



File: B030/19

Applicant: 2056239 Ontario Inc.

Address: 5 Roybridge Gt Bldg 5 Woodbridge ON

Agent: Humphries Planning Group Inc

Please note that comments received after the preparation of this Staff Report (up until 12:00 p.m. on the scheduled hearing date) will be provided as an addendum.

Commenting Department	<input checked="" type="checkbox"/> Positive Comment	Condition(s) <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
	<input checked="" type="checkbox"/> Negative Comment	
Committee of Adjustment	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Building Standards	<input checked="" type="checkbox"/>	
Development Planning		
Cultural Heritage (Urban Design)	<input checked="" type="checkbox"/>	
Development Engineering	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Real Estate	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
By-law & Compliance		
Financial Planning & Development	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Fire Department		
TRCA		
Ministry of Transportation	<input checked="" type="checkbox"/>	
Region of York	<input checked="" type="checkbox"/>	
Alectra (Formerly PowerStream)	<input checked="" type="checkbox"/>	
Public Correspondence (see Schedule B)	<input checked="" type="checkbox"/>	

Adjournment History: N/A

Background History: A393/16, B024/16, B021/13 (see next page for details)

Staff Report Prepared By: Pravina Attawala
Hearing Date: Thursday, October 17, 2019



Consent Application

Agenda Item: 10

B030/19

Ward: 2

Prepared By: Pravina Attwala, Assistant Secretary Treasurer

Date of Hearing: Thursday, October 17, 2019

Applicant: 2056239 Ontario Inc.

Agent: Humphries Planning Group Inc

Property: 5 Roybridge Gt Bldg 5 Woodbridge ON

Zoning: The subject lands are zoned EM3, Retail Warehouse Employment Area Zone, and subject to the provisions of Exception 9(1013) under By-law 1-88 as amended.

OP Designation: VOP 2010: "Employment Commercial Mixed Use" within a Regional Intensification Corridor, with a maximum Building Height of 10 storeys and maximum Floor Space Index (FSI) of 3.

Related Files: B017/19, B018/19, B019/19, B020/19 & B030/19

Purpose: To sever a parcel of land for employment purposes (office) approximately 753.90.00 square metres together with an easement for access (vehicular & pedestrian), maintenance, parking & servicing over the retained parcel (in favour of the severed land) and reserving an easement for utilities and servicing over the severed parcel (in favour of the retained land).

The retained parcel of land is approximately 20,699.40 square metres (subject to the reserved easements above).

The severed land is current vacant and has frontage onto Roybridge Gate.

The retained parcel is vacant and will maintain frontage onto Roybridge Gate.

Easement Descriptions

The easement for access, maintenance, parking and servicing over the retained parcel (servient land) in favour of the severed land (dominant land) is shown as Part 17 on the draft plan submitted with the application.

The easement for access (vehicular & pedestrian) over the retained parcel (servient land) in favour of the severed land (dominant land) is shown as Parts 1, 2 & 3 on the draft plan submitted with the application.

The easement for servicing (utilities) to be reserved over the severed parcel (servient land) in favour of the retained parcel (dominant land) is shown as Part 6 on the draft plan submitted with the application.

Background (Previous Applications approved by the Committee on the subject land:

Application No.:	Description:	Status of Approval: Approved/Refused/Withdrawn/ OMB/Concurrent
A393/16	Rear yard 9.0m; Exterior side yard 3.0m	November 3, 2016
B024/16	Creation of a new lot	September 8, 2016
B021/13	Lease in excess of 21 years (McDonalds)	August 29, 2013

For information on the previous approvals listed above please visit www.vaughan.ca. To search for a file number, enter it using quotes around it. For example, "B001/17".

To search property address, enter street number and street name using quotes. For example, "2141 Major Mackenzie". Do not include street type (i.e. drive).

Adjournment History: N/A

Staff & Agency Comments

Please note that staff/agency comments received after the preparation of this Report will be provided as an addendum item to the Committee. Addendum items will shall only be received by the Secretary Treasurer until **4:00 p.m.** on the last business day **prior** to the day of the scheduled Meeting.

Committee of Adjustment:

Public notice was mailed on October 2, 2019

Applicant confirmed posting of signage on September 24, 2019

Recommended conditions of approval:

1. That the applicant's solicitor provides the secretary-treasurer with a copy of the prepared draft transfer document to confirm the legal description of the subject lands. Subject land applies **only** to the severed parcel, leased land, easement etc. as conditionally approved by the Committee of Adjustment.
2. That the applicant provides two (2) full size copies of the deposited plan of reference of the entire land which conforms substantially with the application as submitted.
3. That Consent Application B020/19 receive final certification from the Secretary Treasurer and be registered on title. A copy of the registered transfer confirming registration of the Certificate of Official must be provided to the Secretary Treasurer to satisfy this condition.
4. Payment of the Certificate Fee as provided on the City of Vaughan's Committee of Adjustment Fee Schedule.

Adjournment Request: N/A

Building Standards (Zoning Review): P

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

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

Easements and/or Right-of-ways shall be registered on title.

By-law 320-2006 states the following regarding Lot Area, Frontage and Depth and therefore the proposed lot is deemed to comply:

gii) For the purposes of zoning conformity the lands shown as "Subject Lands" on Schedule "E-1108B" shall be deemed to be one lot and to comply with the provisions of this By-law, regardless of the creation of a new lot by way of condominium, part-lot control, consent or any easements, or other rights or registrations given or made."

Development Planning:

VOP 2010: "Employment Commercial Mixed Use" within a Regional Intensification Corridor, with a maximum Building Height of 10 storeys and maximum Floor Space Index (FSI) of 3.

Application under review.

Cultural Heritage (Urban Design):

No response.

Development Engineering:

The Development Engineering (DE) Department does not object to consent application B030/19 subject to the following condition(s):

1. The Owner shall arrange to register/deposit the associated reference plan at their expense showing all existing and proposed easements and provide a copy to DE.
2. The Owner shall provide proof of mutual access & servicing agreement(s) associated with the severed and retained parcels 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

Parks Development:

No Response.

By-Law and Compliance, Licensing and Permit Services:

No Response.

Financial Planning and Development Finance:

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

That the payment of Region of York Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and Regional Development Charges By-laws in effect at time of payment.

That the payment of Education Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Education Act and York Region District School Board and York Catholic District School Board Development Charges By-laws in effect at time of payment

That the payment of applicable Special Area Development Charges are payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and Special Area Development Charge By-laws in effect at time of payment.

Recommended conditions of approval:

1. 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).
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).

Real Estate:

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 (2 %) 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 Senior Manager of Real Estate. Payment shall be made by certified cheque only.

Fire Department:

No Response.

Schedule A – Plans & Sketches**Schedule B – Public Correspondence**

Agent Cover Letter

Schedule C - Agency Comments

Alectra (Formerly PowerStream) – No concerns or objections

Region of York – No concerns or objections

Bell Canada - No concerns or objections

Schedule D - Previous Approvals (Notice of Decision)

A393/16, B024/16, B021/13

Staff Recommendations:

Staff and outside agencies (i.e. TRCA) act as advisory bodies to the Committee of Adjustment. Comments received are provided in the form of recommendations to assist the Committee.

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

- ✓ Conform to Section 51(24) as required by Section 53(12) of the Planning Act.
- ✓ Conform to the City of Vaughan Official Plan.
- ✓ Conform to the Provincial Policy Statements as required by Section 3(1) of the Planning Act.

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

	Department/Agency	Condition
1	<p>Committee of Adjustment Christine Vigneault</p> <p>905-832-8585 x 8332 christine.vigneault@vaughan.ca</p>	<ol style="list-style-type: none">1. That the applicant’s solicitor provides the secretary-treasurer with a copy of the prepared draft transfer document to confirm the legal description of the subject lands. Subject land applies only to the severed parcel, leased land, easement etc. as conditionally approved by the Committee of Adjustment.2. That the applicant provides two (2) full size copies of the deposited plan of reference of the entire land which conforms substantially with the application as submitted.3. That Consent Application B020/19 receive final certification from the Secretary Treasurer and be registered on title. A copy of the registered transfer confirming registration of the Certificate of Official must be provided to the Secretary Treasurer to satisfy this condition.4. Payment of the Certificate Fee as provided on the City of Vaughan’s Committee of Adjustment Fee Schedule.
2	<p>Real Estate Franca Mazzanti</p> <p>905-832-8585 x 8474 franca.mazzanti@vaughan.ca</p>	<p>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 (2 %) 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 Senior Manager of Real Estate. Payment shall be made by certified cheque only.</p>
3	<p>Development Engineering Brad Steeves</p> <p>905-832-8585 x 8977 brad.steeves@vaughan.ca</p>	<ol style="list-style-type: none">1. The Owner shall arrange to register/deposit the associated reference plan at their expense showing all existing and proposed easements and provide a copy to DE.2. The Owner shall provide proof of mutual access & servicing agreement(s) associated with the severed and retained parcels 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.
4	<p>Development Finance Nelson Pereira</p> <p>905-832-8585 x 8393 nelson.pereira@vaughan.ca</p>	<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. 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).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).

Warning:

Conditions must be fulfilled within one year 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.

Notice to the Applicant – Development Charges

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

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

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

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

Notice to Public

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

Written submissions can be mailed and/or emailed to:

City of Vaughan
Committee of Adjustment
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1
CofA@vaughan.ca

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

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

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

For more information please contact the City of Vaughan, Committee of Adjustment

T 905 832 8585 Extension 8002
E CofA@vaughan.ca

Schedule A: Plans & Sketches

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

Location Map
Sketches

This map illustrates a land parcel in Stone Ridge, New York, situated near Highway 7, Highway 427, and Highway 27. The parcel is outlined in cyan and contains a smaller, darker purple rectangular area. The map includes various lot numbers and a scale of 1:8,927.

Map Features:

- Highway 7:** A major road running diagonally across the top of the map.
- Highway 427:** A major road running vertically along the left side of the map.
- Highway 27:** A major road running vertically along the right side of the map.
- Stone Ridge Road:** A road running horizontally across the top of the map, intersecting Highway 7.
- Parcel Outlines:** The main parcel is outlined in cyan. A smaller, darker purple rectangular area is located within the main parcel, near the intersection of Highway 7 and Highway 27.
- Lot Numbers:** Various lot numbers are scattered throughout the map, including 100, 6250, 6226, 6210, 6170, 6110, 6100, 6120, 6130, 6140, 6150, 6161, 6175, 6125, 7600, 7550, 7500, 7675, 7681, 7575, 20, 1, 151, 141, 131, 111, 101, 91, 81, 71, 50, 30, 20, 10, 25, 35, 61, 6251, 6221, 6201, 6262, 2, 51, 90, 122, 121, 41, 37, 33, 29, 25, 21, 17, 13, 9, 5, 1.
- Scale:** 1: 8,927
- North Arrow:** Located in the bottom left corner.
- Inset Map:** A small map in the top right corner showing the location of the main map area within a larger regional context.

Consent & Easement
Application #5

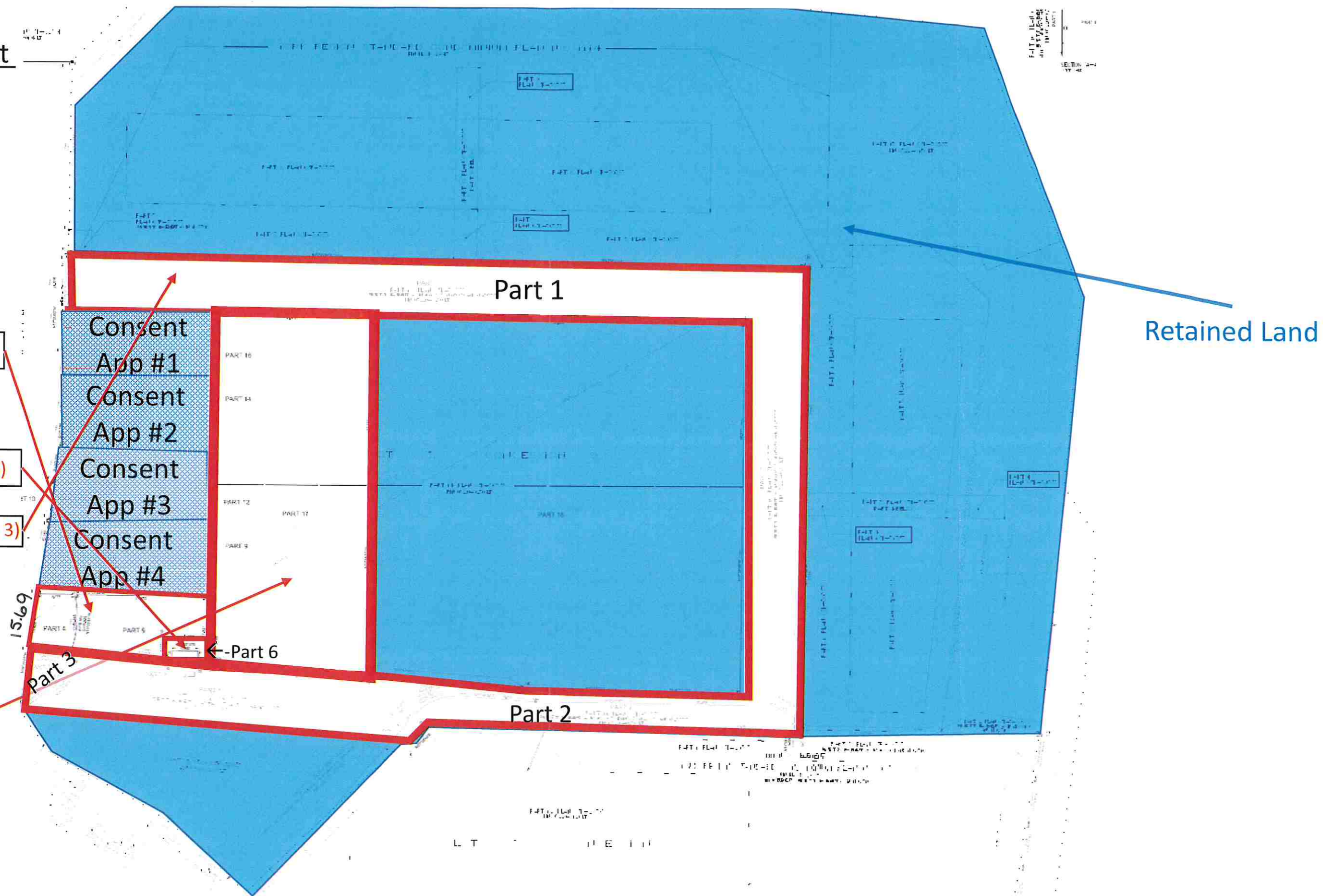
5 Roybridge Gate (Part 5)

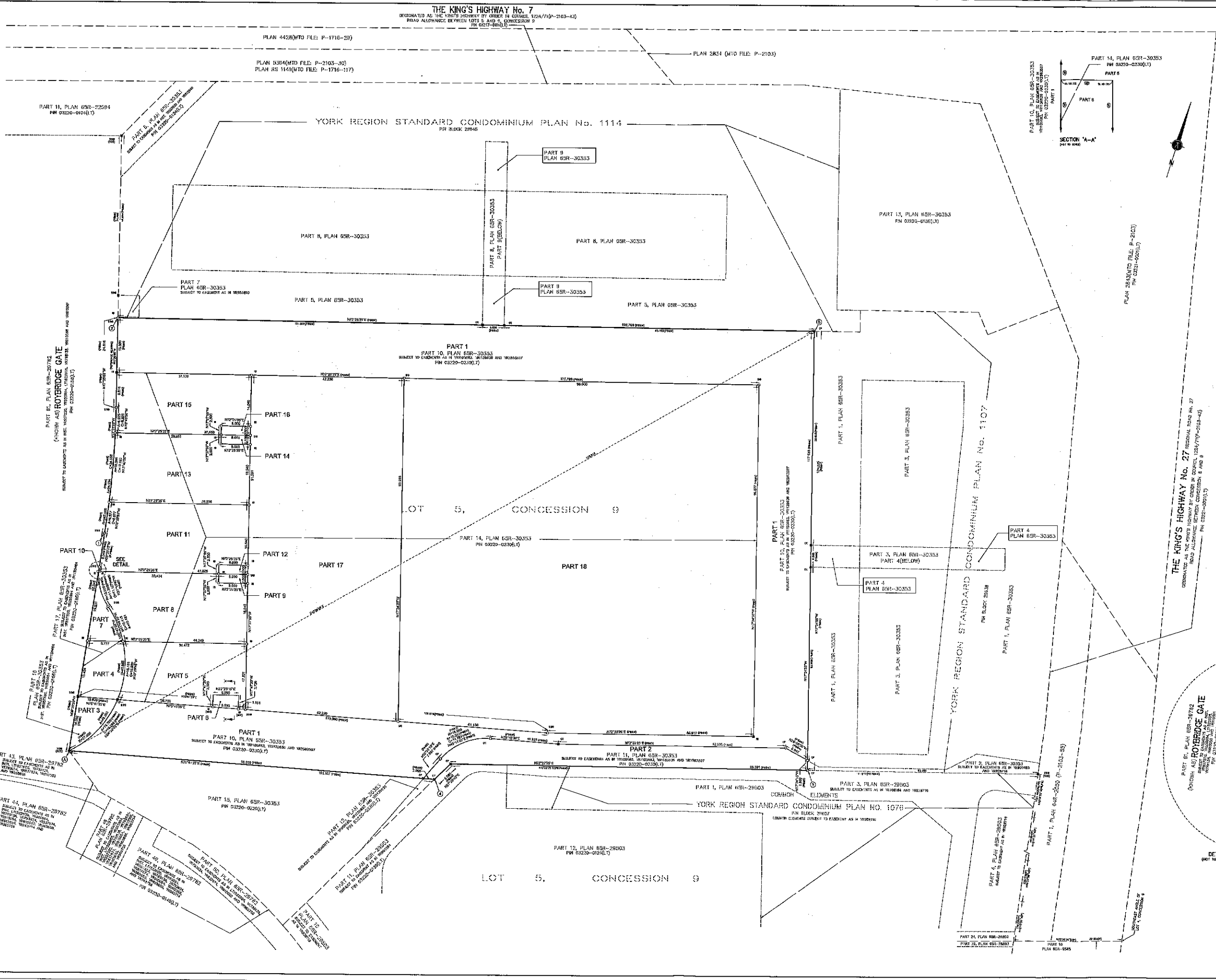
Hydro Room Easement (Part 6)

Access Easement (Parts 1, 2 & 3)

Parking Easement for
Servicing, Access,
Maintenance & Parking
for Lots 1-5
(Part 17)

Depth: 92.78m
Frontage: 42.22m
Area: 3914.50m²





0013 000000 12-000000: BUREAU 07-46 187-0000: WORK ORDER NO 331815
13970010 DOWD THOMAS EY 440000 905.733.0030 F 905.733.9221 WWW.KRNT.COM

K R C M A R

Schedule B: Public Correspondence Received

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

Agent Cover Letter

HUMPHRIES PLANNING GROUP INC.

FOUNDED IN 2003

September 6th, 2019
HPGI File: 19610

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

ATTN: Christine Vigneault,
Secretary-Treasurer, Committee of Adjustment

Re: Submission for Consent/Easement Applications
5-21 Roybridge Gate
Related File: DA.15.050

Dear Ms. Vigneault,

Humphries Planning Group Inc ("HPGI") represents the owner of the parcel of land located at 5-21 Roybridge Gate ("the subject site") in the City of Vaughan. HPGI has submitted 5 consent applications to create new lots tied with easements for the purposes of parking, servicing, access & maintenance as well as an electrical room easement. The following is a breakdown of each application:

<u>Application No.</u>	<u>Lot No/Address</u>	<u>Application Type</u>	<u>Description</u>
1 B017/19	Lot 1 – Part 1, 2, 3, 15, 16 & 17 (21 Roybridge Gate)	New Lot + Easements	1) Maintenance Easement to access electrical services over severed parcel in favor of retained lands parts 15 & 16 16 2) Access, maintenance, parking & servicing over retained land (part 17) in favor of severed land 3) Access (vehicular & pedestrian) over parts 1, 2 & 3
2 B018/19.	Lot 2 – Part 1, 2, 3, 13, 14, & 17 (17 Roybridge Gate)	New Lot + Easements	1) Maintenance Easement to access electrical services over severed parcel in favor of retained lands parts 13 & 14 14 2) Access, maintenance, parking & servicing over retained land (part 17) in favor of severed land 3) Access (vehicular & pedestrian) over parts 1, 2 & 3

3 B019/19	Lot 3 – Part 1, 2, 3, 11, 12, & 17 (13 Roybridge Gate)	New Lot + Easements	1) Maintenance Easement to access electrical services over severed parcel in favor of retained lands parts 11 & 12 2) Access, maintenance, parking & servicing over retained land (part 17) in favor of severed land 3) Access (vehicular & pedestrian) over parts 1, 2 & 3
4 B029/19	Lot 4 – Part 1, 2, 3, 8, 9 & 17 (9 Roybridge Gate)	New Lot + Easements	1) Maintenance Easement to access electrical services over severed parcel in favor of retained lands parts 8 & 9 2) Access, maintenance, parking & servicing over retained land (part 17) in favor of severed land 3) Access (vehicular & pedestrian) over parts 1, 2 & 3
5 B030/19.	Lot 5 – Part 1, 2, 3, 5, 6 & 17 (5 Roybridge Gate)	New Lot + Easements	1) Hydro/Electrical Room Easement to service site over severed parcel in favor of retained lands parts 5 & 6 2) Access, maintenance, parking & servicing over retained land (part 17) in favor of severed land 3) Access (vehicular & pedestrian) over parts 1, 2 & 3

Site Plan Approval has been issued for the development of 10 office buildings. The consent applications will have no impact on the existing zoning by-law, nor will it have any impact on the neighbouring lands.

As per application requirements, the following materials are provided at this time:

- 1 cheque in the amount of \$17,730.00 for the consent applications for lots 1-5
- 1 cheque in the amount of \$3,546.00 for the easement application for the parking lot
- 1 copy of this cover letter
- 1 copy of all five (5) individual application forms
- 1 copy of all five (5) individual severance/easement plan

Letter of General Intent

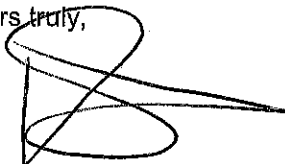
September 4th 2019

Page 3 of 3

- 6 copies of the overall reference plan, prepared by Krcmar Surveyors Ltd.
- 6 copies of the easement schedule with all existing easements on site

We trust that this letter satisfies your requirement and look forward to working with you on this application. Should you have any questions, feel free to contact the undersigned.

Yours truly,

A handwritten signature in black ink, appearing to be 'Rosemarie Humphries', written over a circular stamp or seal.

Rosemarie Humphries, BA, MCIP, RPP
President

cc. Matthew Gabriele

Schedule C: Agency Comments

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

- Alectra (Formerly PowerStream) – No concerns or objections**
- Region of York – No concerns or objections**
- Bell Canada - No concerns or objections**



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:

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

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

Attwala, Pravina

Subject: FW: Response to Consent Applications; B017, B018, B019, B020, B030/19 - Roybridge Gate -Vaughan

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

Sent: September-26-19 9:06 AM

To: Vigneault, Christine <Christine.Vigneault@vaughan.ca>; Attwala, Pravina <Pravina.Attwala@vaughan.ca>; MacPherson, Adriana <Adriana.MacPherson@vaughan.ca>

Subject: Response to Consent Applications; B017, B018, B019, B020, B030/19 - Roybridge Gate -Vaughan

Good Morning Christine,

He Regional Municipality of York has completed its review of the above consent applications for the property on Roybridge Gate and has no comment.

Regards,
Gabrielle

Subject: FW: B017/19 - REQUEST FOR COMMENTS

From: Gordon, Carrie <carrie.gordon@bell.ca>
Sent: September-16-19 2:19 PM
To: Attwala, Pravina <Pravina.Attwala@vaughan.ca>
Subject: RE: B017/19 - REQUEST FOR COMMENTS

Dear Pravina,

Re File: B017-19 – 21 Roybridge Gate

Subsequent to review by our local Engineering Department of the above noted lands, it has been determined that Bell Canada has no concerns or objections with the proposed Severance. If the customers wish to have Bell Service, the customer would have to place a subduct into which Bell would place facilities on the boulevard.

If you have any questions or concerns regarding this response, please do not hesitate to contact me.

Best regards,

Carrie Gordon

	External Liaison – Right of Way Control Centre 140 Bayfield St, Fl 2 Barrie ON, L4M 3B1 T: 705-722-2244/844-857-7942 F :705-726-4600
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Schedule D: Previous Approvals (Notice of Decision)

A393/16, B024/16, B021/13

NOTICE OF DECISION

MINOR VARIANCES

FILE NUMBER: A393/16

APPLICANT: 2056239 ONTARIO INC.

PROPERTY: Part of Lot 5, Concession 9 (Part 14 of Reference Plan 65R-30353, Part 80 of Reference Plan 65R-29782), municipally known as 9-19 Roybridge Gate, Woodbridge.

ZONING: The subject lands are zoned EM3 Retail Warehouse Employment Area, subject to Exception No. 9(1013) under By-law 1-88, as amended.

PURPOSE: To permit the construction of Ten two-storey detached office buildings.

PROPOSAL:

1. To permit a minimum rear yard setback of 9.0 metres.
2. To permit a minimum exterior side yard setback of 3.0 metres.


BY-LAW REQUIREMENT:

1. A minimum rear yard setback of 12.0 metres is required.
2. A minimum exterior side yard setback of 6.0 metres is required.

BACKGROUND INFORMATION: Other Planning Act Applications
The land which is the subject in this application was also the subject of another application under the Planning Act:
Consent Applications:
B024/16 – **APPROVED Sept 8/16** Creation of a new lot
B004/13 – **Creation of a new lot – LAPSED** – February 22, 2014
B027/09 – **Creation of a new lot – LAPSED** – August 6, 2009
B078/07 – **APPROVED August 23, 2007**, for an addition to the east. Certificate issued March 12, 2008.
B033/04, B034/04, B035/04 – **APPROVED – July 8, 2004** for the creation of new lots.
Certificates issued October 28, 2004.
B012/06 – **APPROVED February 9, 2006**, for an easement to the south. Certificate issued April 12, 2006.
Minor Variance Applications:
A124/15 – **APPROVED Apr 30, 2015** (1.To permit two uses in one unit (one use being business and professional offices and the second use being a “Grill Academy”) and 2.To permit a portion of the building to be used as a “Grill Academy” with a list of uses).
A228/08 – **APPROVED August 28, 2008**, for the construction of a two storey industrial building with respect to loading spaces and interior sideyard setback.
A042/06 – **APPROVED February 9, 2006**, to facilitate B012/06 for shared access.
Site Development Application DA.08.010 – **ADOPTED** by Council June 11, 2008.

A sketch is attached illustrating the request.

MOVED BY:



SECONDED BY:



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



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

THAT Application No.A393/16, **2056239 ONTARIO INC.**, be **APPROVED**, in accordance with the sketches attached

1. The Owner shall successfully obtain approval of related Site Development File DA.15.050, if required, to the satisfaction of the Development Planning Department;

COMMITTEE OF ADJUSTMENT VARIANCE

A393/16

2. That if the condition(s) listed above is/are not fulfilled and the Building Permit is not applied for within twelve (12) months of the date this decision becomes final and binding, the said decision shall expire and shall be deemed to have been annulled and rescinded by the Committee.(PLEASE NOTE THAT THIS TIME PERIOD CANNOT BE EXTENDED IN ANY WAY, FAILURE TO MEET THIS DEADLINE WILL RESULT IN REQUIRING A NEW APPLICATION AND FEE.)

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

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

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

CARRIED.

CHAIR:

Signed by all members present who concur in this decision:

H. Zheng,
Chair

M. Mauti,
Vice Chair

R. Buckler,
Member

J. Cesario,
Member

A. Perrella,
Member

CERTIFICATION

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

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

Date of Hearing: November 03, 2016

Last Date of Appeal: November 23, 2016

APPEALS

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

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

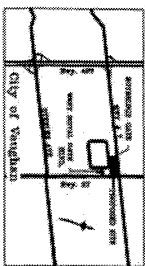
Please fill out Form A1 and follow the instructions as provided by the Ontario Municipal Board and submit your appeal to the City of Vaughan, Committee of Adjustment on or before the date stated above. You must enclose the completed form with the \$708.00 processing fee, paid by certified cheque or money order, to the "TREASURER, CITY OF VAUGHAN" and the appeal fee of \$300.00 for each application appealed, paid by certified cheque or money order, made payable to the "ONTARIO MINISTER OF FINANCE".

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

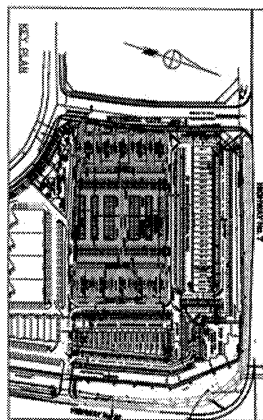
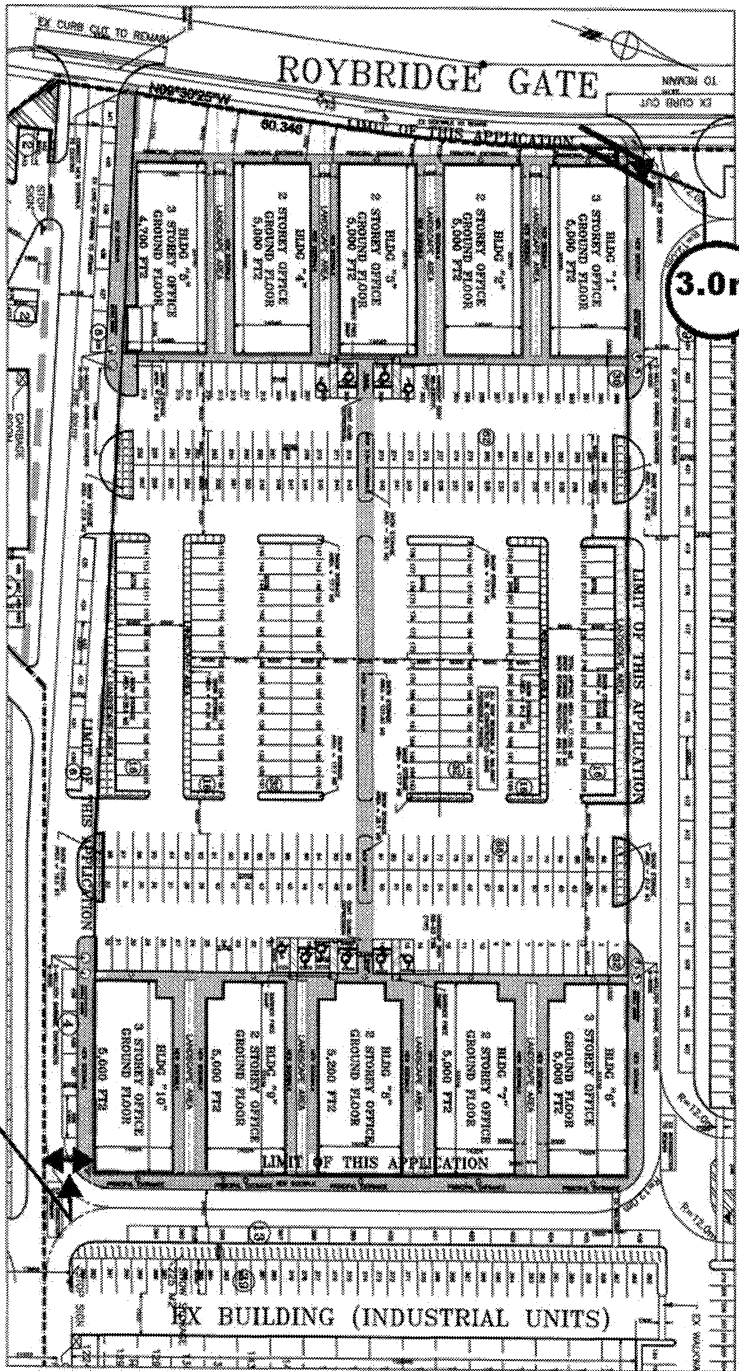
CONDITIONS

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

November 23, 2017



LOT 8 CONCESSION 9
PLAN 658-27458
PARTS 20,21
CITY OF VAUGHAN
MUNICIPAL CORPORATION OF YORK
COUNCIL OF THE CITY OF VAUGHAN



PARKING CALCULATION					REQUIREMENTS	
BUILDING NUMBER	GROUND FLOOR AREA	NO. OF STORES	TYPE OF USE	TYPE OF USE	REQUIREMENTS	REQUIREMENTS
BUILDING # 1	44,431	3	OFFICE	OFFICE	2.5 PARKING SPACE PER 1000	48
BUILDING # 2	44,431	2	OFFICE	OFFICE	2.5 PARKING SPACE PER 1000	35
BUILDING # 3	44,431	2	OFFICE	OFFICE	2.5 PARKING SPACE PER 1000	35
BUILDING # 4	44,431	2	OFFICE	OFFICE	2.5 PARKING SPACE PER 1000	35
BUILDING # 5	44,431	2	OFFICE	OFFICE	2.5 PARKING SPACE PER 1000	35
BUILDING # 6	44,431	2	OFFICE	OFFICE	2.5 PARKING SPACE PER 1000	35
BUILDING # 7	44,431	2	OFFICE	OFFICE	2.5 PARKING SPACE PER 1000	35
BUILDING # 8	44,431	2	OFFICE	OFFICE	2.5 PARKING SPACE PER 1000	35
BUILDING # 9	44,431	2	OFFICE	OFFICE	2.5 PARKING SPACE PER 1000	35
BUILDING # 10	44,431	2	OFFICE	OFFICE	2.5 PARKING SPACE PER 1000	35
TOTAL PARKING REQUIREMENTS						271

GROUND FLOOR AREA		REQUIREMENTS	
BUILDING # 1	44,431	2.5 PARKING SPACE PER 1000	48
BUILDING # 2	44,431	2.5 PARKING SPACE PER 1000	35
BUILDING # 3	44,431	2.5 PARKING SPACE PER 1000	35
BUILDING # 4	44,431	2.5 PARKING SPACE PER 1000	35
BUILDING # 5	44,431	2.5 PARKING SPACE PER 1000	35
BUILDING # 6	44,431	2.5 PARKING SPACE PER 1000	35
BUILDING # 7	44,431	2.5 PARKING SPACE PER 1000	35
BUILDING # 8	44,431	2.5 PARKING SPACE PER 1000	35
BUILDING # 9	44,431	2.5 PARKING SPACE PER 1000	35
BUILDING # 10	44,431	2.5 PARKING SPACE PER 1000	35
TOTAL PARKING REQUIREMENTS			271

PROPOSED INDUSTRIAL DEVELOPMENT
658-27458
PARTS 20,21
CITY OF VAUGHAN

DATE: 10-10-16
SCALE: 1/8"=1'-0"

5.000' NUMBER

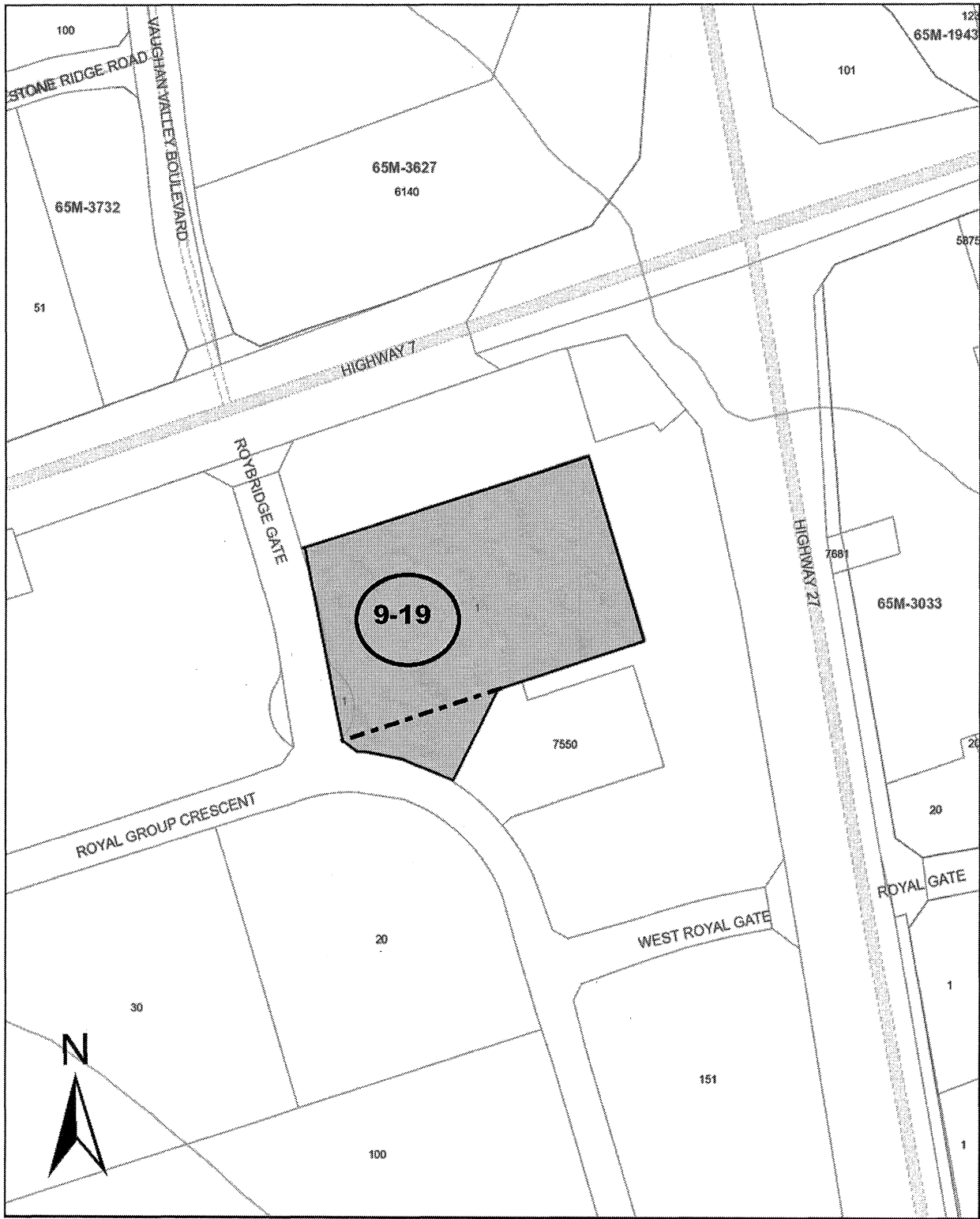
MINA DESIGN GROUP
1000 SHEPPARD AVENUE EAST
SUITE 100
VICTORIA PARK, ONTARIO
M2H 1A7
TEL: (416) 291-1111
WWW.MINADSGROUP.COM

VAUGHAN
CITY OF VAUGHAN
MUNICIPAL CORPORATION OF YORK
COUNCIL OF THE CITY OF VAUGHAN



Location Map - A393/16

1 ROYBRIDGE GATE, WOODBRIDGE



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.



NOTICE OF DECISION

CONSENTS

FILE NUMBER: B024/16

APPLICANT: 2056239 ONTARIO INC.

PROPERTY: Part of Lot 5, Concession 9 (Registered Plan 65R-30353) municipally known as 1 Roybridge Gate, Woodbridge

ZONING: The subject lands are zoned EM3, Retail Warehouse Employment Area subject to Exception 9(1013) under By-law 1-88 as amended.

PURPOSE: The purpose of this application is to request the consent of the Committee of Adjustment to convey a parcel of land marked "A" on the attached sketch for the creation of a new lot, together with all required easements and right of ways, for a two storey office, and retain the lands marked "B" on the attached sketch for a two storey office.

BACKGROUND INFORMATION: Other Planning Act Applications
The land which is the subject in this application was also the subject of another application under the Planning Act:
B027/09 - Creation of a new lot for industrial purposes - conditions lapsed
Site Development Application DA.08.010 – ADOPTED by Council June 11, 2008.
Consent Application B033/04, B034/04, B035/04 – APPROVED – July 8, 2004 for the creation of new lots. Certificates issued October 28, 2004.
Consent & Minor Variance Applications B012/06, A042/06 – APPROVED February 9, 2006, for an easement to the south, and Minor Variance to facilitate same for shared access. Certificate issued April 12, 2006.
Consent Application, B078/07 – APPROVED August 23, 2007, for an addition to the east. Certificate issued March 12, 2008.
Minor Variance Application A228/08 – APPROVED August 28, 2008, for the construction of a two storey industrial building with respect to loading spaces and interior sideyard setback.

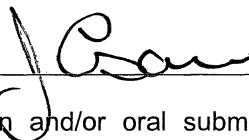
Sketches are attached illustrating the request.

The above noted application was heard by the Committee of Adjustment on: **September 8, 2016.**

MOVED BY:



SECONDED BY:



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

THAT Application No. **B024/16, 2056239 ONTARIO INC.**, be **APPROVED**, in accordance with the **sketch attached** and subject to the following conditions:

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

1. The owner shall pay 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).
2. The owner shall pay all property taxes as levied, if required. 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).
3. 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, if required. Payment of a Parkland levy to the City in lieu of the deed in land for park purposes shall be made if a new lot is being created. Said levy is to be 2% 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 Senior Manager of Real Estate. Payment shall be made by certified cheque only.

4. That any required easements and/or rights-of-ways over the proposed severed lands (Parcel 'A') and retained lands (Parcel 'B') be registered on title to permit shared access and parking areas across the subject lands, if required, to the satisfaction of the Building Standards Department.
5. That the Owner shall provide a legible Draft Plan of Reference indicating the lands to be conveyed as a part, to the satisfaction of the City of Vaughan Development Engineering & Infrastructure Planning Department. Following approval, a final registered Plan of Reference shall be provided to the City, if required, to the satisfaction of the Development Engineering & Infrastructure Planning Department.
6. That the Owner shall provide a conceptual site grading and servicing plan for the severed and retained lands, to the satisfaction of the Development Engineering & Infrastructure Planning Department. The conceptual plan should identify all existing and/or proposed services, existing and/or proposed grades, including any access and/or circulation changes being proposed for the severed and retained lands, if required, to the satisfaction of the Development Engineering & Infrastructure Planning Department.
7. That the Owner shall provide an overlay with the Plan of Reference showing the relationship between any easement limits and all existing services, parking and aisle way accesses and confirming that the proposed private easements for the shared access, parking and municipal servicing between the severed and retained property are adequate, if required, to the satisfaction of the Development Engineering and Infrastructure Planning Department.
8. Submission to the Secretary-Treasurer of **FOUR (4)** white prints of a registered deposited reference plan of survey, showing the subject land which conforms with the application submitted and which shows the dimensions and areas of each part shown on the plan;
9. Upon fulfilling and complying with all of the above-noted conditions, the Secretary-Treasurer of the Committee of Adjustment must be provided with a letter **and three (3) copies of a legal size (8.5" by 14") "Schedule Page", in a format satisfactory to the Secretary-Treasurer**, from the Applicant's solicitor confirming the legal description of the subject lands, sufficient for registration purposes **the "Schedule Page" will be an attachment to the Certificate**. Upon being satisfied with said legal description and upon all other conditions for the consent having been satisfied, the Secretary-Treasurer shall provide a Certificate of Official to the applicant in accordance with Section 53(42) of the Planning Act, R.S.O. 1990, as amended;
10. A fee of **\$190.00** made payable to the Treasurer City of Vaughan shall, be submitted to the Secretary Treasurer for the issuance of the Certificate/stamping of the deeds. It will be necessary to allow up to **three (3) working days** after all conditions have been fulfilled and documentation filed. Same day service is also available for an additional cost of **\$145.00, provided all conditions of approval have been fulfilled and all required documents are submitted by 11:30 am that day**;
11. Prior to the issuance of a building permit, if required, the applicant shall fulfil and comply with all of the above noted consent conditions.

IMPORTANT:

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

ALL CONDITIONS MUST BE FULFILLED.

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


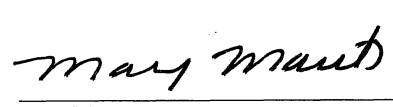
Please Note:

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

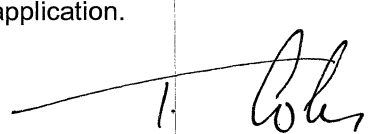
CARRIED.

CHAIR: 

Signed by all members present who concur in this decision:


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

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


Todd Coles, BES, MCIP, RPP
Manager of Development Services
and Secretary-Treasurer to
Committee of Adjustment**Date of Hearing: SEPTEMBER 8, 2016****Date of Notice: SEPTEMBER 16, 2016****Last Date of Appeal: OCTOBER 6, 2016****APPEALS**

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

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

Please fill out Form A1 and follow the instructions as provided by the Ontario Municipal Board and submit your appeal to the City of Vaughan, Committee of Adjustment on or before the date stated above. You must enclose the completed form with the **\$708.00** processing fee, paid by **certified cheque** or **money order**, to the "TREASURER, CITY OF VAUGHAN" and the appeal fee of **\$300.00** for each application appealed, paid by **certified cheque** or **money order**, made payable to the "ONTARIO MINISTER OF FINANCE".

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

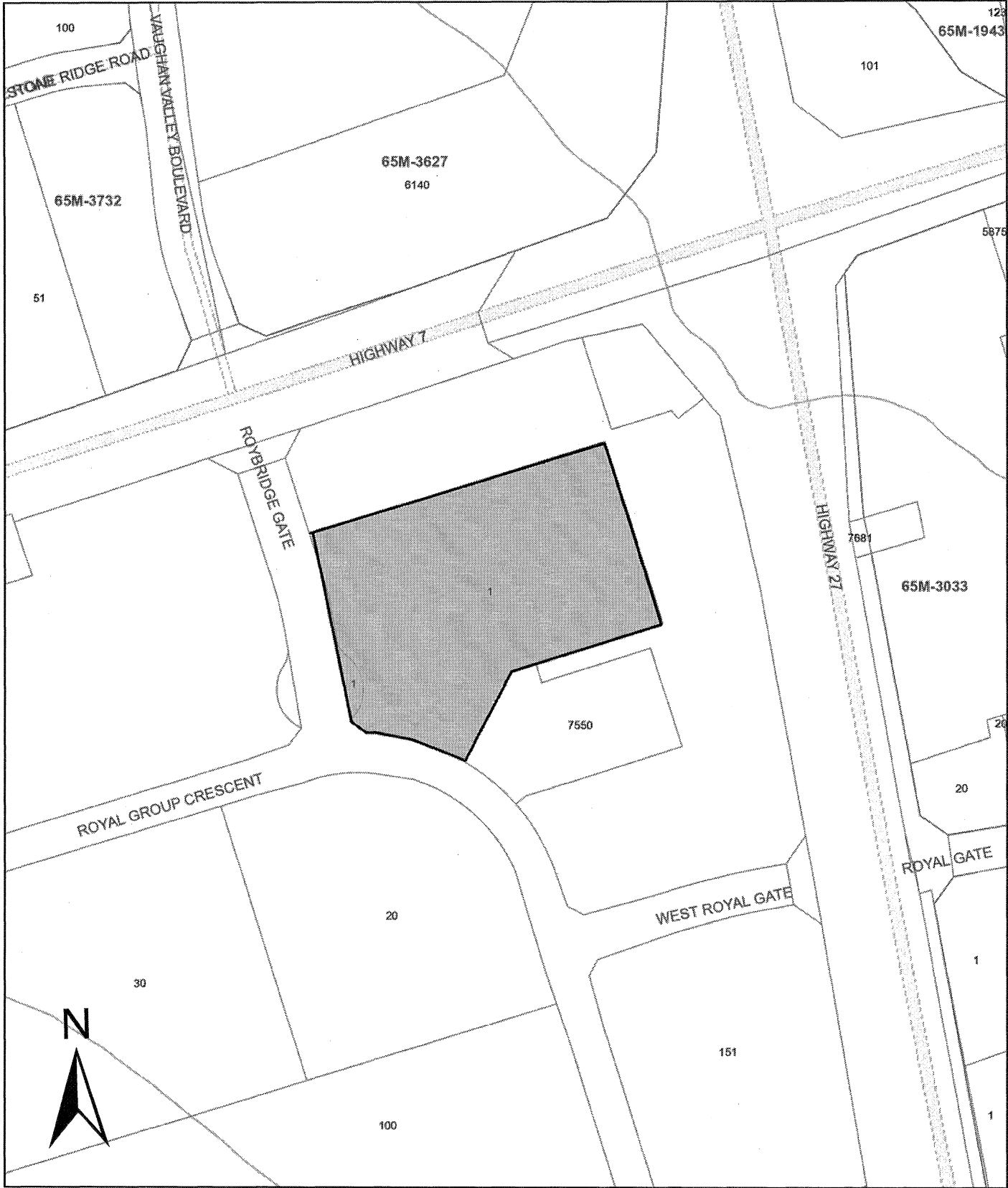
NOTES

1. You will be entitled to receive notice of any changes to the conditions of the provisional consent if you have made a written request to be notified of changes to the conditions of the provisional consent.
2. A Certificate pursuant to Subsection 53(21) of The Planning Act cannot be given until all conditions of consent have been fulfilled.



Location Map - B024/16

1 ROYBRIDGE GATE, WOODBRIDGE



0 0.05 0.1 0.2 Kilometers

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

CONSENTSPlease refer to the file number: **B024/16**

Address all correspondence to the Secretary-Treasurer

NOTICE TO THE OWNER

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

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

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

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

The period for fulfilling conditions cannot be extended.

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

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

Respectfully,



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

CONSENTS

Please refer to the file number:

B024/16

Address all correspondence to the Secretary-Treasurer

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

For information purposes only:

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

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

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

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

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



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

NOTICE OF DECISION

CONSENTS

FILE NUMBER: B021/13

APPLICANT: ROYBRIDGE HOLDINGS LIMITED

PROPERTY: Part of Lot 6, Concession 9 (Lot 45 & 46, Registered Plan 65M-3627, municipally known as 6130 Highway 7, Woodbridge)

ZONING: The subject lands are zoned C7, Service Commercial, subject to Exception 9(1137) under By-law 1-88 as amended.

PURPOSE: To request the consent of the Committee of Adjustment to grant a **LEASE in excess of twenty-one years (McDonalds)**, for the parcel of land marked "A" (**Building "D"**) on the attached sketch for commercial purposes and retain the lands marked "B" on the attached sketch for commercial purposes.

Currently the subject land is vacant and there are five existing buildings, (multi unit commercial bldg., bank, two hotels and a restaurant) existing on the retained lands. There are two additional restaurants and three office buildings proposed for the retained lands.

BACKGROUND INFORMATION: **Other Planning Act Applications**
The land which is the subject in this application was also the subject of another application under the Planning Act:

Minor Variance Application –

A141/13

APPROVED Jun 6/13- To permit an Eating Establishment use (Building G)

A203/12

APPROVED Jul 12/12- 7 storey hotel, 6 storey office building and future restaurant - Building Height 25.6 (Building A); 2.5m projection encroachment' 3.5m encroachment for entrance feature; permit loading between a building a street for Buildings A, H & G; 768 parking spaces.

Consent Application

B027/11

APPROVED Sept 8/11 (Lease in excess of twenty-one years (Cara Operations Limited (Swiss Chalet))

Zoning By-laws:

80-2002 & 78-2003 Re-zone lands to Service Commercial C7 & Prestige Employment Area EM1.

Part Lot Control & By-law :

PLC.009.001 By-law 47-2009 – Approved

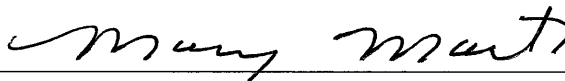
PLC.013.003 By-law 79-2013 – Approved

Site Plan Agreement: DA.06.31 & DA.12.026 – Approved
DA.13.028 - in process.

A sketch is attached illustrating the request.

The above noted application was heard by the Committee of Adjustment on: **AUGUST 29, 2013.**

MOVED BY:



SECONDED BY:



THAT Application No. **B021/13, ROYBRIDGE HOLDINGS LIMITED**, be **APPROVED**, in accordance with the sketch attached and subject to the following conditions:

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

1. That the owner shall pay all taxes as levied, if required, to the satisfaction of the Reserves & Investments Department. Payment shall be made **by certified cheque**; (contact Terry Liuni in the Reserves & Investments Department to have this condition cleared).
2. This consent is given on the express understanding that Subsection 3 or Subsection 5 of Section 50 of the Planning Act shall apply to any subsequent conveyance in respect to the subject lands;

- 3. Upon fulfilling and complying with all of the above-noted conditions, the Secretary-Treasurer of the Committee of Adjustment must be provided with a letter and **three (3) copies of a legal size (8.5" by 14") "Schedule Page", in a format satisfactory to the Secretary-Treasurer**, from the Applicant's solicitor confirming the legal description of the subject lands, sufficient for registration purposes **the "Schedule Page" will be an attachment to the Certificate**. Upon being satisfied with said legal description and upon all other conditions for the consent having been satisfied, the Secretary-Treasurer shall provide a Certificate of Official to the applicant in accordance with Section 53(42) of the Planning Act, R.S.O. 1990, as amended;
- 4. A fee of **\$190.00** made payable to the Treasurer City of Vaughan shall, be submitted to the Secretary Treasurer for the issuance of the Certificate/stamping of the deeds. It will be necessary to allow up to **three (3) working days** after all conditions have been fulfilled and documentation filed. Same day service is also available for an additional cost of **\$145.00, provided all conditions of approval have been fulfilled and all required documents are submitted by 11:30 am that day;**
- 5. Prior to the issuance of a building permit, if required, the applicant shall fulfil and comply with all of the above noted consent conditions;

IMPORTANT:

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

ALL CONDITIONS MUST BE FULFILLED.

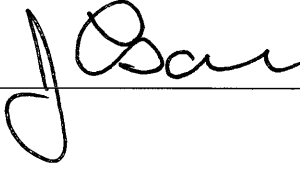
Please contact each Agency and/or Department listed above whether **"if required"** appears in the condition or not.

PLEASE NOTE:

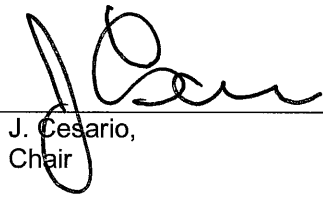
- 1. That the payment of the Regional Development Charge is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the Regional Development Charges By-law in effect at the time of payment.
- 2. That the payment of the City Development Charge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

CARRIED.

CHAIR: _____



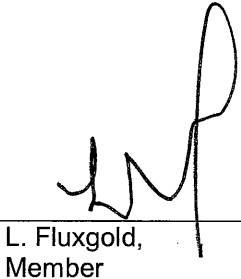
Signed by all members present who concur in this decision:



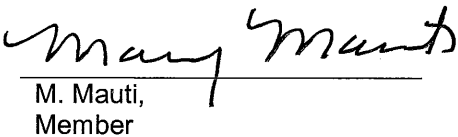
J. Cesario,
Chair



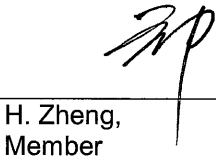
A. Perrella,
Vice Chair



L. Fluxgold,
Member



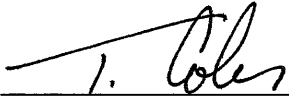
M. Mauti,
Member



H. Zheng,
Member

CERTIFICATION

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



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

Date of Hearing:	AUGUST 29, 2013
Date of Notice:	SEPTEMBER 6, 2013
Last Date of Appeal:	SEPTEMBER 26, 2013

APPEALS

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

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

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

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

NOTES

1. You will be entitled to receive notice of any changes to the conditions of the provisional consent if you have made a written request to be notified of changes to the conditions of the provisional consent.
2. A Certificate pursuant to Subsection 53(21) of The Planning Act cannot be given until all conditions of consent have been fulfilled.

B021/13

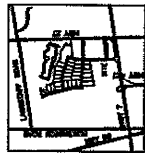
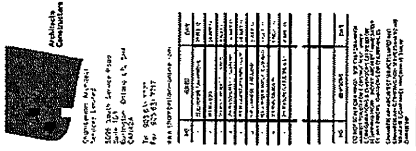
MSP-1.0

PROJECT NORTH TRUE NORTH

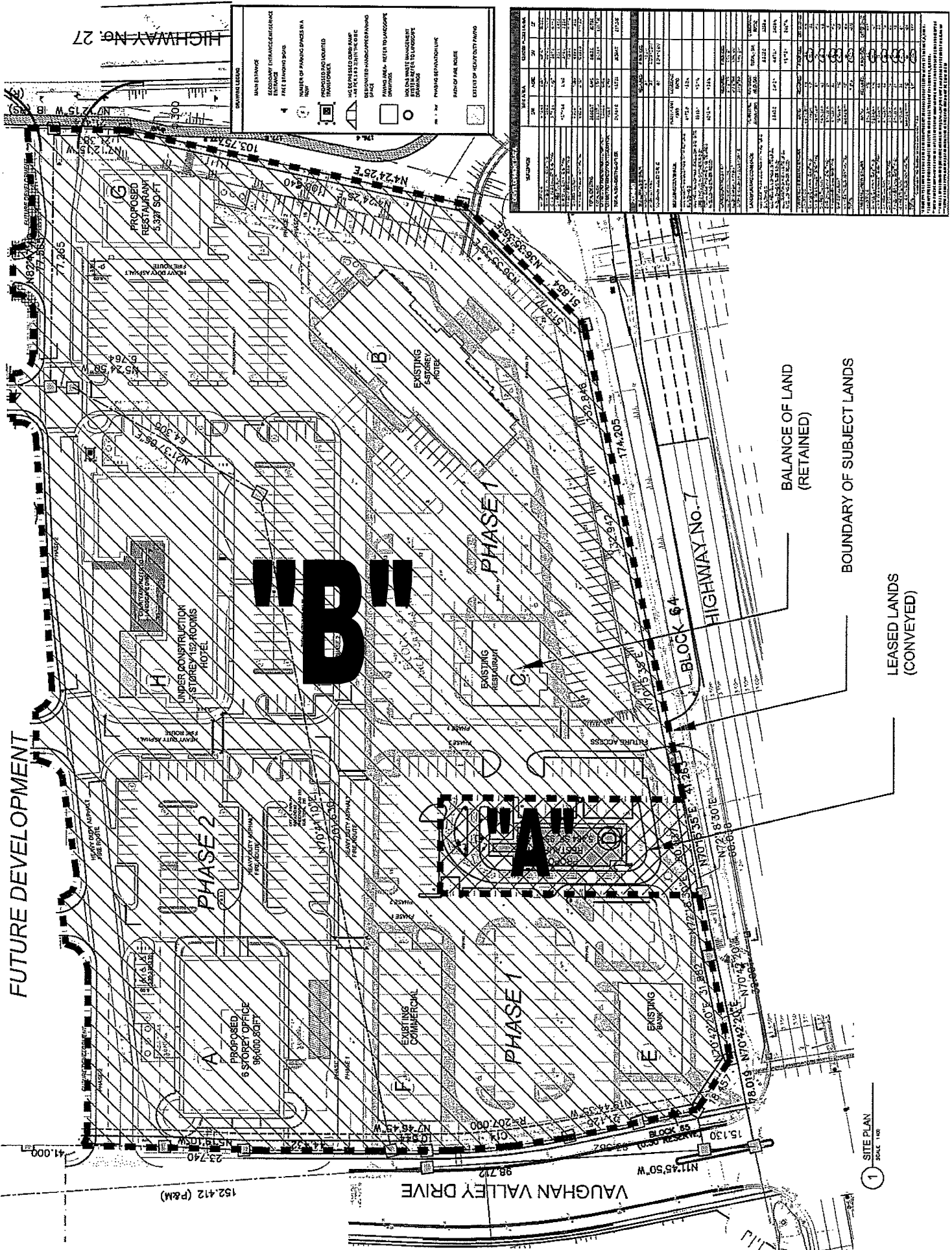
VAUGHAN VALLEY CENTRE

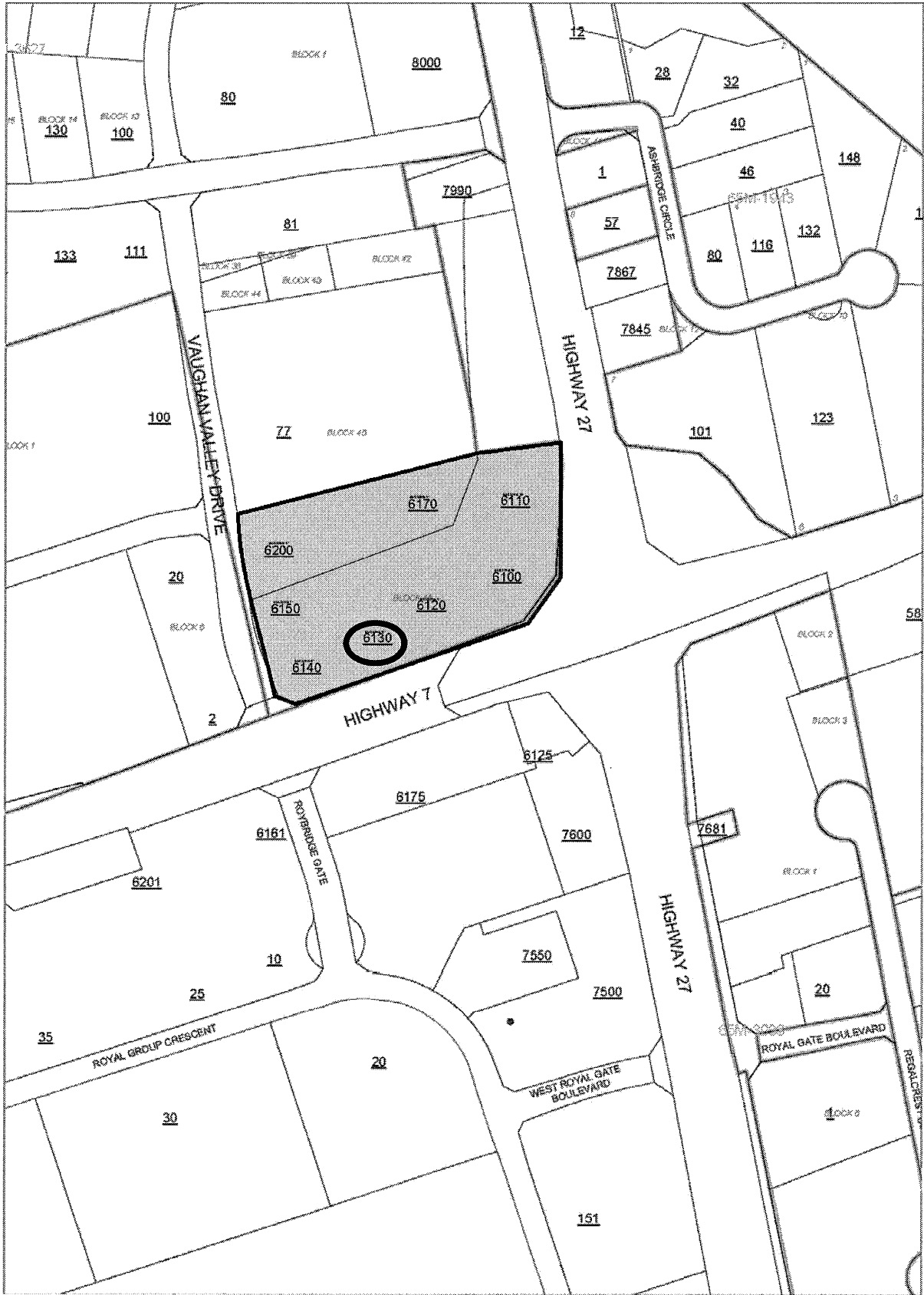
3-075 NAK
MASTER SITE PLAN
PHASE 2

TRANSIT	Sept 2011
CASH	MC
CHECKS	AM
TOTAL DEBIT	
TOTAL CREDIT	
CASH	1400
CHECKS	11:00
TOTAL DEBIT	

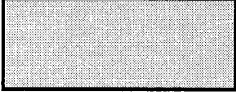


LEGAL DESCRIPTION
 PART OF SECTION 36, TOWNSHIP 35 NORTH, RANGE 14 EAST, 1ST P.M.
 PLANTATION OF
 PLANT OF ARMY OF
 BLOCK 40 AND PART OF BLOCK 45
 U.S. MILITARY PLANT 697-3077
 CITY OF VAUGHAN
 NO. 00000000000000000000
 AS SHOWN ON MAP OF
 SECTION 36, TOWNSHIP 35 NORTH, RANGE 14 EAST, 1ST P.M.
 PLANTATION OF





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

	FILE NUMBER:	B021/13
	APPLICANT:	ROYBRIDGE HOLDINGS LIMITED
		Subject Area Municipally known as 6130 Highway 7, Bldg "D", Woodbridge

CONSENTSPlease refer to the file number: **B021/13**

Address all correspondence to the Secretary-Treasurer

NOTICE TO THE OWNER

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

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

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

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

The period for fulfilling conditions cannot be extended.

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

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

Respectfully,



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

CONSENTSPlease refer to the file number: **B021/13**

Address all correspondence to the Secretary-Treasurer

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

For information purposes only:

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

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

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

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

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



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