



File: B010/21

Applicant: Fleur de Cap Development Inc.

Address: 10980 Jane St Vaughan ON

Agent: KLM Planning Partners Inc.

Please note that comments and written public submissions received after the preparation of this Staff Report (up until noon on the last business day prior to the day of 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	<input checked="" type="checkbox"/>	
Development Engineering	<input checked="" type="checkbox"/>	
Parks, Forestry and Horticulture Operations	<input checked="" type="checkbox"/>	
By-law & Compliance		
Financial Planning & Development	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Real Estate Department	<input checked="" type="checkbox"/>	
Fire Department		
BELL	<input checked="" type="checkbox"/>	
TRCA	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Ministry of Transportation		
Region of York	<input checked="" type="checkbox"/>	
Alectra (Formerly PowerStream)	<input checked="" type="checkbox"/>	
Public Correspondence (see Schedule B)		

Adjournment History: None.

Background History: None.

Staff Report Prepared By: Lenore Providence

Hearing Date: Thursday, June 10, 2021

**Please note that additional comments may be received after the publication of the Staff Report. These comments will be processed as an addendum (see website for details).*



Consent Application

Agenda Item: 01

B010/21

Ward: 1

Prepared By: Lenore Providence Assistant Secretary Treasurer

Date & Time of Live Stream Hearing: Thursday, June 10, 2021 at 6:00 p.m.

As a result of COVID-19, Vaughan City Hall and all other City facilities are closed to the public at this time.

A live stream of the meeting is available at Vaughan.ca/LiveCouncil

Please submit written comments by mail or email to:

City of Vaughan
Office of the City Clerk – Committee of Adjustment
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1
cofa@vaughan.ca

To make an electronic deputation at the meeting please contact the Committee of Adjustment at cofa@vaughan.ca or 905-832-8504. Ext. 8332

Written comments or requests to make a deputation must be received by noon on the last business day before the meeting.

Applicant: Fleur de Cap Development Inc.

Agent: Christine Halis - KLM Planning Partners Inc.

Property: 10980 Jane Street, Vaughan ON

Zoning: The subject lands are zoned and subject to the provisions of Exception under By-law 1-88 as amended

OP Designation: Vaughan Official Plan 2010 ("VOP2010"): "Potential Valley and Stream Corridor", "Prestige Area", "General Employment Area", and "Natural Areas" by VOP 2010, Volume 2, Section 11.4 – Highway 400 North Employment Lands Secondary Plan.

Related Files: None.

Purpose: Consent is being requested to sever a parcel of land for employment purposes, approximately 307.00 square metres, as a lot addition, to be merged on title with the abutting lands to the north (municipally known as 11110 Jane Street). The retained parcel of land is approximately 533,000.00 square metres and has frontage onto Jane Street & Teston Road.

The proposed lot addition is required to facilitate a trucking entry driveway proposed at the south end of 11110 Jane Street. In order to design a functional site entrance along the curve of this collector road, the driveway must meet the road at a 90 degree angle. As such, additional lands are required to accommodate the planned driveway.

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

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 noon on the last business day prior to the day of the scheduled Meeting.

Committee of Adjustment:

Public notice was mailed on May 26, 2021

Applicant confirmed posting of signage on May 20, 2021

Existing Building or Structures on the subject land: Both the subject and retained lands are vacant.

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 and PIN 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 the severed parcel be merged on title with the abutting land to the north, municipally known as 11110 Jane Street and that the applicant's solicitor provides an undertaking in writing that this condition will be fulfilled (please obtain standard undertaking form from Committee of Adjustment staff). Please note that Subsection 50 (3) or (5) of the Planning Act, R.S.O, 1990, as amended, applies to any subsequent conveyance of or transaction involving the parcel of land that is subject of this consent.
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):

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

Building Department Staff have no additional comments in respect to this application.

Development Planning:

The Owner has submitted Consent Application B010/21 to facilitate the conveyance of a northerly portion of the subject lands (municipally known as 10,980 Jane Street), for the purpose of a lot addition to be added to the recipient lands to the north (municipally known as 11,110 Jane Street). Both the severed and retained lands will comply with the minimum lot frontage and minimum lot area requirements of Zoning By-law 1-88.

City of Vaughan Official Plan 2010 ('VOP 2010'), Volume 2, Section 11.4 – Highway 400 North Employment: "Potential Valley and Stream Corridor", and "General Employment Area".

The Owner has submitted Consent Application B010/21 to facilitate a lot addition in order to convey a 307 m² portion of land identified as Part 3, on the attached draft reference plan (prepared by Schaeffer Dzaldov Bennet Ltd., dated March 4, 2021), to be added to the abutting lands to the north described as Part 1 on Plan 65R-29878 and municipally known as 11,110 Jane Street.

The purpose of the lot addition is to facilitate a trucking entry driveway proposed at the north end of 10,980 Jane Street and establish a seamless connection to the north-south collector road that services Block 34 East. In order to design a functional entrance and driveway, Fleur de Cap Development Inc. c/o DG Group has agreed to convey a 307 m² triangular parcel of land to Conmar Development Inc. & Fenlands Vaughan Inc. to successfully obtain the necessary lands to carry out their planned driveway.

Vaughan Council on April 21, 2020 approved related Draft Plan of Subdivision File 19T-19V002, Zoning By-law Amendment File Z.19.007 (By-law 051-2020), and Site Development File DA.19.072 Conmar Developments Inc. & Fenlands Vaughan Inc. for the recipient lands to the north (municipally known as 11,110 Jane Street). The approval was subject to conditions for a consent application to create a permanent easement in favour of Conmar Developments Inc. & Fenlands Vaughan Inc. for driveway access over the lands south located at 10,980 Jane Street. The Development Planning Department has reviewed the submitted Planning Justification Report and agrees the overall intent is still being upheld whether the subject lands are obtained by way of a lot addition rather than a permanent easement in favor of Conmar Development Inc. & Fenlands Vaughan Inc.

The Development Planning Department has no objection to the lot addition. The conveyance will increase the lot size of 11,110 Jane Street while maintaining compliance with Zoning By-law 1-88 for lot area and frontage on the subject lands. Accordingly, the proposal will not have adverse impacts on neighbouring properties. The Development Planning Department is of the opinion that the proposal meets the severance policies and intent of Vaughan Official Plan 2010 and the consent criteria stipulated in Section 51(24) of the *Planning Act*.

The Development Planning Department recommends approval of the application.

Development Engineering:

The Development Engineering (DE) Department does not object to consent application B010/21.

Parks Development - Forestry:

On December 17, 2020 Forestry submitted comments to Forestry Circulations for a proposed Fill Permit Application 20-009. Information was reviewed at that time and comments were made for tree preservation and compensation.

By-Law and Compliance, Licensing and Permit Services:

No comments received to date.

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 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.

Recommended conditions of approval:

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).

Fire Department:

No comments received to date.

Schedule A – Plans & Sketches

Schedule B – Public Correspondence

Planning Justification Letter (Applicant)

Schedule C - Agency Comments

Alectra (Formerly PowerStream) – No concerns or objections

Region of York – No concerns or objections

TRCA – comments with conditions.

Bell Canada – No concerns or comments

Schedule D - Previous Approvals (Notice of Decision)

None.

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	Committee of Adjustment Christine Vigneault 905-832-8585 x 8332 christine.vigneault@vaugan.ca	1. That the applicant’s solicitor provides the secretary-treasurer with a copy of the prepared draft transfer document to confirm the legal description and PIN of the subject lands. Subject land applies 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 the severed parcel be merged on title with the abutting land to the north, municipally known as 11110 Jane Street and that the applicant’s solicitor provides an undertaking in writing that this condition will be fulfilled (please obtain standard undertaking form from Committee of Adjustment staff). Please note that Subsection 50 (3) or (5) of the Planning Act, R.S.O, 1990, as amended, applies to any subsequent conveyance of or transaction involving the parcel of land that is subject of this consent. 4. Payment of the Certificate Fee as provided on the City of Vaughan’s Committee of Adjustment Fee Schedule.
2	Development Finance Nelson Pereira 905-832-8585 x 8393 nelson.pereira@vaughan.ca	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).
3	TRCA Hamedeh Razavi 416-661-6600 x 5256 hamedeh.razavi@trca.ca	The applicant submits the application fee of \$1400.00 payable to the Toronto and Region Conservation Authority.

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

PLEASE NOTE: As a result of COVID-19, Vaughan City Hall and all other City facilities are closed to the public at this time.

PUBLIC CONSULTATION DURING OFFICE CLOSURE: 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. Written submissions on an Application shall only be received until **noon** on the last business day **prior** to the day of the scheduled hearing. Written submissions can be mailed and/or emailed to:

City of Vaughan
Office of the City Clerk – Committee of Adjustment
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1
cofa@vaughan.ca

ELECTRONIC PARTICIPATION: During the COVID-19 emergency, residents can view a live stream of the meeting Vaughan.ca/LiveCouncil. To make an electronic deputation, residents must complete and submit a [Public Deputation Form](#) no later than **noon** on the last business prior to the scheduled hearing. To obtain a Public Deputation Form please contact our office or visit www.vaughan.ca

Presentations to the Committee are generally limited to 5 minutes in length. Please note that Committee of Adjustment meetings may be audio/video 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 8394
E CofA@vaughan.ca

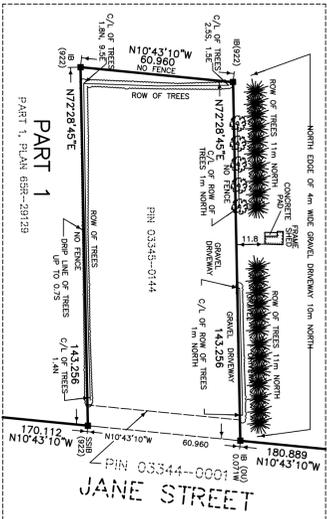
Schedule A: Plans & Sketches

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.

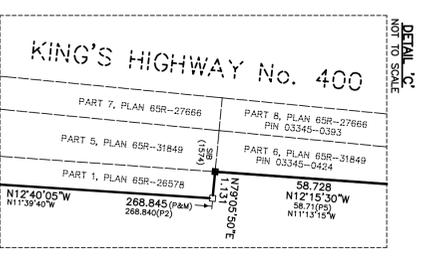
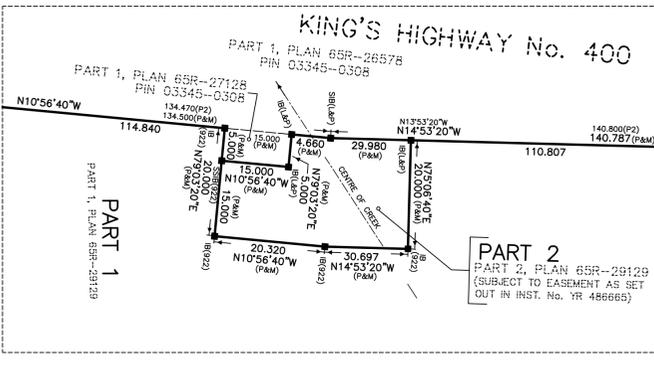
**Location Map
Plans & Sketches**

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

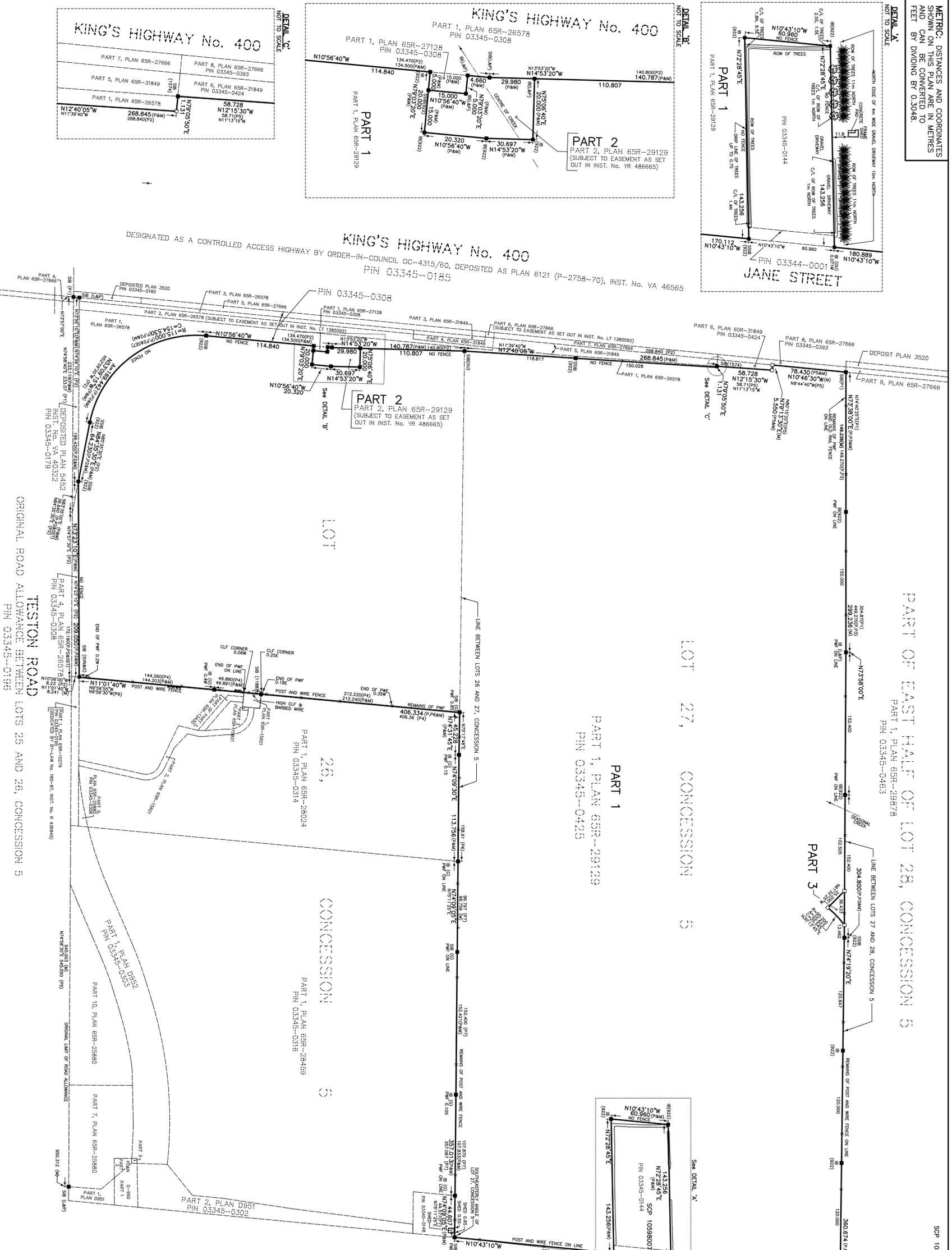
DETAIL 'A' NOT TO SCALE



DETAIL 'B' NOT TO SCALE



DESIGNATED AS A CONTROLLED ACCESS HIGHWAY BY ORDER-IN-COUNCIL OC-4315/60, DEPOSITED AS PLAN 6121 (P-2758-76), INST. No. VA 46565
 KING'S HIGHWAY No. 400
 PIN 03345-0183



PART OF EAST HALF OF LOT 28, CONCESSION 5
 PART 1, PLAN 65R-29878
 PIN 03345-0453

LOT 27, CONCESSION 5
 PART 1, PLAN 65R-29129
 PIN 03345-0425

LOT 26, CONCESSION 5
 PART 1, PLAN 65R-28024
 PIN 03345-0314

TESTON ROAD
 ORIGINAL ROAD ALLOWANCE BETWEEN LOTS 26 AND 29, CONCESSION 5
 PIN 03345-0196

SCP 105990073

PLAN 65R-
 RECEIVED AND DEPOSITED

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.
 DATE: --- 2021.
 DATE: ---

SCHEDULE		REPRESENTATIVE FOR LAND REGISTRAR FOR THE LAND TITLES DIVISION OF YORK REGION NO. 65	
PART	LOT	PIN	AREA (m ²)
1	PART OF 26 AND 27	ALL OF	530917.1
2	PART OF 26	03345-0425	9311.6
3	PART OF 27	03345-0425	3070

PART 2 - SUBJECT TO EASEMENT AS SET OUT IN INST. No. YR 486655.

PLAN OF SURVEY OF
 CONCESSION 5
 PART OF LOTS 26 AND 27
 (GEOGRAPHIC TOWNSHIP OF VAUGHAN)
 CITY OF VAUGHAN
 REGIONAL MUNICIPALITY OF YORK
 SCALE 1:2000

SCHAEFFER DZALDOY BENNETT LTD.

OPHIR N. DZALDOY
 ONTARIO LAND SURVEYOR

NOTES

- D DENOTES PLANTED MONUMENT
- SIB DENOTES STANDARD IRON BAR
- SIB DENOTES STANDARD IRON BAR
- P DENOTES PLANTING MARK
- P1 PLAN 65R-29129
- P2 PLAN 65R-29878
- P3 PLAN 65R-31849
- P4 PLAN 65R-31849
- P5 PLAN 65R-31849
- P6 PLAN 65R-28024
- P7 PLAN 65R-28024
- L&P LLOYD & PURCELL LTD.
- S SCHAEFFER DZALDOY BENNETT LTD.
- W.S. W.S. GIBSON, O.L.S.
- D.D. DELPH & JENKINS LIMITED
- S.S. SHERIDAN & GIBSON LIMITED
- C.A. C.A. SEXTON, O.L.S.
- M.F. MEASURED POST AND WIRE FENCE

BEARINGS ARE UTM GRID, DERIVED FROM SPECIFIED CONTROL POINTS 105990073 AND 105990076. UTM ZONE 17, NAD83 (ORIGINAL). DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY A COMBINED SCALE FACTOR OF 0.999729

SPECIFIED CONTROL POINTS (SCPA): UTM ZONE 17, NAD83 (ORIGINAL). COORDINATES TO URBAN ACCURACY PER SEC. 14(2) OF O.R.G. 216/10

POINT ID.	NORTHING	EASTING
SCP 105990073	4860272.348	616865.877
SCP 105990076	4868821.283	617133.609

COORDINATES CANNOT IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN

SURVEYOR'S CERTIFICATE

1. I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT, THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE DAY OF --- 2021.

DATE: --- 2021.
 OPHIR N. DZALDOY
 ONTARIO LAND SURVEYOR

SCHAEFFER DZALDOY BENNETT LTD.
 ONTARIO LAND SURVEYORS
 64 JARDIN DRIVE CONCORD, ONTARIO L4K 3Y3 TEL: (416) 987-0101
 CALC. ST. DRAWN ACAD/ JW CHECKED SCALE 1:2000 JOB NO. 04-602-03
 MARCH 4, 2021

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.

Planning Justification Letter (Applicant)



64 Jardin Drive, Unit 1B
Concord, Ontario
L4K 3P3
T.905.669.4055
F.905.669.0097
klmplanning.com

File: P-1617/P-3050

April 26, 2021

City of Vaughan
2141 Major Mackenzie Dr.
Vaughan, ON
L6A 1T1

Attention: Ms. Christine Vigneault, AMP, ACST
Manager Development Services & Secretary Treasurer to the Committee of Adjustment

Re: Fleur de Cap Development Inc. c/o DG Group
Application for Consent (Lot Addition)
10980 Jane Street
Part of Lots 26 and 27, Concession 5
City of Vaughan, Regional Municipality of York

Dear Ms. Vigneault,

On behalf of our client, Fleur de Cap Development Inc. c/o DG Group, we are pleased to submit a consent application for the lands known municipally as 10980 Jane Street in the City of Vaughan ("Fleur de Cap lands"), which are legally described as Part of Lots 26 and 27, Concession 5. The Fleur de Cap lands are approximately 53 hectares (131 acres) in size, located in the southern half of Block 34 East. The lands are irregular in shape, and are generally bound by Teston Road to the south, Highway 400 to the west, and Jane Street to the east.

The proposed consent will facilitate the addition of approximately 307 square metres of land to the abutting property to the north, known municipally as 11110 Jane Street and owned by Fenmarcon Developments Inc. c/o Condor Properties ("Fenmarcon lands") (formerly known as the "Conmar Development Inc. & Fenlands Vaughan Inc. lands). These lands are also referred to as the "Recipient Lands". Both the Fleur de Cap and Fenmarcon properties are located within the Highway 400 North Employment Lands Secondary Plan Area (OPA 450, as amended) and are planned to accommodate employment uses within the City of Vaughan.

Background

The landowners of 10980 Jane Street and 11110 Jane Street are participating and coordinating landowners to the ongoing Block Plan application for Block 34 East, respectively. The Block Plan is nearing completion. The Block Plan proposes a north-south collector road which is planned to be the main thoroughfare through the block, and curves at the location where the Fleur de Cap and Fenmarcon lands meet.

The Fenmarcon lands are subject to a draft approved plan of subdivision (19T-19V002), an approved zoning by-law amendment (By-law 051-2020), and an approved site plan application, subject to conditions

Planning • Design • Development

(DA.19.072). The site plan application will facilitate the construction of a distribution warehouse on the largest block in the plan of subdivision, with a trucking entry driveway proposed at the south end, along the collector road. In order to design a functional site entrance along the curve of this collector road, the driveway must meet the road at a 90 degree angle. As such, some additional lands are required to accommodate the planned driveway since the intersection occurs on the Fleur de Cap lands.

On Tuesday April 21st, 2020 Vaughan City Council approved a recommendation requiring the Owner of 11110 Jane Street to obtain an easement over the lands at 10980 Jane Street as follows:

6. THAT prior to the execution of the Site Plan Agreement the Owner (Conmar Developments Inc. & Fenlands Vaughan Inc.), shall successfully obtain approval from the City of Vaughan Committee of Adjustment for a Consent application to create a permanent easement in favour of Conmar Developments Inc. & Fenlands Vaughan Inc. for driveway access over the lands south of the Subject Lands located at 10980 Jane Street. The Committee's decision regarding the Consent Application shall be final and binding, and the Owner shall satisfy any conditions of approval imposed by the Committee.

This application seeks approval of a lot addition rather than an easement, which maintains the intent of the above-noted recommendation and has been discussed with Development Planning staff.

The Fleur de Cap lands are also subject to applications for Draft Plan of Subdivision and Zoning By-law Amendment with file numbers 19T-20V005 and Z.20.032, which are currently under review.

Proposed Severance

The lands to be conveyed are located at the north end of the subject lands and are shown as Part 3 on the enclosed draft reference plan. They are triangular shaped and have an area of approximately 307 square metres. The retained lands have an area of approximately 52.97 hectares.

The recipient lands abut the lands to be conveyed to the north, as illustrated on the enclosed consent sketch plan. The lands to be conveyed are proposed to merge with the recipient lands to the north, located at 11110 Jane Street.

City of Vaughan Zoning By-Law 1-88

The lands to be conveyed are currently zoned 'A' – Agricultural and are subject to an active application for zoning by-law amendment (Z.20.032), to bring the lands into conformity with the applicable land use designations set out in the Highway 400 North Employment Lands Secondary Plan. The proposed zone for the lands to be conveyed is consistent with the approved site-specific zone on the recipient lands (EM2 – General Employment), and will be reviewed for approval by Planning and Zoning Staff, and Council.

The retained lands will have an area of 52.97 hectares which will meet the minimum lot area requirements of the currently in-force Agricultural Zone, being 100,000 square metres or 10 hectares.

City of Vaughan Official Plan (2010)

Both lands to be conveyed and retained, and the recipient lands are all designated as Employment Areas and Natural Areas and Countryside in the City of Vaughan Official Plan (2010). The City of Vaughan Official Plan sets out specific policies respecting consents or severances in Section 10.1.2.34 to 10.1.2.47.

As per section 10.1.2.36 of the Official Plan, boundary adjustments and the conveyance of additional lands to an adjacent lot is permitted. As previously discussed, the retained lands will be able to meet the zoning

requirements of both the current Agricultural zone and the proposed General Employment zone.

In assessing a consent application, the Committee of Adjustment is required to consider the criteria set out in Section 51(24) of the Planning Act (Section 10.1.2.46). Of these criteria, the following are applicable and do not pertain directly to residential development or new lot creation:

a. the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;	The proposed lot addition will facilitate the development of a distribution warehouse, which is in keeping with the direction to create employment opportunities and economic prosperity in the Province of Ontario.
b. whether the proposed subdivision is premature or in the public interest;	The lot addition is not premature as it has been determined as necessary through the design of the adjacent site plan.
c. whether the plan conforms to the official plan and adjacent plans of subdivision, if any;	The lot addition will conform to the official plan and be added to the adjacent draft approved plan of subdivision.
d. the suitability of the land for the purposes for which it is to be subdivided;	The lands are vacant agricultural lands intended for employment uses, therefore they are suitable for this purpose.
e. the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;	The design of the adjacent planned collector road has created the need for this lot addition.
f. the dimensions and shapes of the proposed lots;	The lot addition will not create a largely irregular parcel of land.
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 land;	No restrictions are proposed.
h. conservation of natural resources and flood control;	Not applicable.
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).	The lot addition has been determined as necessary through the design of the adjacent site plan on the recipient lands and will facilitate its ultimate approval.

Furthermore, Section 10.1.2.47 outlines matters for consideration by the Committee of Adjustment when considering a consent application:

a. Compatibility of the proposed size, shape and use of the lot with:	
i. the local pattern of lots, streets and blocks;	The proposed application is a result of implementing a street configuration that was developed in consultation with the City of Vaughan.
ii. the size and configuration of existing lots;	The proposed lot addition will not impact the size and configuration of existing lots. The land to be retained are proposed to be further subdivided to create large blocks for employment uses.
iii. the building type of nearby properties;	The proposed application will create an improved street pattern that allows adequate access to future employment uses.
iv. the heights and scale of nearby properties;	The proposed application will facilitate the development of the first employment use on the designated employment lands. Surrounding properties will develop in due course.
v. the setback of buildings from the street;	The proposed lot addition will not impact building setbacks from any street.
vi. the pattern of rear and side-yard setbacks; and	The proposed lot addition will not impact rear or side yard setbacks.
vii. conservation and enhancement of heritage buildings, heritage districts and cultural heritage landscapes	There are no heritage buildings or designations on the subject lands.
b. Access:	
i. consent to sever a lot shall be permitted only when both the lot severed and the remaining parcel front on an existing assumed public highway or street, or upon a dedicated public road allowance upon which the applicant is constructing a road pursuant to an Agreement with the City. Valley lands acquired for conservation purposes by the Toronto and Region Conservation Authority are exempt from these access requirements;	The retained lands will have frontage on a public right of way. The severed lands are being added to an adjacent property with frontage on a public right of way.
ii. if the proposed lot or remaining parcel has frontage on a Provincial Highway, any consent shall be subject to the requirements of the Ministry of Transportation. If the proposed lot or remaining parcel has frontage on a Regional or City road, any consent shall be subject to the requirements of appropriate Regional or City authorities. Consent shall be conditional on the dedication of required road widenings, free of all costs and encumbrances, approval of access driveway	While the lands to be retained and the recipient lands have frontage on Highway 400, a new lot is not proposed in this instance. All widenings along Highway 400 have been addressed through the draft approved and ongoing plans of subdivision for the Fleur de Cap and Fenmarcon lands.

locations or other requirements, to the satisfaction of the appropriate authorities;	
iii. creation of lots fronting on designated arterial streets shall be discouraged, as granting of an entrance permit to serve a new lot provides another point of conflict with the smooth flow of traffic for which the road is designed, particularly in areas where strip development already poses traffic problems;	No new lot is being created.
v. a daylighting triangle at intersections may be required to be dedicated in order to improve visibility for traffic movement to the satisfaction of the City and York Region; and	The severed lands are in the centre of privately owned lands. Any necessary design requirements will be confirmed through the development application on the subject property.
v. a reserve may be required to be deeded to York Region or the City if requested by the Regional or City Engineer, as a means of controlling access	The severed lands are in the centre of private lands.
c. Servicing:	
i. all proposed lots shall be serviced by either a public water supply or other adequate supply of potable water, and either a connection to a public sanitary sewer system or provision for other sanitary waste treatment facility on the site appropriate to the proposed use, approved by the City. Where a proposed lot is located in an area serviced by a municipal water system and/ or sanitary sewer, the Committee of Adjustment shall obtain confirmation from the appropriate City and/or Regional authority that servicing capacity can be allocated to the proposed lot without straining the capacity of the present system or jeopardizing anticipated development by Plan of Subdivision; and	No new lot is being created.
ii. where a consent has been applied for to create a lot which is dependent upon an individual water supply, approval shall be conditional upon the City and or Region, as appropriate, being satisfied that an adequate potable water supply can be made available, and that the location of the well in relation to the septic tank is acceptable. The City and or Region, as appropriate, may require a hydrology report from a qualified professional engineer in regard to the adequacy of the potable water supply without adversely affecting either the quantity or quality of adjacent potable water supplies.	No new lot is being created.
d. Conservation:	
i. the Toronto and Region Conservation Authority shall be consulted in respect of applications for consent which are subject to flooding, wind or water erosion, or characterized by steep slopes, groundwater recharge, valuable wildlife or fish habitat, mature tree stands and areas of high aggregate potential.	The portion of the subject lands being severed is not within the TRCA's regulated area.
e. Financial Implications:	
i. creation of lots shall not be permitted where capital	No capital expenditure is required by a

expenditures by a public authority would be required for the extension of any major service or facility.

public authority as a result of the subject application.

Given the above, it is our opinion the proposed application is consistent with the City of Vaughan Official Plan (2010), Zoning By-Law 1-88, as amended, and represents good planning.

In accordance with the submission requirements, please find enclosed the following materials in support of our request:

1. One (1) copy of the Fully Executed Application form;
2. One (1) cheque in the amount of \$3,759.00 payable to the City of Vaughan;
3. Draft Reference Plan by Schaeffer Dzaldov Bennet Ltd., dated March 4, 2021; and,
4. Consent Sketch prepared by KLM Planning Partners Inc., dated April 21, 2021.

I trust that the above materials are in order. Should you have any questions with respect to the enclosed, or require anything further, please do not hesitate to contact the undersigned.

Yours truly,

KLM PLANNING PARTNERS INC.



Christine Halis, MCIP, RPP
Senior Planner

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.

Alectra (Formerly PowerStream) – No concerns or objections

Region of York – No concerns or objections

TRCA – comments with conditions

Bell Canada - No concerns or comments



Discover the possibilities

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 & Layouts (North)
Phone: 1-877-963-6900 ext. 31297
Fax: 905-532-4401
E-mail: stephen.cranley@alectrautilities.com

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

Providence, Lenore

Subject: FW: B010/212 - 10980 Jane Street

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

Sent: May-19-21 8:18 AM

To: Providence, Lenore <Lenore.Providence@vaughan.ca>

Cc: Committee of Adjustment <CofA@vaughan.ca>

Subject: [External] B010/212 - 10980 Jane Street

Good morning Lenore,

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

Gabrielle

Gabrielle Hurst MCIP RPP | Community Planning and Development Services | The Regional Municipality of York | 1-877
464 9675 ext 71538 | gabrielle.hurst@york.ca | www.york.ca

May 26, 2021

CFN 64150.01
X Ref CFN 62602.08

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 B010.21
10980 Jane Street, Part of Lot 27, Concession 5
City of Vaughan, Region of York
Owner: Fleur de Cap Development Inc.
Agent: Christine Halis c/o KLM Planning Partners Inc.

This letter acknowledges receipt of the above noted application circulated by the City of Vaughan, Committee of Adjustment. The materials were received by Toronto and Region Conservation Authority (TRCA) on May 6, 2021. TRCA staff has reviewed the above noted application, and as per the *Living City Policies for Planning and Development within the Watersheds of the TRCA (LCP)*, provides the following comments as part of TRCA's commenting role under the *Planning Act*; the Authority's delegated responsibility of representing the provincial interest on natural hazards encompassed by Section 3.1 of the *Provincial Policy Statement, 2020*; TRCA's Regulatory Authority under Ontario Regulation 166/06, *Development, Interference with Wetlands and Alterations to Shorelines and Watercourses*; and, our Memorandum of Understanding (MOU) with the Region of York, wherein we provide technical environmental advice related to provincial plans.

Purpose of the Applications

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 0.03 ha parcel of land from an existing 53.01 ha parcel (known municipally as 10980 Jane Street) for the purposes of conveying the lot to be severed to the adjacent property to the north (known municipally as 11110 Jane Street), leaving a 52.97 ha lot to be retained for future commercial/industrial use.

Ontario Regulation 166/06

Portions of the subject property are located within TRCA's Regulated Area of the Don River Watershed. Under Ontario Regulation 166/06, development, interference or alteration may be permitted in the Regulated Area where it can be demonstrated to TRCA's satisfaction that the control of flooding, erosion, dynamic beaches, pollution, or the conservation of land will not be affected. In this regard, TRCA must be contacted prior to any works taking place in the Regulated Area.

Application-Specific Comments

The TRCA has an interest in conserving, protecting and enhancing all natural features and functions and discourages the fragmentation of ownership of valley and stream corridors and/or hazard lands within our jurisdiction. As a part of the ongoing Block Plan and Master Environmental Servicing Plan

(MESP) for Block 34, the extent of the natural features and natural hazards have been delineated to the satisfaction of TRCA. Based on TRCA's review of the application the proposed severance is located entirely outside of the regulated area. Thus, TRCA staff are satisfied that the subject proposal will not result in any fragmentation of the natural features or natural hazard lands on the property nor have any negative impact on the natural features and their associated functions.

Fees

By copy of this letter, the applicant is advised that TRCA has implemented a fee schedule for our planning application review services. This application is subject to a review fee of \$1400.00 (Consent-Minor). The applicant is responsible for fee payment and should forward the application fee to this office as soon as possible. This fee is separate from that requested under TRCA's permitting process.

Please note that TRCA's Administrative Fees for Planning and Permitting Services are presently under review. It is anticipated that the new fee schedules (2021-2022) will be in place as of June 2021. Where fees have not been paid by the date of adoption of the new fee schedule, the application will be subject to the new fee schedule. TRCA's current fee top-up provisions, as outlined in our current fee schedules, will continue to apply.

Recommendation

Based on the above-noted comments, TRCA staff provide a recommendation of **conditional approval** of consent application B010.21, subject to the following condition:

1. The applicant submits the application fee of \$1400.00 payable to the Toronto and Region Conservation Authority.

TRCA trusts these comments are of assistance. Should you have any questions, please contact the undersigned at extension 5256 or at Hamedeh.Razavi@trca.ca.

Sincerely,



Hamedeh Razavi
Planner I
Development Planning and Permits

HR/mh

C: Simbana, Roberto <Roberto.Simbana@vaughan.ca>
Holyday, Margaret <Margaret.Holyday@vaughan.ca>

Providence, Lenore

Subject: FW: [External] RE: B010/21 - REQUEST FOR COMMENTS - 10980 Jane Street, Maple (Full Circulation) - 905-21-205

From: Gordon, Carrie <carrie.gordon@bell.ca>

Sent: May-21-21 12:13 PM

To: Providence, Lenore <Lenore.Providence@vaughan.ca>

Subject: [External] RE: B010/21 - REQUEST FOR COMMENTS - 10980 Jane Street, Maple (Full Circulation) - 905-21-205

Hi Lenore,

Re: Severance application B010/21

Subsequent to review of the abovementioned consent application at 10980 Jane Street, Bell Canada's engineering department have determined that there are no concerns or comments at this time.

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

Kind regards,

Carrie Gordon



Associate, 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