

To: Christine Vigneault, Committee of Adjustment Secretary Treasurer

From: Nancy Tuckett, Director of Development and Parks Planning

Date: March 19, 2025

File 1: B003/25

Location: 10220 Pine Valley Drive

Owner Name: 1000952336 Ontario Inc.

File 2: B005/25

Location: 10180 Pine Valley Drive

Owner Name: 1000952329 Ontario Inc.

Official Plan:

Vaughan Official Plan 2010 ('VOP 2010'): "Agricultural" and "Natural Areas", located within the Greenbelt Plan Area.

Background Information:

The Subject Lands are municipally known as 10180 and 10220 Pine Valley Drive. Each municipal address is currently subject to a separate pin, ownership, and legal description. However, the two parcels consolidated into a single parcel of land (the 'Subject Lands') when they were transferred to the same owner in 2022, causing the lands to merge in title. The merger in title was not detected, and each parcel was separately transferred to their current respective owners in 2024 under power of sale, representing a contravention of Section 50(3) of the *Planning Act*. Consent to sever should have been obtained from the City to separately convey the parcels in 2024.

The Owners have submitted applications for a Certificate of Validation under Section 57 of the *Planning Act* to rectify the contraventions to the *Planning Act* incurred with the independent sale and transfer of the parcels. The Certificate of Validation shall deem that the contraventions do not have and have never had the effect of preventing the separate conveyance of or creation of any interest in each parcel. The issuance of a Certificate of Validation would effectively create two separately conveyable parcels in accordance with the parcel fabric that existed prior to the 2022 consolidation.

Analysis:

Section 57(6) of the *Planning Act* sets out that the criteria for the issuance of a Certificate of Validation is the same as for the granting of consent under Section 53.

10180 and 10220 Pine Valley Drive each contain a single detached dwelling. The properties are zoned "RE – Estate Residential" which permits the existing residential uses. Each dwelling is serviced by a separate private driveway connection to Pine Valley Drive. Each parcel functioned as a separate residential lot prior to their transfer to the same owner in 2022, and they continue to function this way after the merger in title.

The proposed parcel fabric can be considered to have regard to the subdivision criteria prescribed by Section 51(24) of the *Planning Act*. Development and Parks Planning staff are of the opinion that a plan of subdivision is not required for the proper and orderly development of the Subject Lands and the shapes/sizes of the lots are appropriate for the established residential uses.

The Subject Lands are designated "Agricultural Area" in Map 1A – Land Use Designations of York Regional Official Plan ('YROP') 2022. The Subject Lands are designated "Agricultural" and "Natural Areas", and are identified as being located within the Greenbelt Plan Area by Schedule 13 – Land Use of Vaughan Official Plan ('VOP') 2010. YROP 2022 and VOP 2010 permit minor lot adjustments or boundary additions in natural areas and agricultural areas provided there is no increased fragmentation of natural heritage features. The requested Certificate of Validation seeks to revert the Subject Lands back to its 2022 lot fabric for lands which were and continue to be used for residential purposes, and is considered to be legal and technical in nature, similar to a minor lot line adjustment. The issuance of the Certificate of Validation does not conflict with YROP 2022 and VOP 2010.

Accordingly, the Development and Parks Planning Department supports the proposed applications and is of the opinion that the proposal conforms to the criteria stipulated in Section 57(6) of the *Planning Act*.

Recommendation:

The Development and Parks Planning Department recommends approval of the applications.

Condition of Approval:

If the Committee finds merit in the applications, the following conditions of approval are recommended:

None

Comments Prepared by:

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