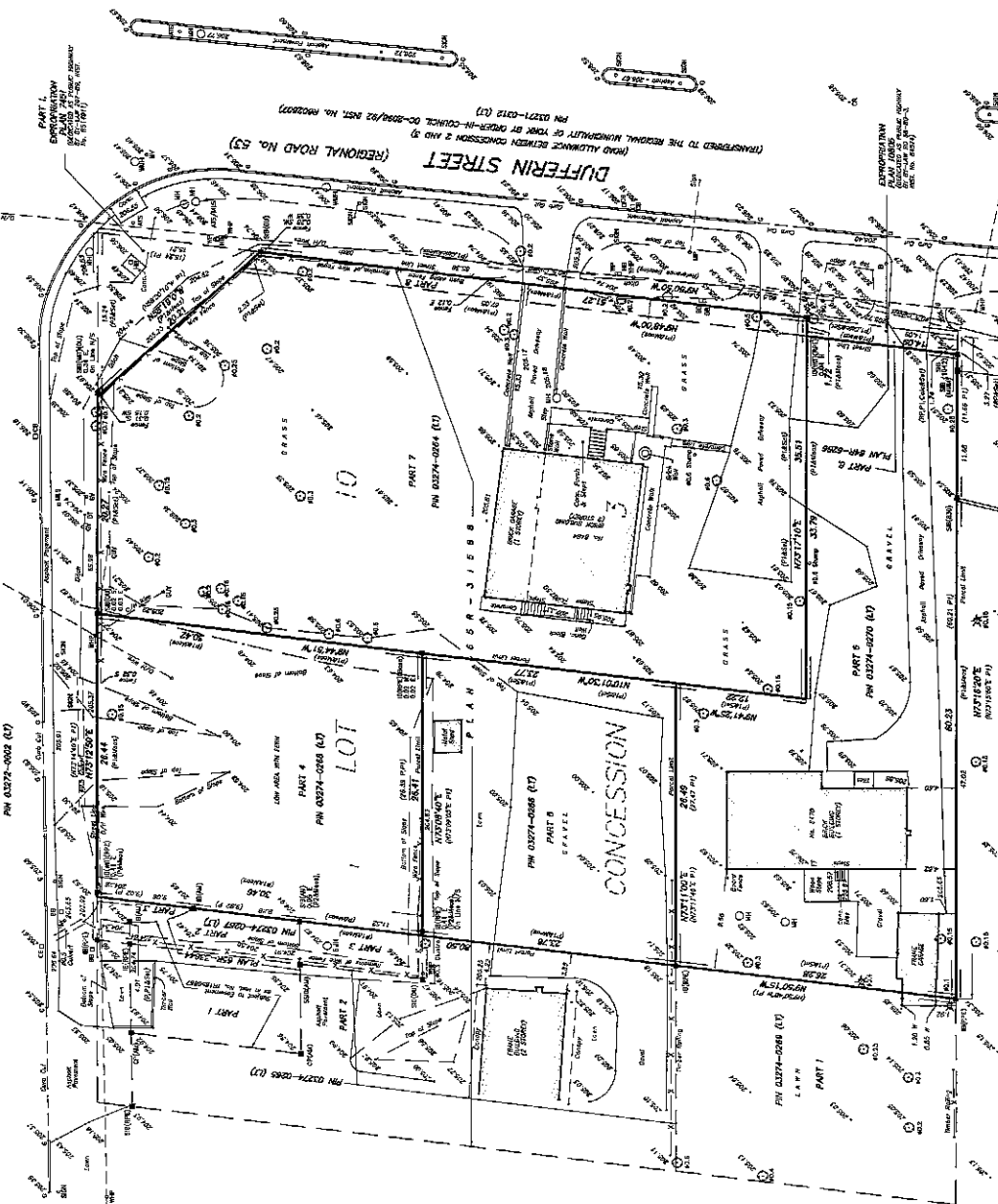
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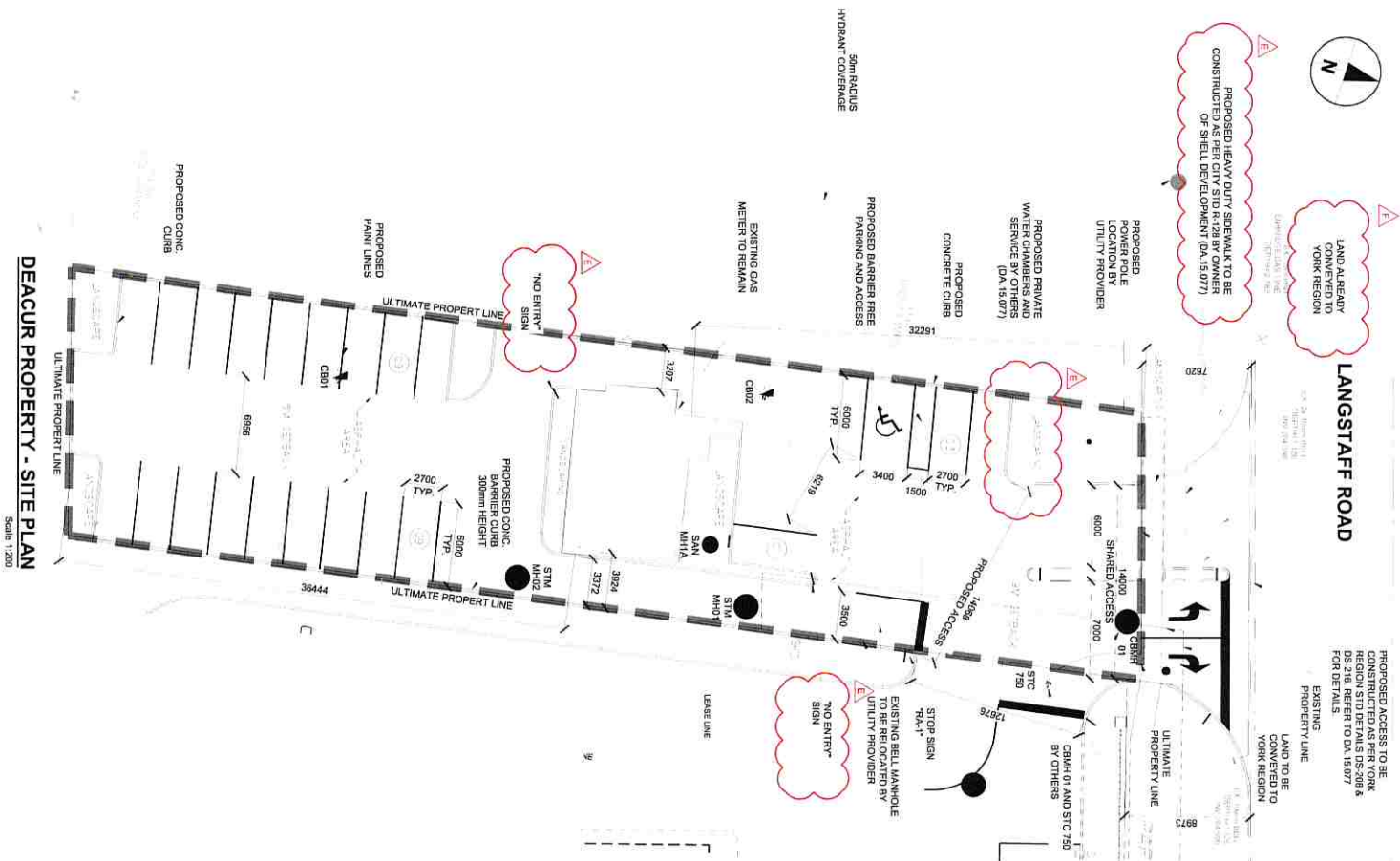
LANGSTAFF ROAD (REGIONAL ROAD NO. 72)

(ROAD ALIQUOT BETWEEN LOTS 10 AND 11, CONCESSION 3)  
(TRANSFERRED TO THE REGIONAL MUNICIPALITY OF YORK BY ORDER-IN-COUNCIL, OCTOBER 28, 1982, RES. NO. 1982007)  
(PART 1, M.L.O. PLAN P-1716-300)  
P.M. 03274-0002 (L7)



METRIC  
DISTANCES SHOWN ON THIS PLAN  
ARE IN METERS AND CAN BE CONVERTED  
TO FEET BY DIVIDING BY 0.3048







SITE STATISTICS			
ZONING	DATA	REQUIRED	PROVIDED
TOTAL BUILDING AREA (sq.m)		RESTRICTED COMMERCIAL - C1	
		N/A	99.91 sq.m
ROADWAY			
SETBACKS	(KANGSARAT ROAD WEST)	9.0m	30.291m
INTERIOR SIDE WALK		9.0m	3.207m
INTERIOR SIDE WALK		N/A	3.924m
REAR WALK		13.8m	38.144m
FROM ANY WALK ZONE TO ANY BUILDING STRUCTURE OR OPEN SPACE STORAGE USE		9.0m	26.44m
TOTAL LANDSCAPE AREA		10.5%	11.70%
TOTAL LANDSCAPE AREA (sq.m)		148.98 sq.m	302.71 (51.51 sq.m) 148.98 (24.82 sq.m) 171.52 sq.m
TOTAL LANDSCAPE AREA (sq.m)		N/A	1489.77 sq.m
NET LOT AREA (sq.m)		NOT SPECIFIED	5.85%
BUILDING COVERAGE		50% max.	5.85%
BUILDING HEIGHT		11.0m MAX.	7.0m
GROSS FLOOR AREA		NOT SPECIFIED	161.6 sq.m
PARKING		N/A	N/A
Ramp/Floor Plate		REQUIRED	PROVIDED
Spaces		0	01
Shall Length		6.0m	5.0m
Shall Width		3.4m	3.5m
Standard Parking		07	21
Shall Length		6.0 m	6.0 m
Shall Width		2.7 m	2.7 m
Overall Number of Spaces		08	22
Minimum Allow Width		6.0m	6.279m
Bicycle Parking		N/A	0
Land Use:			
South C7M (Service Commercial, EMI (Prestige Employment Area) & GSA (Open Space Wooded zone)			
South EMI (Prestige Employment Area) & EMZ (General Employment Area)			
East C7 (Service Commercial)			
West C7 (Service Commercial)			
All land uses are compatible with subject site: HC (Highway Commercial)			

- GENERAL NOTES:**
1. ALL DIMENSIONS IN MILLIMETERS UNLESS NOTED OTHERWISE. GEOMETRIC CROWN DATA DIMENSIONS IN METERS AND AT FACE OF CURB.
  2. MATERIALS PRODUCED FROM STAFF SURVEY INFORMATION RECEIVED 2011-2049 FROM SIGHTLY VAN KOSTRADO & GIBSON LIMITED AND DERIVED FROM GEOMETRIC DATA COLLECTION WITH VAN KOSTRADO, ZONE 17, METERS.
  3. CENTRAL MEDIAN WIDTH
  4. ALL DIMENSIONS ARE TO BE MEASURED BY AN APPROPRIATE CONSTRUCTION. ANY DISCREPANCIES MUST BE BROUGHT TO THE ATTENTION OF OWNERS REPRESENTATIVE.
  5. ALL CONSTRUCTION FOR THE PROJECT SHALL COMPLY WITH THE STANDARD DRAWINGS AND SPECIFICATIONS ISSUED BY THE CITY OF VALDIAHUA AND THE YORK REGION STANDARDS AND SPECIFICATIONS.
  6. ALL EXISTING HIGHWAYS AND LANCAIR ROAD AND DIFFERN STREET LOCATED WITHIN PROPOSED LANDSCAPED AREAS ARE TO BE REMOVED AND REPLACED WITH TOPSOIL, SO2, AND TILL CURB.
  7. ALL EXISTING TRAIL RUNNING LANCAIR ROAD AND DIFFERN STREET ARE TO BE FILLED IN AND TREE TO BE REMOVED ON LANCAIR ROAD MUST BE REPLACED BY 4.5 TREES ALONG DIFFERN STREET FOR PAVEMENT. SEE LANDSCAPE DRAWINGS.
  8. BARRIER FREE PARKING SYMBOL, 1.8 x 1.1 PATTERNED BROWN FREE WHITE SYMBOL, ON A BLUE BACKGROUND, SHALL BE PLACED IN THE CENTER OF EACH PARKING SPACE. THE SYMBOL SHALL BE THE MESSAGE "PARKING PERMITTED WITH BLACK LETTERING ON A BLUE BACKGROUND. THE SYMBOL SHALL BE ACCESIBLE 1.2m FROM SIDEWALK TO BOTTOM OF THE SIGN, AND BE POSITIONED AS NOTED ON PLAN.
  9. ACCESSIBLE PARKING SPACES TO BE PROVIDED AS PER THE ONTARIO REGULATION REQUIREMENT FOR ACCESSIBILITY FOR ONTARIANS WITH DISABILITY ACT, JANUARY 01, 2019.
  10. EXISTING MANHOLE DRAIN TO PROPERTY LINE.
  11. THE FOLLOWING MINIMUM REQUIREMENTS FOR WORKING WITHIN A YORK REGION ROAD ALLOWANCE UNLESS NOTATED OTHERWISE ON THE TRAFFIC/CONSTRUCTION MANAGEMENT PLAN AND ROAD AND LANE CLOSURES ARE PERMITTED ON WEDNESDAY BETWEEN THE HOURS OF 7 A.M. TO 3.30 A.M. AND 3.30 P.M. TO 7.30 P.M.
  12. ANY LANE CLOSURES OR LANE REDUCTIONS THAT OCCUR MUST BE SIGNED IN ACCORDANCE WITH THE ONTARIO TRAFFIC VEHICLE (OTV) BOOK "TEMPORARY CONDITIONS".
  13. GIVE PEDESTRIAN ACCESS MUST BE MAINTAINED AT ALL TIMES BY THE OWNERS CONTRACTORS, AS SUCH, SAFE PASSAGE FOR ALL PEDESTRIANS, INCLUDING PEDESTRIANS WITH DISABILITIES (BLIND, HEARING IMPAIRED, ON WHEELCHAIRS, ETC.) MUST BE ENSURED BY THE OWNERS CONTRACTORS
  14. 24 HOUR CONTACT MUST BE AVAILABLE THROUGHOUT THE DURATION OF THE PROJECT
  15. THE CHARACTERISTICS AND PLACEMENT OF ALL SIGNS AND TRAFFIC CONTROL OR MANAGEMENT SHALL BE DETERMINED BY THE PROJECT ENGINEER.
  16. THE OTV BOOK "TEMPORARY CONDITIONS" AND AS PER THE OCCUPATIONAL HEALTH AND SAFETY ACT
  17. THE RESPONSIBILITY OF THE DIRECTOR OF ALL SIGNS FOR THE TRAFFIC MANAGEMENT PLAN SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR
  18. a) PAID OUT OFFICERS WILL BE REQUIRED FOR PROTECTED OR EXISTING SIGNALIZED WORKING WITHIN INTERSECTIONS.
  19. b) ALL PROPOSED WORKS WITHIN THE R.O.W. FOR DIFFERN & LANCAIR SHALL BE SUBJECT TO REGIONAL APPROVAL. REQUIRED FOR ALL WORKING AND IS SUBJECT TO YORK REGION APPROVAL WITHIN R.O.W. FOR DIFFERN & LANCAIR.


**LEGEND:**


EXISTING SPOT ELEVATION  
 SPOT ELEVATION


PROPOSED SPOT ELEVATION  
 PROPOSED SPOT ELEVATION


PROPOSED CATCH BASIN  
 PROPOSED CATCH BASIN

PROPOSED STORMWATER MANHOLE / CATCH BASIN MANHOLE  
 PROPOSED STORMWATER MANHOLE / CATCH BASIN MANHOLE

PROPOSED SANITARY MANHOLE  
 PROPOSED SANITARY MANHOLE

PROPOSED STORMCATCHER  
 PROPOSED STORMCATCHER


PROPOSED OVERLAND FLOW EXISTING  
 PROPOSED OVERLAND FLOW EXISTING

HEAVY DUTY ASPHALT  
 HEAVY DUTY ASPHALT

WATER METER BACKFLOW PREVENTER  
 WATER METER BACKFLOW PREVENTER

EXISTING CATCH BASIN  
 EXISTING CATCH BASIN

EXISTING TIE MANHOLES  
 EXISTING TIE MANHOLES

EXISTING UTILITY MANHOLE  
 EXISTING UTILITY MANHOLE

LAND ALREADY CONVERTED TO YORK REGION

**Schedule B: Public Correspondence Received**

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

**Cover Letter (Agent)**



**B027/19**  
**A100/19**

July 9, 2019

Attention: Development Planning Department  
City of Vaughan City Hall  
2141 Major Mackenzie Drive  
Vaughan, Ontario L6A 1T1

**Subject: Application for Consent**  
**1531 Langstaff Road, Vaughan, ON**  
**Related City SPA File: DA.18.098**  
**350467 Ontario Limited, in collaboration with Shell Canada Limited**

On behalf of 350467 Ontario Limited, in collaboration with Shell Canada Limited, WSP Canada Group Limited (WSP) is pleased to submit the enclosed Consent Application 1531 Langstaff Road (Subject Property), located southwest of the Langstaff Road and Dufferin Street intersection, in the City of Vaughan.

This application is being filed concurrently with an application for Minor Variance.

***Request***

We are seeking consent to create a water servicing easement, a stormwater servicing easement, and shared access easement on this Subject Property, in favour of the adjacent property (8470 & 8484 Dufferin Street).

**DESCRIPTION OF LANDS**

The 1531 Langstaff Road property is located on the south side of Langstaff Road approximately 80 metres west of Dufferin Street, within the City of Vaughan. The property includes a two-storey building (to remain), and has a net lot area of 1,489.77 m<sup>2</sup> and a frontage along Langstaff Road of 19.06 m.

The 1531 Langstaff Road property is comprised of three PINs but is one parcel of land. The registered owner of each PIN is the same, and none of the PINs are the whole of a lot on a registered plan of subdivision, or meet any other exception to the subdivision control provisions of the Planning Act.

The three PINs on this parcel are:

100 Commerce Valley Drive West  
Thornhill, ON  
Canada L3T 0A1

T: +1 905 882-1100  
F: +1 905 882-0055



PIN	LEGAL DESCRIPTION
03274-0269 (LT)	PT LT 10 CON 3 VAUGHAN, PT 1 65R31588; SUBJECT TO AN EASEMENT IN FAVOUR OF PT LT 10 CON 3, PT 6 65R31588 AS IN YR1846136; CITY OF VAUGHAN
03274-0265 (LT)	PT LT 10 CON 3 VAUGHAN, PT 2 65R31588; SUBJECT TO AN EASEMENT OVER PT 1 65R33644 IN FAVOUR OF PT LT 10 CON 3, PTS 4, 5, 6, 7 & 8 65R31588 AS IN YR1856867; CITY OF VAUGHAN
03274-0267 (LT)	PT LT 10 CON 3 VAUGHAN, PT 3 65R31588; SUBJECT TO AN EASEMENT OVER PT 2 65R33644 IN FAVOUR OF PT LT 10 CON 3, PTS 4, 5, 6, 7 & 8 65R31588 AS IN YR1856867; CITY OF VAUGHAN

## BACKGROUND

The following summarizes applications that have been completed or are currently circulating at the City of Vaughan that affect the Subject Site.

### *Site Plan Application (City File DA.18.098)*

On March 5, 2019, the Committee of the Whole approved the Site Plan Application, subject to conditions. Council endorsed the conditional approval on March 19, 2019.

## SUMMARY

The requested consent is being sought to establish a water servicing easement, a stormwater servicing easement, and shared access easement on the Subject Property in favour of the adjacent neighbour at 8470 & 8484 Dufferin Street. It is noted that a shared access easement currently exists on the property, established through consent application B037/10 approved by Committee on November 10, 2011. However, this application seeks to expand the existing area of the easement to ensure it appropriately covers the redesign shared access as currently proposed.

It is our opinion that the requested consent is desirable and satisfies the consent criteria outlined within the City of Vaughan Official Plan, as well as Section 53 of the Planning Act. The proposed consent is for the creation of easements over existing lots for the purpose of providing servicing for and access to the 8470 & 8484 Dufferin Street property.

We respectfully request that this consent application be approved by the Committee of Adjustment.

## CRITERIA FOR CONSENT UNDER SECTION 51(24) OF THE PLANNING ACT, R.S.O. 1990

Under Section 51(24) of the Planning Act, when considering a Consent to Sever (“Consent”), regard must be had to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality.

The Consent will support the health, safety, convenience and welfare of Vaughan’s residents and will be in accordance with Site Plan DA.18.098.

When considering Consent to Sever, regard must also be had to the 14 criteria outlined in Section 51(24) of the Planning Act. These are addressed in Table 1 Planning Act Criteria for Consent to Sever.

**Table 1: *Planning Act* Criteria for Consent to Sever**

PLANNING ACT CRITERIA	RATIONALE
a) <b>The effect of development of the proposed subdivision on matters of provincial interest as referred to in Section 2</b>	The proposed Consent is supportive of provincial interests identified in Section 2 of the <i>Planning Act</i> . The proposed Consent supports the protection of public health and safety by introducing water and stormwater services to an unserved property.
b) <b>Whether the proposed subdivision is premature or in the public interest:</b>	Not applicable.
c) <b>Whether the plan conforms to the Official Plan and adjacent plans of subdivision, if any:</b>	The easement facilitates appropriate servicing on an otherwise serviced property and allows two properties to be accessed by one joint access, minimizing accesses along Langstaff Road.
d) <b>The suitability of the land for the purposes for which it is to be subdivided:</b>	The proposed Consent is suitable as it will allow water and storm services to be implemented for the previously unserved property, and will allow two properties to be accessed through one shared access, minimizing the number of accesses along Langstaff Road.
d.1) <b>If any affordable housing units are being proposed, the suitability of the proposed units for affordable housing:</b>	This criterion does not apply to the proposed Consent application.

PLANNING ACT CRITERIA	RATIONALE
e) <b>The number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them:</b>	This criterion is not applicable to the easement under consideration.
f) <b>The dimensions and shapes of the proposed lots:</b>	No new lots are proposed.
g) <b>The restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land:</b>	The proposed easements have been prepared in conjunction with ongoing Site Plan applications for both properties, and the location of the associated water and stormwater lines, as well as the shared access, has been appropriately sited and reviewed by the City and York Region.
h) <b>Conservation of natural resources and flood control:</b>	No natural resources are found on the site and it is not located in a flood zone.
i) <b>The adequacy of utilities and municipal services:</b>	The proposed servicing and access has been reviewed by the City of Vaughan and York Region, and the provision of the proposed water and stormwater connection, and shared access has been approved by City Council through the Site Plan Application process, whereby the Site Plan is approved subject to conditions.
j) <b>The adequacy of school sites</b>	This criterion does not apply to the proposed easement.
k) <b>The area of land to be conveyed or dedicated to public purposes:</b>	The required property conveyances to York Region are taking place through the Site Plan application process and will be conveyed at the time of R-Plan registration.
l) <b>The extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy:</b>	This criterion does not apply to the proposed easements.

PLANNING ACT CRITERIA	RATIONALE
<b>m) The interrelationship between the design of the proposed plan/severance and site plan control matters relation to any development on the land:</b>	The proposed development is subject to the site plan control provisions of the City of Vaughan Official Plan. Conditional Site Plan Approval was granted by Council for the Subject Property (DA.18.098), and the adjacent property at 8484 and 8470 Dufferin Street (DA.15.077).

## SUBMISSION ENCLOSURES

Please find enclosed herewith the following materials in support of this Consent Application:

- One legal size original, and one copy, of the completed Application For Consent Form;
- One cheque made payable to the CITY OF VAUGHAN in the amount of \$3,546.00 for the Consent Application fee (2019 fee);
- Two 8½"x14" copies of Reference Plan 65R-31588, dated April 9, 2009, as prepared by Rady-Pentek & Edward Surveying;
- Two 8½"x14" copies of the Topographical and Boundary Plan of Survey, dated May 6, 2013, as prepared by Speight, Van Nostrand & Gibson;
- Two full size copies, and two 8½"x14" reductions, of the Shared Easement Plan (C-014) dated April 15, 2019, as prepared by AECOM; and,
- One electronic copy of the complete submission, on a USB drive.

We look forward to working with City staff in the processing of this Consent Application. Should you have any questions, please contact the undersigned at 647-730-7132.

Yours sincerely,



Kristopher Hall, MSc Pl, MCIP, RPP  
Project Manager

GH/KH  
WSP ref.: 13M-00065-02

Schedule C: Agency Comments

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

Alectra (Formerly PowerStream) – No concerns or objections



**COMMENTS:**

☐

We have reviewed the proposed Variance Application and have no comments or objections to its approval.

☒

We have reviewed the proposed Variance Application and have no objections to its approval, subject to the following comments (attached below).

☐

We have reviewed the proposed Variance Application and have the following concerns (attached below).

Alectra Utilities (formerly PowerStream) has received and reviewed the proposed Variance Application. This review, however, does not imply any approval of the project or plan.

All proposed billboards, signs, and other structures associated with the project or plan must maintain minimum clearances to the existing overhead or underground electrical distribution system as specified by the applicable standards, codes and acts referenced.

In the event that construction commences, and the clearance between any component of the work/structure and the adjacent existing overhead and underground electrical distribution system violates the Occupational Health and Safety Act, the customer will be responsible for 100% of the costs associated with Alectra making the work area safe. All construction work will be required to stop until the safe limits of approach can be established.

In the event construction is completed, and the clearance between the constructed structure and the adjacent existing overhead and underground electrical distribution system violates the any of applicable standards, acts or codes referenced, the customer will be responsible for 100% of Alectra's cost for any relocation work.

**References:**

- Ontario Electrical Safety Code, latest edition (Clearance of Conductors from Buildings)
- Ontario Health and Safety Act, latest edition (Construction Protection)
- Ontario Building Code, latest edition (Clearance to Buildings)
- PowerStream (Construction Standard 03-1, 03-4), attached
- Canadian Standards Association, latest edition (Basic Clearances)

If more information is required, please contact either of the following:

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

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



**Schedule D: Previous Approvals (Notice of Decision)**

**Consent Application B036/10 & B037/10**

# **NOTICE OF DECISION**

## **CONSENTS**

**FILE NUMBER:** B036/10

**APPLICANT:** 350467 ONTARIO LIMITED

**PROPERTY:** Part of Lot 10, Concession 3, (Parts 2 & 5, Plan 65R-31588, municipally known as 1531 Langstaff Road, Concord).).

**ZONING:** The subject lands are zoned *C1, Restricted Commercial Zone* subject to *Exception 9(283)* under By-law 1-88 as amended.

**PURPOSE:** To request the consent of the Committee of Adjustment to grant a parcel of land marked "A" on the attached sketch **as an ADDITION to an existing lot taken into the title of the lands to the EAST, being 8484 & 8470 Dufferin Street**, for Prestige Employment purposes, together with all required easements and right-of-ways, if required, and retain the lands marked "B" on the attached sketch for Restricted Commercial purposes.

The subject lands are currently vacant. There is a professional office building on the retained lands.

**BACKGROUND:** The land which is subject to these applications is/was also the subject of other applications under the Planning Act:

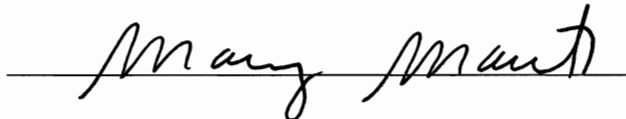
**B035/10 - BELA KACSO & JOSEPH RADY-PENTEK**

**B037/10 - 350467 ONTARIO LIMITED**

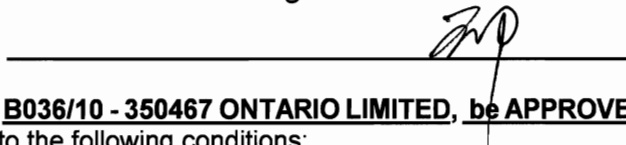
**(To be heard in conjunction with the above mentioned file).**

The above noted application was heard by the Committee of Adjustment on: **NOVEMBER 10, 2011.**

Moved by:



Seconded by:



THAT Application No. **B036/10 - 350467 ONTARIO LIMITED**, **be APPROVED**, in accordance with the sketch attached and subject to the following conditions:

**NOTE: All conditions below must be fulfilled and clearance letters must be received by the Secretary-Treasurer before any cheques can be accepted and Certificate of Official can be issued.**

1. Payment to the City of Vaughan of a Tree Fee if required, approved by Council as of the date of granting the consent. Payment is to be made by certified cheque, to the satisfaction of the City of Vaughan (Reserves & Investments Department; contact Terry Liuni to have this condition cleared.)
2. That the corresponding Consent File Nos. **B035/10 - BELA KACSO & JOSEPH RADY-PENTEK & B037/10 - 350467 ONTARIO LIMITED, be APPROVED**, and in full force and effect, if required, to the satisfaction of the Building Standards Department;
3. This consent is given on the express understanding that Subsection 3 or Subsection 5 of Section 50 of the Planning Act shall apply to any subsequent conveyance in respect to the subject lands
4. That the applicant provide to the Secretary Treasurer a letter of undertaking, stating that the **ADDITION is to an existing lot to be taken in to the title of the lands to the EAST;**
5. The subject consent shall become null and void if the newly created parcel identified as Part 5, on Plan 65R-31588 is not merged on title with the adjacent lands to the north, east and /or south as identified as Parts 4m6m7m& 8, on Plan 65R-31588. A draft reference plan with a Surveyor's Certificate of Lot Areas, Frontages and Depths shall be submitted to the satisfaction of the Building Standards Department, if required, to the satisfaction of the Building Standards Department;
6. That a report by a Professional Engineer be submitted satisfactory to the Building Standards Dept. which provides details of the on site sewage systems for the buildings showing the systems will be located within the boundaries of the post severance assembly and consolidation of lands as per the requirements of the Ontario Building Code, if required, to the satisfaction of the Building Standards Dept., Alternatively provide a Professional Engineers report that the sanitary building sewers have been connected to the municipal sanitary sewer as per the requirements on the Ontario Building Code if required, to the satisfaction of the Septic Systems Inspections Division of the Building Standards Dept.

7. That the implementing Zoning By-law ( File Z.10.017) be in full force and effect, if required, to the satisfaction of the Development Planning Department;
8. The Owner must provide an easement OR copy of mutual agreement for the shared access and/or municipal servicing between the conveyed and retained property to the satisfaction of the Development/Transportation Engineering Department, if required, to the satisfaction of the Development/Transportation Engineering Department
9. The Owner shall provide legible draft plan of reference, as well as a plan showing all existing services, structures and accesses overlay of the draft reference plan, to the satisfaction of the Development/Transportation Engineering Department, if required, to the satisfaction of the Development/Transportation Engineering Department
10. Submission to the Secretary-Treasurer of **FOUR (4)** white prints of a registered deposited reference plan of survey, showing the subject land which conforms with the application submitted and which shows the dimensions and areas of each part shown on the plan;
11. Upon fulfilling and complying with all of the above-noted conditions, the Secretary-Treasurer of the Committee of Adjustment must be provided with a letter **and three (3) copies of a legal size (8.5" by 14") "Schedule Page", in a format satisfactory to the Secretary-Treasurer**, from the Applicant's solicitor confirming the legal description of the subject lands, sufficient for registration purposes **the "Schedule Page" will be an attachment to the Certificate**. Upon being satisfied with said legal description and upon all other conditions for the consent having been satisfied, the Secretary-Treasurer shall provide a Certificate of Official to the applicant in accordance with Section 53(42) of the Planning Act, R.S.O. 1990, as amended;
12. A fee of **\$190.00** made payable to the Treasurer City of Vaughan shall, be submitted to the Secretary Treasurer for the issuance of the Certificate/stamping of the deeds. It will be necessary to allow up to **three (3) working days** after all conditions have been fulfilled and documentation filed. Same day service is also available for an additional cost of **\$145.00, provided all conditions of approval have been fulfilled and all required documents are submitted by 11:30 am that day;**
13. Prior to the issuance of a building permit, if required, the applicant shall fulfil and comply with all of the above noted consent conditions;

**IMPORTANT:**

**Pursuant to Section 53(41) of the Planning Act, the applicant shall have a period of one year from the date of the Committee of Adjustment giving Notice of the herein Decision to the Applicant to fulfil and comply with all of the (above-noted) conditions of Consent. Failing to comply with this requirement will result in the application to be deemed to be refused.**

**ALL CONDITIONS MUST BE FULFILLED.**

Please contact each Agency and/or Department listed above whether "**if required**" appears in the condition or not.

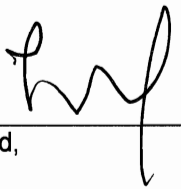
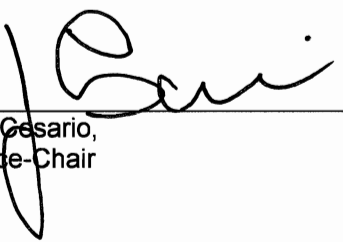

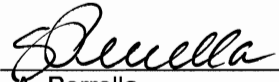

**PLEASE NOTE:**

1. That the payment of the Regional Development Charge 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.
2. That the payment of the City Development Charge 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.
3. That the payment of the Education Development Charge 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
4. That the payment of Special Area Development charge 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, if required, to the satisfaction of the Reserves/Capital Department;

CARRIED.

CHAIR: 

Signed by all members present who concur in this decision:

  
L. Fluxgold,  
Chair  
J. Cesario,  
Vice-Chair  
M. Mauti,  
Member  
A. Perrella,  
Member  
H. Zheng,  
Member**CERTIFICATION**

I hereby certify this to be a true copy of the decision of the Committee of Adjustment, and this decision was concurred in by a majority of the members who heard this application.



Todd Coles, BES, MCIP, RPP  
Manager of Development Services  
and Secretary-Treasurer to  
Committee of Adjustment

**Date of Hearing: NOVEMBER 10, 2011****Date of Notice: NOVEMBER 18, 2011****Last Date of Appeal: DECEMBER 8, 2011****APPEALS**

**APPEALS MUST BE RECEIVED BY THIS OFFICE NO LATER THAN 4:30 P.M. ON THE LAST DATE OF APPEAL NOTED ABOVE.**

Should you decide to appeal this decision to the Ontario Municipal Board, a copy of an appeal form is available for download in Microsoft Word and Adobe Acrobat versions from the Ontario Municipal Board website at [www.omb.gov.on.ca](http://www.omb.gov.on.ca). If you do not have Internet access, these forms can be picked up at the City of Vaughan, Committee of Adjustment offices.

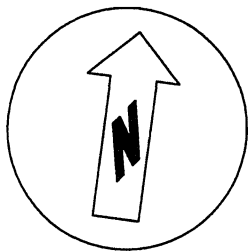
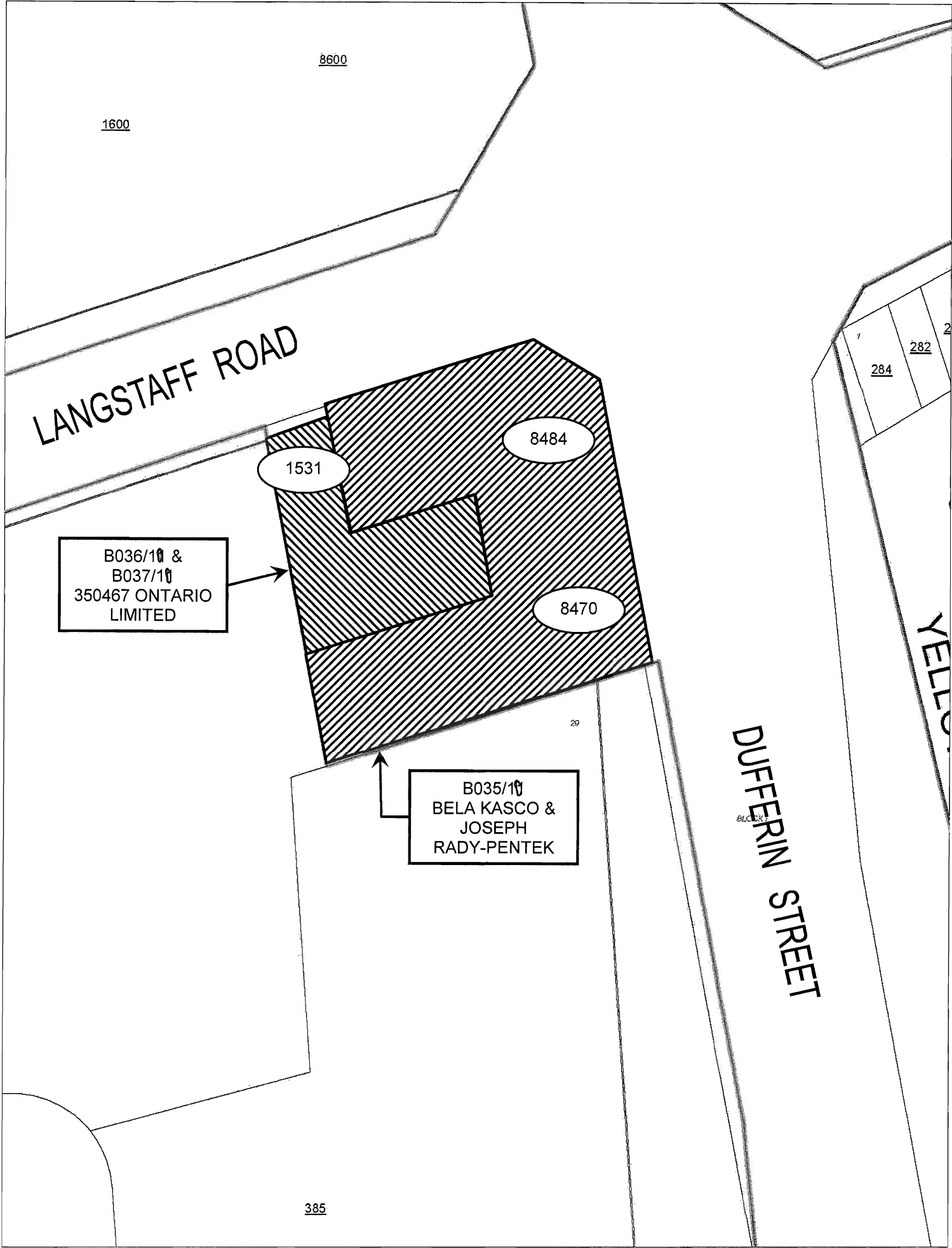
Please fill out Form A1 and follow the instructions as provided by the Ontario Municipal Board and submit your appeal to the City of Vaughan, Committee of Adjustment on or before the date stated above. You must enclose the completed form with the **\$650.00** processing fee, paid by **certified cheque** or **money order**, to the "TREASURER, CITY OF VAUGHAN" and the appeal fee of **\$125.00** for each application appealed, paid by **certified cheque** or **money order**, made payable to the "ONTARIO MINISTER OF FINANCE". Your appeal must set out the reasons for the appeal.


Only individuals, corporations and public bodies may appeal decisions in respect of applications for consent to the Ontario Municipal Board. 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.

**NOTES**

1. 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.
2. A Certificate pursuant to Subsection 53(21) of The Planning Act cannot be given until all conditions of consent have been fulfilled.





COMMITTEE OF ADJUSTMENT	
File No.:	B035/10, B036/10, B037/10
Applicants:	
	<b>SUBJECT LANDS:</b> 8484 & 8470 Dufferin Street 1531 Langstaff Road



**CONSENTS**Please refer to the file number: **B036/10**

Address all correspondence to the Secretary-Treasurer

**NOTICE TO THE OWNER**

The Committee of Adjustment has approved your application for consent, subject to certain conditions.

A copy of the "Notice of Decision" is attached, together with relevant information concerning appeal procedures for the decision.

If the decision is not appealed, you will receive a notice that it is "Final and Binding", when the appeal period has expired. When the application is Final and Binding it will be appropriate for you to fulfil the conditions of approval.

**All** conditions must be fulfilled before a Certificate of Official can be issued by the Secretary-Treasurer certifying that consent has been given. These conditions must be fulfilled not later than the date set out in the decision.

**The period for fulfilling conditions cannot be extended.**

Although you may have appointed an agent to act on your behalf in the application, it is your responsibility, as the owner, to ensure that all conditions are fulfilled in time. Failure to do so will result in the decision being deemed to have been refused, pursuant to subsection 53(41) of The Planning Act, and your application file will be closed.

**NO FURTHER NOTICE OF THE LAST DAY FOR FULFILLING CONDITIONS WILL BE GIVEN.**

Respectfully,



Todd Coles, BES, MCIP, RPP  
Manager of Development Services and  
Secretary-Treasurer to Committee of Adjustment  
City of Vaughan

**CONSENTS**Please refer to the file number: **B036/10**

Address all correspondence to the Secretary-Treasurer

**TO: OWNER/AGENT/SOLICITOR****SUBJECT: FULFILMENT OF CONDITIONS OF APPROVAL****Please note carefully the following:**

1. All conditions of approval must be fulfilled before a Certificate of Official pursuant to subsection 42 of Section 53 of The Planning Act can be issued. Unnecessary delay in the issue of the Certificate can be avoided by observing the following procedures:

(a) **CONDITIONS CONCERNING THE MUNICIPALITY IN WHICH THE SUBJECT LAND IS LOCATED:**

Payment of lot levy, fees, deed for road widening requests for written advice, agreements, etc., must be forwarded directly to the Municipality, together with a request that a certificate that such conditions have been fulfilled, be forwarded to the Secretary-Treasurer (standard certificate forms have been provided to the Municipality for the purpose).

(b) **CONDITIONS CONCERNING THE REGIONAL MUNICIPALITY OF YORK:**

- (i) Deed for road widening - must be forwarded directly to the Regional Solicitors,

17250 Yonge Street  
P. O. Box 147  
Newmarket, Ontario  
L3Y 6Z1

together with necessary certification that the land described in the deed is free of all encumbrances. The deed must be accompanied by a white print of the deposited Reference Plan referred to in the deed.

- (ii) Payment of a Regional Development Charge is payable to the City of Vaughan and is to be deposited with the City Treasurer in accordance with the Development Charges Act and Regional By-law DC1-91-136.

(c) **CONDITIONS CONCERNING OTHER AGENCIES:**

(i.e. Conservation Authorities, Ministry of Transportation, railways, etc.)

Requests for written advice, permits, etc., must be forwarded directly to the Agency concerned, together with a request that the information required by the Committee be forwarded to the Secretary-Treasurer.

**PLEASE INCLUDE OWNER'S NAME AND APPLICATION NUMBER WITH ANY MATERIAL FORWARDED TO THE ABOVE MUNICIPALITIES AND AGENCIES.**

2. It is the owner's responsibility to ensure that all conditions of approval have been fulfilled in accordance with the Committee's decision not later than the date set out in the decision. Failure to do so will result in a lapse of the consent and the file will be closed. Time limits set out in the decision **CANNOT** be extended. **NO FURTHER NOTICE WITH REGARD TO THE LAST DAY FOR FULFILLING CONDITIONS OF APPROVAL WILL BE GIVEN.**

## CONSENTS

### **Committee of Adjustment Requirements Electronic Registration Planning Act Consents - Section 53(42)**

Prior to electronic registration, a consent under Section 53(42) of the Planning Act could be issued in certificate form or be stamped directly on the document (Transfer/Deed, Transfer of Easement, Charge/Mortgage). Our usual practice was to stamp the consent on the document. Since the document itself had insufficient space to place the stamp, our practice was to stamp the consent on an attached schedule containing the legal description of the property to be severed.

Under electronic registration, since there is no opportunity to place a stamp on a paper document, our practice has been amended to issue the consent in certificate form.

In order to ensure that the legal description in the certificate matches that in the Notice of Decision, **we require a letter and a "Schedule Page" from the Applicant's Solicitor confirming the legal description of the subject lands, sufficient for registration purposes (the "Schedule Page" will be an attachment to the Certificate)**, and four copies of the deposited Reference Plan.

Once we have satisfied ourselves that the legal description provided by the Applicant's Solicitor is correct, and that all other conditions for the consent have been met, we will issue the certificate, and the solicitor may complete the registration of the Transfer or Charge.

To complete our file, we require that the applicant's solicitor provide us with registration particulars after registration has been completed.

#### **For information purposes only:**

*On a Transfer or Transfer of Easement, one of the following statements on the electronic Transfer must be selected and completed:*

*Statement 100: a consent from the NAME has been obtained for this severance and contains the following conditions: INSERT CONDITIONS OR 'NONE'*

*Statement 101: The NAME has consented to this severance herein: IMPORT CONSENT (i.e. scan the consent and attach it or type the consent verbatim).*

*As neither Statement 100 nor 101 appears in a Charge document, the consent must be typed verbatim or scanned and attached to the document in the Schedules section.*

For information on electronic registration, please contact Teranet at 416-360-1190.



Todd Coles, BES, MCIP, RPP  
Manager of Development Services and  
Secretary-Treasurer to Committee of Adjustment  
City of Vaughan

# **NOTICE OF DECISION**

## **CONSENTS**

**FILE NUMBER:** B037/10

**APPLICANT:** 350467 ONTARIO LIMITED

**PROPERTY:** Part of Lot 10, Concession 3, (Parts 2 & 5, Plan 65R-31588, municipally known as 1531 Langstaff Road, Concord).).

**ZONING:** The subject lands are zoned *C1, Restricted Commercial Zone* subject to *Exception 9(283)* under By-law 1-88 as amended.

**PURPOSE:** To request the consent of the Committee of Adjustment to grant a parcel of land marked "A" on the attached sketch **as an EASEMENT in favour of the lands to the EAST**, for shared driveway/mutual access purposes and retain the lands marked "B" on the attached sketch for Restricted Commercial purposes.

**BACKGROUND:** The land which is subject to these applications is/was also the subject of other applications under the Planning Act:

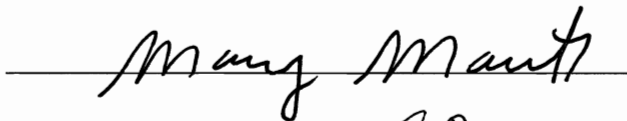
**B035/10 - BELA KACSO & JOSEPH RADY-PENTEK**

**B036/10 - 350467 ONTARIO LIMITED**

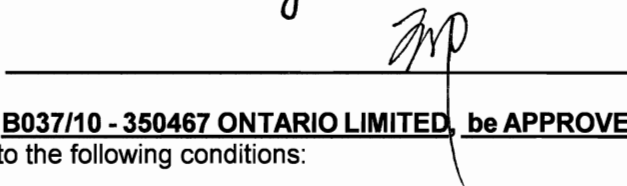
(To be heard in conjunction with the above mentioned file).

The above noted application was heard by the Committee of Adjustment on: **NOVEMBER 10, 2011.**

Moved by:



Seconded by:



THAT Application No. **B037/10 - 350467 ONTARIO LIMITED, be APPROVED**, in accordance with the sketch attached and subject to the following conditions:

**NOTE: All conditions below must be fulfilled and clearance letters must be received by the Secretary-Treasurer before any cheques can be accepted and Certificate of Official can be issued.**

1. Payment to the City of Vaughan of a Tree Fee if required, approved by Council as of the date of granting the consent. Payment is to be made by certified cheque, to the satisfaction of the City of Vaughan (Reserves & Investments Department; contact Terry Liuni to have this condition cleared.)
2. That the corresponding Consent File Nos. **B035/10 - BELA KACSO & JOSEPH RADY-PENTEK & B036/10 - 350467 ONTARIO LIMITED, be APPROVED**, and in full force and effect, if required, to the satisfaction of the Building Standards Department;
3. This consent is given on the express understanding that Subsection 3 or Subsection 5 of Section 50 of the Planning Act shall apply to any subsequent conveyance in respect to the subject lands
4. That the applicant provide to the Secretary Treasurer a letter of undertaking, stating that the **as an EASEMENT in favour of the lands to the EAST**;
5. That the implementing Zoning By-law ( File Z.10.017) be in full force and effect, if required, to the satisfaction of the Development Planning Department;
6. Upon fulfilling and complying with all of the above-noted conditions, the Secretary-Treasurer of the Committee of Adjustment must be provided with a letter **and three (3) copies of a legal size (8.5" by 14") "Schedule Page", in a format satisfactory to the Secretary-Treasurer**, from the Applicant's solicitor confirming the legal description of the subject lands, sufficient for registration purposes **the "Schedule Page" will be an attachment to the Certificate**. Upon being satisfied with said legal description and upon all other conditions for the consent having been satisfied, the Secretary-Treasurer shall provide a Certificate of Official to the applicant in accordance with Section 53(42) of the Planning Act, R.S.O. 1990, as amended;
7. A fee of **\$190.00** made payable to the Treasurer City of Vaughan shall, be submitted to the Secretary Treasurer for the issuance of the Certificate/stamping of the deeds. It will be necessary to allow up to **three (3) working days** after all conditions have been fulfilled and documentation filed. Same day service is also available for an additional cost of **\$145.00, provided all conditions of approval have been fulfilled and all required documents are submitted by 11:30 am that day**;

8. Prior to the issuance of a building permit, if required, the applicant shall fulfil and comply with all of the above noted consent conditions;

**IMPORTANT:**

**Pursuant to Section 53(41) of the Planning Act, the applicant shall have a period of one year from the date of the Committee of Adjustment giving Notice of the herein Decision to the Applicant to fulfil and comply with all of the (above-noted) conditions of Consent. Failing to comply with this requirement will result in the application to be deemed to be refused.**

**ALL CONDITIONS MUST BE FULFILLED.**

Please contact each Agency and/or Department listed above whether "if required" appears in the condition or not.

**PLEASE NOTE:**

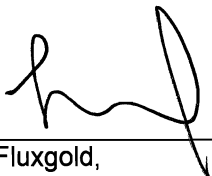
1. That the payment of the Regional Development Charge is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the Regional Development Charges By-law in effect at the time of payment.
2. That the payment of the City Development Charge 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.
3. That the payment of the Education Development Charge 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
4. That the payment of Special Area Development charge 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, if required, to the satisfaction of the Reserves/Capital Department;

CARRIED.

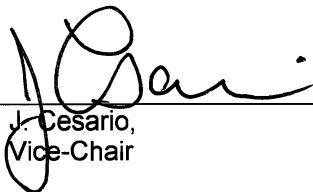
CHAIR: \_\_\_\_\_



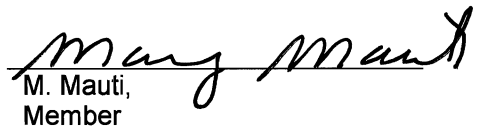
Signed by all members present who concur in this decision:



L. Fluxgold,  
Chair



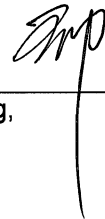
J. Cesario,  
Vice-Chair



M. Mauti,  
Member



A. Perrella,  
Member



H. Zheng,  
Member

**CERTIFICATION**

I hereby certify this to be a true copy of the decision of the Committee of Adjustment, and this decision was concurred in by a majority of the members who heard this application.



Todd Coles, BES, MCIP, RPP  
Manager of Development Services  
and Secretary-Treasurer to  
Committee of Adjustment

**Date of Hearing: NOVEMBER 10, 2011**

**Date of Notice: NOVEMBER 18, 2011**

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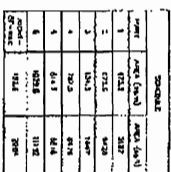
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ACCESS EASEMENT/RIGHT OF WAY  
MUTUAL RIGHTS FOR SHARED ACCESS  
IN FAVOUR OF THE LANDS TO THE  
EAST. (REFER TO ACCOMPANYING/CONCURRENT  
350467 ONTARIO LIMITED AND BELA KACSO/JOSEPH  
RADY-PENIEK CONSENT TO SEVERANCE  
APPLICATIONS)

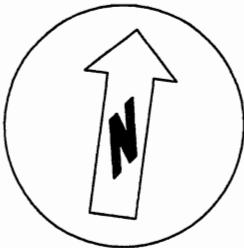
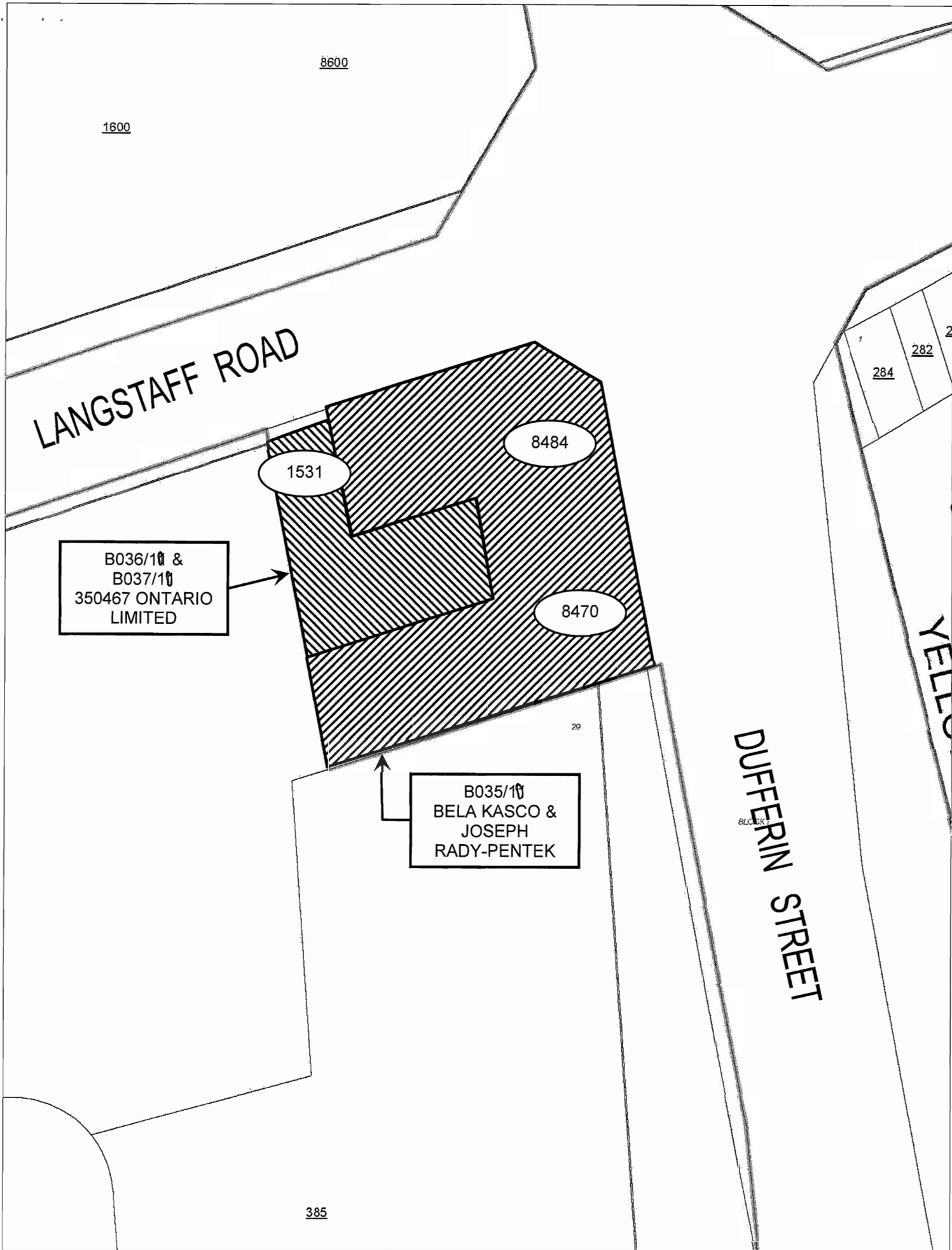



**TYPE** RADY, PSENEN & EDWARDS SURVEYING LTD.  
 413 Kingston Road, S.W. 11 Kingston, Ont.  
 Tel: (416) 333-3300 Fax: (416) 333-3301  
 Telex: 113133-3300  
 TRAMIN, GUY DEF-ICE-17-17  
 200 The Sp. Hwy. 242 N.W. Hwy. 112 W. 112

**EMC GROUP LIMITED**  
Engineers Planners Project Managers  
Vaughan Ontario (905) 738-3939

# PROPOSED EASEMENT

SCALE: N.T.S.	DWG. No. FIGURE 2
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COMMITTEE OF ADJUSTMENT	
File No.:	B035/10, B036/10, B037/10
Applicants:	
	<b>SUBJECT LANDS:</b> 8484 & 8470 Dufferin Street 1531 Langstaff Road

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**TO: OWNER/AGENT/SOLICITOR****SUBJECT: FULFILMENT OF CONDITIONS OF APPROVAL****Please note carefully the following:**

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## CONSENTS

**Committee of Adjustment Requirements  
Electronic Registration  
Planning Act  
Consents - Section 53(42)**

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