



File: A117/19

Applicant: Dina Giambattista

Address: 10180 Pine Valley Dr Woodbridge

Agent: Weston Consulting Group Inc.

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	Condition(s)
	<input checked="" type="checkbox"/> Negative Comment	<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	<input checked="" type="checkbox"/>	
Financial Planning & Development	<input checked="" type="checkbox"/>	
Fire Department		
TRCA	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Ministry of Transportation		
Region of York	<input checked="" type="checkbox"/>	
Alectra (Formerly PowerStream)	<input checked="" type="checkbox"/>	
Public Correspondence (see Schedule B)	<input checked="" type="checkbox"/>	

Adjournment History: N/A

Background History: B009/18, A083/18, B017/17, A142/17 (see next page for details)



**Minor Variance  
Application**  
  
**A117/19**

**Agenda Item: 7**  
  
**Ward: 1**

**Staff Report Prepared By: Pravina Attwala, Assistant Secretary Treasurer**

<b>Date of Hearing:</b>	Thursday, September 5, 2019
<b>Applicant:</b>	Dina Giambattista
<b>Agent:</b>	Weston Consulting Group Inc.
<b>Property:</b>	<b>10180 Pine Valley Dr Woodbridge</b>
<b>Zoning:</b>	The subject lands are zoned RR, Rural Residential Zone, and subject to the provisions of Exception 9(107) under By-law 1-88 as amended.
<b>OP Designation:</b>	VOP 2010: "Natural Area" and "Agricultural" within the Greenbelt Plan Area
<b>Related Files:</b>	Consent Application B013/19 & DA.18.011
<b>Purpose:</b>	Relief from the by-law is being requested to permit an access driveway serving the abutting lands to the west municipally known as 10150 Pine Valley Drive to facilitate Consent Application B013/19.

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

By-law Requirement	Proposal
Access and driveways shall be maintained on the lot to which it serves.	To permit an access driveway to serve the abutting lands to the west zoned OS2 Open Space.

**Background (previous applications approved by the Committee on the subject land):**

Application No.:	Description:	Status of Approval: Approved/Refused/Withdrawn/ OMB/Concurrent
B009/18	Access easement to facilitate driveway access to the proposed mausoleum at 10150 Pine Valley Drive	Approved June 7, 2018 LAPSED
A083/19	Access driveway serving abutting lands to the west at 10150 Pine Valley Drive (facilitate consent application B009/18)	Approved June 7, 2018 LAPSED
B017/17	Easement in favour of lands to the west.	Approved May 11, 2017
A142/17	Access driveway to serve the abutting lands to the west zoned OS2. Open Space Park.	Approved May 11, 2017

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 21, 2019

Applicant confirmed posting of signage on August 22, 2019

Property Information	
Existing Structures	Year Constructed
Dwelling	Unknown (purchased September 2013)

Applicant has advised that they cannot comply with By-law for the following reason(s): The proposed driveway access is required to service the abutting property to the west which is land locked.

Recommended condition of approval:

That Consent Application B013/19 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.

This file relates to Application B013/19.

The subject lands may be subject to Ontario Regulation 166/06 (TRCA - Toronto and Region Conservation Authority).

**Building Inspections (Septic):**

No comments or concerns

**Development Planning:**

Official Plan: VOP 2010: "Natural Area" and "Agricultural" within the Greenbelt Plan Area

The Owner is requesting permission to allow an access easement in favour of the lands to the west as well as a minor variance to permit an access driveway on OS2 Open Space Park lands. The easement would facilitate an access driveway for emergency vehicles to the lands municipally known as 10150 Pine Valley Drive.

Consent Application B017/17 and Minor Variance Application A142/17 were previously approved on May 11, 2017, and B009/18 and A083/18 on June 7, 2018 for the subject lands, which also proposed an access easement in favour of the lands to the west. The decisions have lapsed as the condition that a Site Development Application for a future mausoleum proposal be approved by Council was not met within the 1 year time period.

The Owner has submitted Site Development Application DA.18.011 for a proposed mausoleum on 10150 Pine Valley Drive, which is currently being reviewed separate of the subject Consent and Minor Variance applications to facilitate access only.

Existing access easements provide access to 10150 Pine Valley Drive; however, they are not of adequate width to support emergency vehicles. The proposed easement is required as widening the existing driveways to accommodate appropriate access for emergency vehicles is not desirable or feasible as they are located in close proximity to a Designated Part IV heritage resource and in-ground graves.

The subject lands are within an area identified as a being of high archaeological potential in the City's database of archaeological resources. An Archaeological Assessment will not be required; however, the owner is advised that the following standard clauses apply:

- I. Should archaeological resources be found on the property during construction activities, all work must cease and both the Ontario Ministry of Tourism, Culture and Sport and the City of Vaughan's Planning Department, Urban Design and Cultural Heritage Division shall be notified immediately.
- II. In the event that human remains are encountered during construction activities, the proponent must immediately cease all construction activities and shall contact the York Regional Police Department, the Regional Coroner and the Registrar of the Cemeteries at the of Consumer Services.

The Development Planning Department is of the opinion that the requested access easement maintains the intent of VOP 2010, and the consent criteria stipulated in Section 51(24) of the Planning Act. R.S.O. 1990, c. P.13, and the associated minor variance is considered minor in nature, maintains the general intent and purpose of the Official Plan and Zoning By-law, and is desirable for the appropriate development of the land.

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

That Site Development Application DA.18.011 be approved by Council.

**Development Engineering:**

The Development Engineering (DE) Department does not object to variance application A117/19 subject to the following condition(s):

The Owner shall provide proof of a mutual access agreement between the two land owners (10180 Pine Valley Dr. & the lands to the west) either in the form of a signed letter from the Owner's solicitor or a DRAFT Reciprocal Easement Agreement (REA) to be provided to the satisfaction of DE.

**Parks Development:**

Please forward to transportation/traffic dept. for review and comment of proposed driveway access.

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

No comment no concerns

**Financial Planning and Development Finance:**

No comment no concerns

**Fire Department:**

No Response.

**Schedule A – Plans & Sketches**

**Schedule B – Public Correspondence**

Agent’s Cover Letter

**Schedule C - Agency Comments**

Alectra (Formerly PowerStream) – No concerns or objections  
Region of York – No concerns or objections  
TRCA – comments with conditions

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

B009/18, A083/18, B017/17, A142/17

**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>	That Consent Application B013/19 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 Michael Di Febo  905-832-8585 x 8880 <a href="mailto:Michael.difebo@vaughan.ca">Michael.difebo@vaughan.ca</a>	That Site Development Application DA.18.011 be approved by Council.
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 provide proof of a mutual access agreement between the two land owners (10180 Pine Valley Dr. & the lands to the west) either in the form of a signed letter from the Owner's solicitor or a DRAFT Reciprocal Easement Agreement (REA) to beprovided to the satisfaction of DE.
4	TRCA Anthony Syhlonyk  416-661-6600 x 5272 <a href="mailto:asyhlonyk@trca.on.ca">asyhlonyk@trca.on.ca</a>	1. The applicant submits the Variance application review fee of \$1,400.00 payable to the Toronto and Region Conservation Authority for the review of Consent Application B017/17 & Minor Variance Application A142/17;



	Department/Agency	Condition
		<div>2. The applicant submits the Variance application review fee of \$1,400.00 payable to the Toronto and Region Conservation Authority for the review of Consent Application B009/18 &amp; Minor Variance Application A083/18;</div> <div>3. The applicant submits the Variance application review fee of \$580.00 payable to the Toronto and Region Conservation Authority for the review of Minor Variance Application A117/19 and Consent Application B013/19.</div>

**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

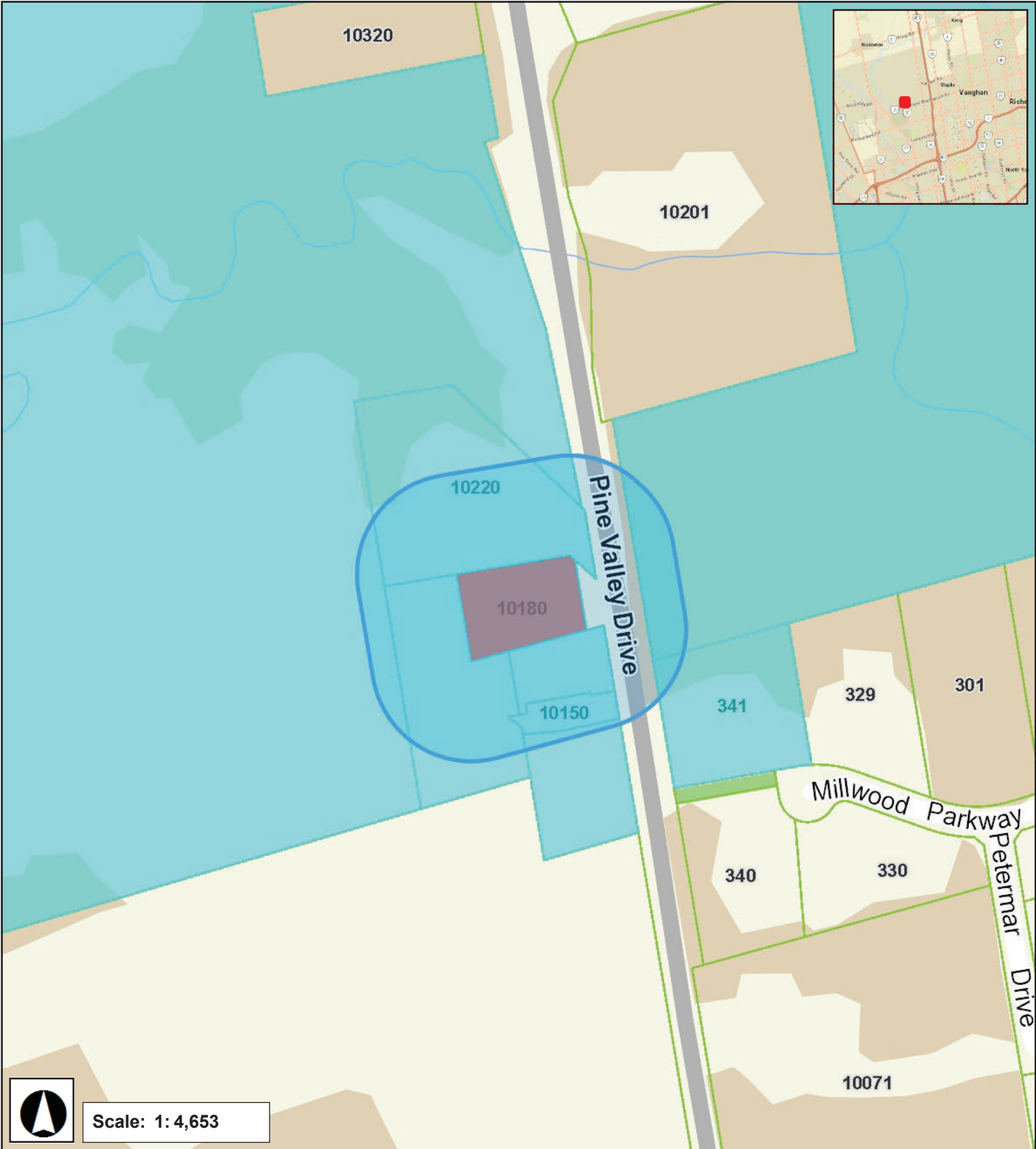
Please note that the correspondence listed in Schedule A is not comprehensive. Plans & sketches received after the preparation of this staff report will be provided as an addendum. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

Location Map  
Sketches



# LOCATION MAP - B013/19 & A117/19

10180 PINE VALLEY DRIVE, WOODBRIDGE  
**Major Mackenzie Drive**



**Rutherford Road**

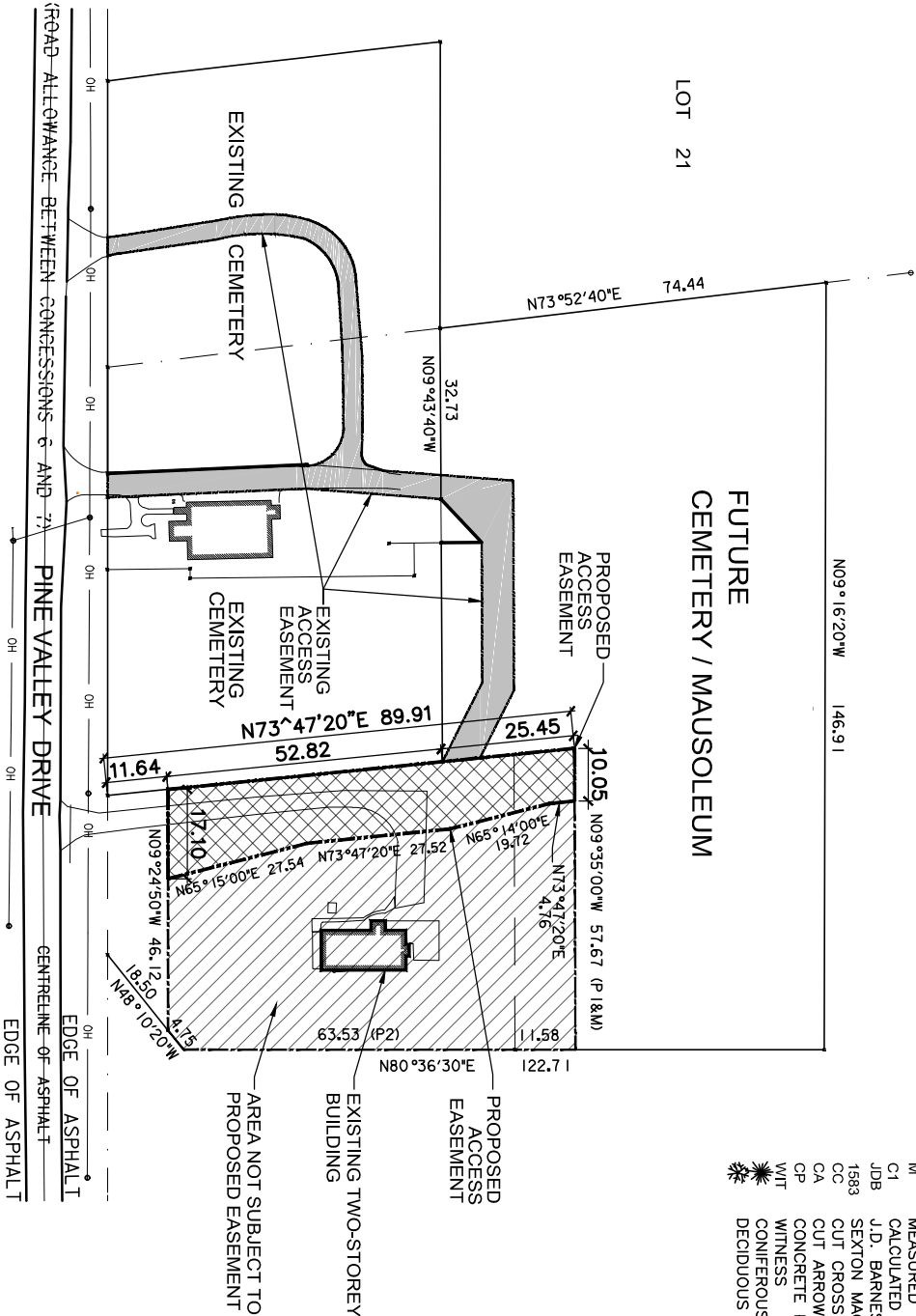
August 20, 2019 11:05 AM

Permit access driveway to serve the abutting lands to the west zoned OS2 Open Space

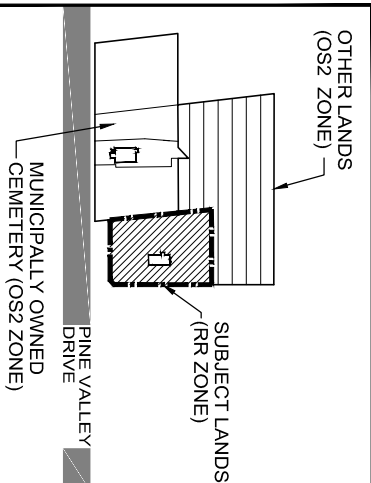
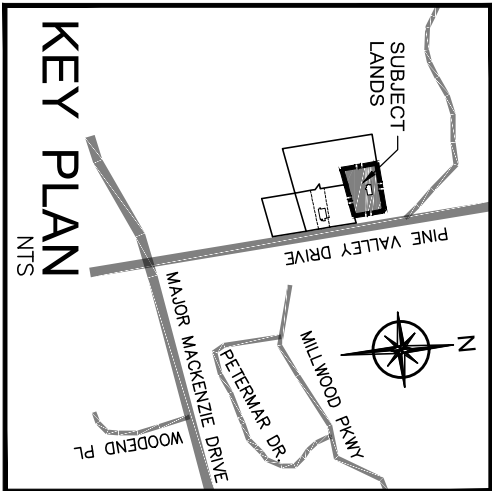
PROPOSED ACCESS EASEMENT LAYOUT

S C A L E: 1 : 1250

0 5 10 20 35 METERS



- LEGEND**
- P1 PLAN 64R-3469
  - P2 PLAN 64R-1447
  - P3 PLAN OF SURVEY BY HAROLD WHEELER ASSOCIATES, DATED AUGUST 26, 1964
  - M MEASURED
  - C1 CALCULATED FROM P1 AND P2
  - JDB J.D. BARNES LIMITED
  - 1583 SEXTON MACKAY, O.L.S.
  - CC CUT CROSS
  - CA CUT ARROW
  - CP CONCRETE PIN
  - WIT WITNESS
  - CONFEROUS TREE
  - DECIDUOUS TREE
- FOUND SURVEY MONUMENT
- LIGHT STANDARD
- UTILITY POLE
- WELL
- BOLLARD
- CULVERT
- OVERHEAD WIRES
- CENTRELINE OF DITCH
- GUY WIRE
- D- DIAMETER
- Ø INVERT
- INV INVERT
- DOOR SILL
- INTERLOCKING BRICK



NOTE:  
CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS AND COORDINATES ON THE JOB BEFORE PROCEEDING WITH THE WORK.  
ALL DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY OF THE CONSULTANT AND ARE TO BE RETURNED AT THE COMPLETION OF THE JOB.  
DO NOT SCALE DRAWINGS

NOTE:  
All designs, drawings and related documents are the sole copyright of the consultant and no part of this document may be reproduced or transmitted in any form or by any means electronic or mechanical, including photocopying, recording, or by any information storage and retrieval system, without the written consent of the above mentioned

PLAN OF SURVEY OF  
**PART OF LOTS 21 AND 22  
CONCESSION 7  
CITY OF VAUGHAN**

**REGIONAL MUNICIPALITY OF YORK**  
**CITY OF VAUGHAN**  
**PROFESSIONAL LAND SURVEYORS**  
N harfara 8ng  
11 KENNEDY DRIVE, UNIT 7, WOODBINE, ONTARIO, L4L 3S6 TEL: 905.886.2022 FAX: 905.886.7022  
info@yvp.com

**NOTES**  
THIS PLAN WAS PREPARED FOR THE SOLE USE OF BERNARD (CANADA) DEVELOPMENTS INC. BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE WESTERN PART OF THE ROAD ALLOWANCE BETWEEN CONCESSION 7 AND CONCESSION 8, CITY OF VAUGHAN, DATED AUGUST 26, 1964, AS A BASIS OF REFERENCE.  
ALL POINTS SHOWN HEREON WERE SET BY EDWARD & GUY LIMITED UNLESS SHOWN OTHERWISE.

**REVISIONS**

No.	DESCRIPTION	DATE
1	FOR CLIENT REVIEW	18.04.23



PROJECT COMPONENT:

PROJECT NAME:

**PROPOSED  
ACCESS EASEMENT**

**SKETCH SHOWING  
PROPOSED ACCESS  
EASEMENT**

SCALE: 1 : 1250  
PROJECT: 2018 - 03  
DRAWING NO.: SK-102





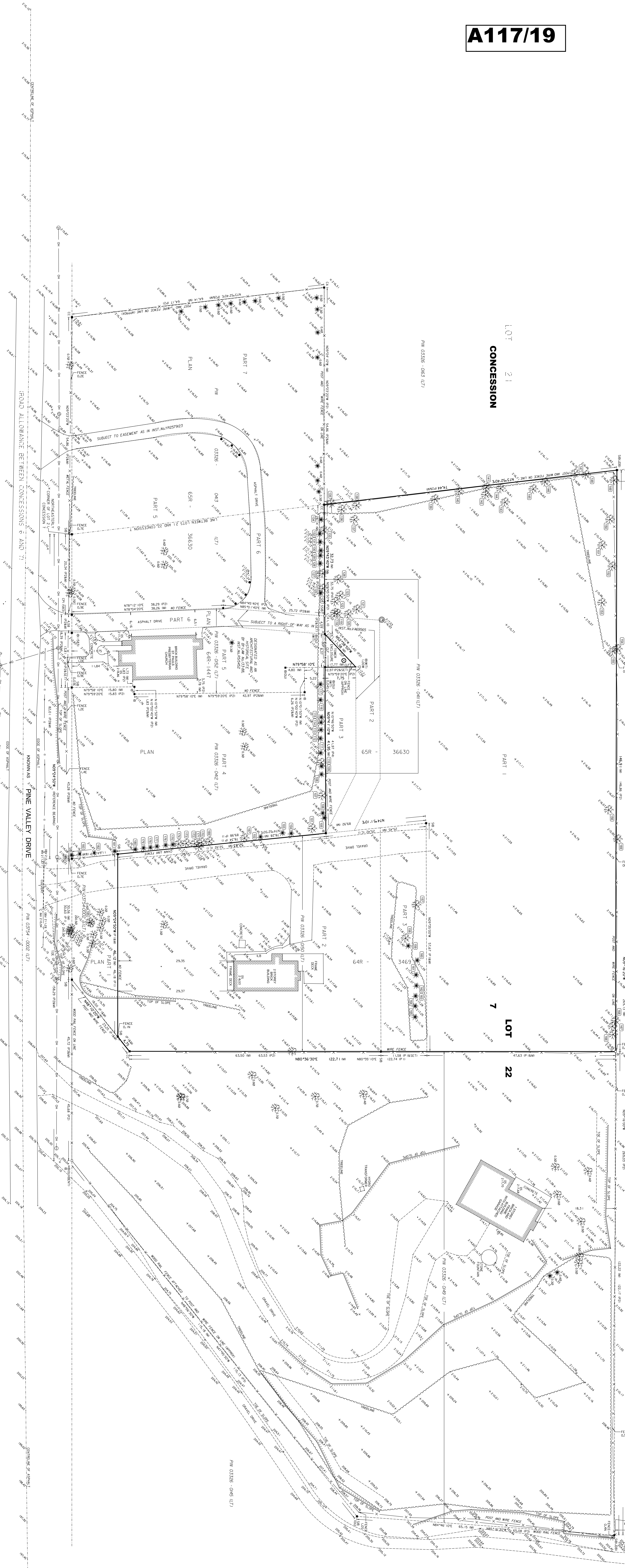




A117/19

LOT 21  
CONCESSION

LOT 22  
CONCESSION



PLAN OF SURVEY OF  
**PART OF LOT 22**  
**CONCESSION 7**  
**CITY OF VAUGHAN**  
REGIONAL MUNICIPALITY OF YORK

SCALE 1 : 300

0 10 20m

**NOTES**  
THIS PLAN WAS PREPARED FOR THE SOLE USE OF  
EVERGREEN (CANADA) DEVELOPMENTS INC.  
BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE  
WESTERN LIMIT OF THE ROAD ALLOWANCE BETWEEN  
CONCESSIONS 6 AND 7, AS SHOWN ON PLAN 64R-1447, HAVING  
A BEARING OF N89°26'00"W.  
ALL FOUND BARS SHOWN HEREON WERE SET BY EDWARDS &  
GUILD LIMITED UNLESS SHOWN OTHERWISE.

**LEGEND**

P1	PLAN 64R-1448
P2	PLAN 64R-1449
P3	PLAN 64R-1450
P4	PLAN 64R-1451
P5	PLAN 64R-1452
P6	PLAN 64R-1453
P7	PLAN 64R-1454
P8	PLAN 64R-1455
P9	PLAN 64R-1456
P10	PLAN 64R-1457
P11	PLAN 64R-1458
P12	PLAN 64R-1459
P13	PLAN 64R-1460
P14	PLAN 64R-1461
P15	PLAN 64R-1462
P16	PLAN 64R-1463
P17	PLAN 64R-1464
P18	PLAN 64R-1465
P19	PLAN 64R-1466
P20	PLAN 64R-1467
P21	PLAN 64R-1468
P22	PLAN 64R-1469
P23	PLAN 64R-1470
P24	PLAN 64R-1471
P25	PLAN 64R-1472
P26	PLAN 64R-1473
P27	PLAN 64R-1474
P28	PLAN 64R-1475
P29	PLAN 64R-1476
P30	PLAN 64R-1477
P31	PLAN 64R-1478
P32	PLAN 64R-1479
P33	PLAN 64R-1480
P34	PLAN 64R-1481
P35	PLAN 64R-1482
P36	PLAN 64R-1483
P37	PLAN 64R-1484
P38	PLAN 64R-1485
P39	PLAN 64R-1486
P40	PLAN 64R-1487
P41	PLAN 64R-1488
P42	PLAN 64R-1489
P43	PLAN 64R-1490
P44	PLAN 64R-1491
P45	PLAN 64R-1492
P46	PLAN 64R-1493
P47	PLAN 64R-1494
P48	PLAN 64R-1495
P49	PLAN 64R-1496
P50	PLAN 64R-1497
P51	PLAN 64R-1498
P52	PLAN 64R-1499
P53	PLAN 64R-1500
P54	PLAN 64R-1501
P55	PLAN 64R-1502
P56	PLAN 64R-1503
P57	PLAN 64R-1504
P58	PLAN 64R-1505
P59	PLAN 64R-1506
P60	PLAN 64R-1507
P61	PLAN 64R-1508
P62	PLAN 64R-1509
P63	PLAN 64R-1510
P64	PLAN 64R-1511
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P67	PLAN 64R-1514
P68	PLAN 64R-1515
P69	PLAN 64R-1516
P70	PLAN 64R-1517
P71	PLAN 64R-1518
P72	PLAN 64R-1519
P73	PLAN 64R-1520
P74	PLAN 64R-1521
P75	PLAN 64R-1522
P76	PLAN 64R-1523
P77	PLAN 64R-1524
P78	PLAN 64R-1525
P79	PLAN 64R-1526
P80	PLAN 64R-1527
P81	PLAN 64R-1528
P82	PLAN 64R-1529
P83	PLAN 64R-1530
P84	PLAN 64R-1531
P85	PLAN 64R-1532
P86	PLAN 64R-1533
P87	PLAN 64R-1534
P88	PLAN 64R-1535
P89	PLAN 64R-1536
P90	PLAN 64R-1537
P91	PLAN 64R-1538
P92	PLAN 64R-1539
P93	PLAN 64R-1540
P94	PLAN 64R-1541
P95	PLAN 64R-1542
P96	PLAN 64R-1543
P97	PLAN 64R-1544
P98	PLAN 64R-1545
P99	PLAN 64R-1546
P100	PLAN 64R-1547

**BENCH MARK**  
ELEVATIONS ARE GEODETIC AND REFERRED TO CITY OF VAUGHAN  
VERTICAL CONTROL MONUMENT NO. 47-3 HAVING AN ELEVATION OF  
211.459 METRES.

**SURVEYOR'S CERTIFICATE**

- I CERTIFY THAT:
- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
  - THE SURVEY WAS COMPLETED ON THE 17th DAY OF APRIL, 2014.

DATE: APRIL 21, 2014  
J. NARAYAN  
CHARTERED SURVEYOR

**REVISION J**  
CHANGES/REVISIONS WERE OBTAINED ON THE 25th DAY OF JULY 2017 AND ADDED TO THIS PLAN ON THE 25th DAY OF JULY 2017.

1882292

THE PLAN IS A PROFESSIONAL SURVEYOR'S PLAN AND IS NOT TO BE USED FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN CONSENT OF THE SURVEYOR.

© 2014 NANFARA & NG SURVEYORS INC.

NANFARA & NG SURVEYORS INC.  
PROFESSIONAL LAND SURVEYORS  
414 KENNEDY ROAD, UNIT 3, WOODBRIDGE, ONTARIO, L4L 3J5  
TEL: (905) 856-0921 FAX: (905) 856-7092 EMAIL: info@nanfara.com

DATE: 2017/07/25

BY: J. NARAYAN

2014/08/27

J.



**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.

**Agent’s Cover Letter**



**WESTON  
CONSULTING**

planning + urban design

**B013/19  
A117/19**

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

August 9, 2019  
File 6985

**Attn: Christine Vigneault  
Secretary-Treasurer, Committee of Adjustment**

Dear Ms. Vigneault,

**RE: 10180 Pine Valley Drive  
City of Vaughan  
Application for Minor Variance and Consent**

Weston Consulting is the planning consultant for Dina Giambattista, the registered owner of 10180 Pine Valley Drive and for Serenity Valley P. Lawn Management Inc, the registered owner of 10150 Pine Valley Drive. The proposed applications for Minor Variance and Consent are to facilitate an access easement in favor of Serenity Valley P. Lawn Management Inc over Dina Giambattista, to provide access over the existing driveway.

The lands at 10150 Pine Valley Drive are the subject of a current Site Plan Approval application to facilitate a mausoleum on the subject property which was approved by Council on September 27, 2018. Since this time, we have been working with City and Regional staff to clear final comments and conditions respecting the Site Plan application. The lands are currently land locked with no direct access to Pine Valley Drive.

Driveway access to the proposed mausoleum was previously granted twice through Committee of Adjustment applications for Minor Variance and Consent to provide an access easement over the lands municipally identified as 10180 Pine Valley Drive to 10150 Pine Valley Drive. The first applications were approved on May 11, 2017 (City File Nos. A142/17 and B017/17) and the second applications were approved on June 7, 2018 (City File Nos. A083/18 and B009/18). In both cases, the conditions of approval lapsed as the site plan application had outstanding matters to be resolved. Currently, the Site Plan application for the mausoleum has received City Council approval, Regional approval and City sign off from internal departments including Engineering and Planning. We trust that the application is significantly advanced at this time to provide the opportunity to clear any conditions which may arise from this consent and minor variance.

The consent application seeks to create a permanent 17.10 metre-wide easement to facilitate driveway access to the mausoleum; see attached sketch. Note that this easement will run over the existing driveway which will continue to serve the residence located at 10180 Pine Valley Drive.

The minor variance application is required to ensure that this driveway access, serving the permitted mausoleum use to the west, complies with the Rural Residential (RR) zoning provisions which apply to 10180 Pine Valley Drive. The Zoning By-law is silent on allowing an access driveway to serve an existing driveway. Furthermore, the Zoning By-law establishes a maximum driveway width of 6 metres, whereas the proposed access easement is 17.10 metres wide.

We are pleased to submit the enclosed minor variance application for the subject lands.

Enclosed please find the following:

1. Executed application form for minor variance (2 copies);
2. Executed application form for consent (2 copies);
3. Cheque in the amount of \$6433.00 (\$3,546 for Consent and \$2,877 for Minor Variance)
4. Parcel Register (2 copy);
5. Sketch showing proposed access easement over 10180 Pine Valley Drive, prepared by Torplan Architects (2 copies);
6. Reference Plan showing the exist of the easement (2 copies);
7. Property Survey (2 copies);
8. Approved Site Plan for the mausoleum prepared by Torplan Architects (2 copies); and
9. One (1) digital submission.

It is respectfully submitted that this consent has had full regard to the matters set out in Section 51(24) of the *Planning Act*. The minor variance application respectfully fulfills the four tests as set out in Section 45(1) of the *Planning Act*. In addition to meeting the four tests discussed above, it is our opinion that the proposed variances are consistent with the 2014 Provincial Policy Statement, the 2019 Growth Plan for the Greater Golden Horseshoe, the 2017 Greenbelt Plan, and the Region of York Official Plan. The granting of these applications will ensure the proper and orderly development of the subject property and represents good planning.

Should you have any questions, or require any additional information, please contact the undersigned at ext. 243 or Mark Emery at ext. 240.

Yours truly,

**Weston Consulting**

Per:



Sabrina Sgotto, HBA, MCIP, RPP  
Associate

c. Serenity Valley P. Lawn Management Inc.  
Dina Giambattista

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
- Region of York – No concerns or objections
- TRCA – comments with conditions



**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)

August 19, 2019

CFN: 60778.02

XREF CFN: 56978.04, 59079.14, 59065.10, 59037.03

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

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

Dear Christine:

**Re: Committee of Adjustment – Consent Application B013/19  
Minor Variance Application A117/19  
10180 Pine Valley Drive  
Parts 2 & 3, Concession 7  
City of Vaughan  
Dina Giambattista (Agent: Weston Consulting c/o Sabrina Sgotto)**

This letter will acknowledge receipt of the above noted applications, received by Toronto and Region Conservation Authority (TRCA). TRCA staff have reviewed the above noted applications and provide the following comments.

### **Purpose of the Applications**

#### **B013/19**

It is our understanding that the purpose of this application is to request the consent of the Committee of Adjustment to create a permanent access easement in favour of the lands to the west of the subject property (10150 Pine Valley Drive). The effect of the application will be to construct a driveway to serve the subject property as well as 10150 Pine Valley Drive. Existing land uses are proposed to be maintained.

#### **A117/19**

The purpose of the Minor Variance Application is to request the following:

1. To permit an access driveway to serve the abutting lands to west zoned OS2 (Open Space Park), where access and driveways are to be maintained on the lot to which they serve.

It is the understanding of TRCA that the noted variance is required to permit the construction of a shared access driveway to service the existing residence on the subject property as well as 10150 Pine Valley Drive. It is our understanding that the ultimate purpose of the applications is to facilitate access to a proposed mausoleum development at 10150 Pine Valley Drive.

TRCA provided comments regarding a Site Development Application (DA.18.011) for 10150 Pine Valley Drive on May 7, 2018, and associated Minor Variance application A50/18 the review fee of which remains outstanding. TRCA has previously reviewed related applications B017/17, A142/17, which was also submitted for the subject property and which also have outstanding TRCA fees. TRCA advised that it had no objection to these applications provided all outstanding fees have been paid; however, a Permit under Ontario Regulation 166/06 would be required for the construction of the access.

### **Applicable Policies and Regulations**

#### **Ontario Regulation 166/06**

The subject property is located within TRCA's Regulated Area of the Humber River Watershed, and is within the 120 metre interference area of two Provincially Significant Wetlands (PSW) existing to the east and to the south. In accordance with Ontario Regulation 166/06, a permit is required from

the TRCA prior to any development, if in the opinion of the authority, the control of flooding, erosion, dynamic beaches or pollution or the conservation of land may be affected by the development.

### **Living City Policies**

The Living City Policies for Planning and Development in the Watersheds of the Toronto and Region Conservation Authority (LCP) describes a "Natural System" made up of natural features and areas, water resources, natural hazards, potential natural cover and/or buffers. The LCP recommends that development not be permitted within the Natural System and that it be conveyed into public ownership for its long term protection and enhancement. The LCP also provides policies for developing adjacent to, and in, the Natural System (where permitted), while minimizing impacts to, maintaining, and enhancing the functions of the protected Natural System. These policies also seek to integrate the natural and built environments, maximizing opportunities for ecosystem services from across the entire landscape. It is these policies that guide TRCA's review of the subject applications, along with those found in other Provincial and municipal plans, documents and guidelines.

### **The Greenbelt Plan (2017)**

The subject property is located within an area designated as Protected Countryside and Greenbelt Natural Heritage System under the Greenbelt Plan. The subject property is located in proximity to a valley corridor associated with a tributary of the East Humber River. The subject property is also within the 120 metre Area of Interference associated with two PSWs. These features are identified as Key Natural Heritage Feature(s)/ Key Hydrologic Feature(s) in the Greenbelt Plan. The Greenbelt Plan identifies that a 30 metre Minimum Vegetation Protection Zone be applied as a buffer around these features. The Greenbelt Plan requires that a Natural Heritage Evaluation be submitted where development is contemplated within 120 metres of a Key Natural Heritage Feature or a Key Hydrologic Feature.

The Greenbelt Plan includes policies relating to lot creation within the Plan Area. As per Section 4.6 (c) & (d) lot creation is permitted for acquiring lands for infrastructure purposes and facilitating conveyances to public bodies or non-profit entities for natural heritage conservation.

It is the opinion of TRCA staff that the current proposal conforms to the Greenbelt Plan and will not result in negative impacts to the Plan Area.

The TRCA has an interest in conserving, protecting and enhancing the natural features of the Greenbelt and provides technical advice on applications that are located on the Greenbelt. However, given that municipalities are the designated approval authority under the *Greenbelt Act*, 2005 the City of Vaughan has the responsibility to ensure this proposal conforms to the provisions of the Greenbelt Plan (2017).

### **Application Specific Comments**

Based upon a review of the materials submitted with the applications it appears that the access easement and resultant shared access driveway do not contain any natural features or hazards. Therefore, it is the opinion of TRCA staff that the proposed consent and minor variance will not result in fragmentation of any natural features/and or hazards in the vicinity of the subject property. As such, our policy interests do not appear to be affected and TRCA staff have no objection to the applications as currently submitted.

As noted above, the subject property is regulated under Ontario Regulation 166/06 as a valley corridor associated with the tributary of the East Humber River traverses the northeast portion of the subject property, and the property is within the area of interference associated with two PSWs. As such, a TRCA permit pursuant to Ontario Regulation 166/06 would be required prior to the commencement of site alteration within TRCA's Regulated Area on the subject property. The applicant is advised to coordinate their permit application with the overall development proposal that is underway for the adjacent property (10150 Pine Valley Drive).

### **Recommendation**

In light of the above, TRCA staff has **no objections** to the approval of Consent Application B013/19 and Minor Variance Application A117/19, subject to the following conditions:

1. The applicant submits the Variance application review fee of \$1,400.00 payable to the Toronto and Region Conservation Authority for the review of Consent Application B017/17 & Minor Variance Application A142/17;
2. The applicant submits the Variance application review fee of \$1,400.00 payable to the Toronto and Region Conservation Authority for the review of Consent Application B009/18 & Minor Variance Application A083/18;



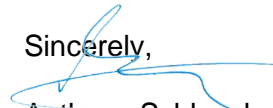
3. The applicant submits the Variance application review fee of \$580.00 payable to the Toronto and Region Conservation Authority for the review of Minor Variance Application A117/19 and Consent Application B013/19.

**Conclusion**

We thank you for the opportunity to review the subject application and provide our comments as per our commenting and regulatory role. Further, we trust this comment is of assistance.

Should you have any additional questions or comments, please do not hesitate to contact the undersigned.

Sincerely,



Anthony Syhlonyk  
Planner I  
Planning and Development  
Extension 5272

AS/cb

cc: Weston Consulting: [ssgotto@westonconsulting.com](mailto:ssgotto@westonconsulting.com)

## Attwala, Pravina

---

**Subject:** FW: A117/19 - REQUEST FOR COMMENTS (Vaughan - Committee of Adjustment)

---

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

**Sent:** August-21-19 9:44 AM

**To:** Providence, Lenore <Lenore.Providence@vaughan.ca>; Attwala, Pravina <Pravina.Attwala@vaughan.ca>; MacPherson, Adriana <Adriana.MacPherson@vaughan.ca>

**Subject:** FW: A117/19 - REQUEST FOR COMMENTS (Vaughan - Committee of Adjustment)

Good morning Lenore,

The Regional Municipality of York has completed its review of the above minor variance and has no comment.

Regards,

Gabrielle

Schedule D: Previous Approvals (Notice of Decision)

B009/18  
A083/18  
B017/17  
A142/17

**NOTICE OF DECISION**  
**Consent Application B009/18**  
 Section 53 of the Planning Act, R.S.O. 1990, c.P.13

**Date of Hearing:** Thursday , June 07, 2018  
**Applicant:** Dina Giambattista  
**Agent:** Weston Consulting  
**Property:** **10180 Pine Valley Dr Woodbridge**  
**Zoning:** The subject lands are zoned RR Rural Residential and subject to the provisions of Exception 9(107) under By-law 1-88 as amended.  
**OP Designation:** VOP 2010: "Natural Area" and "Agricultural" within the Greenbelt Plan Area  
**Related Files:** Minor Variance Application A083/18  
**Purpose:** Consent is being requested to permit an access easement, approximately 17.10 metres along the westerly property boundary of 10180 Pine Valley Drive (servient land) shown as Parcel A on the sketch submitted, to facilitate driveway access to the proposed mausoleum located at 10150 Pine Valley Drive (dominant land).  
 The subject lands are currently occupied by a two storey rural residential dwelling which is proposed to be maintained.  
**Sketch:** A sketch illustrating the request has been attached to the decision.

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

THAT Application No. B009/18 on behalf of Dina Giambattista be **APPROVED**, in accordance with the sketches attached and subject to the following conditions:

	Department/Agency	Condition
1	Committee of Adjustment Christine Vigneault  905-832-8585 x 8332 <a href="mailto:christine.vigneault@vaughan.ca">christine.vigneault@vaughan.ca</a>	1. That the applicant's solicitor provides the secretary-treasurer with a copy of the prepared draft transfer document to confirm the legal description and PIN of the subject lands. Subject land applies <b>only</b> to the severed parcel, leased land, easement etc. as conditionally approved by the Committee of Adjustment.  2. That the applicant provides two (2) full size copies of the deposited plan of reference of the entire land which conforms substantially with the application as submitted.  3. That Minor Variance Application(s) A083/18 is approved at the same time as the Consent application and becomes final and binding.  4. Payment of the Certificate Fee as provided on the City of Vaughan's Committee of Adjustment Fee Schedule.

2	Development Engineering Brad Steeves  905-832-8585 x 8977 <a href="mailto:brad.steeves@vaughan.ca">brad.steeves@vaughan.ca</a>	1) The Owner/applicant shall arrange to prepare and register the associated reference plan at their expense for the conveyance of the subject lands and showing all existing and proposed easements to the satisfaction of DE. The Owner/applicant shall submit a draft reference plan to the Development Engineering Department for review prior to deposit. If the draft reference plan has not changed from the plan reviewed as part of the original consent application (B017/17), the Owner/applicant shall this confirm in writing (letter or email).  2) The Owner/applicant shall obtain approval for the related Site Development Application (DA.18.011) from the Development Engineering (DE) Department.
3	Development Finance Nelson Pereira  905-832-8585 x 8393 <a href="mailto:nelson.pereira@vaughan.ca">nelson.pereira@vaughan.ca</a>	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).
4.	Development Planning Christopher Cosentino  905-832-8585 x 8215 <a href="mailto:christopher.cosentino@vaughan.ca">christopher.cosentino@vaughan.ca</a>	That Site Development Application DA.18.011 be approved by Council or staff (if delegated authority provided).

**WARNING:**

**Conditions must be fulfilled within one year from the date of the giving of the Notice of Decision, failing which this application shall be deemed to be refused. *Section 53(41), The Planning Act R.S.O., 1990***


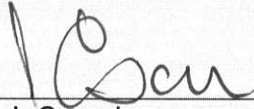

**For the following reasons:**

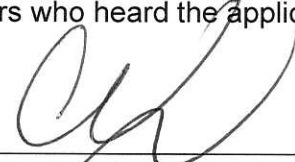
1. The proposal conforms to Section 51(24) as required by Section 53(12) of the Planning Act.
2. The proposal conforms to the City of Vaughan Official Plan.
3. The proposal conforms to the Provincial Policy Statements as required by Section 3(1) of the Planning Act.

**Written & oral submissions were received from the following:**

Public Written Submissions	Public Oral Submissions
* Public Correspondence received and considered by the Committee in making this decision	*Please refer to the approved Minutes of Thursday , June 07, 2018 meeting for submission details.
None	Name: Address:

SIGNED BY ALL MEMBERS PRESENT WHO CONCUR IN THIS DECISION:

 H. Zheng Member	 J. Cesario Chair	Absent
ABSENT		R. Buckler Vice Chair
M. Mauti Member		 A. Perrella Member

DATE OF HEARING:	Thursday , June 07, 2018
DATE OF NOTICE:	June 15, 2018
LAST DAY FOR *APPEAL: *Please note that appeals must be received by this office no later than 4:30 p.m. on the last day of appeal.	July 05, 2018 4:30 p.m.
LAST DAY FOR FULFILLING CONDITIONS:	June 15 2019 4:30 p.m.
CERTIFICATION: I hereby certify that this is a true copy of the decision of the City of Vaughan Hill Committee of Adjustment and this decision was concurred in by a majority of the members who heard the application.  Christine Vigneault, ACST Manager Development Services & Secretary-Treasurer Committee of Adjustment	

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

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

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

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

**Appeal Fees & Forms**

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

**City of Vaughan LPAT Processing Fee:** \$793.00 per application

\*Please note that all fees are subject to change.

## **Important Information**

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

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

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

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

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

## **Development Charges**

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

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

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

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

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

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



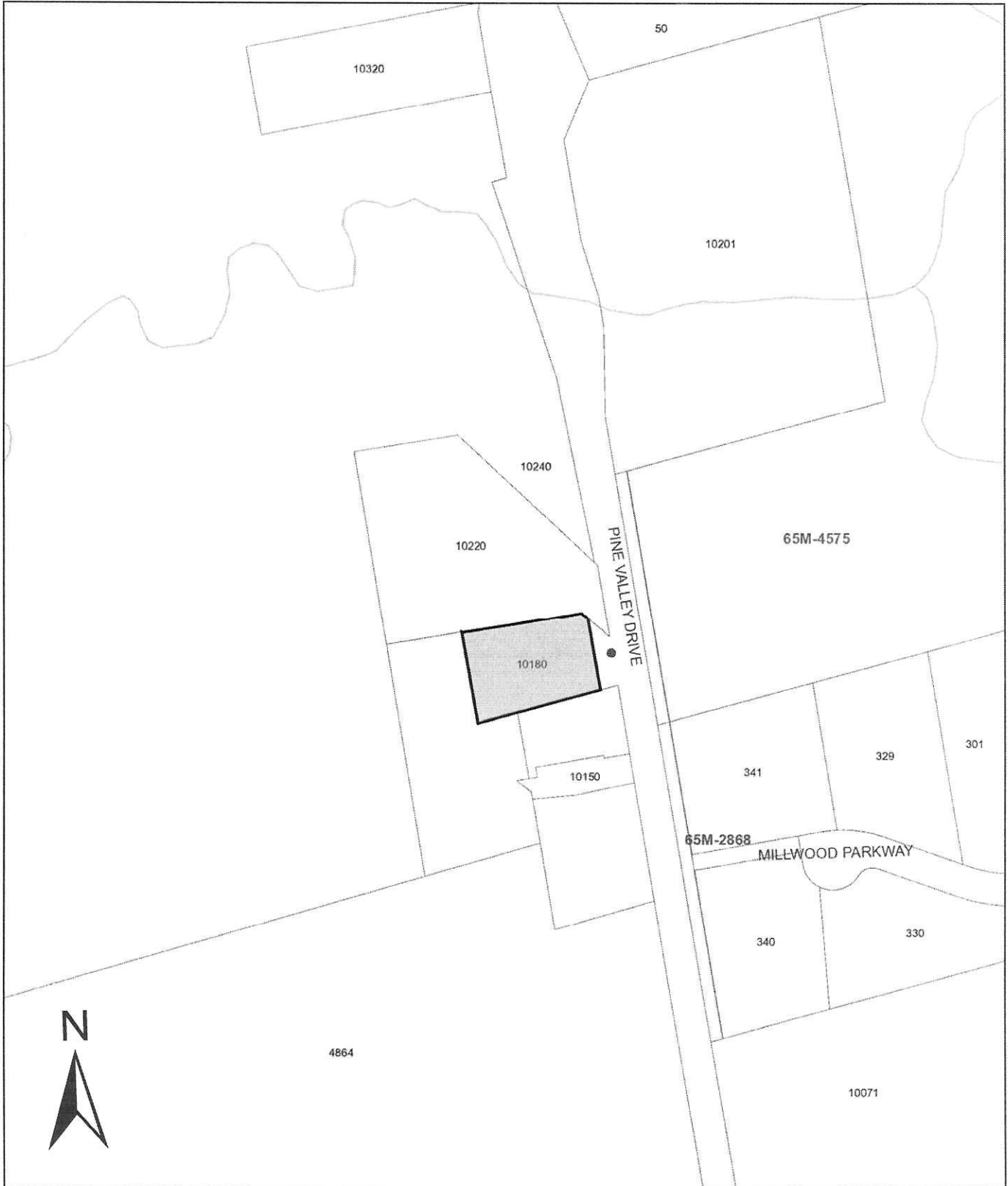


VAUGHAN

# Location Map - B009/18 & A083/18

10180 Pine Valley Drive, Woodbridge

Teston Road



0 0.05 0.1 0.2 km

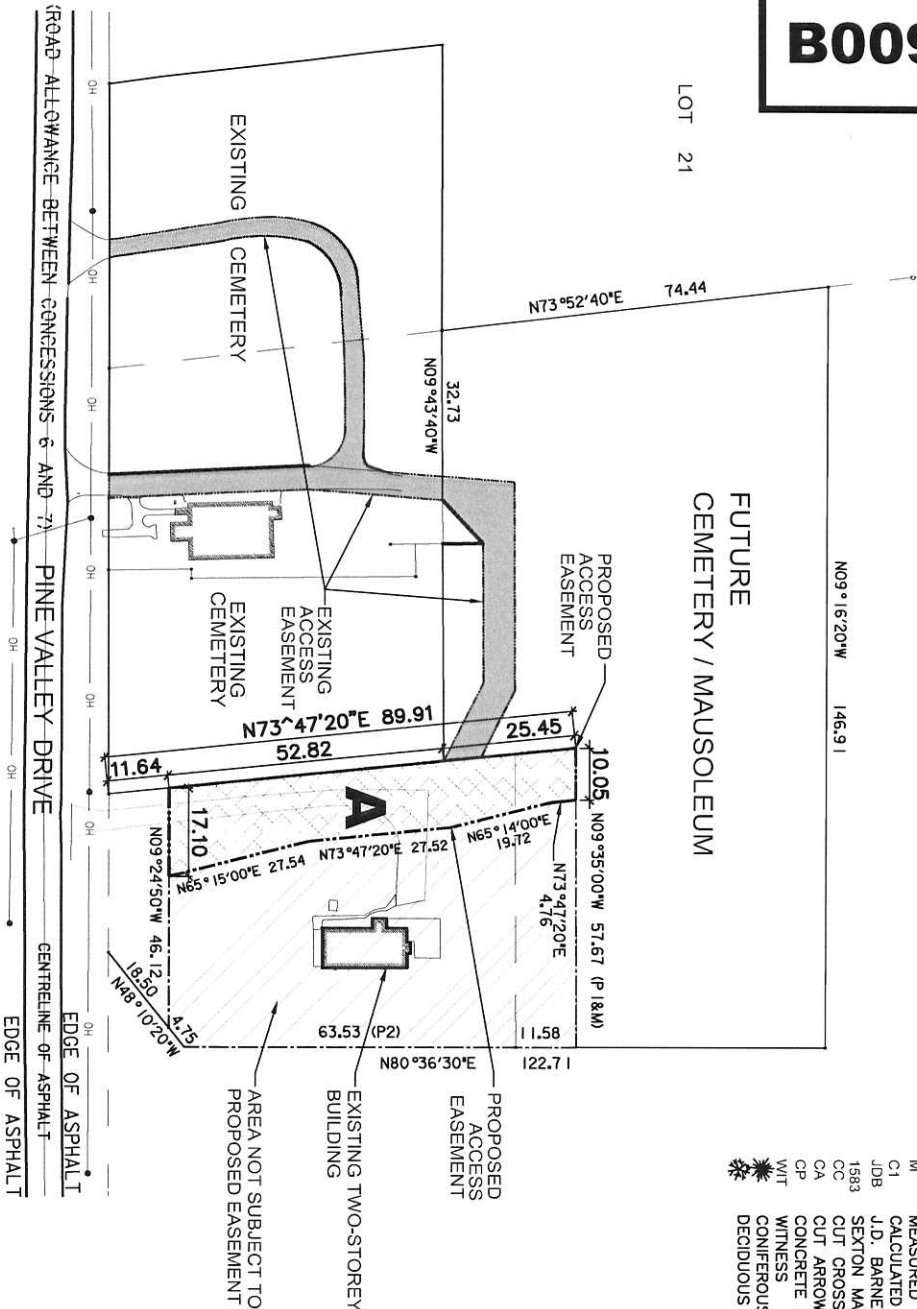
## Major Mackenzie Drive

City of Vaughan

The City of Vaughan makes every effort to ensure that this map is free of errors but does not warrant that the map or its features are spatially, tabularly, or temporally accurate or fit for a particular use. This map is provided by the City of Vaughan without warranties of any kind, either expressed or implied.

B009/18

LOT 21

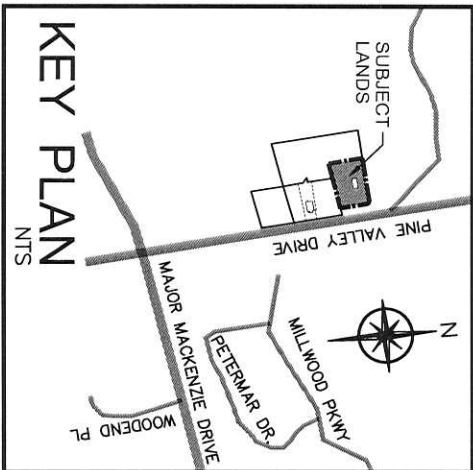


PROPOSED ACCESS EASEMENT LAYOUT

SCALE: 1 : 1250

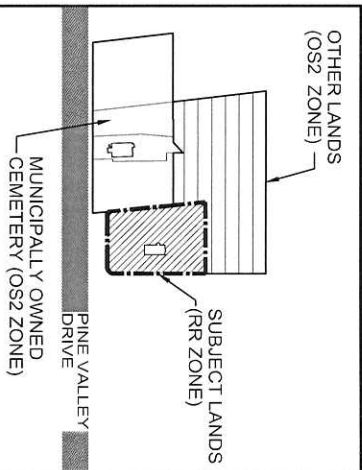


- LEGEND**
- P1 PLAN 64R-3469
  - P2 PLAN 64R-1447
  - P3 PLAN OF SURVEY BY HAROLD WHEELER ASSOCIATES, DATED AUGUST 26, 1964
  - M MEASURED
  - C1 CALCULATED FROM P1 AND P2
  - JDB J.D. BARNES LIMITED
  - 1583 SEXTON MACKAY, O.L.S.
  - CC CUT CROSS
  - CA CUT ARROW
  - CP CONCRETE PIN
  - WIT WITNESS
  - CONF CONFEROUS TREE
  - DECID DECIDUOUS TREE
- FOUND SURVEY MONUMENT**
- FOUND SURVEY MONUMENT
  - LIGHT STANDARD
  - UTILITY POLE
  - WELL
  - BOLLARD
  - CULVERT
  - OVERHEAD WIRES
  - CENTRELINE OF DITCH
  - GUY WIRE
  - DIAMETER
  - INVERT
  - OBV OVERT
  - DOOR SILL
  - INTERLOCKING BRICK



KEY PLAN

NTS



KEY MAP 7E

TO BYLAW 1-88

NTS

**NOTE:**  
CONTRIBUTOR MUST CHECK AND VERIFY ALL INFORMATION AND DATA PROVIDED TO THE CONSULTANT AND REPORT THEREON TO THE CONSULTANT. ALL DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY OF THE CONSULTANT AND MUST BE KEPT IN CONFIDENTIALITY. NO PART OF THIS DRAWING IS TO BE REPRODUCED OR COPIED IN ANY MANNER WITHOUT THE WRITTEN CONSENT OF THE CONSULTANT.

**NOTE:**  
If any drawings, drawings and related documents are the sole copyright of the consultant and are not to be reproduced or used in any manner without the written consent of the consultant.

**PLAN OF SURVEY OF**  
**PART OF LOTS 21 AND 22**  
**CONCESSION 7**  
**CITY OF VAUGHAN**  
**REGIONAL MUNICIPALITY OF YORK**  
**N. Nairn & Sons Ltd.**  
**PROFESSIONAL LAND SURVEYORS**  
11 KENNEDY AVENUE, UNIT 100, SCARBOROUGH, ONTARIO M1T 3A5  
TEL: (416) 291-1111 FAX: (416) 291-1112  
www.nairnandsons.com

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**REVISIONS**

No.	Description	Date
1	FOR CLIENT REVIEW	18.04.23

**PROJECT COORDINATOR**

**PROJECT NAME:**  
PROPOSED ACCESS EASEMENT

**DATE:**  
18.04.23

**SCALE:**  
1 : 1250

**PROJECT:**  
2018 - 03

**SKETCH SHOWING PROPOSED ACCESS EASEMENT**

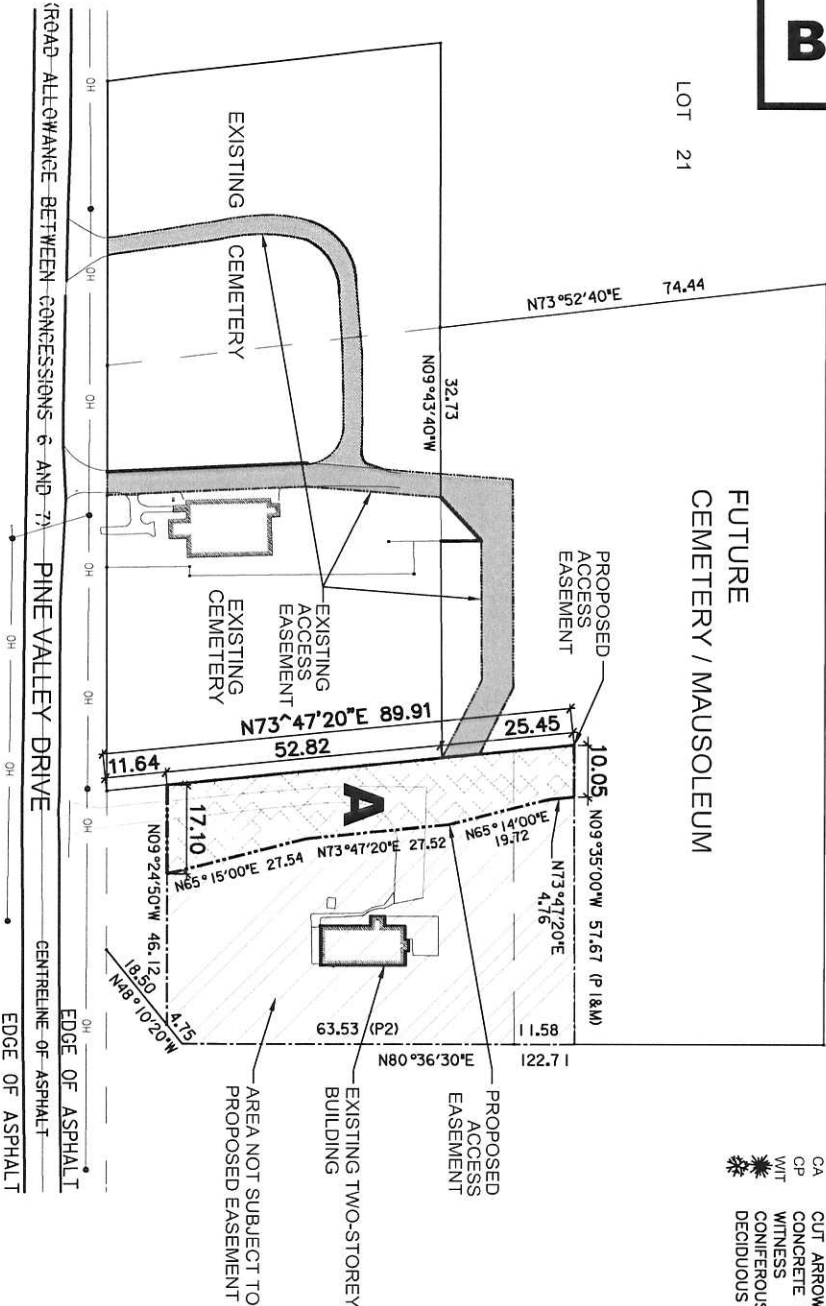
**SKETCH SHOWING PROPOSED ACCESS EASEMENT**

**SKETCH SHOWING PROPOSED ACCESS EASEMENT**

B009/18

LOT 21

FUTURE  
CEMETERY / MAUSOLEUM

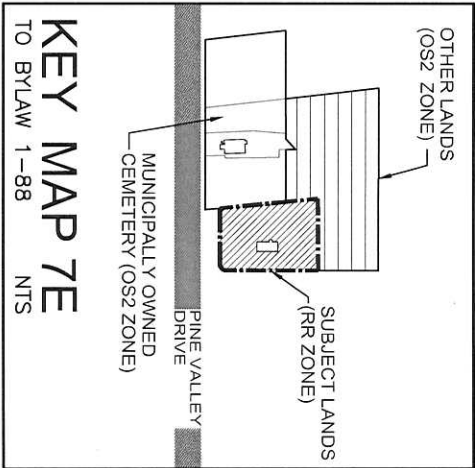
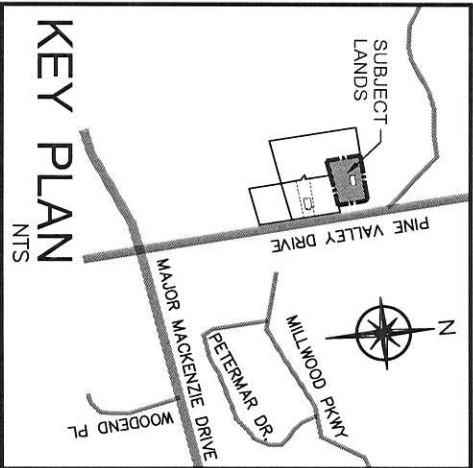


PROPOSED ACCESS EASEMENT LAYOUT

SCALE: 1 : 1250



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  - BOLLARD
  - CULVERT
  - OVERHEAD WIRES
  - CENTRELINE OF DITCH
  - CUY WIRE
  - DIAMETER
  - INVERT
  - OBV
  - DOOR SILL
  - INTERLOCKING BRICK



**NOTE:**  
CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS AND LOCATIONS OF MONUMENTS AND SURVEY MARKS PRIOR TO CONSTRUCTION. ALL DIMENSIONS AND LOCATIONS ARE THE PROPERTY OF THE CONSULTANT AND WILL BE SUBJECT TO CHANGE WITHOUT NOTICE. DO NOT SCALE DRAWINGS.

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**PART OF LOTS 21 AND 22  
CONCESSION 7  
CITY OF VAUGHAN**  
N. HARTIG and J. HARTIG INC.  
PROFESSIONAL LAND SURVEYORS  
REGIONAL MUNICIPALITY OF YORK  
11 SHERRIDGE CIRCLE, UNIT 1000, SCARBOROUGH, ONTARIO  
M1S 1S5  
TEL: (416) 595-2923 FAX: (416) 595-1982  
www.hartiginc.com

**NOTES**  
THIS PLAN WAS PREPARED FOR THE SOLE USE OF THE CLIENT AND IS NOT TO BE USED FOR ANY OTHER PURPOSE. THE CONSULTANT ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT. THE CONSULTANT HAS CONDUCTED A VISUAL CHECK OF THE SITE AND HAS FOUND NO DISCREPANCIES. ALL DIMENSIONS AND LOCATIONS ARE THE PROPERTY OF THE CONSULTANT AND WILL BE SUBJECT TO CHANGE WITHOUT NOTICE. DO NOT SCALE DRAWINGS.

**AGENCY NAME**  
STEWARTSON AND SONS INC. AND INCORPORATED TO CITY OF VAUGHAN  
2115 HARTIG DRIVE, UNIT 1000, SCARBOROUGH, ONTARIO M1S 1S5  
TEL: (416) 595-2923 FAX: (416) 595-1982  
www.stewartson.ca

**REVISIONS**

No.	DESCRIPTION	DATE
1	FOR CLIENT REVIEW	18.04.23



**PROJECT COORDINATOR**

**PROJECT NAME:**  
PROPOSED  
ACCESS EASEMENT

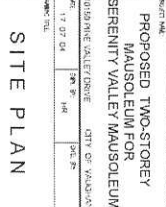
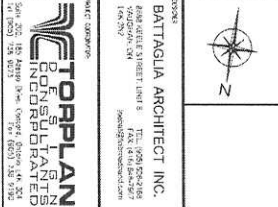
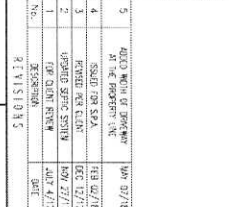
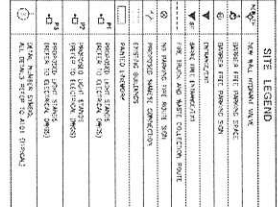
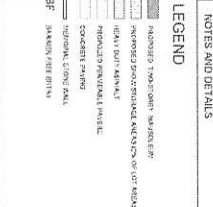
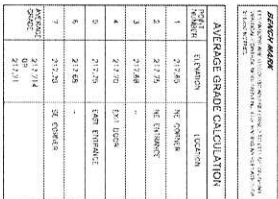
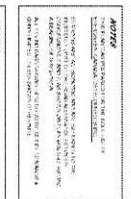
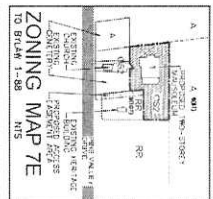
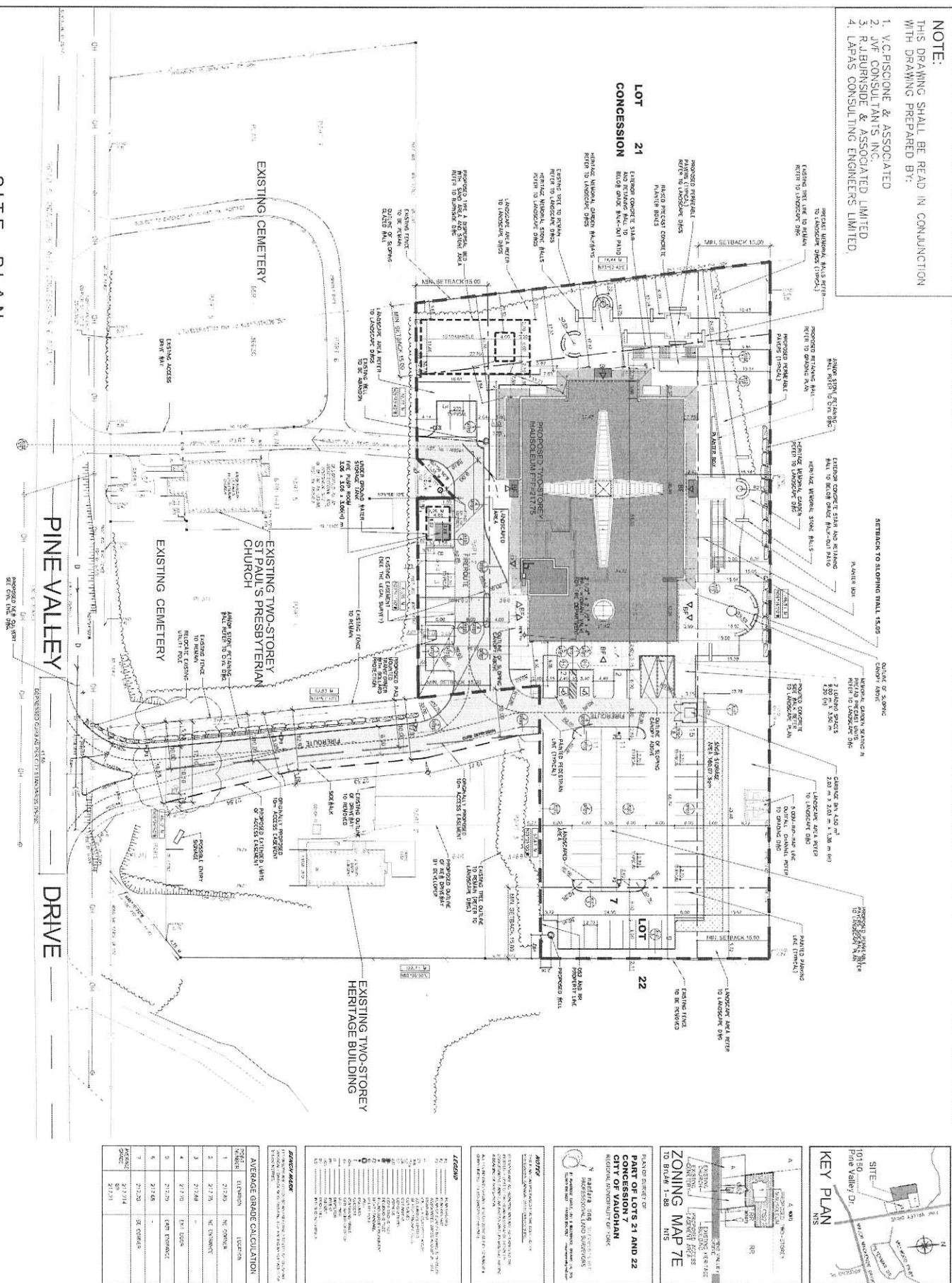
**DATE:** 18.04.23 **TIME:** 09:00 **HR:** 09:00

**DRAWING TITLE:**  
SKETCH SHOWING  
PROPOSED ACCESS  
EASEMENT

**SCALE:** 1 : 1250 **DRAWING NO.:** SK-102  
**PROJECT:** 2018 - 03

NOTE:  
THIS DRAWING SHALL BE READ IN CONJUNCTION  
WITH DRAWING PREPARED BY:

1. V.C.PISCIONE & ASSOCIATED
2. JVF CONSULTANTS INC.
3. R.J.BURNSIDE & ASSOCIATED LIMITED
4. LAPAS CONSULTING ENGINEERS LIMITED



**NOTICE OF DECISION**  
**Minor Variance Application A083/18**  
 Section 45 of the Planning Act, R.S.O. 1990, c.P.13

**Date of Hearing:** Thursday, June 07, 2018  
**Applicant:** Dina Giambattista  
**Agent** Weston Consulting  
**Property:** **10180 Pine Valley Dr Woodbridge**  
**Zoning:** The subject lands are zoned RR Rural Residential and subject to the provisions of Exception 9(107) under By-law 1-88 as amended.  
**OP Designation:** VOP 2010: "Natural Area" and "Agricultural" within the Greenbelt Plan Area  
**Related Files:** Consent Application B009/18  
**Purpose:** Relief from the by-law is being requested to permit an access driveway serving the abutting lands to the west municipally known as 10150 Pine Valley Drive to facilitate Consent Application B009/18.

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

By-law Requirement	Proposal
Access and driveways shall be maintained on the lot to which it serves.	To permit an access driveway to serve the abutting lands to the west zoned OS2 Open Space Park.

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

**Having regard to the requirements of Section 45 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, including the written and oral submissions related to the application, it is the decision of the Committee:**

THAT Application No. A083/18 on behalf of Dina Giambattista be **APPROVED**, in accordance with the sketch submitted with the application (as required by Ontario Regulation 200/96) and subject to the following conditions:

	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>	That Consent Application B009/18 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 Engineering Brad Steeves 905-832-8585 x 8977 <a href="mailto:brad.steeves@vaughan.ca">brad.steeves@vaughan.ca</a>	The Owner/applicant shall obtain approval for the related Site Development Application (DA.18.011) from the Development Engineering (DE) Department.
3.	Development Planning Christopher Cosentino 905-832-8585 x 8215 <a href="mailto:christopher.cosentino@vaughan.ca">christopher.cosentino@vaughan.ca</a>	That Site Development Application DA.18.011 be approved by Council or staff (if delegated authority provided).

**For the following reasons:**

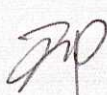
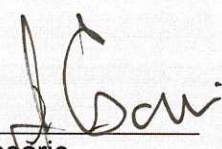

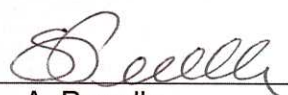
- 1. The general intent and purpose of the by-law will be maintained.
- 2. The general intent and purpose of the official plan will be maintained.
- 3. The requested variance(s) is/are acceptable for the appropriate development of the subject lands.
- 4. The requested variance(s) is/are minor in nature.

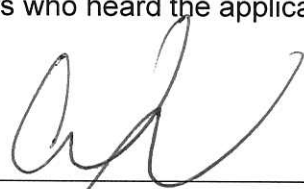
**Written & oral submissions considered in the making of this decision were received from the following:**

Public Written Submissions	Public Oral Submissions
* Public Correspondence received and considered by the Committee in making this decision	*Please refer to the approved Minutes of the Thursday , June 07, 2018 meeting for submission details.
None	Name: Address:



**SIGNED BY ALL MEMBERS PRESENT WHO CONCUR IN THIS DECISION:**

		
H. Zheng Member	J. Cesario Chair	R. Buckler Vice Chair
<b>ABSENT</b>		
M. Mauti Member		
		A. Perrella Member

<b>DATE OF HEARING:</b>	<b>Thursday , June 07, 2018</b>
<b>DATE OF NOTICE:</b>	<b>June 15, 2018</b>
<b>LAST DAY FOR *APPEAL:</b> *Please note that appeals must be received by this office no later than 4:30 p.m. on the last day of appeal.	<b>June 27, 2018 4:30 p.m.</b>
<b>CERTIFICATION:</b> I hereby certify that this is a true copy of the decision of the City of Vaughan's Committee of Adjustment and this decision was concurred in by a majority of the members who heard the application.   <hr/> Christine Vigneault, ACST Manager Development Services & Secretary Treasurer to the Committee of Adjustment	

**Appealing to The Local Planning Appeal Tribunal**  
 The *Planning Act*, R.S.O. 1990, as amended, Section 45

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

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

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

**Appeal Fees & Forms**

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

**City of Vaughan LPAT Processing Fee:** \$793.00 per application

\*Please note that all fees are subject to change.

**Conditions**

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

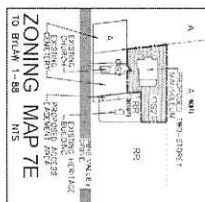
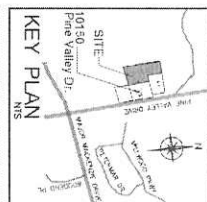
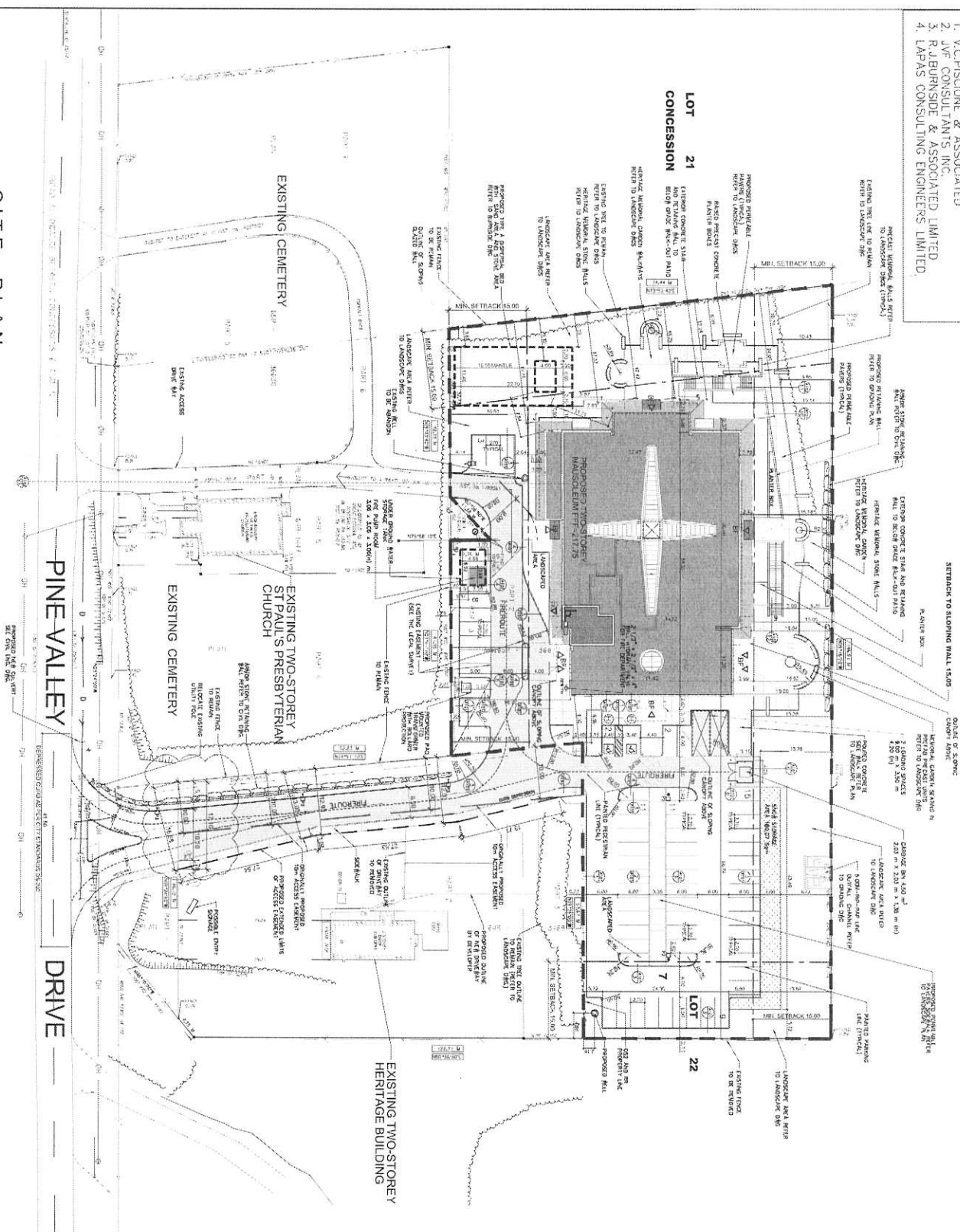
**Revised May 8, 2018**

To permit an access driveway to serve the abutting lands to the west zoned OS2  
Open Space Park

**A083/18**

**NOTE:**  
THIS DRAWING SHALL BE READ IN CONJUNCTION  
WITH DRAWING PREPARED BY:

1. V.C. PISCIONE & ASSOCIATED
2. JAY CONSULTANTS INC.
3. R.J. BURNS & ASSOCIATED LIMITED
4. LAPAS CONSULTING ENGINEERS LIMITED.



AVERAGE GRADE CALCULATION		
GRADE	NUMBER OF STUDENTS	GRADE POINTS
1	21.56	21.56
2	21.73	43.46
3	21.68	65.04
4	21.72	86.88
5	21.75	108.75
6	21.58	127.08
7	21.70	149.10
AVERAGE GRADE	21.714	170.57



**BATTAGLIA ARCHITECT INC.**  
 4000 AVENUE STIMBERT, UNIT 6  
 WILMINGTON, DE 19804  
 TEL: (302) 526-2169  
 FAX: (410) 526-7577  
 info@battagliaarchitect.com

**STOPPLAN**  
CONSULTANTS  
INCORPORATED

June 2001, 125 Albany Drive, Campbell, Ontario, L4N 3Y4  
Tel: (905) 328-9973 Fax: (905) 328-9393

PROPOSED TWO-STORY  
MAUSOLEUM FOR  
SERENITY VALLEY MAUSOLEUM

DATE	CHG TO	CHG BY
12-07-04	HR	

DATE FILED: \_\_\_\_\_

# SITE PLAN

DATE	1 : 300	Drawing No. <b>A-100</b>
PROJECT	2017-01-21	



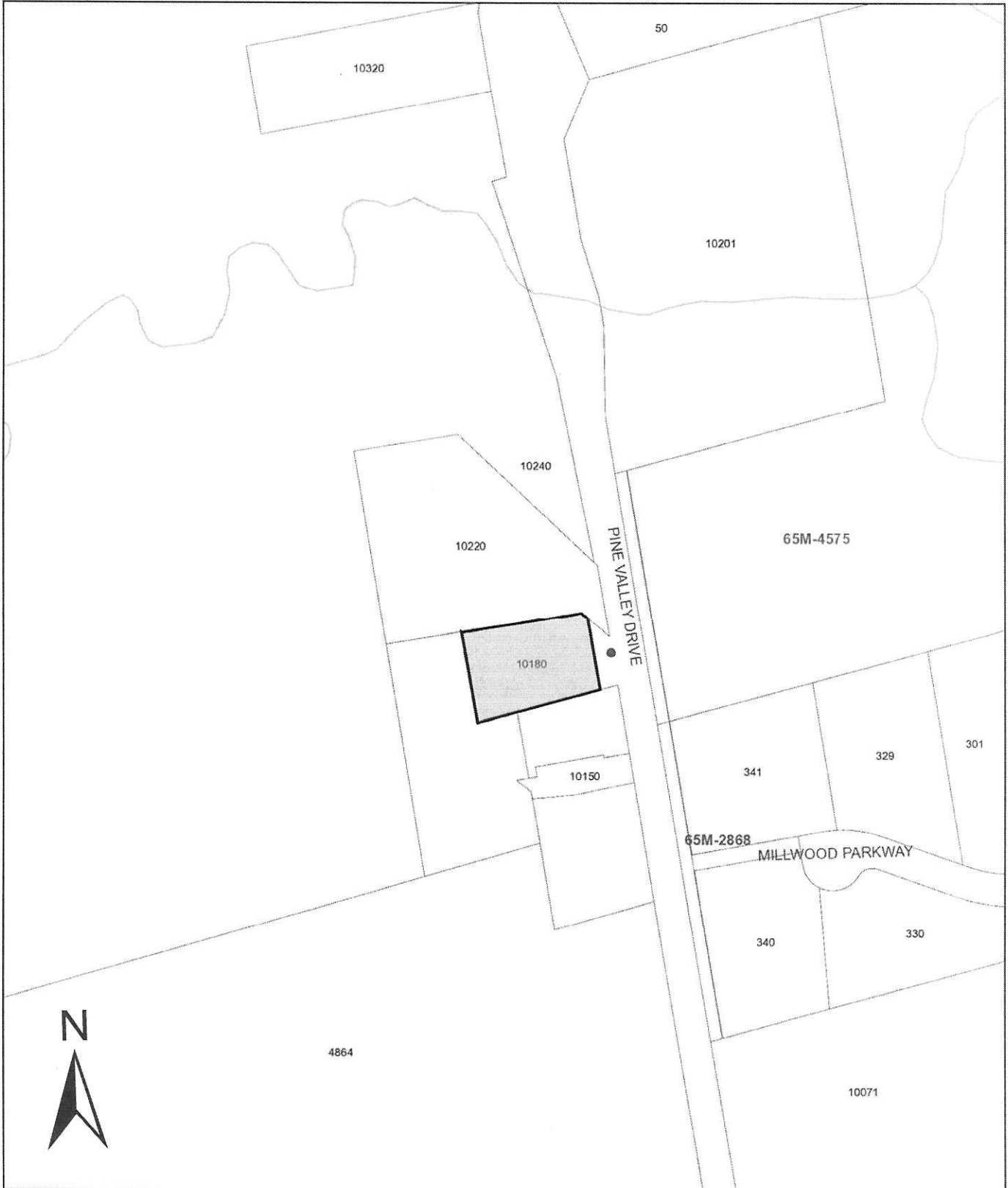


VAUGHAN

# Location Map - B009/18 & A083/18

10180 Pine Valley Drive, Woodbridge

Teston Road



0 0.05 0.1 0.2 km

## Major Mackenzie Drive

City of Vaughan

The City of Vaughan makes every effort to ensure that this map is free of errors but does not warrant that the map or its features are spatially, tabularly, or temporally accurate or fit for a particular use. This map is provided by the City of Vaughan without warranties of any kind, either expressed or implied.



## COMMITTEE OF ADJUSTMENT

2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1

Phone: (905)832-8585 Fax: (905)832-8535

# NOTICE OF DECISION CONSENTS

**FILE NUMBER:** B017/17

**APPLICANT:** DINA GIAMBATTISTA

**PROPERTY:** Part of Lot 22, Concession 7 (Parts 2 & 3, Reference Plan 64R-3469) municipally known as 10180 Pine Valley Drive, Woodbridge

**ZONING:** The subject lands are zoned RR 9(107) under By-law 1-88 as amended.

**PURPOSE:** The purpose of this application is to request the consent of the Committee of Adjustment to convey parcel of land marked "A" on the attached sketch to grant an EASEMENT in favour of the lands to the WEST, together with all required easements and right-of-ways, if required, and retain the lands marked "B" on the attached sketch for residential purposes.

**BACKGROUND INFORMATION:** Other Planning Act Applications  
The land which is the subject in this application was also the subject of another application under the Planning Act:  
Minor Variance A142/17 - access driveway to serve abutting lands to the west.

A sketch is attached illustrating the request.

The above noted application was heard by the Committee of Adjustment on: **May 11, 2017**

**MOVED BY:**

**SECONDED BY:**



The Committee of Adjustment received written and/or oral submissions before and/or during the hearing and have taken these submissions into consideration when making the decision.

THAT Application No.B017/17, **DINA GIAMBATTISTA**, 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. That a Site Development Application for the proposed mausoleum at 10150 Pine Valley Drive be approved by Vaughan Council, if required and to the satisfaction of the Development Planning Department.
2. That the area of the proposed easement be assessed by a licensed archaeologist and deemed cleared of archaeological concern prior to any ground disturbance associated with the construction of the proposed driveway on the subject property, if required and to the satisfaction of the Development Planning Department.
3. 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).
4. That the Applicant shall, prior to deposit at the Land Registry Office, provide a draft reference plan delineating the location and width of the proposed easement to the Development Engineering and Infrastructure Planning Department for review, if required, to the satisfaction of the Development Engineering and Infrastructure Planning Department.
5. That the applicant submits the required \$1,325.00 review fee for the Consent Application payable to the Toronto and Region Conservation Authority, if required, to the satisfaction of the Toronto and Region Conservation Authority.

6. 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.
7. 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.
8. 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.
9. 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 fulfill 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 or Department listed above whether "if required" appears in the condition or not.

Please Note:

1. That the payment of the City Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and City-wide Development Charge By-law in effect at time of payment.
2. That the payment of Region of York Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and Regional Development Charges By-laws in effect at time of payment.
3. That the payment of Education Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and York Region District School Board and York Catholic District School Board Development Charges By-laws in effect at time of payment
4. That the payment of applicable Special Area Development Charges are payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and Special Area Development Charge By-laws in effect at time of payment.

**CARRIED.**

CHAIR: May Mauti

Signed by all members present who concur in this decision:

May Mauti  
M. Mauti,  
Chair

J. Cesario  
J. Cesario,  
Vice Chair

R. Buckler  
R. Buckler,  
Member

H. Zheng  
H. Zheng,  
Member

A. Perrella  
A. Perrella,  
Member

**ABSENT**

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

<b>Date of Hearing:</b>	<b>May 11, 2017</b>
<b>Date of Notice:</b>	<b>May 19, 2017</b>
<b>Last Date of Appeal:</b>	<b>June 08, 2017</b>

**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 [elto.gov.on.ca/omb/](http://elto.gov.on.ca/omb/). 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 **\$708.00** processing fee, paid by **certified cheque** or **money order**, to the "TREASURER, CITY OF VAUGHAN" and the appeal fee of **\$300.00** for each application appealed, paid by **certified cheque** or **money order**, made payable to the "ONTARIO MINISTER OF FINANCE".

**NOTE:** The Planning Act provides for appeals to be filed by "persons". As groups or associations, such as residents or ratepayers groups which do not have incorporated status, may not be considered "persons" for the purposes of the Act, groups wishing to appeal this decision should do so in the name of individual group members, and not in the name of the group.

**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.





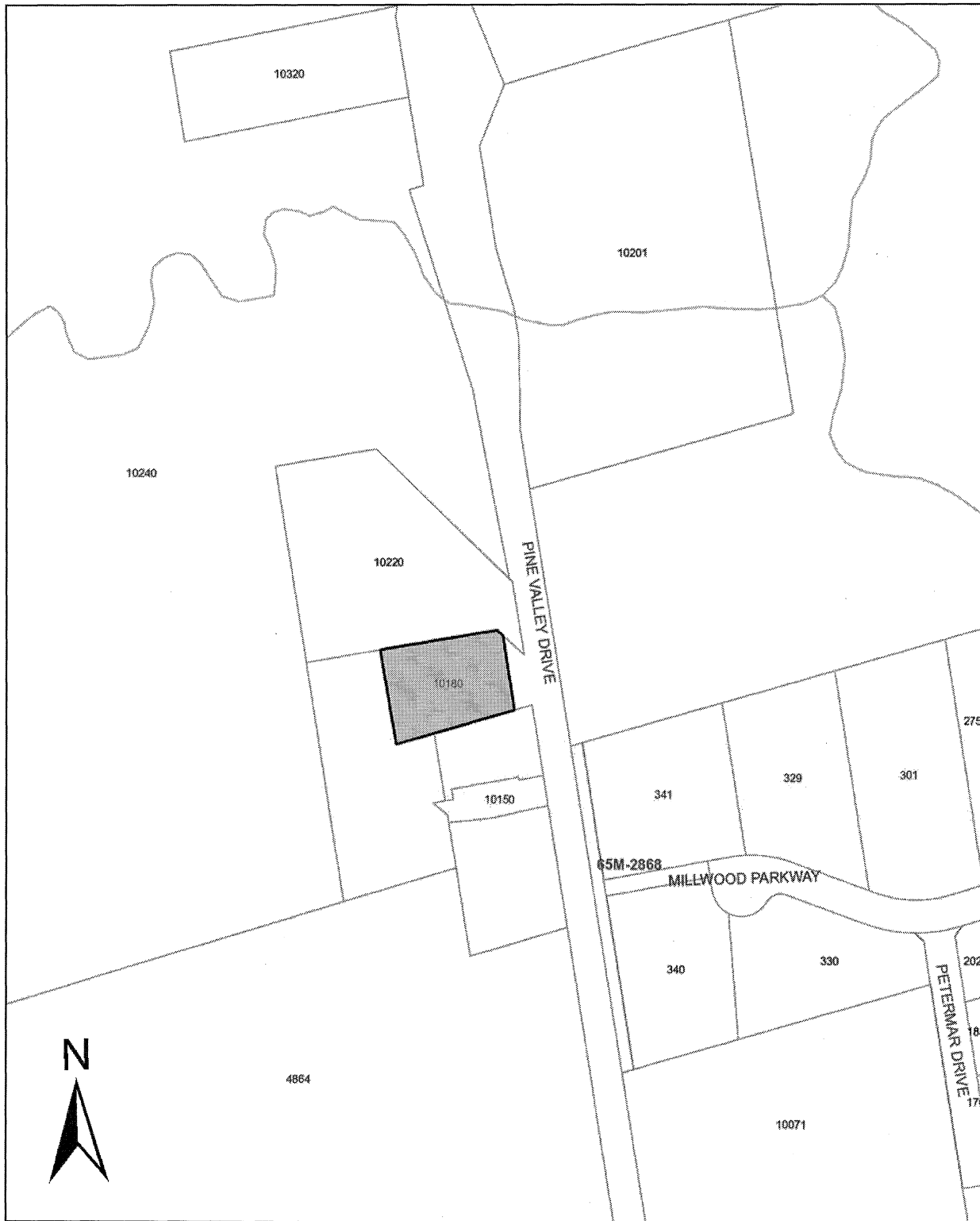


VAUGHAN

# Location Map - B017/17 & A142/17

10180 Pine Valley Drive, Woodbridge

**Teston Road**



**Major Mackenzie Drive**

City of Vaughan

0 0.05 0.1 0.2 Kilometers

The City of Vaughan makes every effort to ensure that this map is free of errors but does not warrant that the map or its features are spatially, tabularly, or temporally accurate or fit for a particular use. This map is provided by the City of Vaughan without warranties of any kind, either expressed or implied.

## CONSENTS

Please refer to the file number: **B017/17**

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, ACST(A), MCIP, RPP  
Manager of Development Services and  
Secretary-Treasurer to Committee of Adjustment  
City of Vaughan

## CONSENTS

Please refer to the file number: **B017/17**

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 request 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.**



**COMMITTEE OF ADJUSTMENT**

2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1  
 Phone: (905)832-8585 Fax: (905)832-8535

**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: INPORT 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 types verbatim or scanned and attached to the document in the Schedules section.*

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

A handwritten signature in black ink, appearing to read 'T. Coles'.

Todd Coles, ACST(A), MCIP, RPP  
 Manager of Development Services and  
 Secretary-Treasurer to Committee of Adjustment  
 City of Vaughan

## **NOTICE OF DECISION**

### **MINOR VARIANCES**

**FILE NUMBER:** A142/17

**APPLICANT:** DINA GIAMBATTISTA

**PROPERTY:** Part of Lot 22, Concession 7 (Parts 2 & 3, Reference Plan 64R-3469) municipally known as 10180 Pine Valley Drive, Woodbridge

**ZONING:** The subject lands are zoned RR 9(107) under By-law 1-88 as amended

**PURPOSE:** **To permit the construction of an access driveway to serve abutting lands to the west zoned OS2, as follows:**

**PROPOSAL:** To permit an access driveway to serve the abutting lands to the west zoned OS2 Open Space Park.

**BY-LAW REQUIREMENT:** Access and driveways shall be maintained on the lot to which it serves.

**BACKGROUND INFORMATION:** **Other Planning Act Applications**  
The land which is the subject in this application was also the subject of another application under the Planning Act:  
Consent Application B017/17 - Easement in favour of lands to the west.

A sketch is attached illustrating the request.

**MOVED BY:** \_\_\_\_\_

**SECONDED BY:** \_\_\_\_\_

THAT the Committee is of the opinion that the variances sought, can be considered minor and are desirable for the appropriate development and use of the land. The general intent and purpose of the By-law and the Official Plan will be maintained.



The Committee of Adjustment received written and/or oral submissions before and/or during the hearing and have taken these submissions into consideration when making the decision.

THAT Application No.A142/17, **DINA GIAMBATTISTA**, be **APPROVED**, in accordance with the sketches and conditions attached:

1. That a Site Development Application for the proposed mausoleum at 10150 Pine Valley Drive be approved by Vaughan Council, if required and to the satisfaction of the Development Planning Department.
2. That the area of the proposed easement be assessed by a licensed archaeologist and deemed cleared of archaeological concern prior to any ground disturbance associated with the construction of the proposed driveway on the subject property, if required and to the satisfaction of the Development Planning Department.
3. That if the condition(s) listed above is/are not fulfilled and the Building Permit is not applied for within twelve (12) months of the date this decision becomes final and binding, the said decision shall expire and shall be deemed to have been annulled and rescinded by the Committee.**(PLEASE NOTE THAT THIS TIME PERIOD CANNOT BE EXTENDED IN ANY WAY, FAILURE TO MEET THIS DEADLINE WILL RESULT IN REQUIRING A NEW APPLICATION AND FEE.)**

**VERY IMPORTANT: IT IS THE RESPONSIBILITY OF THE OWNER/APPLICANT AND/OR AGENT TO OBTAIN AND PROVIDE A CLEARANCE LETTER FROM EACH AGENCY AND/OR DEPARTMENT LISTED IN THE CONDITIONS WHETHER "IF REQUIRED" APPEARS IN THE CONDITION OR NOT, AND FORWARD THIS CLEARANCE LETTER TO THE SECRETARY-TREASURER AS SOON AS THE CONDITIONS ARE FULFILLED.**

**FAILURE TO COMPLY WITH THIS PROCEDURE WILL RESULT IN A LETTER BEING FORWARDED BY THE SECRETARY-TREASURER INDICATING THIS FILE HAS LAPSED AND, THEREFORE, WILL NECESSITATE THAT A NEW APPLICATION BE SUBMITTED TO LEGALIZE THIS PROPERTY.**

THIS MINOR VARIANCE DECISION IS NOT A BUILDING PERMIT AUTHORIZING CONSTRUCTION UNDER THE BUILDING CODE ACT, R.S.O. 1990, AS AMENDED. A BUILDING PERMIT MAY BE REQUIRED. PLEASE CONTACT THE BUILDING STANDARDS DEPARTMENT IN THE EVENT THAT YOU REQUIRE FURTHER CLARIFICATION.

CARRIED.

CHAIR: May Manti

Signed by all members present who concur in this decision:

May Manti  
M. Manti,  
Chair

J. Cesario  
J. Cesario,  
Vice Chair

R. Buckler  
R. Buckler,  
Member

H. Zheng  
H. Zheng,  
Member

ABSENT  
A. Perrella,  
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  
Todd Coles, ACST(A), MCIP, RPP  
Manager of Development Services  
and Secretary-Treasurer to  
Committee of Adjustment

Date of Hearing:	May 11, 2017
Last Date of Appeal:	May 31, 2017

**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.

**COMMITTEE OF ADJUSTMENT VARIANCE****A142/17**

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 \$708.00 processing fee, paid by **certified cheque** or **money order**, to the "TREASURER, CITY OF VAUGHAN" and the appeal fee of \$300.00 for each application appealed, paid by **certified cheque** or **money order**, made payable to the "ONTARIO MINISTER OF FINANCE".

NOTE: The Planning Act provides for appeals to be filed by "persons". As groups or associations, such as residents or ratepayers groups which do not have incorporated status, may not be considered "persons" for the purposes of the Act, groups wishing to appeal this decision should do so in the name of individual group members, and not in the name of the group.

**CONDITIONS**

IF ANY CONDITIONS ARE IMPOSED ON THIS APPLICATION, THE FINAL DATE FOR FULFILLING THEM IS:

**May 31, 2018**

**A142/17**



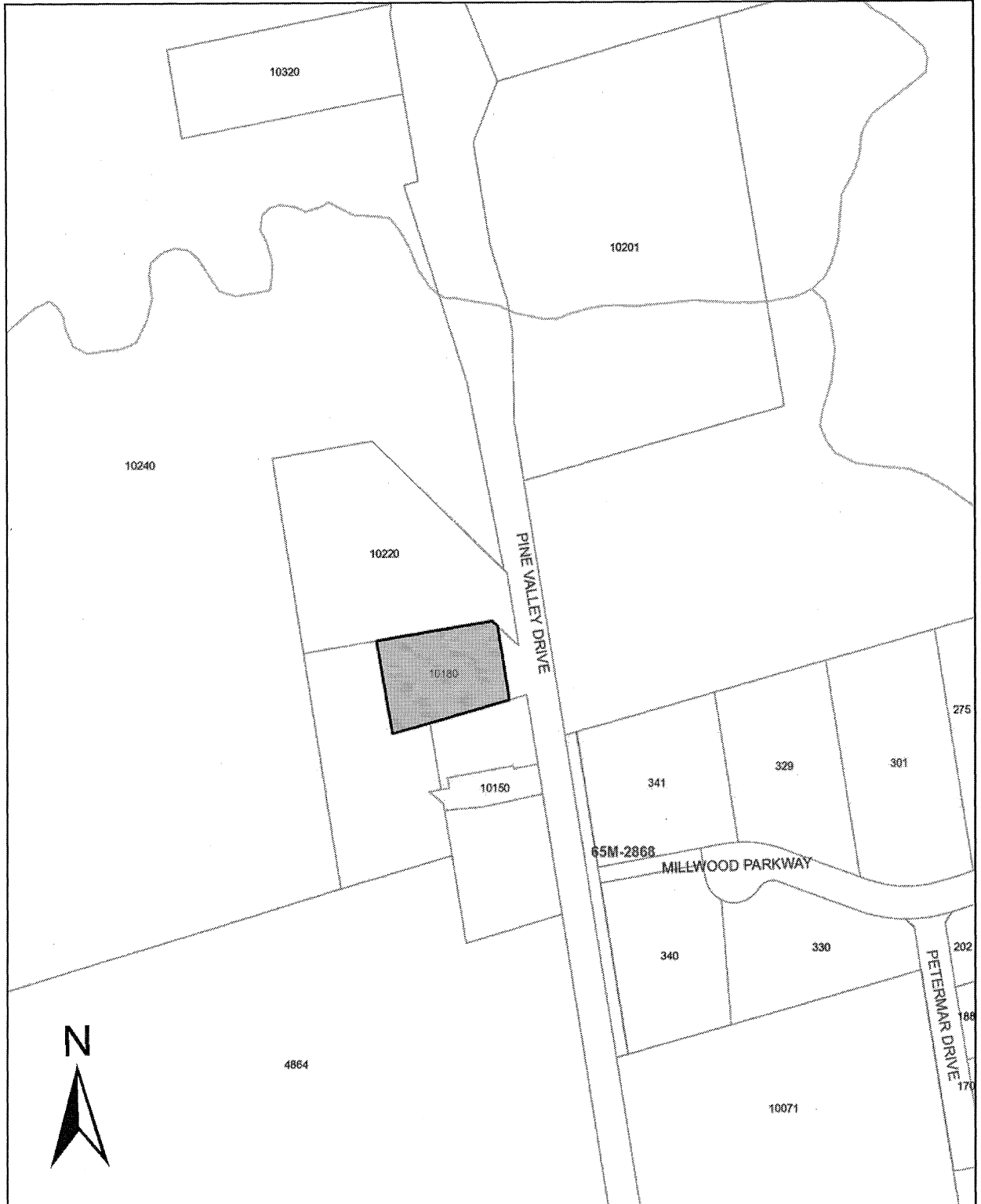




# Location Map - B017/17 & A142/17

10180 Pine Valley Drive, Woodbridge

**Teston Road**



**Major Mackenzie Drive**

City of Vaughan

0 0.05 0.1 0.2 Kilometers

The City of Vaughan makes every effort to ensure that this map is free of errors but does not warrant that the map or its features are spatially, tabularly, or temporally accurate or fit for a particular use. This map is provided by the City of Vaughan without warranties of any kind, either expressed or implied.