

Report Date: Friday, July 4, 2025


THIS REPORT CONTAINS COMMENTS FROM THE FOLLOWING
DEPARTMENTS & AGENCIES (SEE SCHEDULE B):

Additional comments from departments and agencies received after the publication of the report will be made available on the City’s [website](#).

Internal Departments <small>*Comments Received</small>	Conditions Required		Nature of Comments
Committee of Adjustment	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments w/Conditions
Building Standards (Zoning)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments
Development Planning	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Application Under Review
Development Engineering	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	General Comments w/Conditions
Development Finance	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	General Comments w/Conditions
Real Estate	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	General Comments w/Conditions

External Agencies <small>*Comments Received</small>	Conditions Required		Nature of Comments <small>*See Schedule B for full comments</small>
Alectra	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments
Region of York	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments
TRCA	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	General Comments w/Conditions

PUBLIC & APPLICANT CORRESPONDENCE (SEE SCHEDULE C)				
All personal information collected because of this public meeting (including both written and oral submissions) is collected under the authority of the Municipal Act, the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), the Planning Act and all other relevant legislation, and will be used to assist in deciding on this matter. All personal information (as defined by MFIPPA), including (but not limited to) names, addresses, opinions and comments collected will become property of the City of Vaughan, will be made available for public disclosure (including being posted on the internet) and will be used to assist the Committee of Adjustment and staff to process this application.				
Correspondence Type	Name	Address	Date Received <small>(mm/dd/yyyy)</small>	Summary
Applicant			05/13/2025	Planning Justification Report
Applicant			10/14/2024	Application Cover Letter
Applicant			06/19/2025	Presentation
Public	Brendan Charters	11700 Keele Street	07/02/2025	Letter of Support

BACKGROUND (SCHEDULE D, IF REQUIRED)	
<small>* Background Information contains historical development approvals considered to be related to this file. This information should not be considered comprehensive.</small>	
Application No. (City File)	Application Description <small>(i.e. Minor Variance Application; Approved by COA / OLT)</small>
A103/18 (11801 Keele Street)	<div><p>Relief to construct second dwelling on property; APPROVED COA; July 5, 2018.</p></div>

ADJOURNMENT HISTORY	
<small>* Previous hearing dates where this application was adjourned by the Committee and public notice issued.</small>	
Hearing Date	Reason for Adjournment <small>(to be obtained from NOD_ADJ)</small>
June 19, 2025	To accommodate statutory public notice requirements outlined in the <i>Planning Act</i> .

SCHEDULES	
Schedule A	Drawings & Plans Submitted with the Application
Schedule B	Comments from Agencies, Building Standards & Development Planning
Schedule C (if required)	Public & Applicant Correspondence
Schedule D (if required)	Background



**REPORT SUMMARY
CONSENT APPLICATION
FILE NUMBER B014/24**

CITY WARD #:	1
APPLICANT:	Antonio Guglietti
AGENT:	Humphries Planning Group Inc.
PROPERTY:	11701 & 11801 Keele Street, Vaughan
ZONING DESIGNATION:	See below.
VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:	Vaughan Official Plan 2010 ('VOP 2010'): Natural Linkage Area, Natural Core Area, Agriculture, Oak Ridges Moraine Conservation Plan Area
RELATED DEVELOPMENT APPLICATIONS:	A165/24 & A166/24
PURPOSE OF APPLICATION:	<p>Consent is being requested to sever a parcel of land as a new lot, approximately 3.4 hectares (34,000 square metres) which contains a single detached dwelling which is utilized as a Home Industry for purposes of a carpentry shop and small motor/equipment repair shop.</p> <p>The retained lands, approximately 37.3 hectares (373,000 square metres), will continue to be used for agricultural purposes. The dwelling on the retained lands is to remain.</p>

HEARING INFORMATION

DATE OF MEETING: Thursday, July 10, 2025

TIME: 6:00 p.m.

MEETING LOCATION: Vaughan City Hall, Woodbridge Room (2nd Floor), 2141 Major Mackenzie Drive

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

PUBLIC PARTICIPATION

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

If you would like to submit written comments, please quote file number above and submit by mail or email to:

Email: cofa@vaughan.ca

Mail: City of Vaughan, Office of the City Clerk, Committee of Adjustment, 2141 Major Mackenzie Drive, Vaughan, ON, L6A 1T1

To speak electronically, pre-registration is required by completing the [Request to Speak Form](#) on-line and submitting it to cofa@vaughan.ca no later than NOON on the last business day before the meeting.

THE DEADLINE TO REGISTER TO SPEAK ELECTRONICALLY OR SUBMIT WRITTEN COMMENTS ON THE ABOVE NOTED FILE(S) IS NOON ON THE LAST BUSINESS DAY BEFORE THE MEETING.

INTRODUCTION

Staff and Agencies act as advisory bodies to the Committee of Adjustment. The comments contained in this report are presented as recommendations to the Committee.

The Planning Act sets the standard to which provincial interests, provincial and local policies and goals are implemented. Accordingly, review of this application considers the following:

- ✓ Conformity to Section 51(24) as required by Section 53(12) of the Planning Act.
- ✓ Conformity to the City of Vaughan Official Plan.

INTRODUCTION	
✓ Conformity to the Provincial Policy Statements as required by Section 3 (1) of the Planning Act.	
Public written and oral submissions relating to this application are taken into consideration by the Committee of Adjustment as part of its deliberations and final decision on this matter.	

COMMITTEE OF ADJUSTMENT	
Date Public Notice Mailed:	June 26, 2025
Date Applicant Confirmed Posting of Sign:	June 25, 2025
Applicant Justification for Variances: <small>*As provided in Application Form</small>	N/A
Was a Zoning Review Waiver (ZRW) Form submitted by Applicant: <small>*ZRW Form may be used by applicant in instances where a revised submission is made, and zoning staff do not have an opportunity to review and confirm variances prior to the issuance of public notice.</small>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
COMMENTS:	
Background On May 16, 2025, Development Planning advised the applicant: Thank you for preparing an updated PJR for the above noted applications. Staff has had an opportunity to review the report and offer the following comments: The PJR provides an analysis of the lot creation policies for prime agricultural lands, stating that the proposed severance is consistent with Section 4.3.3. of the PPS. Staff have noted that Policy 4.3.3. was incorrectly referenced in the PJR. Please see the wording from both the PJR and PPS, 2024 below which demonstrates the discrepancy. Policy 4.3.3. c, is intended for a farm consolidation which would result in a residential surplus, and it is staff's understanding that this is not the case for the subject consent application. From the Planning Justification Report: <div><div>c. One new residential lot for a residence surplus to an agricultural operation, provided that:</div><div><div>1. the new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services; and</div><div>2. the planning authority ensures that new dwellings an additional residential units are prohibited on any remnant parcel of farmland created by severance. The approach used to ensure that no new dwellings or additional residential units are permitted on the remnant parcel may be recommended by the Province, or based on municipal approaches to achieve the same objective; and</div></div></div> From the Provincial Planning Statement, 2024: <div><div>c) one new residential lot per farm consolidation for a residence surplus to an agricultural operation, provided that:</div><div><div>1. the new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services; and</div><div>2. the planning authority ensures that new dwellings and additional residential units are prohibited on any remnant parcel of farmland created by the severance. The approach used to ensure that no new dwellings or additional residential units are permitted on the remnant parcel may be recommended by the Province, or based on municipal approaches that achieve the same objective; and</div></div></div> With respect to the analysis of the land creation policies of the ORMCP, 2017, the PJR states that the proposed severance would be permitted through policy 32(1)6 which allows the division of land for land uses that are different. The PJR opines that the use located on the property at 11801 Keele St. is an agricultural use, and the use located on the property at 11701 Keele St. is a single detached dwelling and is therefore being interpreted as different uses on the lot. Based on our understanding, the existing dwelling at 11701 Keele St. was only permitted to be erected as a full-time farm labour accommodation associated with the agricultural use. The intended use of that dwelling, and the sole reason for its existence was to be an accessory to the existing farm operation on the subject lands. Staff understand that materials submitted as part of the building permit application at the time clearly states that the dwelling is for the use of farm labour accommodations. Otherwise, the dwelling would not have been permitted by Zoning By-law 1-88 or the ORMCP as a second single detached dwelling on the property. The PJR goes on to state that the single detached dwelling at 11701 Keele St. is "independent and unrelated to the agriculture uses and its primary function and purpose is residential habitation". Staff are	

COMMITTEE OF ADJUSTMENT	
<p>of the understanding that the dwelling would not be lawfully permitted if it is not being used for its intended purpose as an accessory to the agricultural operation and thus cannot be considered a separate use on the lot.</p> <p>Based on our review of the updated PJR, staff are still not in position to support the proposed severance, as it fails to satisfy the lot creation policies of the PPS and ORMCP. Development Planning will require an updated PJR demonstrating how the PPS and ORMCP lot creations policies are being satisfied by this proposal. Development Planning Staff would like to schedule a meeting with you to discuss further.</p> <p>On June 12, 2025, Development Planning followed up with the applicant:</p> <p>Following up on our meeting on May 23, 2025, please confirm if the PJR dated April 2025 will require any changes. Please note the PJR will be submitted to the Committee for their review. If changes are required, please provide an updated PJR by the end of the week.</p> <p>Committee of Adjustment Comments – Application Adjourned at the June 19, 2025, Committee of Adjustment meeting.</p> <p>Applications B014, 24, A165/24 and A166/24 were adjourned at the June 19, 2025, Committee of Adjustment meeting to accommodate statutory public notice requirements outlined in the <i>Planning Act</i>.</p>	
Committee of Adjustment Recommended Conditions of Approval:	<ol style="list-style-type: none">1. That the applicant’s solicitor confirms the legal description of both the severed and retained land.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 the applicant provides an electronic copy of the deposited reference plan to cofa@vaughan.ca4. That Minor Variance Application(s) 165/24 and A166/24 are approved at the same time as the Consent application and becomes final and binding.5. Payment of the Certificate Fee as provided on the City of Vaughan’s Committee of Adjustment Fee Schedule.

BUILDING STANDARDS (ZONING)	
**See Schedule B for Building Standards (Zoning) Comments	
Building Standards Recommended Conditions of Approval:	None

DEVELOPMENT PLANNING	
**See Schedule B for Development Planning Comments. Application under Review.	
Development Planning Recommended Conditions of Approval:	TBD

DEVELOPMENT ENGINEERING	
Link to Grading Permit Link to Pool Permit Link to Curb Curt Permit Link Culvert Installation	
Development Engineering is aware that Development Planning is refusing the application. Should the committee approve this Minor Variance, the applicant will need to satisfy the following conditions:	
Development Engineering Recommended Conditions of Approval:	<p>The Minor Variance applications A165/24 and A166/24 shall be approved in conjunction with or following the approval of consent application B014/24.</p> <p>The Owner / Applicant shall prepare and register a reference plan at their expense showing all existing and proposed easements to the satisfaction of the Development Engineering Department (DE) for the Subject Lands applicable to the Consent Application. The Owner/Applicant shall submit a draft reference plan to DE for review prior to deposit with the Land Registry. The Owner/Applicant shall submit the deposited reference plan to DE to clear this condition.</p> <p>The Owner/Applicant shall provide conceptual site grading and servicing plan(s) for both the severed and retained parcels to the satisfaction of the Development</p>

DEVELOPMENT ENGINEERING	
Link to Grading Permit Link to Pool Permit Link to Curb Curt Permit Link Culvert Installation	
	<p>Engineering (DE) Department. The plan(s) should identify all existing and proposed services, existing and proposed elevations, and acceptable access.</p> <p>The Owner/Applicant shall submit an application for a Service Connection and obtain a Cost Estimate by emailing serviceconnections@vaughan.ca. The Final Lot Grading and/or Servicing Plan will be required for the Service Connection Application. All costs associated with the service connection shall be the responsibility of the Owner/Applicant.</p> <p>Please visit the Service Connection page of the City of Vaughan's website: https://www.vaughan.ca/about-city-vaughan/departments/development-engineering/service-connections for more information. The Owner/Applicant is encouraged to initiate the process as early as possible as the Service Connection Application process typically takes 4-6 weeks.</p> <p>i. The Owner/Applicant shall provide proof of mutual servicing, parking and/or access agreement(s) between the two landowners, either in the form of a signed letter from the Owner's solicitor or a DRAFT Reciprocal Easement and Operating Agreement (REOA) to be provided to the satisfaction of DE.</p> <p>ii. The Owner/Applicant shall provide proof of an agreement or easement documents between the property owners of the severed and retained lands including sufficient language to clearly describe the nature of the shared servicing & access easements, all to the satisfaction of Development Engineering. The easement agreement should indicate that the owners are responsible to ensure proper maintenance and repairs of servicing connection(s) in the easement.</p>

PARKS, FORESTRY & HORTICULTURE (PFH)	
No comments received to date.	
PFH Recommended Conditions of Approval:	None

DEVELOPMENT FINANCE	
<p>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.</p> <p>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.</p> <p>That the payment of Education Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Education Act and York Region District School Board and York Catholic District School Board Development Charges By-laws in effect at time of payment.</p> <p>That the payment of applicable Area Specific Development Charges are payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and Area Specific Development Charge By-laws in effect at time of payment.</p>	
Development Finance Recommended Conditions of Approval:	The owner shall pay of a Tree Fee, approved by Council as of the date of granting the consent. Payment is to be made by certified cheque, to the satisfaction of the City of Vaughan Financial Planning and Development Finance Department (contact Nelson Pereira to have this condition cleared).

DEVELOPMENT FINANCE	
	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).

REAL ESTATE	
Recommended condition of approval:	
BCLPS Recommended Conditions of Approval:	The applicant shall provide the City with an appraisal report and valuation of the subject land (land only) to be prepared by an accredited appraiser. Payment of a Parkland levy to the City in lieu of the deeding of land for park purposes shall be made if a new lot is being created. Said levy is to be 5% of the appraised market value of the subject land as of the date of the Committee of Adjustment giving notice to the Applicant of the herein decision. Said levy shall be approved by the Director of Real Estate. Payment shall be made by certified cheque only.

BY-LAW AND COMPLIANCE, LICENSING AND PERMIT SERVICES	
No comments received to date.	
BCLPS Recommended Conditions of Approval:	None

BUILDING INSPECTION (SEPTIC)	
No comments received to date.	
Building Inspection Recommended Conditions of Approval:	None

FIRE DEPARTMENT	
No comments received to date.	
Fire Department Recommended Conditions of Approval:	None

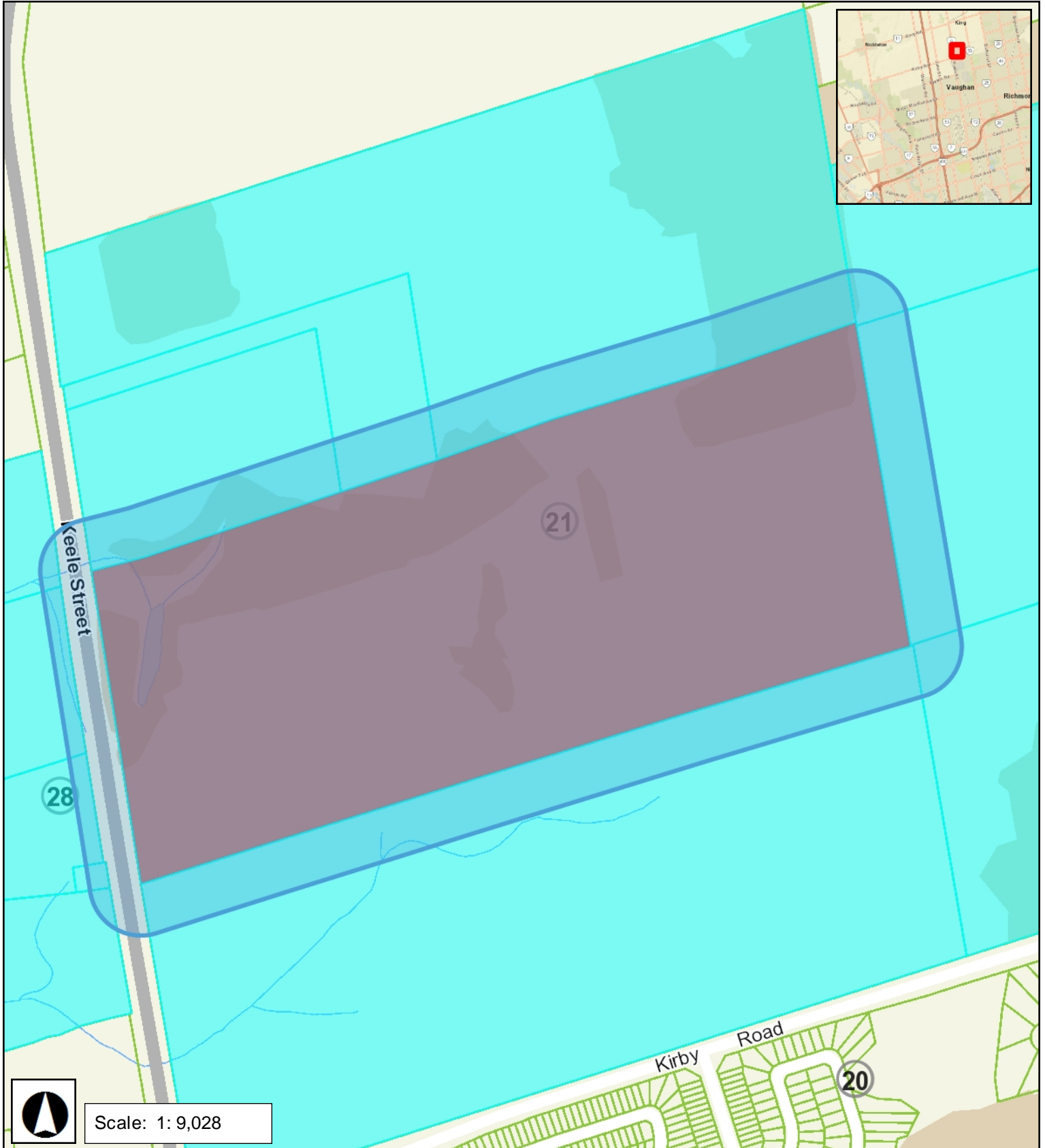
RECOMMENDED CONDITIONS OF APPROVAL SUMMARY		
Should the Committee find it appropriate to approve this application in accordance with request and the sketch submitted with the application, as required by Ontario Regulation 200/96, the following conditions have been recommended:		
#	DEPARTMENT / AGENCY	CONDITION
1	Committee of Adjustment cofa@vaughan.ca	<ol style="list-style-type: none">1. That the applicant's solicitor confirms the legal description of both the severed and retained land.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 the applicant provides an electronic copy of the deposited reference plan to cofa@vaughan.ca4. That Minor Variance Application(s) 165/24 and A166/24 are approved at the same time as the Consent application and becomes final and binding.5. Payment of the Certificate Fee as provided on the City of Vaughan's Committee of Adjustment Fee Schedule.
2	Real Estate ashley.ben-lolo@vaughan.ca	The applicant shall provide the City with an appraisal report and valuation of the subject land (land only) to be prepared by an accredited appraiser. Payment of a Parkland levy to the City in lieu of the deeding of land for park purposes shall be made if a new lot is being created. Said levy is to be 5% of the appraised market value of the subject land as of the date of the Committee of Adjustment giving notice to the Applicant of the herein decision. Said levy shall

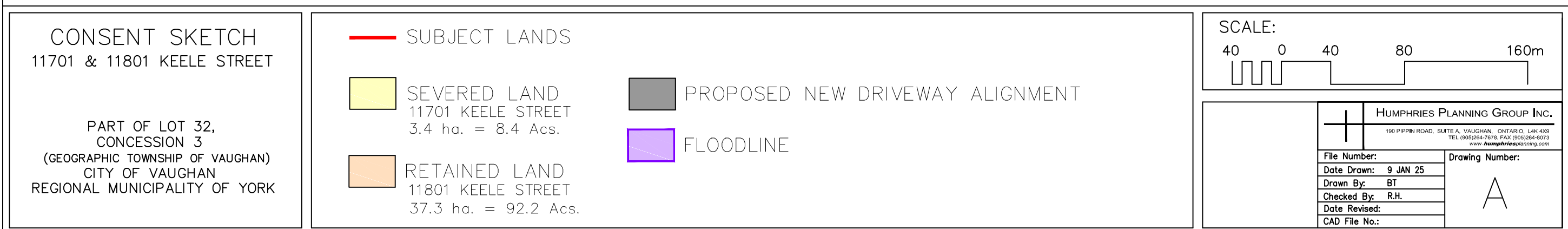
RECOMMENDED CONDITIONS OF APPROVAL SUMMARY		
Should the Committee find it appropriate to approve this application in accordance with request and the sketch submitted with the application, as required by Ontario Regulation 200/96, the following conditions have been recommended:		
		be approved by the Director of Real Estate. Payment shall be made by certified cheque only.
3	Development Engineering jonal.hall@vaughan.ca	<ol style="list-style-type: none">1. The Minor Variance applications A165/24 and A166/24 shall be approved in conjunction with or following the approval of consent application B014/24.2. The Owner / Applicant shall prepare and register a reference plan at their expense showing all existing and proposed easements to the satisfaction of the Development Engineering Department (DE) for the Subject Lands applicable to the Consent Application. The Owner/Applicant shall submit a draft reference plan to DE for review prior to deposit with the Land Registry. The Owner/Applicant shall submit the deposited reference plan to DE to clear this condition.3. The Owner/Applicant shall provide conceptual site grading and servicing plan(s) for both the severed and retained parcels to the satisfaction of the Development Engineering (DE) Department. The plan(s) should identify all existing and proposed services, existing and proposed elevations, and acceptable access.4. The Owner/Applicant shall submit an application for a Service Connection and obtain a Cost Estimate by emailing serviceconnections@vaughan.ca. The Final Lot Grading and/or Servicing Plan will be required for the Service Connection Application. All costs associated with the service connection shall be the responsibility of the Owner/Applicant.5. Please visit the Service Connection page of the City of Vaughan's website: https://www.vaughan.ca/about-city-vaughan/departments/development-engineering/service-connections for more information. The Owner/Applicant is encouraged to initiate the process as early as possible as the Service Connection Application process typically takes 4-6 weeks.<ol style="list-style-type: none">i. The Owner/Applicant shall provide proof of mutual servicing, parking and/or access agreement(s) between the two landowners, either in the form of a signed letter from the Owner's solicitor or a DRAFT Reciprocal Easement and Operating Agreement (REOA) to be provided to the satisfaction of DE.6. The Owner/Applicant shall provide proof of an agreement or easement documents between the property owners of the severed and retained lands including sufficient language to clearly describe the nature of the shared servicing & access easements, all to the satisfaction of Development Engineering. The easement agreement should indicate that the owners are responsible to ensure proper maintenance and repairs of servicing connection(s) in the easement.
4	Development Finance nelson.pereira@vaughan.ca	<ol style="list-style-type: none">1. The owner shall pay of a Tree Fee, approved by Council as of the date of granting the consent.

RECOMMENDED CONDITIONS OF APPROVAL SUMMARY		
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:		
		<p>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).</p> <p>2. 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).</p>
5	TRCA yorkplan@trca.ca	By copy of this letter, the applicant is advised that the TRCA has implemented a fee schedule for our planning application review services. This application is subject to a \$1,590.00 (Consent/Severance/Land Division - Minor) review fee. The applicant is responsible for fee payment and should forward the application fee to this office as soon as possible.
<i>All conditions of approval, unless otherwise stated, are considered to be incorporated into the approval “if required”. If a condition is no longer required after an approval is final and binding, the condition may be waived by the respective department or agency requesting conditional approval. A condition cannot be waived without written consent from the respective department or agency.</i>		

IMPORTANT INFORMATION – PLEASE READ
<p>CONDITIONS: Conditions must be fulfilled within <u>two years</u> from the date of the giving of the Notice of Decision, failing which this application shall thereupon be deemed to be refused. No extension to the last day for fulfilling conditions is permissible.</p>
<p>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.</p> <p>That the payment of the City Development Charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the City's Development Charges By-law in effect at the time of payment.</p> <p>That the payment of the Education Development Charge if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the Boards of Education By-laws in effect at the time of payment</p> <p>That the payment of Special Area Development charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and The City's Development Charge By-law in effect at the time of Building permit issuance to the satisfaction of the Reserves/Capital Department.</p>
<p>NOTICE OF DECISION: If you wish to be notified of the decision in respect to this application or a related Ontario Land Tribunal (OLT) hearing you must complete a Request for Decision form and submit to the Secretary Treasurer (ask staff for details). In the absence of a written request to be notified of the Committee’s decision you will not receive notice.</p>

SCHEDULE A: DRAWINGS & PLANS





SCHEDULE B:
COMMENTS FROM AGENCIES, BUILDING STANDARDS &
DEVELOPMENT PLANNING

Internal Departments *Comments Received	Conditions Required		Nature of Comments
Building Standards (Zoning)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments
Development Planning	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Application Under Review

External Agencies *Comments Received	Conditions Required		Nature of Comments
			*See Schedule B for full comments
Alectra	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments
Region of York	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments
TRCA	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	General Comments w/Conditions

Date: October 25th 2024
Attention: **Christine Vigneault**
RE: Request for Comments

File No.: **B014-24**

Related Files:

Applicant: Humphries Planning Group Inc.

Location 11801 & 11701 Keele Street

COMMENTS:

- ☐
- We have reviewed the proposed Consent Application and have no comments or objections to its approval.
- ☒
- We have reviewed the proposed Consent Application and have no objections to its approval, subject to the following comments (attached below).
- ☐
- We have reviewed the proposed Consent Application and have the following concerns (attached below).

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

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

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

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

References:

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

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

Stephen Cranley, C.E.T

Mitchell Penner

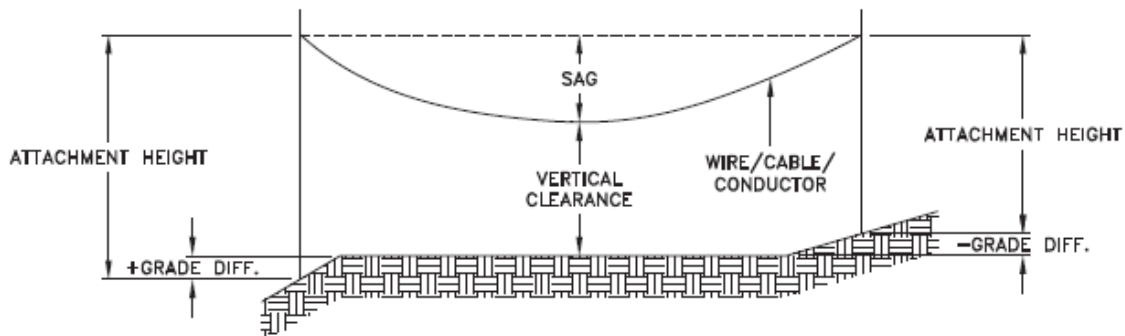
Supervisor, Distribution Design, ICI & Layouts (North)
Phone: 1-877-963-6900 ext. 31297

Supervisor, Distribution Design-Subdivisions
Phone: 416-302-6215

E-mail: stephen.cranley@alectrautilities.com

Email: Mitchell.Penner@alectrautilities.com

LOCATION OF WIRES, CABLES OR CONDUCTORS	SYSTEM VOLTAGE			
	SPAN GUYS AND COMMUNICATIONS WIRES	UP TO 600V AND NEUTRAL	4.16/2.4kV TO 27.6/16kV (SEE NOTE 1)	44kV
	MINIMUM VERTICAL CLEARANCES (SEE NOTE 2)			
OVER OR ALONGSIDE ROADS, DRIVEWAYS OR LANDS ACCESSIBLE TO <u>VEHICLES</u>	442cm	442cm	480cm	520cm
OVER GROUND ACCESSIBLE TO <u>PEDESTRIANS AND BICYCLES ONLY</u>	250cm	310cm	340cm	370cm
ABOVE TOP OF RAIL AT <u>RAILWAY CROSSINGS</u>	730cm	730cm	760cm	810cm



MINIMUM ATTACHMENT HEIGHT = MAXIMUM SAG
 + MINIMUM VERTICAL CLEARANCE (FROM ABOVE TABLE)
 ± GRADE DIFFERENCE
 + 0.3m (VEHICLE OR RAILWAY LOCATION)
 + SNOW DEPTH (PEDESTRIAN LOCATION, SEE NOTE 3)

NOTES:

1. THE MULTIGROUNDED SYSTEM NEUTRAL HAS THE SAME CLEARANCE AS THE 600V SYSTEM.
2. THE VERTICAL CLEARANCES IN THE ABOVE TABLE ARE UNDER MAXIMUM SAG CONDITIONS.
3. REFER TO CSA STANDARD C22.3 No.1, ANNEX D FOR LOCAL SNOW DEPTH VALUES.
4. ALL CLEARANCES ARE IN ACCORDANCE TO CSA STANDARD C22.3.

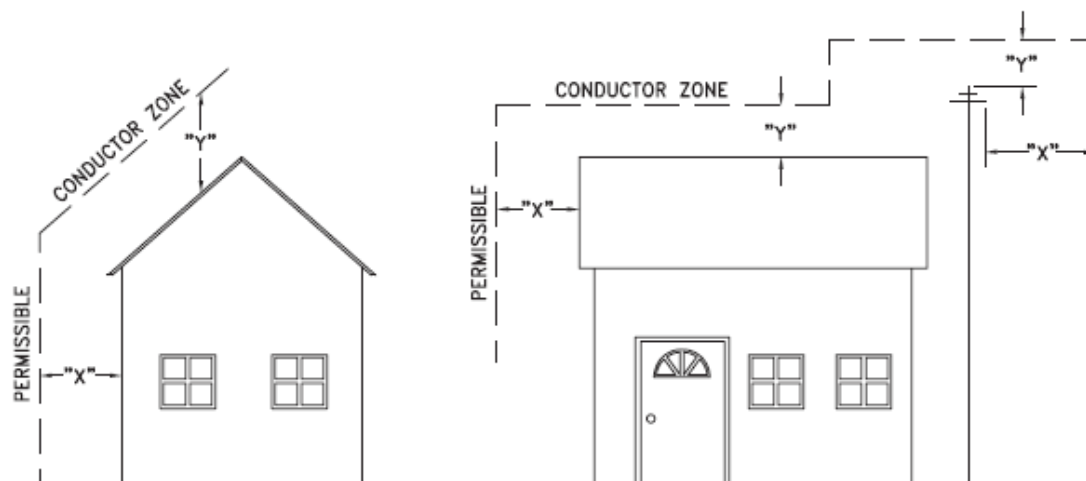
CONVERSION TABLE	
METRIC	IMPERIAL (APPROX)
810cm	27'-0"
760cm	25'-4"
730cm	24'-4"
520cm	17'-4"
480cm	16'-0"
442cm	15'-5"
370cm	12'-4"
340cm	11'-4"
310cm	10'-4"
250cm	8'-4"

REFERENCES	
SAGS AND TENSIONS	SECTION 02

MINIMUM VERTICAL CLEARANCES OF WIRES, CABLES AND CONDUCTORS ABOVE GROUND OR RAILS

ORIGINAL ISSUE DATE: 2010-DEC-24 REVISION NO: R1 REVISION DATE: 2012-JAN-09

Certificate of Approval	
This construction Standard meets the safety requirements of Section 4 of Regulation 22/04	
Joe Crozier, P.Eng.	2012-JAN-09
Name	Date
P.Eng. Approval By:	Joe Crozier



VOLTAGE	MINIMUM HORIZONTAL CLEARNACE UNDER MAXIMUM SWING CONDITIONS DIMENSION "X" (SEE NOTES 1, 3 & 4)	MINIMUM VERTICAL CLEARANCE UNDER MAXIMUM DESIGN SAG CONDITIONS DIMENSION "Y" (SEE NOTES 1, 2, 4 & 5)
0-600V AND NEUTRAL	100cm	250cm
4.16/2.4 TO 44kV	300cm	480cm

NOTES

1. UNDER NO CIRCUMSTANCES SHALL A CONDUCTOR BE PERMITTED TO PENETRATE THE ENVELOPE SHOWN BY THE DOTTED LINE.
2. THE VERTICAL CLEARANCES ARE UNDER CONDITIONS OF MAXIMUM DESIGN SAG.
3. THE HORIZONTAL CLEARANCES ARE UNDER CONDITIONS OF MAXIMUM SWING. WHERE THE CONDUCTOR SWING IS NOT KNOWN A HORIZONTAL CLEARANCE OF 480CM SHALL BE USED.
4. BUILDINGS THAT EXCEED 3 STOREYS OR 15M IN HEIGHT, THE MINIMUM HORIZONTAL CLEARANCE OF THE SECONDARY CONDUCTORS SHOULD BE INCREASED TO 300cm WHERE IT IS NECESSARY TO ALLOW FOR THE RAISING OF LADDERS BY LOCAL FIRE DEPARTMENTS.
5. IN SITUATIONS SUCH AS MULTI-LEVEL GARAGES, WHERE ROOFS ARE NORMALLY USED BY PERSONS AND VEHICLES, THE VERTICAL CLEARANCES OF POWERSTREAM STANDARD 03-1 SHALL APPLY.
6. DISTRIBUTION LINES CONSTRUCTED NEAR BUILDINGS SHALL BE BUILT TO AVOID OVERHANG WHEREVER POSSIBLE. WHERE LINES MUST BE CONSTRUCTED OVER OR ADJACENT TO BUILDINGS THE APPLICABLE HORIZONTAL AND VERTICAL CLEARANCES SHALL BE AT CONDITIONS OF MAXIMUM CONDUCTOR SWING AND MAXIMUM SAG. THE ABOVE CLEARANCES ARE DESIGNED TO PREVENT PERSONS ON OR IN BUILDINGS AS WELL AS EXTERNAL MACHINERY USED IN CONJUNCTION WITH A BUILDING TO COME IN CONTACT WITH CONDUCTORS. EFFORTS SHOULD BE MADE TO INCREASE THESE CLEARANCES WHERE POSSIBLE.
7. ALL CLEARANCES ARE IN ACCORDANCE TO CSA C22.3 NO.1-06 (TABLE-9).

CONVERSION TABLE	
METRIC	IMPERIAL (APPROX)
480cm	16'-0"
300cm	10'-0"
250cm	8'-4"
100cm	3'-4"

**MINIMUM VERTICAL & HORIZONTAL CLEARANCES
OF CONDUCTORS FROM BUILDINGS OR OTHER
PERMANENT STRUCTURES (CONDUCTORS NOT
ATTACHED TO BUILDINGS)**

Certificate of Approval	
This construction Standard meets the safety requirements of Section 4 of Regulation 22/04	
Debbie Dadwani, P.Eng.	2010-MAY-05
Name	Date
P.Eng. Approval By: <u>D. Dadwani</u>	

ORIGINAL ISSUE DATE: 2010-MAY-05 REVISION NO: REVISION DATE:
P:\System Planning and Standards\Standard Design\PowerStream Standards\PowerStream Standards working folder\Section 03-4 RD May 5, 2010.dwg, 5/5/2010 9:27:02 AM, Adobe PDF

To: Committee of Adjustment

From: Catherine Saluri, Building Standards Department

Date: February 26, 2025

Applicant: Humphries Planning Group Inc

Location: 11701 & 11801 Keele Street
CONC 3 Part of Lot 32
PLAN 65R34428 Part 1
CONC 3 Part of Lot 32
CONC 3 Part of Lot 33

File No.(s): B014/24

Zoning Classification:

The Retained Lands are zoned A-Agriculture Zone, A-ORM - Agriculture Zone (Oak Ridges Moraine Suffix), and EP- ORM – Environmental Protection Zone (Oak Ridges Moraine Suffix), under Zoning By-law 001-2021, as amended.

The Severed Lands are zoned A-Agriculture Zone, A-ORM - Agriculture Zone (Oak Ridges Moraine Suffix), and EP- ORM – Environmental Protection Zone (Oak Ridges Moraine Suffix), under Zoning By-law 001-2021, as amended.

#	Zoning By-law 001-2021	Consent requested
1	<p>Lot Frontage:</p> <p>The minimum Lot Frontage requirement for the severed lands is 100 metres. [Table 12-3]</p> <p>The minimum Lot Frontage requirement for the retained lands is 100 metres. [Table 12-3]</p>	<p>The proposed lot frontage of 39.3 metres for the severed lands does not comply with the minimum lot frontage requirement.</p> <p>The proposed lot frontage of 73.5 metres for the retained lands does not comply with the minimum lot frontage requirement.</p>
2	<p>Lot Area:</p> <p>The minimum Lot Area requirement for the severed lands is 40 hectares. [Table 12-3]</p> <p>The minimum Lot Area requirement for the retained lands is 40 hectares. [Table 12-3]</p>	<p>The proposed lot area of 3.4 hectares for the severed lands does not comply with the minimum lot area requirement.</p> <p>The proposed lot area of 37.3 hectares for the retained lands does not comply with the minimum lot area requirement.</p>

Conditions of Approval:

If the committee finds merit in the application, the following conditions of approval are recommended.

None

Notes:

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

*4.12.1

"The provisions of this section are established in accordance with the Oak Ridges Moraine Conservation Act and the Oak Ridges Moraine Conservation Plan. Where there is a conflict between this By-law and the Oak Ridges Moraine Conservation Plan with respect to any lands included in the Oak Ridges Moraine

Area, the requirements of the Oak Ridges Moraine Conservation Plan shall prevail.”

The proposed drawings will be reviewed by the Development Planning Department for compliance with Oak Ridges Moraine requirements. Additional variances may be required.

March 17, 2025.

PAR-DPP-2024-00368

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

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

Dear Ms. Vigneault:

**Re: Consent Application B014/24
Minor Variance Applications A0165/24 & A0166/24
11701 & 11801 Keele Street
Concession 3; Part Lot 32 & 33
City of Vaughan, Regional Municipality of York
Owner: Tony Guglietti
Agent: Humphries Planning Group Inc.**

This letter acknowledges receipt of the above-noted application circulated by the City of Vaughan. The materials were received by the Toronto and Region Conservation Authority (TRCA) on March 12, 2025. TRCA staff have reviewed the application and offer the following comments for the consideration of the Committee of Adjustment.

Purpose of the Applications

B014/24

It is our understanding that the purpose of the above noted application is to request the consent of the Committee of Adjustment to sever an approximately 3.4 ha parcel of land from the existing lot (known municipally as 11801 Keele Street) leaving a 37.3 ha lot to be retained. The subject property contains two single detached dwellings, where the dwelling at 11701 Keele Street is legally permitted as it is utilized as a Home Industry. The purpose of this application is to facilitate the creation of a new lot, both with residential dwellings, fronting onto Keele Street.

A0165/24

It is our understanding that the purpose of the above Minor Variance Application is to request the following variance under By-law 001-2024:

- To permit a minimum lot frontage of 73.5 metres for the retained lands, where a minimum lot frontage of 100 metres is required; and,
- To permit a minimum lot area of 37.3 hectares for the retained lands, where a minimum lot area of 40 hectares is required.

It is the understanding of TRCA staff that the noted variance is required to facilitate the severance of the total lands.

A0166/24

It is our understanding that the purpose of the above Minor Variance Application is to request the following variance under By-law 001-2024:

- To permit a minimum lot frontage of 39.3 metres for the severed lands, where a minimum lot frontage of 100 metres is required; and,
- To permit a minimum lot area of 3.4 hectares for the severed lands, where a minimum lot area of 40 hectares is required.

It is the understanding of TRCA staff that the noted variance is required to facilitate the severance of the total lands.

Conservation Authorities Act – Section 28.1

A portion of the subject property is located within TRCA's Regulated Area due to an identified Provincially Significant Wetland and watercourse associated with the Don River Watershed. As such, a TRCA permit pursuant to Section 28.1 of the Conservation Authorities Act is required for any development and site alteration within TRCA's Regulated Area, unless TRCA staff are satisfied that the activity is not likely to affect the control of flooding and erosion on the subject property. In this regard, the TRCA must be contacted prior to any works taking place in the Regulated Area.

Application-Specific Comments

TRCA reviewed the first submission of the above-noted applications and provided comments to the Committee of Adjustment on November 7, 2024 and November 27, 2024. It was noted in TRCA's letters that a portion of the subject property (11701 & 11801 Keele Street) is located within TRCA's Regulated Area of the Don River Watershed, as the property contains a watercourse and Provincially Significant Wetland that traverse the northern portion of the property from east to west. TRCA staff were concerned with the proposed severance and how the proposal would fragment the mapped stream corridor, wetland, and potentially an unmapped Regional Storm flood plain hazard.

The applicant worked with the TRCA to identify the Regional Storm flood plain hazard and establish a lot boundary that is sufficiently setback and does not fragment the regulated natural hazards. The TRCA has no objection to Applications B014/24, A165/24, and A166/24.

Fees

By copy of this letter, the applicant is advised that the TRCA has implemented a fee schedule for our planning application review services. This application is subject to a \$1,590.00 (Consent/Severance/Land Division - Minor) review fee. The applicant is responsible for fee payment and should forward the application fee to this office as soon as possible.

Conclusion

We thank you for the opportunity to review the subject application and provide our comments as per our commenting and regulatory role. We trust these comments are of assistance. TRCA will continue to work closely with the City of Vaughan, the applicant, and their consultants to ensure that TRCA's expectations for meeting the above noted comments are met. TRCA trusts these comments are of assistance.

Should you have any questions, please contact Cameron McDonald, Planner I at 437-880-1925 or at cameron.mcdonald@trca.ca.

Sincerely,

Cameron McDonald

Cameron McDonald

Planner I

Development Planning and Permits | Development and Engineering Services

cameron.mcdonald@trca.ca, 437-880-1925

From: [Development Services](#)
To: [Committee of Adjustment Mailbox](#)
Subject: [External] RE: B014/24 - 11701 Keele St/ A166/24 - 11701 Keele St/ A165/24 - 11801 Keele Street - Agency Circulation CITY OF VAUGHAN REQUEST COMMENTS
Date: Monday, November 11, 2024 10:21:48 AM
Attachments: [image002.png](#)
[image004.png](#)
[image005.png](#)

CAUTION! This is an external email. Verify the sender's email address and carefully examine any links or attachments before clicking. If you believe this may be a phishing email, please use the Phish Alert Button.

Hello,

The Regional Municipality of York has completed its review of the consent and minor variance applications – B014/24, A166/24, and A165/24 (11701 and 11801 Keele Street) and has no comment.

Please provide us with a digital copy of the notice of decision for our records.

Many thanks,

Our working hours may be different. Please do not feel obligated to reply outside of your scheduled working hours. Let's work together to help foster healthy work-life boundaries.

Niranjan Rajevan, M.Pl. | Associate Planner, Development Planning | Economic and Development Services Branch | Corporate Services Department

The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1

1-877-464-9675 ext. 71521 | niranjan.rajevan@york.ca | www.york.ca

Our Values: Integrity, Commitment, Accountability, Respect, Excellence



Our Mission: **Working together to serve our thriving communities – today and tomorrow**

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SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE

Correspondence Type	Name	Address	Date Received (mm/dd/yyyy)	Summary
Applicant			05/13/2025	Planning Justification Report
Applicant			10/14/2024	Application Cover Letter
Applicant			06/19/2025	Presentation
Public	Brendan Charters	11700 Keele Street	07/02/2025	Letter of Support

HUMPHRIES PLANNING GROUP INC.

FOUNDED IN 2003

October 3, 2024
HPGI File: 24900

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

Attn: Committee of Adjustment

Re: Consent Application
11701 & 11801 Keele Street
Townwood Homes Inc.

Humphries Planning Group Inc. ("HPGI") is the planning consultant for Tony Guglietti, the owner of the lands located at 11701 and 11801 Keele Street, City of Vaughan ('Subject Site').

A Consent Application is being submitted to create a new lot, together with applications for Minor Variance to approve the reduction in the minimum lot area to permit the creation of the severed and retained lands. The proposed new lot will contain one of the two detached dwellings that exist on the Subject Lands which is currently being utilized for a Home Industry in accordance with the existing zoning. The retained lands will contain the second detached dwelling and will continue to be utilized for Agricultural purposes. As a result of the severance, the below variances are seeking relief from By-law 001-2021:

- To permit a minimum lot area of 7.0 hectares, whereas the current by-law requires 40 hectares;
- To permit a minimum lot area of 33 hectares, whereas the current by-law requires 40 hectares.

Submission Materials

In support of the Consent Application, HPGI is submitting the following materials:

Deliverable	Consultant	Date
Cover Letter	HPGI	10-3-2024
Authorization Form	Owner	10-3-2024
Authorizing Statement	Owner	10-3-2024
Sworn Declaration Form	Owner	10-3-2024
Tree Declaration Form	Owner	10-3-2024
Septic Form	Owner	10-3-2024

190 Pippin Road
Suite A
Vaughan ON
L4K 4X9

T: 905-264-7678
F: 905-264-8073

www.humphriesplanning.com

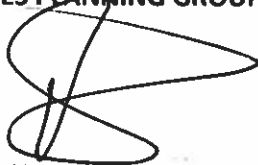
~ Do Something Good Everyday! ~ STAY SAFE ~

Consent Sketch	--	9-10-2024
Planning Justification Report <ul style="list-style-type: none">- MDS Assessment and Agricultural Viability Opinion, prepared by OES- Review of Impacts to Natural Heritage Features, prepared by IES	HPGI	Sept 2024
Digital Submission	--	10-3-2024

If you require anything further, please do not hesitate to contact the undersigned.

Yours truly,

HUMPHRIES PLANNING GROUP INC.



Rosemarie Humphries BA, MCIP, RPP
President

cc.

Tony Guglietti

11701 & 11801 Keele Street, Vaughan,



Committee of Adjustment Hearing

June 19, 2025

6:00pm

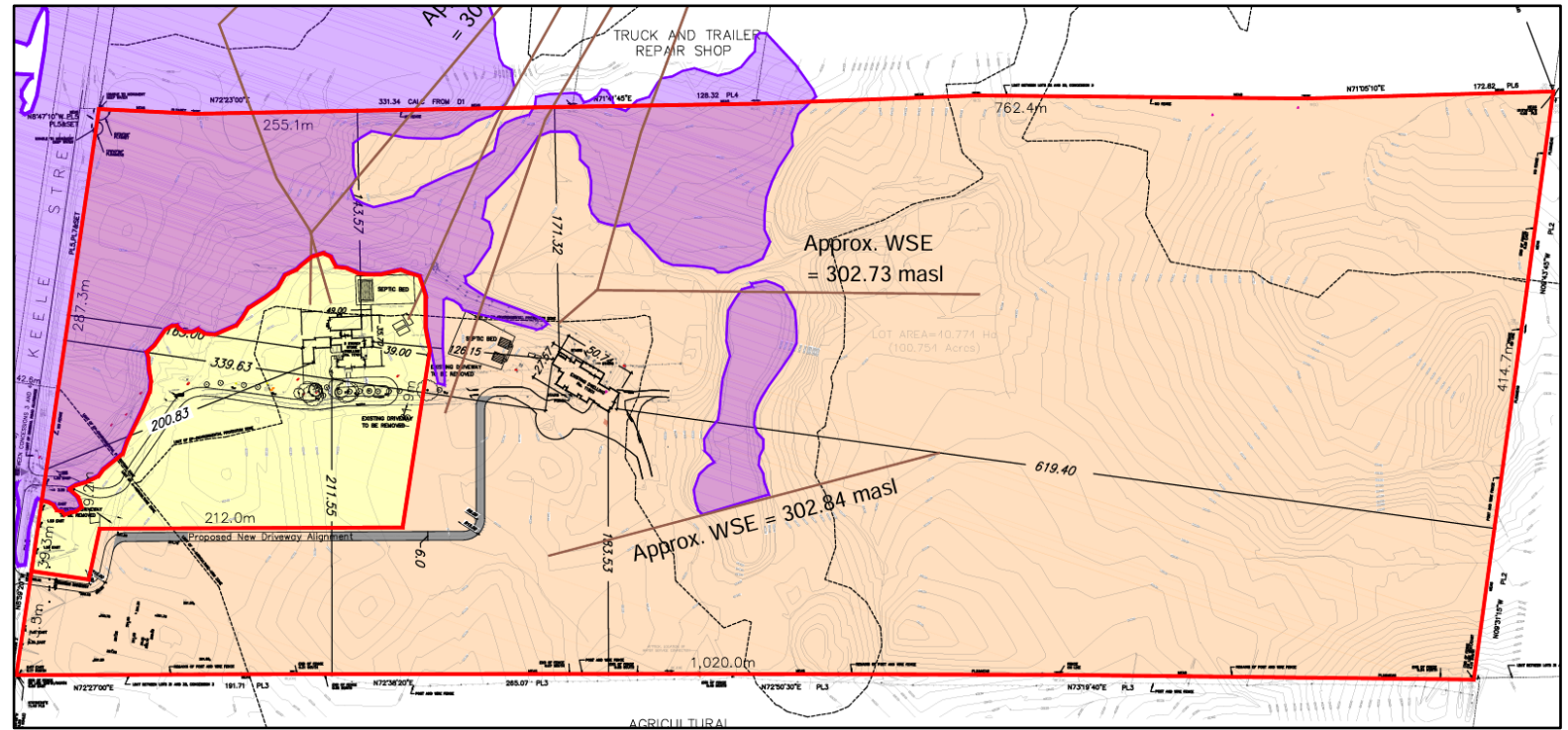
**Consent Application
B014/24**

**Minor Variance Applications
A165/24 & A166/24**

HUMPHRIES PLANNING GROUP INC.

Development Proposal

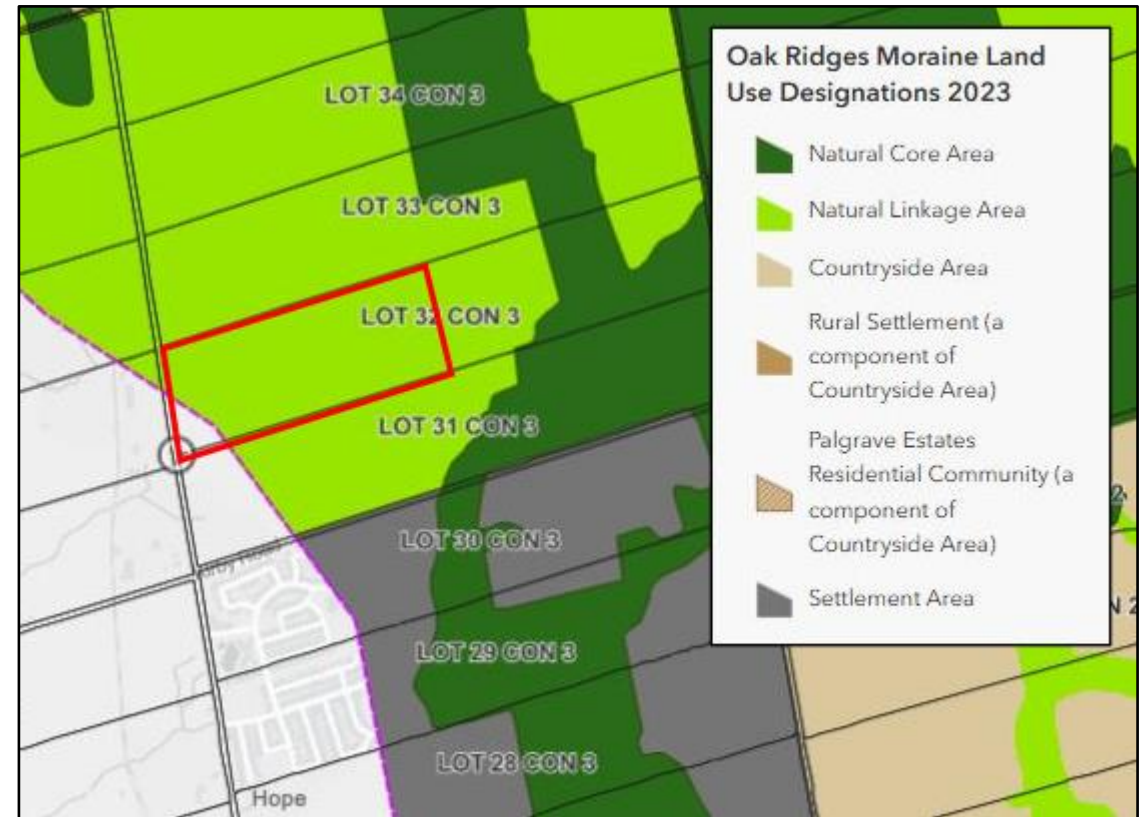
- Consent is being requested to sever a parcel of land as a new lot, approximately 3.4 hectares (34,000 square metres) which contains a **legally existing single detached dwelling**.
- The retained lands, approximately 37.3 hectares (373,000 square metres), will continue to be used for agricultural purposes. The **legally existing accessory agriculture dwelling** on the retained lands will remain. A new driveway will be constructed to provide independent access.
- Relief from the Zoning By-law is being requested to permit reduced lot frontage and lot area requirements for the Retained and Severed Lands.



Planning Analysis – ORMCP

- The majority of the Subject Property is located with the Natural Linkage Area of the Oak Ridges Moraine Conservation Plan and subject to the policies of that plan.
- The policies of the ORMCP take precedence and prevail over any other policies or conflict contained in the Official Plan or Zoning By-law.
- The ORMCP provides policies which allow for new lot creation through land severance under certain scenarios.
- Section 32 (1) 6. of the ORMCP states that a lot may be created in the following circumstances:

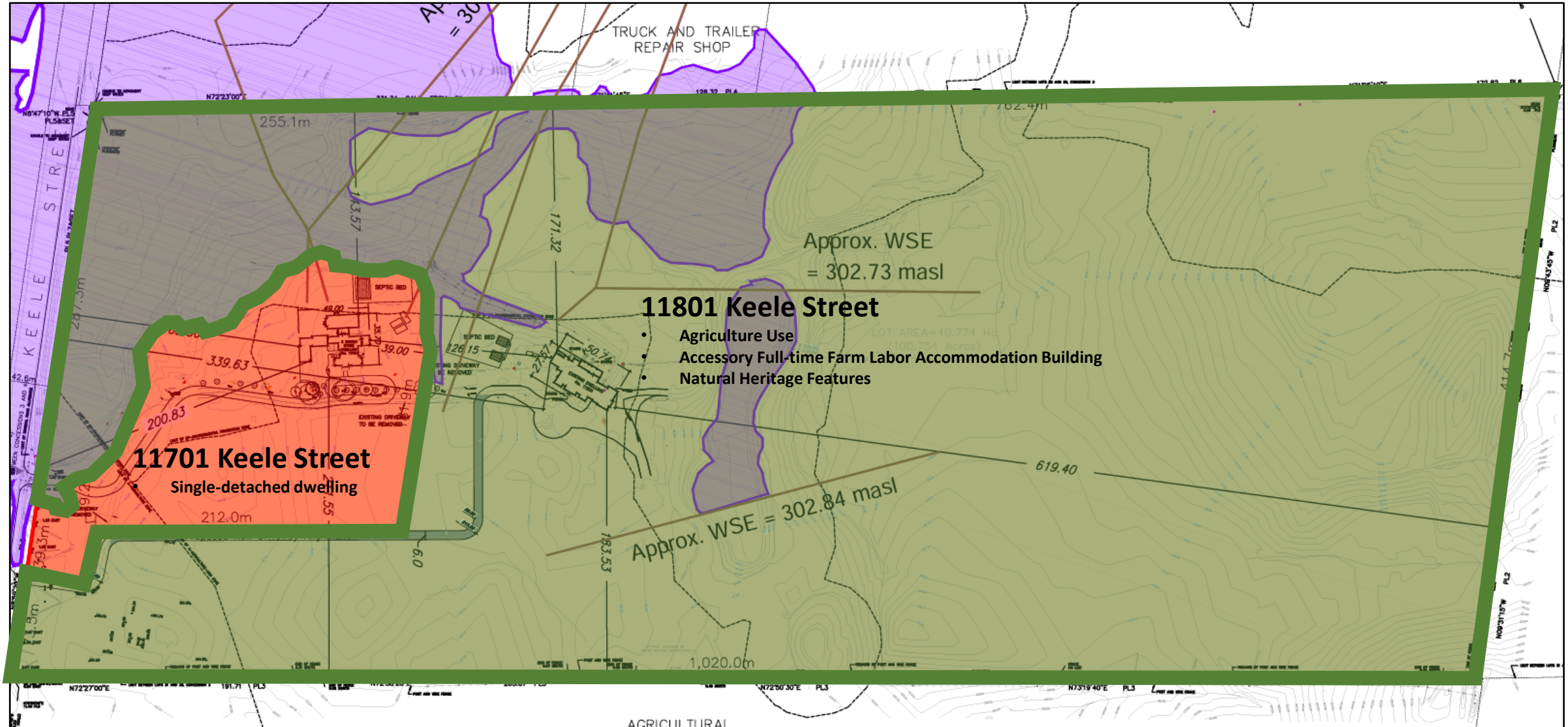
“Severance from each other of parts of a lot that are devoted to different uses, but only if the uses are legally established at the time of the application for severance.”



Planning Analysis – ORMCP Cont'd

- When analyzing Section 32 (1) 6. of the ORMCP, **two** operative components are important to recognize. These parts define the scope of the policy, and understanding them is crucial for interpreting its application.
- The first policy requirement is that the property contains *different uses*.
- The development proposal satisfies the first policy requirement set out in Section 32 (1) 6. of the ORMCP.
 - The Subject property contains two separate and distinct primary permitted uses:
 - A **single detached dwelling** which serves a principal residence for human habitation
 - An **Agriculture Use** related to an active farming operation on the eastern half of the Subject Property
 - Accessory to the primary Agriculture Use is a **full-time farm labor accommodation building**.
- The above noted primary uses are wholly distinct and separate from one another (i.e. the single detached dwelling is unrelated to the agriculture use) and have their own definitions/meanings/purposes in the ZBL constituting “**different uses**”.

Planning Analysis – Land Uses



Planning Analysis – ORMCP Cont'd

- The second policy test is that the different uses are legally established at the time the Consent Application is submitted.
- The development proposal satisfies the second policy requirement set out in Section 32 (1) 6. of the ORMCP:
 - The primary permitted uses on the Subject property have been legally established prior to the Consent & Minor Variance Applications:
 - The Subject Property is zone *A-ORM - Oak Ridges Moraine Agriculture Zone*, which permits for Agriculture and Agriculture related uses including farming. The Subject Property contains a bona-fide active farming operation which is permitted as-of-right.
 - Accessory to the Agriculture (Farming) Use is a building devoted to farm help/labor accommodation. A building permit was issued by the City for a full-time farm labor accommodation building associated with the agriculture use. While this permit was issued for the construction of 11701 Keele Street, over time, the accessory use has evolved and has been reconfigured in 11801 Keele Street in order to locate the use nearest the agricultural field.
 - A single-family dwelling is located on the Subject Property and addressed 11701 Keele Street. A building permit was issued by the City for this building and it has been legally established and existing on the property since 2002.
- All of the above listed uses are legally existing and established on the Subject Property which satisfies the second policy requirement of the ORMCP.

Planning Staff Opinion

- Staff are not opposed to the proposed Minor Variances.
- Staff cannot support the Consent Application.
- There is no policy in the Zoning By-law or Official Plan which precludes lawfully existing uses on a property to be reconfigured.
- The relocation of the farm help building to 11801 provides for the accessory agriculture use to be located next to the primary agriculture use and active farm field for improved efficiency and convenience.
- The arrangement of uses on the Subject Property is consistent with the ORMCP policies for lot creation and allows for a logical severance which continues to maintain all permitted and lawfully existing uses on the Subject Property without conflict.

Planning Opinion

- The proposed Consent satisfies the lot creation policies of the ORMCP.
- The proposed severance would create lots that can support and accommodate the proposed uses, buildings and structures and accessory uses without encroachment on the surrounding Natural Heritage Network.
- No new development is being proposed through the applications.
- All existing woodlands and wetlands and associated buffers have been consolidated within the Retained Lands to avoid fragmentation and will be maintained and protected.
- The proposed severance would not impact the viability of existing agricultural uses on the Subject Property.
- The proposed development represents good planning and the requested variances, individually and collectively satisfy the 4 tests for Minor Variance under the *Planning Act*.

From: [Brendan Charters](#)
To: [Committee of Adjustment Mailbox](#)
Subject: [External] A166/24 + B014/24 + A165/24 at 11701 Keele St and 11801 Keele St Vaughan ON
Date: Wednesday, July 2, 2025 10:14:35 AM

CAUTION! This is an external email. Verify the sender's email address and carefully examine any links or attachments before clicking. If you believe this may be a phishing email, please use the Phish Alert Button.

To Whom it May Concern,

We are the owners of 11700 Keele St, in Vaughan ON, situated West of the subject site. We are in support of the above mentioned applications to sever the property and permit the existing single family dwellings to remain along with the home based/agriculture industries, as applied for by Mr Antonio Guglietti.

Trusting the above is satisfactory, should you wish to speak with me directly feel free to contact me.

BRENDAN
CHARTERS B.Sc(hons.)
Development Manager
Bren-Coll Holdings Inc



PLANNING JUSTIFICATION REPORT

APPLICATIONS FOR

MINOR VARIANCE AND CONSENT

TONY GUGLIETTI

11701 & 11801 KEELE STREET
CONCESSION 3 PART OF LOT 32 & 33 ON REGISTERED PLAN 65R-34428
CITY OF VAUGHAN, REGIONAL MUNICIPALITY OF YORK



HUMPHRIES PLANNING GROUP INC.

**190 Pippin Road, Suite A
Vaughan, Ontario L4K 4X9
(905) 264-7678, FAX 264-8073**

**File No.: 24900
April 2025**

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1.0 INTRODUCTION

Humphries Planning Group Inc. (“**HPGI**”) has been retained by Tony Guglietti (the “**Owner**”) with respect to the development of their lands municipally known as 11701 and 11801 Keele Street and legally described as Part of Lot 32 and Lot 33, Concession 3 (the “**Subject Lands**”) in the City of Vaughan (the “**City**”), in the Region of York (the “**Region**”).

This Planning Justification Report (“**Report**”) accompanies applications for a Consent to Sever to create a new lot, together with an application for a Minor Variance to authorize the reduction in the minimum lot area to permit the creation of the severed and retained lands (collectively, the “**Applications**”). The proposed new lot will contain a single family dwelling that exists on the Subject Lands which is currently being utilized for residential habitation in accordance with the existing zoning. The retained lands will contain the agricultural uses and accessory agriculture dwelling utilized for Agricultural purposes.

This Report is intended to provide an analysis of the Applications which will be reviewed against the applicable Provincial, Regional and Municipal land use policies and the applicable zoning, taking into consideration applicable land use planning matters and the other documents prepared as referenced within this PJR. The Report will provide an analysis of these documents which concludes that the proposed severance and minor variance represents an appropriate form of development, will have no impact on the agricultural land base and represents good land use planning.

1.1 PURPOSE

The submitted Applications will authorize the creation of a new lot through a Consent to Sever Application. Associated Minor Variance Applications are required to reduce the minimum lot area to permit both the severed and retained lands.

Within the proposed severed lands (11701 Keele Street) there is an existing a single detached dwelling, with asphalt driveway which functions primarily for purposes of residential habitation. 11701 Keele Street is also legally permitted and utilized for a Home Industry containing a carpentry shop and small motor/equipment repair shop. The retained lands (11801 Keele Street) will continue to be utilized for agricultural purposes and contain the existng agricultural dwelling as well as an identified Provincially Significant Wetland and watercourse associated with the Don River Watershed. The delineation of the propsoed severance has been informed by input and feedback from the TRCA who expressed concerns over the potential fragmentation of the mapped stream corridor, wetland, and potentially an unmapped Regional Sotrm flood plain hazard. The Owner has worked with the TRCA to establish a lot boundary that is sufficiently setback and does not impact the natural heritage features or hazards.

The proposed land severance will not impact the current land use and will maintain and preserve the existing natural heritage features on the site. All current and existing land uses on the Subject Lands will

continue to function and operate (as legally permitted) and the uses would not be impacted by the proposed severance. A new driveway will be constructed to connect with the existing southerly entrance onto Keele Street to provide separate access to the proposed Retained Lands .

2.0 SITE AREA AND CONTEXT

The Subject Lands is located on Keele St. north of Kirby Road, south of King Vaughan Road and east of Jane Street. The Subject Lands consist of one (1) lot with an approximate area of 40.77 hectares (100.75 acres), having a frontage of approximately 400.1 metres along Keele Street. The Subject Lands contains a single detached dwelling, and accessory agriculture dwelling both of which are serviced by individual private septic systems and municipal water and are accessed via a shared driveway from Keele Street. In addition, two accessory structures exist within the northeast portion of the Subject Land. With the exception of the lands occupied by the structures and their associated yards, the balance of the lands is either used for agriculture including annual row crops, uncultivated fields as well as natural heritage features which consist of a watercourse, wetlands and woodlands.



FIGURE 1 – AIR PHOTO OF SUBJECT LANDS

The Subject Land is surrounded by a variety of land uses as described below:

North: With exception to the existing Truck and Trailer/Storage and Repair shop immediately to the north, the predominant use is agricultural.

East: Directly to the east are agricultural lands and rural detached dwellings.

South: Immediately to the south are agricultural lands and unoccupied land. South of Kirby Road are urban residential uses in a variety of forms including single detached and townhomes.

West: To the west are commercial and industrial uses, including a gas station, Tim Hortons and an A&W, with access from both Keele St. and Kirby Rd.

3.0 BACKGROUND

VARIANCE APPLICATION A103/18

City of Vaughan Committee of Adjustment approved Minor Variance Application A103/18 that pertained to the Subject Lands on July 5, 2018 authorizing construction of one additional dwelling for the accommodation of farm labourers with a lot area of 24.444 hectares (exclusive of lands zoned OS5) located at the southwest corner of the lot outside of the Oak Ridges Moraine Conservation Plan (the "ORMCP").

As a result, building permit #18-000807 was issued for the described purpose of "a new custom single detached dwelling and sewage system comprising septic and balancing tanks and a filter bed".

Subsequently, the Owner elected to seek the approval of a revised location for the additional dwelling adjacent to the woodlands and wetlands at the northwest corner of the Subject Lands and within both the ORMCP and the Toronto and Region Conservation Authority (TRCA) regulated area of the Humber River Watershed boundaries.

Permit C-200735 was issued by the TRCA dated September 11, 2020 with the stated purpose "To undertake development within a TRCA Regulated Area of the Humber River Watershed in order to construct a 1312.53 square metre second dwelling for on-farm labour, with an attached garage, pool and septic system."

As part of the issuance of a new building permit for the second dwelling, a Natural Heritage System Review was conducted by Dillon Consulting that confirmed the proposed new dwelling was not located within 30 metres of Oak Ridges Moraine Key Natural Heritage Features or Hydrologically Sensitive

Features and therefore satisfied the requirements of the Oak Ridges Moraine Conservation Plan with respect to satisfying applicable policy in that regard.

On October 5, 2020, the City of Vaughan issued a building permit #20-110266 and revoked permit #18-000807, with a described purpose of “new house with new location of sewage system comprising septic and balancing tanks and a filter bed”. The second dwelling that was subsequently constructed in accordance with the building permit in the new location on the northwest portion of the lot is now referred to municipally as 11701 Keele Street.

Since then, the second dwelling has been occupied for residential purposes and the accessory garage has been utilized as an accessory Home Industry inclusive of a carpentry shop and small motor/equipment repair shop which is operated by Beach Town Holdings Inc., who are also residents of the dwelling.

4.0 DEVELOPMENT PROPOSAL AND PLANNING APPLICATIONS

4.1 PROPOSED LAND SEVERANCE

The proposed severance is to accommodate the creation of a new lot for purposes of continuing the operations of the *Single Detached Dwelling* located at 11701 Keele Street.

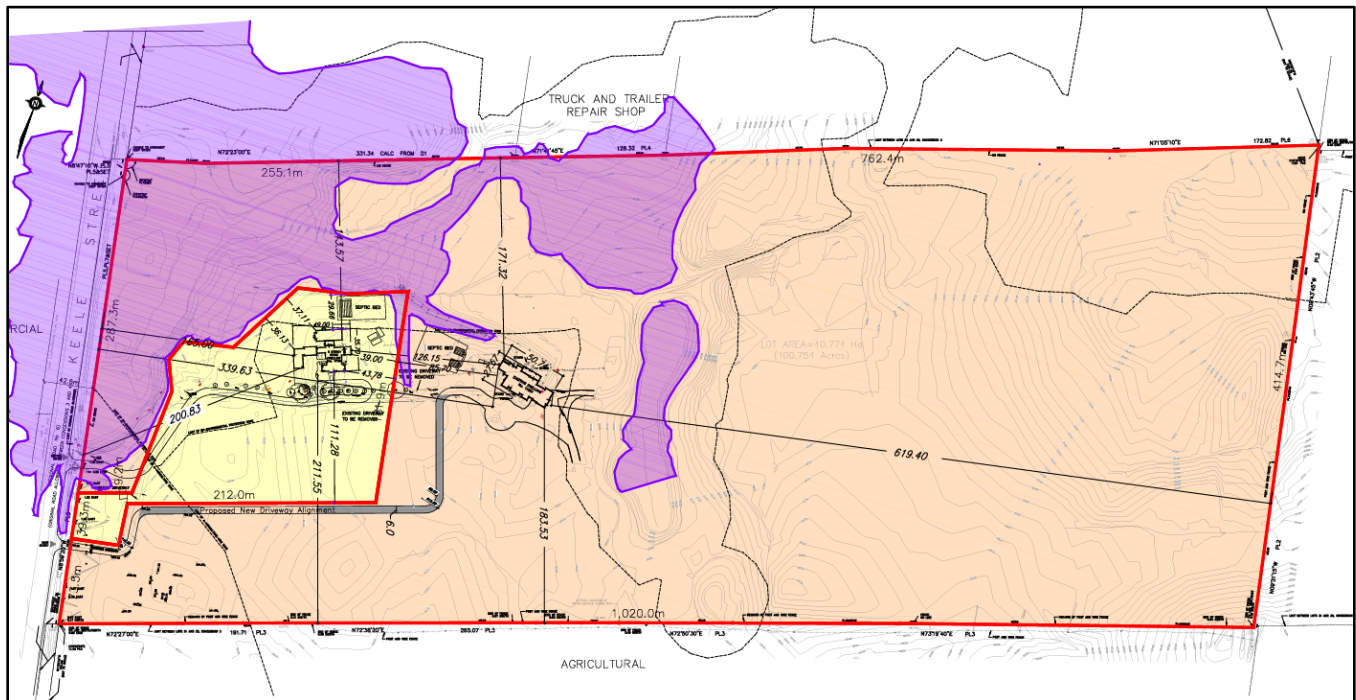


FIGURE 2 – PROPOSED SEVERANCE SKETCH

The Severed Land consist of 3.4 hectares (8.4 acres), together with 39.3 metres of frontage on Keele Street. The Severed Land will continue to utilize the existing northern most driveway to access Keele Street and existing services. There is no new construction, servicing or grading required with respect to the proposed new lot. All natural heritage features and hazards are located outside of the proposed Severed Land.

The Retained Land will have a lot area of 37.3 hectares (92.2 acres) together with approximately 360 metres of combined frontage along Keele Street which will continue to be used for **Agriculture**, as well as the existing **Accessory Agriculture Dwelling** at 11801 Keele Street. Access to the Retained Land will be achieved via the existing southern most driveway which will be reconstructed in part to follow the northern boundary of the proposed new lot line to provide its own separate access to the existing accessory agriculture dwelling. The Retained Land and dwelling will continue to utilize existing services. With exception of the relocation of a portion of the existing driveway, no new construction, servicing or grading is required with respect to the Retained Land which will not impact the current Agriculture Use. All existing woodlands and wetlands and associated buffers have been consolidated within the Retained Lands and will be maintained and protected.

4.1 PROPOSED MINOR VARIANCE

The proposed Minor Variance seeks relief from Vaughan Zoning By-law 001-2021 regarding minimum lot area to permit the severed and retained lots.

The proposed variances for the Severed Lands are as follows:

- *To permit a minimum lot area of 3.4 hectares, whereas the current by-law requires 40 hectares; and,*

The proposed variances for the Retained Lands are as follows:

- *To permit a minimum lot area of 37.3 hectares, whereas the current by-law requires 40 hectares.*

5.0 SUPPORTING STUDIES

In addition to this Report, several additional studies/reports have been prepared by various professional consultants in connection with the Applications. A brief summary of each report is provided below.

5.1 MINIMUM DISTANCE SEPARATION AND AGRICULTURAL VIABILITY OPINION

A Minimum Distance Separation Assessment and Agricultural Viability Opinion was prepared by a qualified Agrologist, from Orion Environmental Solutions Inc. The report concludes that the proposed severance is in compliance with all applicable MDS policy and will have no impact on the agricultural land base within the City of Vaughan.

5.2 IMPACTS TO NATURAL HERITAGE FEATURES

Insight Environmental Solutions Inc. have prepared a report titled “Review of Impacts to Natural Heritage Features 11801 & 11701 Keele Street” (Appendix C-2) that confirms based on the comprehensive background review of aerial photographs, the Dillon Report, and 2024 field investigations, neither the prior development nor the proposed development has impacted or is expected to impact the form or function of the Natural Heritage Features on the Subject Property. The report goes on to note, *“since severance is a legal designation defined on a 2-D plane, with no new construction, servicing, or grading required for the proposed new lot, there will be no physical impact on the woodlands or adjacent wetlands. This will ensure that the natural features will remain fully protected, while allowing the necessary land division to support the intended land uses.”* Lastly, the report considers the realignment of the proposed southerly driveway and its impacts and goes on to state, *“Importantly, the realignment will occur within a cut field, well outside of the natural heritage features and associated buffers. Given that the realignment avoids sensitive ecological areas, there will be no anticipated impacts on the woodlands, wetlands, or their associated buffers”*. This approach ensures the protection of the natural environment while accommodating the necessary access modifications.

6.0 PLANNING REVIEW

6.1 POLICY REVIEW

A complete review has been undertaken of the relevant policy documents including all relevant Provincial Plans including the Provincial Planning Statement 2024 (the “**PPS**”), the Oak Ridges Moraine Conservation Plan 2017 (the “**ORMCP**”), the Region of York Official Plan 2022 (the “**ROP**”) and the City of Vaughan Official Plan 2010 (the “**VOP**”). The following sections provide a summary of the applicable planning policies and an evaluation of the proposed development.

Provincial Planning Statement, 2024

The PPS (2024) is a streamlined province-wide land use planning policy framework that replaces both the Provincial Policy Statement, 2020 and A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 while building upon housing-supportive policies from both documents. It came into effect October 20, 2024.

Section 4.3.3 of the PPS provides policies and direction to Lot Creation and Lot Adjustments within Agricultural Areas. It states that:

1. *Lot creation in prime agricultural areas is discouraged and may only be permitted in accordance with provincial guidance for:*
 - a. *Agricultural uses, provided that the lots are of a size appropriate for the type of agricultural uses(s) common in the area and are sufficiently large to maintain flexibility for future changes in the type of size of agricultural operations;*
 - b. *Agriculture-related uses, provided that any new lot will be limited to the minimum size needed to accommodate the uses and appropriate sewage and water services;*

- c. *One new residential lot for a residence surplus to an agricultural operation, provided that:*
 - 1. *the new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services; and*
 - 2. *the planning authority ensures that new dwellings or additional residential units are prohibited on any remnant parcel of farmland created by severance. The approach used to ensure that no new dwellings or additional residential units are permitted on the remnant parcel may be recommended by the Province, or based on municipal approaches to achieve the same objective; and*
- d. *Infrastructure, where the facility or corridor cannot be accommodated through the use of easements or rights-of-way.*
- 2. *Lot adjustments in prime agricultural areas may be permitted for legal or technical reasons.*
- 3. *The creation of new residential lots in prime agricultural areas shall not be permitted, except in accordance with policy 4.3.3.1.c).*

The PPS defines a ***‘residence surplus to an agriculture operation’*** as one existing habitable detached dwelling, including any associated additional residential units, that are rendered surplus to a farming operation. The proposed severance is consistent with Section 4.3.3 of the PPS as it represents a residence surplus to an existing bona-fide agricultural operation and would create a new lot that is subordinate in size to the retained agricultural use and associated accessory use and can wholly accommodate appropriate sewage and water services, which exists and currently service the single detached dwelling at 11701 Keele Street today. The proposed severance does not contemplate any new construction nor would it facilitate the creation of a remnant parcel for additional residential units. The proposed severance seeks to divide the Subject Lands for legal and/or technical reason in order to create a new, independent lot for ownership purposes which is contemplated in the PPS.

Oak Ridges Moraine Conservation Plan, 2017

Portions of the Subject Land is located within the Natural Linkage Area of the ORMCP. Natural Linkage Areas protect critical natural and open space linkages between the Natural Core Areas and along rivers and streams. Only existing uses, agricultural uses and very restricted new resource management, low intensity recreational, home businesses, and infrastructure uses are allowed in these areas.

Section 32 of the ORMCP sets out policies related to Lot Creation within the Plan boundary. A lot may be created only in the following circumstances:

- 1. *Where the owner and operator of a farming operation acquires land to consolidate into the farming operation, a lot on which is situated a habitable residential dwelling that existed before July 1, 2017 and that after the consolidation has become surplus to the consolidated farming operation may be severed from the lot of the consolidated farming operation but only if,*
 - i. *the new lot will be limited to the minimum size that is needed to accommodate a residential use and the required sewage and water services, and*

- ii. no new residential dwellings will be constructed on a remnant parcel of farmland created by the severance.*
- 2. Severance of two or more lots for agricultural uses where the lot size of the severed and retained lots is at least 100 acres.*
- 3. Acquisition of land for the development of infrastructure in accordance with the requirements set out in section 41.*
- 4. The addition of adjacent land to an existing lot, but only if the adjustment does not result in the creation of a lot that is undersized for the purpose for which it is being or may be used.*
- 5. Facilitating conveyances to public bodies or non-profit entities for natural heritage conservation.*
- 6. Severance from each other of parts of a lot that are devoted to different uses, but only if the uses are legally established at the time of the application for severance.*

In addition to the above Subsection 3 provides additional criteria that should be considered when establishing new lots. It states that:

- 3) A lot may be created only if there is enough net developable area on both the severed lot and the retained lot to accommodate proposed uses, buildings and structures and accessory uses without encroachment on key natural heritage features or key hydrologic features.*

Based on the above policies, the ORMCP allows for certain land severance scenarios, particularly those involving agricultural uses and infrastructure, while also prioritizing environmental protection and restricts development in certain areas. As it relates to the proposal, the severance is permitted through policy 32(6) which allows the division of land for land uses that are considered to be different.

Based on this provision, it is our opinion, that the proposed severance can be allowed because two primary and/or principal uses exist on the property today and were lawfully established through previous building permit applications. For the purpose of this application, the address of 11801 is considered to be an Agricultural Use. The ORMCP defines “agricultural uses” as growing crops, including nursery, biomass and horticultural crops, raising livestock and other animals, including poultry and fish, for food, fur or fibre, aquaculture, apiculture, agro-forestry and maple syrup production, and uses associated with on-farm buildings and structures. The definition also includes accommodations for full-time farm labour and accessory agricultural dwelling.

The address of 11701 is considered to be the single detached dwelling. The PPS defines “single dwelling” as a building containing only one dwelling unit and, in any area other than an area within a Natural Core or Natural Linkage Area, includes a building containing one primary dwelling unit and no more than one secondary dwelling unit,

Based on the above, the Subject Lands currently contain two distinct and different primary uses. The first of the two principal uses (#11801) is the use devoted to agriculture represented by the active farmers field which comprises the vast majority of the site. Accessory to this primary use (agriculture) is the accessory agricultural dwelling for accommodation for full-time farm labour. The second principal

use on the Subject Property (#11701) is a single detached dwelling. This principal use is independent and unrelated to the agriculture uses and its primary function and purpose is residential habitation. Based on the description and status of primary/principal uses of the property, the proposed severance is consistent with Section 32(6) of the ORMCP as the parts of the lot are were established and devoted to different primary uses and therefore can be severed.

Further, the proposed severance is also consistent with subsection 32(3) as the proposed severance would facilitate the creation of lots that can continue to support their existing uses and will consolidate all existing natural heritage features and their associated buffers on one lot (the Retained Land) in order to avoid fragmentation and impact.

York Region Official Plan, 2022

The Subject Land is located within the “Agricultural System” with a “Regional Greenand’s System” overlay in accordance with Map 1 – Regional Structure of the ROP. Portions of the Subject Land are also located within the boundary of the ORMCP.

Section 5.1.12 sets out policies related to new lot creation in the Agricultural System. It is the policy of the ROP that:

- 5.1.12 That consents will only be permitted in accordance with Provincial plans, local official plans and zoning by-laws in the following instances:*
- a. Acquisition of land for infrastructure projects;*
 - b. Conveyances to public bodies or non-profit agencies for natural heritage or conservation purposes, providing no separate residential lot is created;*
 - c. Minor lot adjustments or boundary additions, provided they do not create a separate lot for a residential dwelling in specialty crop or prime agricultural areas and there is no increased fragmentation of a key natural heritage feature or key hydrologic feature;*
 - d. Agricultural uses where both the subject and retained lands are a minimum size of 16 hectares (40 acres) in the Holland Marsh Specialty Crop Area and 40 hectares (100 acres) in the Agricultural Area;*
 - e. Existing or new agriculture-related uses, such as farm-related commercial and farm-related industrial uses that are small in scale and directly related to the farm operation and required to be located in close proximity to the farm operation. In these cases, the new lot will be limited to the minimum size required for the use and appropriate individual private on-site water and wastewater systems will be required; or*
 - f. Severance of an existing residence that is surplus to a farming operation as a result of a farm consolidation, providing no additional residence can be constructed on the retained farmland.*

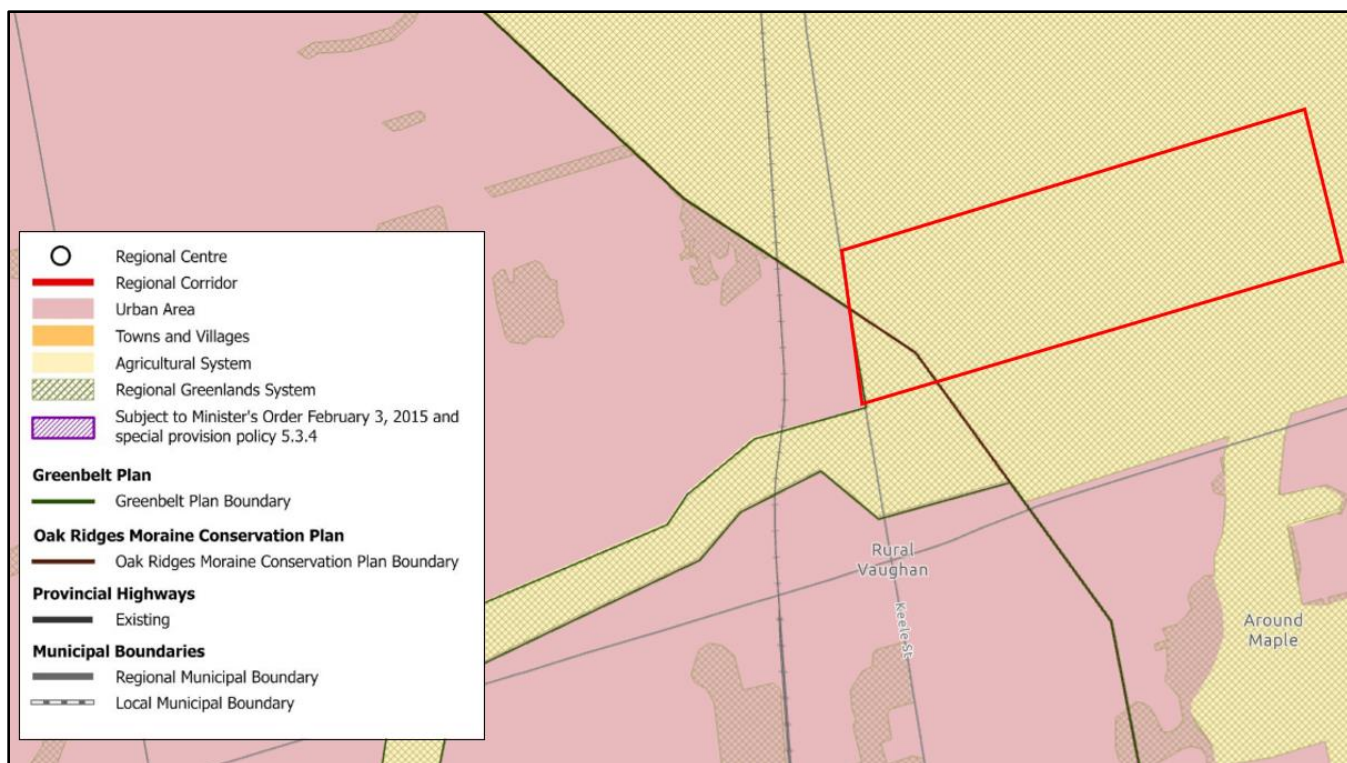


FIGURE 4 – MAP 1 – REGIONAL STRUCTURE – REGION OF YORK OFFICIAL PLAN

The lot creation policies in the ROP provides clear directive for land division in the agricultural area and is a repetition of the definition and policies found in the PPS. The proposed severance conforms to Section 5.1.12 of the ROP as the severed land represents a legally existing single detached dwelling that is considered a residence surplus where an established farm has more than one habitable dwelling which is considered surplus to the needs of the farm operation. It should be noted that, practically speaking, the proposal does not seek to create a new lot; the lot and its associated building has existed since its construction in 2020, just not formally severed from the larger landholding. 11701 Keele Street has functioned as a non-agricultural use and is independent of and unrelated to the primary agricultural uses on the Subject Lands. The land use will not change based on the severance. The Retained Parcel will continue to be farmed and that is, in our opinion, the overall intent of the creation of the surplus dwelling policies, to protect those lands and the overall viability of the agricultural land base.

City of Vaughan Official Plan, 2010

The Subject Lands are dual-designated Oak Ridges Moraine Natural Linkage and Agriculture in accordance with Schedule 13 – Land Use of the VOP.

More specifically, the proposed Severed Land is predominantly designated as *Oak Ridges Moraine Natural Linkage Area* with exception of a small triangular portion of land at the southwest corner which are designated as *Agricultural* (within the Greenbelt Plan Area). The existing single detached dwelling within the Severed Lands is entirely within the Oak Ridges Moraine Natural Linkage Area designation. Lands within the Agricultural designation that form part of the Severed Lands currently contain the

existing driveway which is to be maintained to provide access to the dwelling, existing watercourse and wetlands, and a small portion of uncultivated field.

The Retained Lands are also predominantly designated *Oak Ridges Moraine Natural Linkage Area* with the exception of approximately 1.36 hectares located at the southwest corner - which are designated as *Agricultural* (within the Greenbelt Plan Area). The portion of Retained Land that is located within the Agricultural designation consists of uncultivated field.

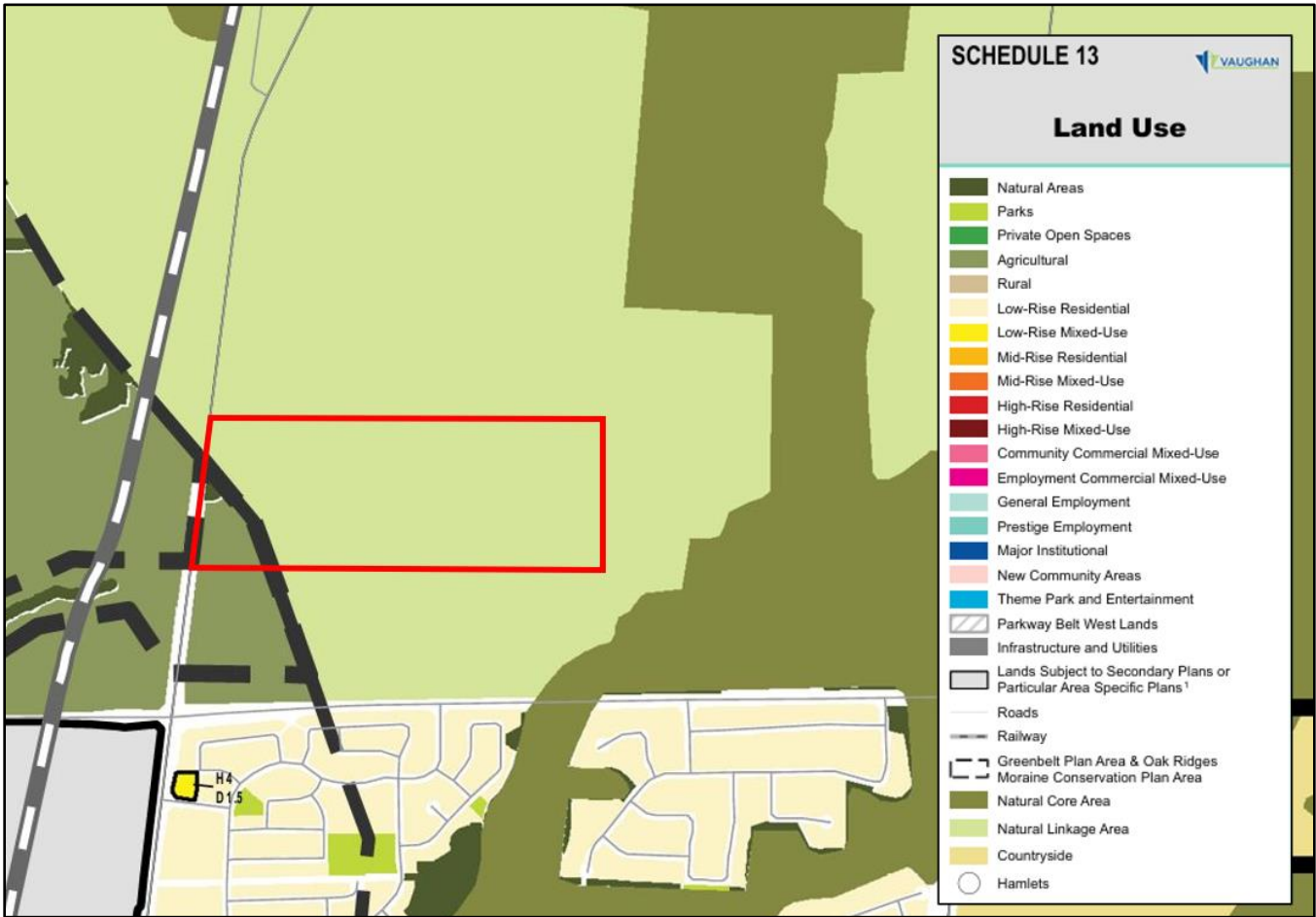


FIGURE 5 – SCHEDULE 13 – LAND USE – CITY OF VAUGHAN OFFICIAL PLAN

It is worthy of note that the VOP policies respecting permitted uses and consent policies for lands within the Oak Ridges Moraine Natural Linkage designation are consistent with the ORMCP.

Policy 10.1.2.44 f) of the VOP sets out a number of scenarios where land severances within the Oak Ridges Moraine Natural Linkage Area would be permitted. This policy is also reflected in the ORMCP at Subsection 31(2) and 32(1) 6. It is the policy of the VOP that:

10.1.2.44 *That a consent(s) to sever lands designated on Schedule 13 Oak Ridges Moraine Natural Core, Oak Ridges Moraine Natural Linkage, or Oak Ridges Moraine Countryside, may be permitted in the following instances:*

- a. Severance, from a rural lot, of a farm retirement lot or a lot for a residence surplus to a farming operation. The maximum permitted is a cumulative total of one such severance for each rural lot. All consents granted on or after January 1, 1994 are included in the calculation of the cumulative total.*
- b. Severance from each other of two or more rural lots that have merged in title. The severance shall follow the original lot lines or original half lot lines.*
- c. Allowing land acquisition for transportation, infrastructure, and utilities as described in subsection 3.4.10 , but only if the need for the project has been demonstrated and there is no reasonable alternative.*
- d. The addition of adjacent land to an existing lot, but only if the adjustment does not result in the creation of a lot that is undersized for the purpose for which it is being or may be used.*
- e. Facilitating conveyances to public bodies or non-profit entities for natural heritage conservation.*
- f. Severance from each other of parts of a lot that are devoted to different uses, but only if the uses are legally established at the time of the application for severance.*

Based on the above, the VOP is consistent with the policies of the ORMCP and allows for certain land severance scenarios, particularly those involving agricultural uses and infrastructure, while also prioritizing environmental protection and restricting development in certain areas. As it relates to the proposal, the severance is permitted through 10.1.2.44.f which allows the division of land for land uses that are considered to be different by virtue of the separate and distinct land uses and associated definitions as provided in the VOP and ORMCP.

The proposed severance can be allowed as two primary or principal uses exist on the property today and were lawfully established through previous building permit applications. For the purpose of this application, the address of 11801 is considered to be the **Agricultural Use**. The ORMCP defines “agricultural uses” as growing crops, including nursery, biomass and horticultural crops, raising livestock and other animals, including poultry and fish, for food, fur or fibre, aquaculture, apiculture, agro-forestry and maple syrup production, and uses associated with on-farm buildings and structures. The definition also includes accommodations for full-time farm labour and accessory agricultural dwelling.

The address of 11701 is considered to be the **Single Detached Dwelling**. The PPS defines “single dwelling” as a building containing only one dwelling unit and, in any area other than an area within a Natural Core or Natural Linkage Area, includes a building containing one primary dwelling unit and no more than one secondary dwelling unit,

Based on the above, the Subject Land currently contains two distinct and different primary uses. The first of the two principal uses (#11801) is a use devoted to agriculture represented by the active farmers field which comprises the vast majority of the site. Accessory to this primary use (agriculture) is the accessory agricultural dwelling for accommodation for full-time farm labour. The second principal use on the Subject Property (#11701) is a single detached dwelling. This principal use is independent and unrelated to the agriculture uses and its primary function and purpose is residential habitation and is considered a surplus residence to the farming operation. Based on the description and status of primary/principal uses on the Subject Land, the proposed severance is consistent with Section 32(6) of the ORMCP as the parts of the lot are legally established and devoted to different primary uses, and therefore the severance may be permitted.

Other relevant consent policies within the VOP which are consistent with the ORMCP are as follows:

10.1.2.38. That a lot(s) may be created only if there is enough net developable area on both the severed lot and the remainder lot to accommodate proposed uses, buildings and structures and accessory uses without encroachment on the Natural Heritage Network.

10.1.2.39. As a condition of approval, the City shall enter into an agreement with the applicant establishing conditions requiring that natural self-sustaining vegetation be maintained or restored in order to ensure the long-term protection of any Natural Heritage Network components and hydrologically sensitive features on the lot.

10.1.2.40. That a lot shall not be created if it would extend or promote strip development.

With regard to the above noted policies , the Severed and Retained Land have been created to maintain existing services and yards and there is no new development or grading proposed that will impact the same. A new driveway will be constructed to connect with the existing southerly entrance that exists on Keele Street in order to provide separate access to the proposed Retained Land. The proposed new driveway is located within uncultivated field, well removed from wetlands and woodlands. The existing single detached dwelling within the proposed Severed Lands is generally located beyond 30 metres of Oak Ridges Moraine Key Natural Heritage Features or Hydrologically Sensitive Features and that the existing buffers required by the ORMCP are satisfactory considering that the associated features and functions have been maintained based on the report titled “Review of Impacts to Natural Heritage Features 11801 & 11701 Keele Street” noted above.

The proposed severance will have no new impacts and the proposed driveway to service the Retained Land will have no adverse impacts as it is well removed from any significant natural heritage features, functions or their associated buffers.

Considering that there is no development that requires restoration, policy 10.1.2.39 is not applicable. Lastly, the proposed Severed and Retained Land will not create or promote strip development as both lot exceed the minimum lot frontage provisions of the Zoning By-law and the rural character and built form will remain unchanged.

Based on the foregoing, it is concluded that the proposed consent complies with the applicable policies of the VOP.

6.2 ZONING

The Subject Lands are currently zoned **A-Agricultural Zone-ORM**, **A- Agricultural Zone** and **EP-Environmental Protection Zone** in accordance with Zoning By-law No. 001-2021. With the exception of the variances to minimum lot area for the Severed and Retained Lands, the Severed and Retained Lands comply with all other lot and building standards and requirements of Zoning By-law No. 001-2021.

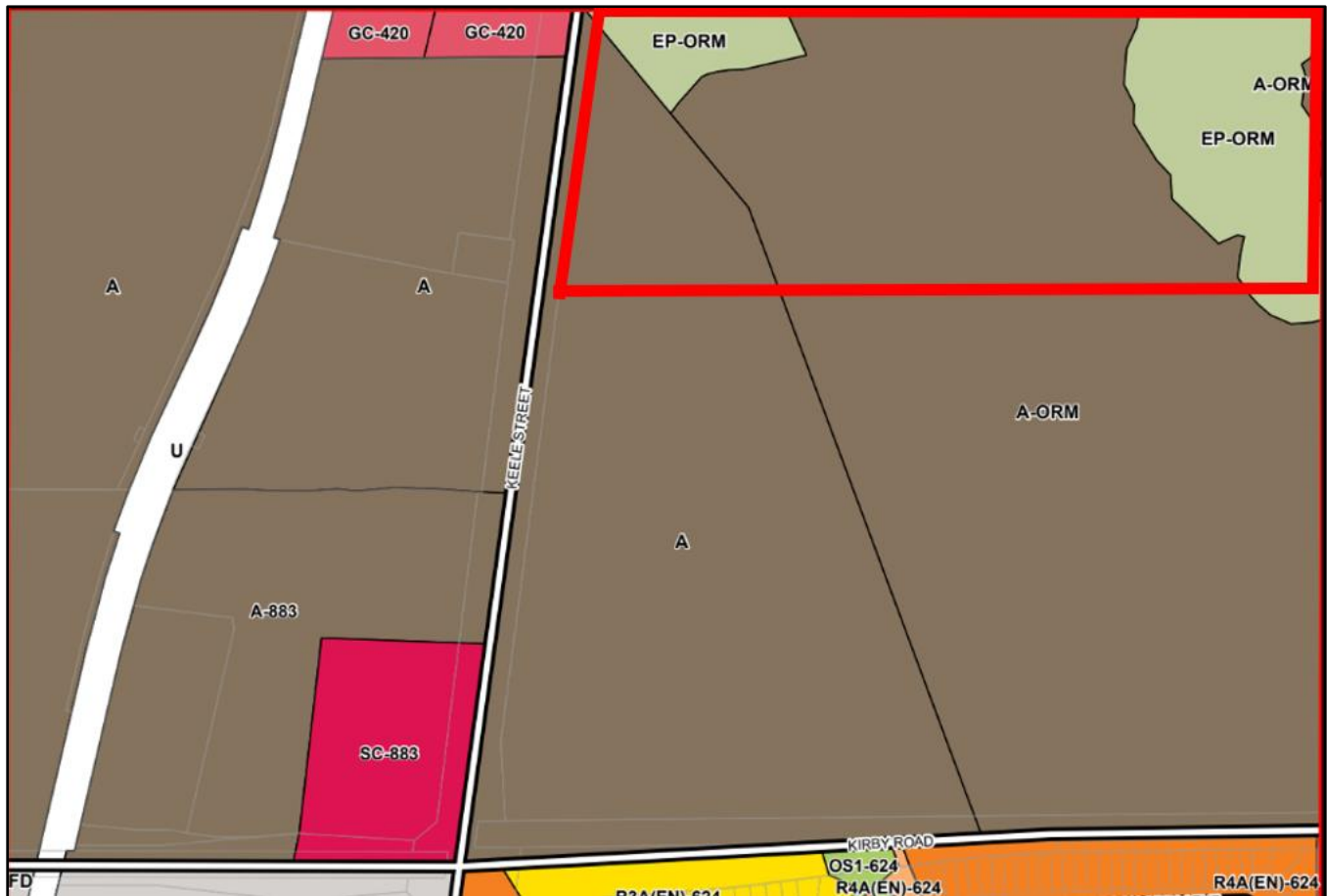


FIGURE 6 – SCHEDULE A – MAP 247 – CITY OF VAUGHAN ZONING BY-LAW 01-2021

7.0 THE PLANNING ACT

With respect to the applications, a Proposed Minor Variance under Section 45 of the Act and a Consent Application under Section 53 of the Act is proposed. The contents of this Report, along with the submitted municipal application forms and technical studies, include the information required by the above noted sections of the Act.

7.1 PROPOSED CONSENT

A complete review of the criteria as stated in section 51(24) of the Act is provided in **Appendix A**. Based on this planning analysis, regard has been had to the criteria and the proposed consent meets the requirements of the Act.

7.2 PROPOSED VARIANCE

The “The Four Tests” that are required to be met when proposing a variance are set out in Section 45 (1) of the *Planning Act*. These tests authorize the committee of adjustment to approve a minor variance subject to satisfying the criteria stated as follows;

The Four Tests

- 1) *Does the proposed variance meet the general intent and purpose of the Official Plan?;*
- 2) *Does the proposed variance meet the general intent and purpose of the zoning by-law?;*
- 3) *Are the proposed variances desirable for the appropriate development, or use of the land, building or structure?; and*
- 4) *Is the proposed variance minor in nature?*

Response Test 1: Does the proposed variance meet the general intent and purpose of the Official Plan?

The variances are required to implement the severance and ensure that both the severed and retained land comply with the minimum lot area in the ZBL. As discussed in detail at section 6 of the Report, the proposed consent complies with the intent and purpose of VOP which contemplates severances in the Agricultural and Oak Ridges Moraine Natural Linkage Area designation to accommodate a severance of each parts of a lot that are devoted to different uses. The proposed severance can be allowed because two primary or principal uses exist on the property today and were lawfully established through previous building permit applications. For the purpose of this application, the address of 11801 is considered to be the **Agricultural Use**. The address of 11701 is considered to be the **Single Detached Dwelling** which is considered to be a surplus residence to a farming operation. Based on the above description of existing use, the Subject Lands currently contain two distinct and different primary uses and meets the Official Plan criteria to authorize a severance.

The Severed Lands have been minimized to the area for the existing use, yards, and servicing. The Severed Lands will not encroach into any of the agricultural area or natural heritage features and functions ensuring the viability of agriculture in the long-term and eliminating any potential for fragmentation of the mapped stream corridor, wetland, and potentially an unmapped Regional Sotrm

flood plain hazard. Therefore, the general intent and purpose of the Official Plan is met.

Response Test 2: Does the proposed variance meet the general intent and purpose of the zoning by-law?

The intent of the minimum lot area in the A-Agricultural Zone-ORM and the A-Agricultural Zone of 40 hectares is to maintain viable agricultural operations. As noted, the proposed Severed Lands has been delineated in a manner that minimizes fragmentation to the greatest extent possible and does not remove any existing agricultural land from production - as the single detached dwelling already exists today. The Retained Land will maintain the existing agricultural production and natural heritage features and the reduction in minimum lot area will not impact the viability of the agricultural use. Furthermore, the variances have been tailored to the proposal which will not permit further fragmentation of the Severed or Retained Land. All other requirements of the zoning by-law are satisfied. Therefore, the general intent and purpose of the ZBL is met.

Response Test 3: Are the proposed variances desirable for the appropriate development, or use of the land, building or structure?

The proposed variances are appropriate as the ORMCP contemplates lot creation in the Natural Linkage Area in certain scenarios, which the proposal meets. The proposal will maintain the existing agricultural use and ensures the protection of the existing natural heritage features on site.

Response Test 4: Is the proposed variance minor in nature?

The proposed variances and resultant lot creation recognize current land use and will result in adverse impacts of a planning nature. No new development is contemplated and the proposed new driveway avoids all sensitive natural heritage features and function as well as their associated buffers. Based on the forgoing, the proposal is minor in nature.

8.0 CONCLUSION

In summary, the development proposal represents a desirable and appropriate form of development for the Subject Lands. The subject Consent and Minor Variance Applications are supported by applicable Provincial, Regional and Municipal planning policies and the technical and supporting studies referenced herein.

As outlined throughout this Report, it is our professional planning opinion that the proposed development represents good planning, achieves conformity and consistency with applicable policy regime and should proceed through the planning approvals process as prescribed by the *Planning Act*.

APPENDIX A – PLANNING ACT REQUIREMENTS

THE PLANNING ACT

Powers:

53 (12) *A council or the Minister in determining whether a provisional consent is to be given shall have regard to the matters under subsection 51(24) and has the same powers as the approval authority has under subsection 51(25) with respect to the approval of a plan of subdivision and subsection 51(26) and (27) and section 51.1 apply with necessary modifications to the granting of provisional consent. 1994, c. 23, s. 32.*

Criteria:

51 (24) *In considering a draft plan of subdivision, regard shall be had, among other matters, to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality and to,*

- a) the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;*
- b) whether the proposed subdivision is premature or in the public interest*
- c) whether the plan conforms to the official plan and adjacent plans of subdivision, in any;*
- d) the sustainability of the land for the purposes for which it is to be subdivided;*
- d.1) if any affordable housing units are being proposed, the sustainability of the proposed units for affordable housing*
- e) the number, width, location and proposed grades and elevations of highways, and adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;*
- f) the dimensions and shapes of the proposed lots;*
- g) the restrictions or proposed restrictions, if any on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining lands;*
- h) conservation of natural resources and flood control;*
- i) the adequacy of utilities and municipal services;*
- j) the adequacy of school sites;*
- k) the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;*
- l) the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and*
- m) the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41(2) of this Act or subsection 114(2) of the City of*


Toronto Act, 2006. 1994, c. 23, s. 30; 2001, c. 32, s. 31 (2); 2006, c. 23, s. 22 (3, 4); 2016, c. 25, Sched. 4, s. 8 (2).

Response:

The following demonstrates how the consent to sever satisfies the above criteria:

- a) Regard has been had to relevant matters of provincial interest. In particular, the proposed severance maintains the protection of natural areas, features and associated functions and maintains the agricultural resources of the Province,*
- b) The proposed severance is not premature and is in the public interest because the land subject to the proposed new lot are currently developed for an existing legal use and will rely on existing services and will have no impact on natural heritage features and no impact on agricultural land base;*
- c) The creation of the proposed new lot and retained lands conform to the Official Plan as outlined in section 6 of this report. In addition, there are no adjacent plans of subdivisions;*
- d) The proposed lot will contain the existing single detached dwelling considered to be a surplus residence to a farming operation and the proposed lot is of adequate size and configuration to accommodate the existing services to which the existing uses rely on;*
 - d.1) There is no affordable housing proposed;*
- e) The existing adjacent highways, elevations, grades and widths are adequate to service the proposed new lot which relies on existing driveway entrances to the adjacent highway;*
- f) The dimensions and shapes of the proposed new lot are sufficient and appropriate to accommodate the existing use, services which the existing uses rely;*
- g) The existing easement in favour of Alectra Utilities Corporation will continue unaffected. The existing zoning subject to the approval of the proposed variances are appropriate to implement the consent and regulate the ongoing use of lands subject to the consent;*
- h) The report titled "Review of Impacts to Natural Heritage Features 11801 & 11701 Keele Street" demonstrates that existing natural resources will continue to be preserved and no new environmental impacts are anticipated. The construction of the required new driveway for the retained lands are located outside the TRCA regulated area;*
- i) The proposed lot creation requires no additional municipal services. The existing services and utilities are adequate to accommodate the existing and proposed use.*
- j) No additional demand will occur for school sites as the detached dwellings currently exists. Therefore, it is anticipated that the school sites for the area will remain adequate;*
- k) No public land conveyances are proposed or required;*
- l) The proposed lot and existing uses are not anticipated to impact the available supply, means of supplying, efficiency or conservation of energy;*
- m) Site Plan Control is not applicable.*

SCHEDULE D: BACKGROUND

Application No. (City File)	Application Description (i.e. Minor Variance Application; Approved by COA / OLT)
A103/18 (11801 Keele Street)	<div></div> <p>Relief to construct second dwelling on property; APPROVED COA; July 5, 2018.</p>

NOTICE OF DECISION
Minor Variance Application A103/18
Section 45 of the Planning Act, R.S.O, 1990, c.P.13

Date of Hearing: Thursday, July 5, 2018

Applicant: Antonio & Germana Guglietti

Agent Townwood Homes (Marco Bozzo)

Property: **11801 Keele Street, Vaughan**

Zoning: The subject lands are zoned A (Agricultural), OS5 (Open Space Environmental Protection Zone) and ORM (Oak Ridges Moraine) under By-law 1-88, as amended.

OP Designation: VOP 2010: "Agricultural" and within the "Oak Ridges Moraine Natural Linkage" and "Greenbelt Natural Heritage System"

Related Files: None

Purpose: Relief from the By-law is being requested to permit construction of a second dwelling on subject property.

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

By-law Requirement	Proposal
1. On a lot having an area of at least 35 hectares and used principally for farming, one (1) additional dwelling or dwellings may be erected, altered or maintained if used only for the accommodation of person(s) necessary to the operation of such farm.	1. To erect one (1) additional dwelling for the accommodation of farm labourers on the subject lands with a lot area of 24.444 hectares (exclusive of lands zoned OS5).

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. A103/18 on behalf of Antonio & Germana Guglietti 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	Development Finance Nelson Pereira 905-832-8585 x 8393 nelson.pereira@vaughan.ca	Prior to issuance of the Building Permit, the owner shall pay to the City applicable Development Charges in accordance with the Development Charges By-laws of the City of Vaughan, Region of York, York Region District School Board and York Catholic District School Board.

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.

Please Note:



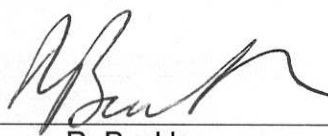
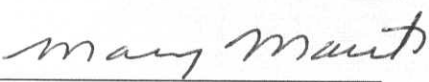
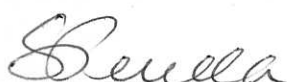
Relief granted from the City’s Zoning By-law is determined to be the building envelope considered and approved by the Committee of Adjustment.

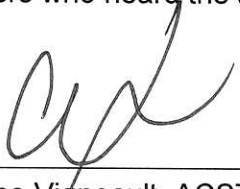
Development outside of the approved building envelope (subject to this application) must comply with the provisions of the City’s Zoning By-law or additional variances may be required.

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

Public Written Submissions * Public Correspondence received and considered by the Committee in making this decision	Public Oral Submissions *Please refer to the approved Minutes of the Thursday , July 05, 2018 meeting for submission details.
Name: Address: Nature of Correspondence:	Name: Address:
Name: Address: Nature of Correspondence:	Name: Address:
Name: Address: Nature of Correspondence:	Name: Address:

SIGNED BY ALL MEMBERS PRESENT WHO CONCUR IN THIS DECISION:

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

DATE OF HEARING:	Thursday , July 05, 2018
DATE OF NOTICE:	July 13, 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 25, 2018 4:30 p.m.
CERTIFICATION: 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 or by visiting our office.

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

*Please note that all fees are subject to change.

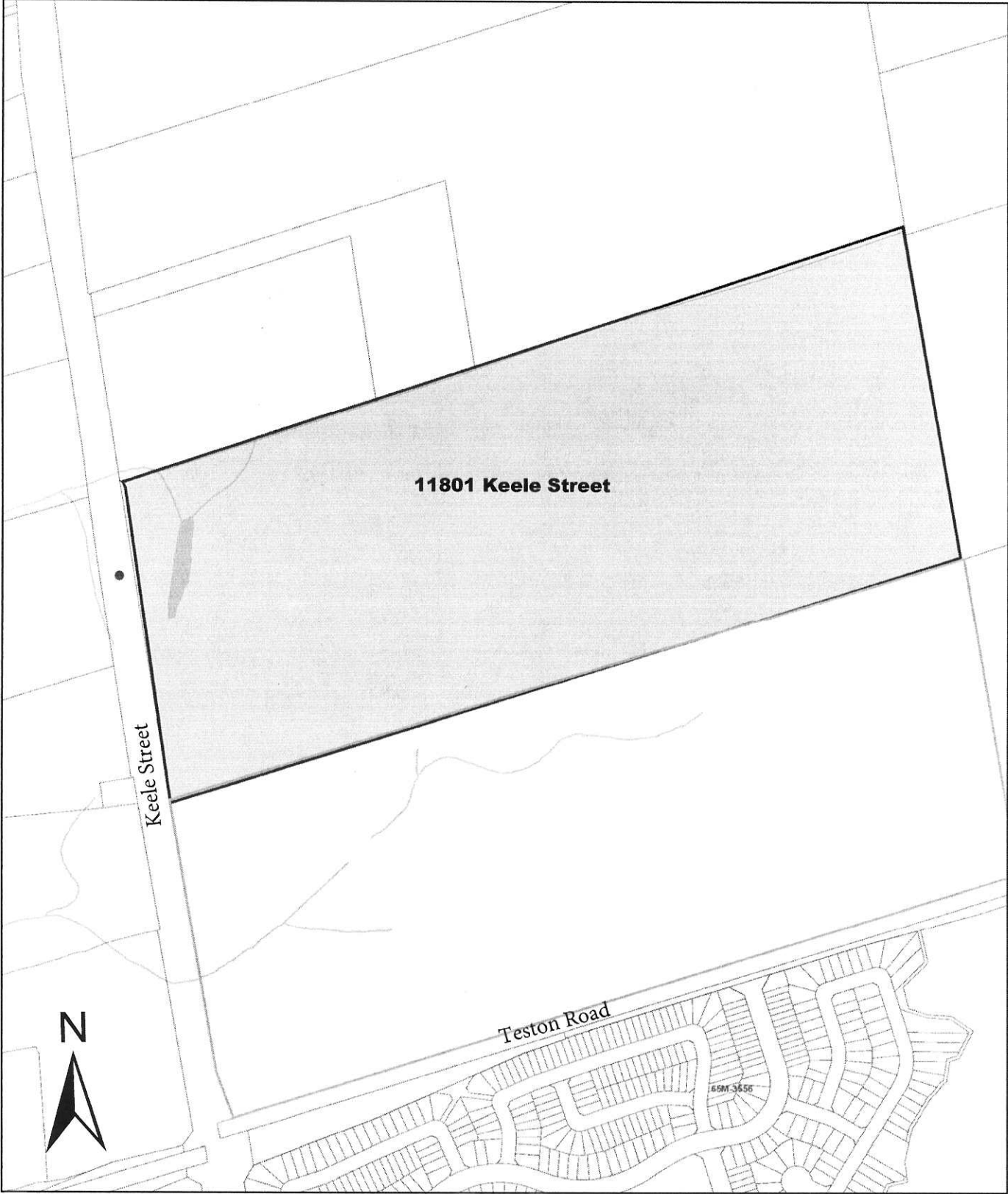
Conditions

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.

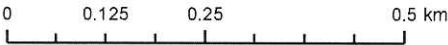


Location Map - A103/18

11801 Keele Street, Maple



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.

