



Files: A117/21, A118/21, A119/21, A120/21 & A121/21

Applicant: Carmelo & Milena Calabro

Address: 167 National Drive, Woodbridge

Agent: Lou Pompili

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"/>	
Building Inspection	<input checked="" type="checkbox"/>	
Development Planning		
Development Engineering	<input checked="" type="checkbox"/> Revised from checkbox	
Parks, Forestry and Horticulture Operations	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
By-law & Compliance	<input checked="" type="checkbox"/>	
Financial Planning & Development	<input checked="" type="checkbox"/>	
Fire Department		
TRCA	<input checked="" type="checkbox"/>	
Bell Canada	<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: None.

Background History: None.

Staff Report Prepared By: Lenore Providence
Hearing Date: December 8, 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).*



Minor Variance Applications

Agenda Item: 5-9

A117-21 -A121-21

Ward: 3

Staff Report Prepared By: Lenore Providence Assistant Secretary Treasurer

Date & Time of Live Stream Hearing: **Wednesday, December 8, 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:** Carmelo & Milena Calabro
- Agent:** Lou Pompili
- Property:** **167 National Drive, Woodbridge ON**
- Zoning:** The subject lands are zoned RR 9(178) and subject to the provisions of Exception under By-law 1-88 as amended
- OP Designation:** Vaughan Official Plan 2010 ('VOP 2010'): "Natural Areas"
- Related Files:** B006/21 – B009/21, inclusive and A117/21 – A121/21, inclusive.
- Purpose:** Consent Applications B006/21, B007/21, B008/21 & B009/21 propose to sever (create) four (4) new lots for future residential purposes having frontage onto National Drive. The severed and retained parcels are vacant.

The proposed lots require relief from Zoning By-law 1-88, as amended, to permit reduced lot area and frontage on both the severed and retained parcels as applied for through Minor Variance Applications A117/21, A118/21, A119/21, A120/21 and A121/21 and as noted in the following chart:

File Nos.	Lot Area		Lot Frontage	
	Proposed Lot Area	By-law Requirement (Zoning By-law 1-88)	Proposed Lot Frontage	By-law Requirement (Zoning By-law 1-88)
A117/21 *Severed Land	2259.00 m ² *Variance Required	4,000.0m2 [4.1.9, Schedule A]	41.67 metres *Variance Required	45.0m [4.1.9, Schedule A]
A118/21 *Severed Land	2383.00 m ² *Variance Required	4,000.0m2 [4.1.9, Schedule A]	35.0 metres *Variance Required	45.0m [4.1.9, Schedule A]
A119/21 *Severed Land	2406.30 m ² **Variance Required	4,000.0m2 [4.1.9, Schedule A]	35.0 metres *Variance Required	45.0m [4.1.9, Schedule A]
A120/21 *Severed Land	2087.30 m ² *Variance Required	4,000.0m2 [4.1.9, Schedule A]	35.0 metres *Variance Required	45.0m [4.1.9, Schedule A]
A121/21 *Retained Land	1943.20m ² *Variance Required	4,000.0m2 [4.1.9, Schedule A]	54.77 metres *No Variance Req'd	45.0m [4.1.9, Schedule A]

Background (previous applications approved by the Committee on the subject land): None.

Adjournment History: None.

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 November 23, 2021

Applicant confirmed posting of signage on November 18, 2021

Property Information	
Existing Structures	Year Constructed
None	Vacant Land

Applicant has advised that they cannot comply with By-law for the following reason(s):

- Present zoning is Rural Residential very large lot area required to accommodate a private septic sewage system.
- Lot will be fully serviced with existing regional/municipal potable water and existing regional/municipal sanitary sewage system and existing municipal storm system and existing municipal storm water system and typical surfaced collected and directed shallow swale storm water drainage system.
- Lot typical split surface storm water drainage system front to front and back-to-back, alongside limits of lot.
- Lot hard, soft landscape, vegetation, shrubs, trees, flowers

Committee of Adjustment recommended conditions of approval:

File Nos.	Committee of Adjustment Conditions
A117/21 *Severed land	<ol style="list-style-type: none"> 1. That a Surveyors Certificate confirming lot area, frontage and lot depth is submitted. 2. That Consent Application B006/21 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.
A118/21 *Severed land	<ol style="list-style-type: none"> 1. That a Surveyors Certificate confirming lot area, frontage and lot depth is submitted. 2. That Consent Application B007/21 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.
A119/21 *Severed land	<ol style="list-style-type: none"> 1. That a Surveyors Certificate confirming lot area, frontage and lot depth is submitted. 2. That Consent Application B008/21 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.
A120/21 *Severed land	<ol style="list-style-type: none"> 1. That a Surveyors Certificate confirming lot area, frontage and lot depth is submitted. 2. That Consent Application B009/21 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.
A121/21 *Retained Land	<ol style="list-style-type: none"> 1. That a Surveyors Certificate confirming lot area, frontage and lot depth is submitted. 2. That Consent Application B009/21 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.

Building Standards (Zoning Review):

File Nos.	Zoning Comments
A117/21 *Severed land	<p>Stop Work Order(s) and Order(s) to Comply: There are no outstanding Orders on file.</p> <p>A Building Permit has not been issued. The Ontario Building Code requires a building permit for structures that exceed 10m².</p> <p>The minimum required yards in a RR – Rural Residential Zone are 15.0 metres Front Yard, 15.0 metres Rear Yard, 4.5 metres Interior Side Yard, and 9.0 metres Exterior Side Yard in accordance with subsection 4.1.9, Schedule A.</p> <p>Please note that 'If part of a lot is beyond the rim of a cliff or embankment having a slope of 30 degrees or more from the horizontal, or beyond the toe of such slope; then any required yard shall be measured from the nearest part of any building or structure to the nearest part of such part of the lot'. [3.18 b]]</p> <p>By-law 1-88 a.a. defines Lot Frontage in Section 2.0 as:</p>

File Nos.	Zoning Comments
	<p>‘the horizontal distance between the side lot lines of a lot measured on a line at right angles to the lot centreline at a point 6.4 metres back from the front lot line. The "lot centre line" means the line joining the mid- points of the front and rear lot lines, but in the case of a corner lot, means a line drawn perpendicular from the mid-point of the rear lot line to meet the front lot line. In the case of a corner lot with an abutting sight triangle the lot frontage shall be the distance between the extension of the exterior side lot line and the otherside lot line measured on a line at right angles to the lot centre line 6.4 metres back from the front lot line.’ The applicant has provided figures for the proposed Lot Frontage and is responsible for ensuring that the method of measurement is in accordance with the by-law.</p> <p>The lands are subject to regulation by the Toronto Regional Conservation Authority in accordance with Ontario Regulation 166/06.</p> <p>On October 20, 2021 Comprehensive Zoning By-law 01-2021 was enacted by Vaughan City Council. Please note that future development of the lands included in this application must comply with the requirements of this by-law, subject to the Transition provisions included under section 1.6.</p> <p>The applicant shall be advised that additional variances may be required upon review of detailed drawing for building permit/site plan approval.</p>
<p>A118/21 *Severed land</p>	<p>Stop Work Order(s) and Order(s) to Comply: There are no outstanding Orders on file.</p> <p>A Building Permit has not been issued. The Ontario Building Code requires a building permit for structures that exceed 10m².</p> <p>The minimum required yards in a RR – Rural Residential Zone are 15.0 metres Front Yard, 15.0 metres Rear Yard, 4.5 metres Interior Side Yard, and 9.0 metres Exterior Side Yard in accordance with subsection 4.1.9, Schedule A.</p> <p>Please note that ‘If part of a lot is beyond the rim of a cliff or embankment having a slope of 30 degrees or more from the horizontal, or beyond the toe of such slope; then any required yard shall be measured from the nearest part of any building or structure to the nearest part of such part of the lot’. [3.18 b]]</p> <p>By-law 1-88 a.a. defines Lot Frontage in Section 2.0 as:</p> <p>‘the horizontal distance between the side lot lines of a lot measured on a line at right angles to the lot centreline at a point 6.4 metres back from the front lot line. The "lot centre line" means the line joining the mid- points of the front and rear lot lines, but in the case of a corner lot, means a line drawn perpendicular from the mid-point of the rear lot line to meet the front lot line. In the case of a corner lot with an abutting sight triangle the lot frontage shall be the distance between the extension of the exterior side lot line and the otherside lot line measured on a line at right angles to the lot centre line 6.4 metres back from the front lot line.’ The applicant has provided figures for the proposed Lot Frontage and is responsible for ensuring that the method of measurement is in accordance with the by-law.</p> <p>The lands are subject to regulation by the Toronto Regional Conservation Authority in accordance with Ontario Regulation 166/06.</p> <p>On October 20, 2021 Comprehensive Zoning By-law 01-2021 was enacted by Vaughan City Council. Please note that future development of the lands included in this application must comply with the requirements of this by-law, subject to the Transition provisions included under section 1.6.</p> <p>The applicant shall be advised that additional variances may be required upon review of detailed drawing for building permit/site plan approval.</p>
<p>A119/21 *Severed land</p>	<p>Stop Work Order(s) and Order(s) to Comply: There are no outstanding Orders on file.</p> <p>A Building Permit has not been issued. The Ontario Building Code requires a building permit for structures that exceed 10m².</p> <p>The minimum required yards in a RR – Rural Residential Zone are 15.0 metres Front Yard, 15.0 metres Rear Yard, 4.5 metres Interior Side Yard, and 9.0 metres Exterior Side Yard in accordance with subsection 4.1.9, Schedule A.</p> <p>Please note that ‘If part of a lot is beyond the rim of a cliff or embankment having a slope of 30 degrees or more from the horizontal, or beyond the toe of such slope; then any required yard shall be measured from the nearest part of any building or structure to the nearest part of such part of the lot’. [3.18 b]]</p> <p>By-law 1-88 a.a. defines Lot Frontage in Section 2.0 as:</p> <p>‘the horizontal distance between the side lot lines of a lot measured on a line at right angles to the lot centreline at a point 6.4 metres back from the front lot line. The "lot centre line" means the line joining the mid- points of the front and rear lot lines, but in the case of a corner lot, means a line drawn perpendicular from the mid-point of the rear lot line to meet the front lot line. In the case of a corner lot with an abutting sight triangle the lot frontage shall be the distance between the extension of the exterior side lot line and the otherside lot</p>

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<p>A120/21 *Retained land</p>	<p>Stop Work Order(s) and Order(s) to Comply: There are no outstanding Orders on file.</p> <p>A Building Permit has not been issued. The Ontario Building Code requires a building permit for structures that exceed 10m².</p> <p>The minimum required yards in a RR – Rural Residential Zone are 15.0 metres Front Yard, 15.0 metres Rear Yard, 4.5 metres Interior Side Yard, and 9.0 metres Exterior Side Yard in accordance with subsection 4.1.9, Schedule A.</p> <p>Please note that 'If part of a lot is beyond the rim of a cliff or embankment having a slope of 30 degrees or more from the horizontal, or beyond the toe of such slope; then any required yard shall be measured from the nearest part of any building or structure to the nearest part of such part of the lot'. [3.18 b)]</p> <p>By-law 1-88 a.a. defines Lot Frontage in Section 2.0 as:</p> <p>'the horizontal distance between the side lot lines of a lot measured on a line at right angles to the lot centreline at a point 6.4 metres back from the front lot line. The "lot centre line" means the line joining the mid- points of the front and rear lot lines, but in the case of a corner lot, means a line drawn perpendicular from the mid-point of the rear lot line to meet the front lot line. In the case of a corner lot with an abutting sight triangle the lot frontage shall be the distance between the extension of the exterior side lot line and the other side lot line measured on a line at right angles to the lot centre line 6.4 metres back from the front lot line.' The applicant has provided figures for the proposed Lot Frontage and is responsible for ensuring that the method of measurement is in accordance with the by-law.</p> <p>The lands are subject to regulation by the Toronto Regional Conservation Authority in accordance with Ontario Regulation 166/06.</p> <p>On October 20, 2021 Comprehensive Zoning By-law 01-2021 was enacted by Vaughan City Council. Please note that future development of the lands included in this application must comply with the requirements of this by-law, subject to the Transition provisions included under section 1.6.</p> <p>The applicant shall be advised that additional variances may be required upon review of detailed drawing for building permit/site plan approval.</p>
<p>A121/21 *Retained land</p>	<p>Stop Work Order(s) and Order(s) to Comply: There are no outstanding Orders on file.</p> <p>A Building Permit has not been issued. The Ontario Building Code requires a building permit for structures that exceed 10m².</p> <p>The minimum required yards in a RR – Rural Residential Zone are 15.0 metres Front Yard, 15.0 metres Rear Yard, 4.5 metres Interior Side Yard, and 9.0 metres Exterior Side Yard in accordance with subsection 4.1.9, Schedule A.</p> <p>Please note that 'If part of a lot is beyond the rim of a cliff or embankment having a slope of 30 degrees or more from the horizontal, or beyond the toe of such slope; then any required yard shall be measured from the nearest part of any building or structure to the nearest part of such part of the lot'. [3.18 b)]</p> <p>By-law 1-88 a.a. defines Lot Frontage in Section 2.0 as:</p> <p>'the horizontal distance between the side lot lines of a lot measured on a line at right angles to the lot centreline at a point 6.4 metres back from the front lot line. The "lot centre line" means the line joining the mid- points of the front and rear lot lines, but in the case of a corner lot, means a line drawn perpendicular from the mid-point of the rear lot line to meet the front lot line. In the case of a corner lot with an abutting sight triangle the lot frontage shall be the distance between the extension of the exterior side lot line and the other side lot line measured on a line at right angles to the lot centre line 6.4 metres back from the front lot line.' The applicant has provided figures for the proposed Lot Frontage and is responsible for ensuring that the method of measurement is in accordance with the by-law.</p> <p>The lands are subject to regulation by the Toronto Regional Conservation Authority in accordance with Ontario Regulation 166/06.</p>

File Nos.	Zoning Comments
	<p>On October 20, 2021 Comprehensive Zoning By-law 01-2021 was enacted by Vaughan City Council. Please note that future development of the lands included in this application must comply with the requirements of this by-law, subject to the Transition provisions included under section 1.6.</p> <p>The applicant shall be advised that additional variances may be required upon review of detailed drawing for building permit/site plan approval.</p>

Building Inspections (Septic):

No comments received to date (A117/21 – A121/21).

Development Planning:

Consent Applications B006/21, B007/21, B008/21, and B009/21 and A117/21, A118/21, A119/21, A120/21, and A121/21 are currently under review.

Development Engineering:

The Development Engineering (DE) Department has reviewed the submitted documents and Functional Servicing Brief dated 07 October 2021 prepared by Valdor Engineering Inc. (Valdor) and is not in a position to support approval of the Consent Applications **B006/21, B007/21, B008/21, and B009/21 based on the following comments/concerns:**

1. The proposed sanitary forcemain is not a standard design solution as per the City's Engineering Design Criteria and Standard Drawings. As it is a non-conventional design solution, the consideration for the forcemain and servicing strategy is more appropriately reviewed through the development planning application process to ensure the appropriate City technical staff can be circulated for their review and comment.
2. The DE department has concerns regarding the 90-degree bends in the proposed sanitary forcemain and uncertain as to whether the grade of the forcemain is a feasible solution to operate and maintain. Given the significant elevation differences; and the extensive lengths of the forcemain (~85m long) and the sanitary extension (~64m long), the proposed servicing strategy is more appropriately reviewed through the development planning application process to ensure the appropriate City technical staff can be circulated for their review and comment.
3. The proposed 64m sanitary extension represents a significant infrastructure installation within the City's right-of-way. The scope of this undertaking is well beyond the minor servicing connections normally associated with consent applications and constructed by the City's contractors. The undertaking of the sanitary sewer extension of the proposed size would typically be coordinated and completed by the Owner's contractor and would require a development agreement between the Owner and the City to ensure appropriate conditions, clauses, fees, securities, insurance, maintenance responsibilities, etc. are accounted for prior to City assumption. This infrastructure work will also likely require the Owner obtain Ministry of the Environment, Conservation, and Parks (MECP) Environmental Compliance Approval (ECA) from York Region as part of transfer of review program. The preparation and execution of this type of development agreement is more appropriately drafted and created through the development planning application process to ensure the appropriate City technical staff are circulated for their review and comment.
4. Valdor Engineering's Site Servicing Brief did not explore any other design solutions for sanitary servicing. Given the complexities of their non-conventional design solution, Valdor Engineering should discuss with City technical staff other design solutions to be considered that may be acceptable to the City. This consideration is more appropriately explored through the development planning application process to ensure the appropriate technical staff and stakeholders are involved for input.
5. The sanitary sewer extension and sanitary forcemains are proposed to service the five single residential lots created as part of this consent application. Given that there are other existing privately serviced lots in the area, consideration should be made to provide opportunities to include existing lots in the servicing strategy and explore the potential for cost sharing of infrastructure works. This consideration is more appropriately explored through the development planning application process to ensure the appropriate technical staff and stakeholders are involved for input.
6. The availability of servicing capacity allocation will have to be assessed at the appropriate time in consultation with York Region.

The Minor Variance Application A117/21, A118/21, A119/21, A120/21, and A121/21 shall be read in conjunction with Consent Applications B006/21, B007/21, B008/21, and B009/21. Therefore, the Development Engineering (DE) Department is not in a position to support the approval of Minor Variance Applications A117/21, A118/21, A119/21, A120/21, and A121/21.

Parks Development – Forestry/Horticulture:

The following Forestry comments pertain to Consent Applications B006/21 – B009/21 and A117/21, A118/21, A119/21, A120/21, and A121/21:

The Oct 2021 EIS study by Dougan & Associates / Noica 2021 Tree Inventory does not accurately reflect current site conditions. An updated tree inventory/tree protection plan is required that takes into account all the past removals and future required removals to accommodate future development.

Arborist Report Requirements:

An Arborist Report must be completed by an ISA or MTCU certified Arborist. This report is to include the following:

- Percentage of total property canopy cover being removed
- Species of tree(s) being removed
- Diameter size of the tree(s), in centimeters, measured at the base of the tree and at breast height (DBH).
- Health/Condition of trees being removed
- Reason for removal
- For trees being preserved - hoarding requirement and lay out
- Replacement recommendations - if non-hazard tree(s) are planned for removal - please refer to the Tree Replacement Requirement guidelines found in the Tree Protection Protocol

By-Law and Compliance, Licensing and Permit Services:

No comment no concerns (B006/21 – B009/21)

Development Finance:

No comment no concerns (B006/21 – B009/21)

Fire Department:

No comments received to date

Schedule A – Plans & Sketches

Schedule B – Correspondence (Public) B006/21 – B009/21 & Minor Variance Applications A117/21-A121/21:

Name	Address	Date Received	Summary
Ken & Elinore Wragge	182 National Drive	November 28, 2021	Letter of Opposition
Roy & Joan Hintsa	198 National Drive	November 29, 2021	Letter of Opposition
Sylvia Kada	215 National Drive	November 30, 2021	Letter of Opposition

Schedule C - Development Planning & Agency Comments B006/21 – B009/21 & Minor Variance Applications A117/21-A121/21:

Agency	Recommendation
Alectra - B006/21 – B009/21	No concerns or objections
Region of York - B006/21 – B009/21	No concerns or objections
TRCA - B006/21 – B009/21	Recommending Refusal
Bell Canada - B006/21 – B009/21	No concerns or objections

Development Planning: Consent Applications B006/21, B007/21, B008/21, and B009/21 and A117/21, A118/21, A119/21, A120/21, and A121/21 are currently under review.

Schedule D - Previous Approvals (Notice of Decision)

None

Schedule E – Studies & Reports

The following studies and reports were submitted by the applicant for B006/21, B007/21, B008/21, and B009/21 and A117/21, A118/21, A119/21, A120/21, and A121/21 and circulated to staff and agencies for review:

Study/Report	Consultant	Date of Study/Report
Environmental Impact Study	Dougan & Associates	October 2021
Land Use Planning Justification Report	GWD	October 2021
Site Servicing Brief	Valdor Engineering Inc.	October 7, 2021
Topographic Map	Noica Consulting	February 2021
Tree Inventory Table	Noica Consulting	January 29 and February 1, 2021
Tree Inventory Report	Noica Consulting	February 16, 2021

Staff Recommendations:

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

The Planning Act sets the criteria for authorizing minor variances to the City of Vaughan’s Zoning By-law. Accordingly, review of the application considers the following:

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

Should the Committee find it appropriate to approve Minor Variance Applications A117/21 – A121/21 in accordance with request and the sketch submitted with the application as required by Ontario Regulation 200/96, the following conditions have been recommended:

Recommended Conditions of Approval Minor Variance Application A117/21:

	Department/Agency	Condition
1	Committee of Adjustment Christine Vigneault 905-832-8585 x 8332 Christine.vigneault@vaughan.ca	1. That a Surveyors Certificate confirming lot area, frontage and lot depth is submitted. 2. That Consent Application B006/21 receive final certification from the Secretary Treasurer and be registered on title. A copy of the registered transfer confirming registration of the Certificate of Official must be provided to the Secretary Treasurer to satisfy this condition.
2	Parks, Forestry and Horticulture Operations Zachary Guizzetti 905-832-8585 x3614 Zachary.Guizzetti@vaughan.ca	An updated Arborist Report specifically tree inventory & tree protection plan is required for review.

Recommended Conditions of Approval Minor Variance Application A118/21:

	Department/Agency	Condition
1	Committee of Adjustment Christine Vigneault 905-832-8585 x 8332 Christine.vigneault@vaughan.ca	1. That a Surveyors Certificate confirming lot area, frontage and lot depth is submitted. 2. That Consent Application B007/21 receive final certification from the Secretary Treasurer and be registered on title. A copy of the registered transfer confirming registration of the Certificate of Official must be provided to the Secretary Treasurer to satisfy this condition.
2	Parks, Forestry and Horticulture Operations Zachary Guizzetti 905-832-8585 x3614 Zachary.Guizzetti@vaughan.ca	An updated Arborist Report specifically tree inventory & tree protection plan is required for review.

Recommended Conditions of Approval Minor Variance Application A119/21:

	Department/Agency	Condition
1	Committee of Adjustment Christine Vigneault 905-832-8585 x 8332 Christine.vigneault@vaughan.ca	1. That a Surveyors Certificate confirming lot area, frontage and lot depth is submitted. 2. That Consent Application B008/21 receive final certification from the Secretary Treasurer and be registered on title. A copy of the registered transfer confirming registration of the Certificate of Official must be provided to the Secretary Treasurer to satisfy this condition.
2	Parks, Forestry and Horticulture Operations Zachary Guizzetti 905-832-8585 x3614 Zachary.Guizzetti@vaughan.ca	An updated Arborist Report specifically tree inventory & tree protection plan is required for review.

Recommended Conditions of Approval Minor Variance Application A120/21:

	Department/Agency	Condition
1	Committee of Adjustment Christine Vigneault 905-832-8585 x 8332 Christine.vigneault@vaughan.ca	1. That a Surveyors Certificate confirming lot area, frontage and lot depth is submitted. 2. That Consent Application B009/21 receive final certification from the Secretary Treasurer and be registered on title. A copy of the registered transfer confirming registration of the Certificate of Official must be provided to the Secretary Treasurer to satisfy this condition.
2	Parks, Forestry and Horticulture Operations Zachary Guizzetti 905-832-8585 x3614 Zachary.Guizzetti@vaughan.ca	An updated Arborist Report specifically tree inventory & tree protection plan is required for review.

Recommended Conditions of Approval Minor Variance Application A121/21:

	Department/Agency	Condition
1	Committee of Adjustment Christine Vigneault 905-832-8585 x 8332 Christine.vigneault@vaughan.ca	1. That a Surveyors Certificate confirming lot area, frontage and lot depth is submitted. 2. That Consent Application B009/21 receive final certification from the Secretary Treasurer and be registered on title. A copy of the registered transfer confirming registration of the Certificate of Official must be provided to the Secretary Treasurer to satisfy this condition.
2	Parks, Forestry and Horticulture Operations Zachary Guizzetti 905-832-8585 x3614 Zachary.Guizzetti@vaughan.ca	An updated Arborist Report specifically tree inventory & tree protection plan is required for review.

Conditions

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

Please Note:

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

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

Elevation drawings are provided to reflect the style of roof to which building height has been applied (i.e. flat, mansard, gable etc.) as per By-law 1-88 and the Committee of Adjustment approval. Please note, that architectural design features (i.e. window placement), that do not impact the style of roof approved by the Committee, are not regulated by this decision.

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 Ontario Land Tribunal (OLT) hearing you must complete a Request for Decision form and submit to the Secretary Treasurer (ask staff for details). In the absence of a written request to be notified of the Committee's decision you will **not** receive notice.

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

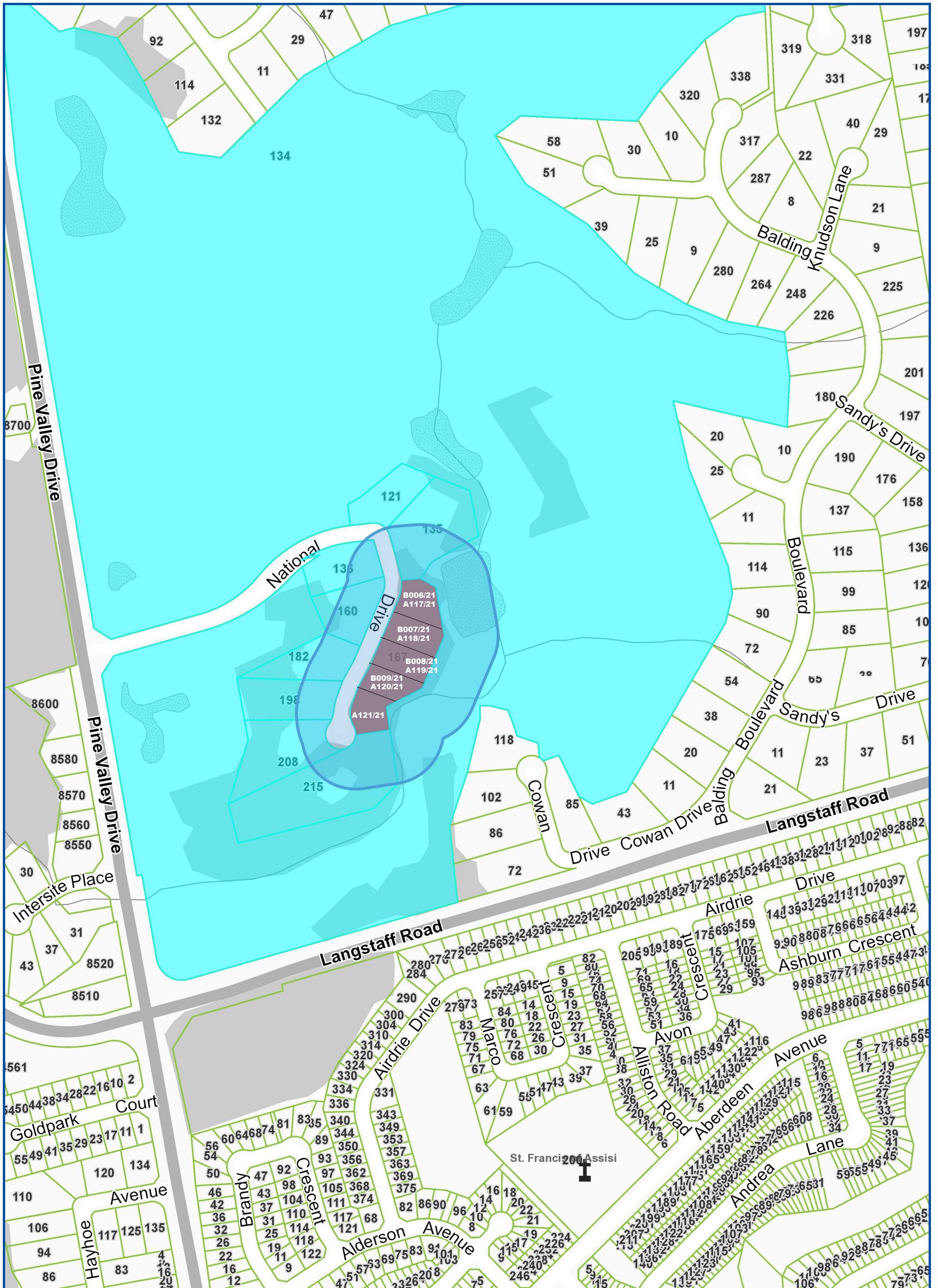
T 905 832 8585 Extension 8394
E CofA@vaughan.ca

Schedule A: Plans & Sketches

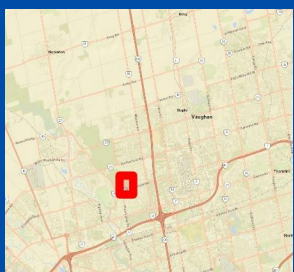
Please note that the correspondence listed in Schedule A is not comprehensive. Plans & sketches received after the preparation of this staff report will be provided as an addendum.

Location Map

Site Plan & Sketches



Map Information:



Title: NOTIFICATION MAP - B006/21 - B009/21, A117/21 - A121/21

167 NATIONAL DRIVE, WOODBRIDGE



Scale: 1 : 5,883
 0 0.09 km



Disclaimer:

Every reasonable effort has been made to ensure that the information appearing on this map is accurate and current. We believe the information to be reliable, however the City of Vaughan assumes no responsibility or liability due to errors or omissions. Please report any discrepancies to Infrastructure Programming.

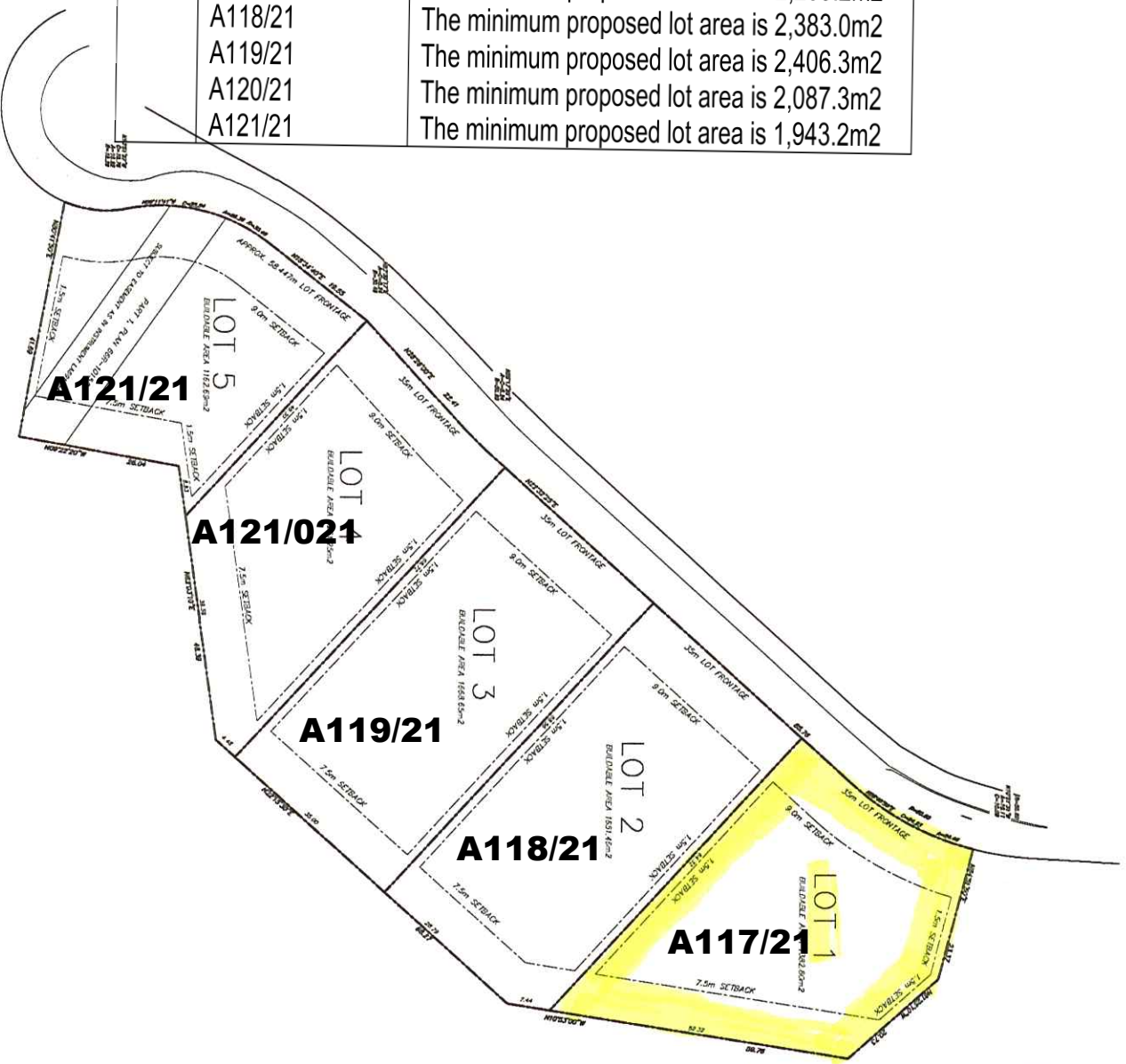
Created By:

Infrastructure Delivery
 Department
 November 12, 2021 9:11 AM

Projection:

NAD 83
 UTM Zone
 17N

#1	A117/21	The minimum proposed lot frontage is 41.67m
#1	A118/21-A120/21	The minimum proposed lot frontage is 35.0m
#2	A117/21	The minimum proposed lot area is 2,259.2m ²
	A118/21	The minimum proposed lot area is 2,383.0m ²
	A119/21	The minimum proposed lot area is 2,406.3m ²
	A120/21	The minimum proposed lot area is 2,087.3m ²
	A121/21	The minimum proposed lot area is 1,943.2m ²



1 SITE PLAN
SCALE 1:400

SITE STATISTICS	
SITE AREA:	2.734 ACRES (11064.24M ²)
LOT 1 (AREA)	2230.05M ²
LOT 2 (AREA)	2394.11M ²
LOT 3 (AREA)	2402.85M ²
LOT 4 (AREA)	2087.30M ²
LOT 5 (AREA)	1943.20M ²

No	Revision	Date

01 Planner / Zoning April 13, 2021
 No Issued For Date

aldimo
architecture
 inc.

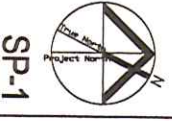
2A-27 ROTTIG ROAD
 WOODBRIDGE, ONTARIO, L4L 6E9
 F: (905) 852-2940
 F: (905) 852-9112
 info@aldimoarchitecture.com
 www.aldimoarchitect.com

Opening Title
 SITE PLAN - LOTS 1, 2, 3, 4 & 5

Project
NATIONAL DRIVE
DEVELOPMENT

187 NATIONAL DRIVE, WOODBRIDGE, ON

AS NOTED
 Scale
 F.A. Issued By
 2020-023 F.R.N.
 2021-04-13 Proj. Date



Contractor Must Check And Verify All Dimensions On The Job.
 Do Not Scale The Drawings.
 All Drawings, Specifications And Related Documents Are The Property Of The Architect And Shall Be Returned Upon Request.
 Reproduction Of Drawings, Specifications And Related Documents Without The Written Permission Of The Architect Is Prohibited.
 This Drawing Is Not To Be Used For Construction Until Signed By The Architect.

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.

Correspondence (Public) B006/21 – B009/21 & Minor Variance Applications A117/21-A121/21:

Name	Address	Date Received	Summary
Ken & Elinore Wragge	182 National Drive	November 28, 2021	Letter of Opposition
Roy & Joan Hintsa	198 National Drive	November 29, 2021	Letter of Opposition
Sylvia Kada	215 National Drive	November 30, 2021	Letter of Opposition

Received

December 1, 2021

SYLVIA KADA
215 NATIONAL DRIVE
WOODBIDGE ON L4L 3R2



November 29th, 2021

COMMITTEE OF ADJUSTMENT CITY OF VAUGHAN
Re Files: B-006/21-B009/21 A117/21-A121/21 167 National Drive Woodbridge, ON

I am the owner of 215 National Drive, a 3.45 acre single family home property at the southeast end of the cul de sac on National Drive. I share a property line with 167 National Drive. The slopes and stream on both these properties are regulated by Toronto Region Conservation Authority. I believe that much of both these lots are designated as non development to allow for the conservation of slopes, natural vegetation and mature trees. In my opinion development at 167 National Drive should remain as zoned (single family dwelling) to protect the environment and the natural beauty of the area.

I do not consent to this proposal.

The application for 5 lots is not compatible and does not respect the established character of the street. The density that is being proposed destabilizes the character of the neighbourhood. It is out of scale and this will be a break in pattern and continuity on the street.

Another concern is sewage systems for these lots. There is no sanitary connection to the undeveloped land. The proposed lots are not large enough to qualify for septic system permits. If retaining walls and fill are to be used to gain land for development, the damage to the many mature trees on the protected slopes will be immense.

Motivation to purchase on National Drive is greatly due to the open spaces and natural settings. The development of 167 National Drive as proposed will impact the value of existing homes on the street.

Regards,

Sylvia Kada

Received

November 28, 2021

COMMITTEE OF ADJUSTMENT CITY OF VAUGHAN

Re Files: B-006/21-B-009/21 A117/21-A121/21 167 National Dr Woodbridge

Submission to the Committee respecting the above application by:

Ken and Elinore Wragge 182 National Drive

We are the owners of one of the houses directly across the street from the subject property.

Existing Conditions

- National Drive is a dead-end street which extends off Pine Valley Drive and is surrounded on all sides by the National Golf Course of Canada lands
- There are 7 developed residential lots on this street plus the undeveloped subject lot. Each lot has an area of 4000m² or more and all except one have frontage of 45m or more. The lot with the smallest frontage is in excess of 8000 m². There is consistency between all eight lots and the bylaws in question
- The developed lots have large estate type homes on them
- The subject property contour is very irregular and slopes steeply downwards from the street towards a watercourse which borders with the golf course at the bottom of the lot
- We understand that the conservation authority has jurisdiction over the rear of several of the properties on the street including the water course behind the subject property. This line of jurisdiction is not defined on the survey submitted as part of the application
- The City's sanitary sewer system only extends to the peak of National Drive. Addresses 160, 182, 198, 208 and 215 are all downstream of this sewer main and are on private septic systems. There is no available sanitary connection to the undeveloped land
- There is extensive mature tree canopy on the subject property

Recommendations

We wish to submit the following recommendations to the committee:

1. This application proposes lot sizes and frontages which are 40-50% less than the minimum required by the bylaws. The proposed lot sizes and frontages are much too small to be considered minor variances. They are not compatible with the existing lots, nor the intent of the relevant bylaws. We request the committee reject the application on this basis

Pending a revised application for severance, we recommend the committee attach conditions of severance as follows:

2. That no subdivision of the present lot is permitted without an agreement with the City to extend sanitary sewer connections to service the proposed lot(s). Alternatively, a review be undertaken to ensure the proposed lot(s) will be large enough and suitable to be granted an onsite septic system permit. This is to ensure there is no pollution of the watercourse. It is our understanding that Vaughan lots smaller than 4000m² are not permitted to be developed using septic systems
3. The difficult contours of the undeveloped land may require extensive retaining walls and fill to make this property useful for future development. We suggest that a site plan and elevation

view for each proposed lot be approved by the City prior to any severance being granted. This is to ensure that any prospective purchaser of a subdivided lot has some assurance it is suitable for further development

4. That the site plan(s) approval process take into account the following points:
 - a. Sewage management plan
 - b. Mature tree cover on the property and how much will need to be removed to incorporate the proposed development(s)
 - c. Setback requirements from the street and from the conservation boundary line
 - d. Elevation and footprint of any proposed dwelling with required changes to existing topography

We are not anti-development and believe the above suggestions represent a reasonable and logical approach to this application. We understand the lot is presently approved for one house. We would not object to two lots, subject to evaluation of the above points. By approving an application to subdivide this lot without a detailed review of the above points, the City could be legally interpreted as providing deFacto consent to develop the lots in a way not currently envisioned or permitted.

Respectfully

Ken and Elinore Wragge

182 National Drive

Lenore Providence

Subject: FW: [External] Consent Applications B006/21-B009/21

From: [REDACTED]

Sent: Monday, November 29, 2021 2:55 PM

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

Subject: [External] Consent Applications B006/21-B009/21

City of Vaughan

November 29, 2021

Office of the City Clerk-Committee of Adjustment

2141 Major Mackenzie Drive

Vaughan, Ontario

L6A 1T1

Re: Notice of Hearing

Files: B-006/21-B009/21, A-II7/21-A121/21

We are owners and residents of 198 National Drive built by us in 1981.

Be advised that we are opposed to the severing of 167 National Dr. as requested or any other proposed lot severing that may be subsequently requested.

National Drive was developed pursuant to a sight plan agreement and urban design guidelines which recognized the uniqueness of these lots with one house per lot.

The arrangement of lots on National Drive was and is of interest to the Conservation Authority. This includes the removal of trees for which the proponent may have already exceeded.

Sincerely

Roy and Joan Hints

[REDACTED]

Schedule C: Development Planning & 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.-

Development Planning & Agency Comments B006/21 – B009/21 & Minor Variance Applications A117/21-A121/21:

Agency	Recommendation
Alectra - B006/21 – B009/21	No concerns or objections
Region of York - B006/21 – B009/21	No concerns with recommended conditions
TRCA - B006/21 – B009/21	Recommending Refusal
Bell Canada - B006/21 – B009/21	No concerns or objections

Development Planning: Consent Applications B006/21, B007/21, B008/21, and B009/21 and A117/21, A118/21, A119/21, A120/21, and A121/21 are currently under review.



Discover the possibilities

COMMENTS:

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

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

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

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

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

References:

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

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

Mr. Stephen Cranley, C.E.T
Supervisor, Distribution Design, ICI & Layouts (North)
Phone: 1-877-963-6900 ext. 31297

Mr. Tony D'Onofrio
Supervisor, Subdivisions (Alectra East)
Phone: 1-877-963-6900 ext. 24419

E-mail: stephen.cranley@alectrautilities.com

Email: tony.donofrio@alectrautilities.com

Lenore Providence

Subject: FW: REQUEST FOR COMMENTS - Carmelo and Milena Calabro - Minor Variances

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

Sent: November-15-21 10:08 AM

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

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

Subject: [External] RE: REQUEST FOR COMMENTS - Carmelo and Milena Calabro - Minor Variances

Good morning Lenore,
The Regional Municipality of York has completed its review of minor variances A117/21 through A121/21 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

Lenore Providence

Subject: FW: B006-21 - B009-21 A117-21 - A121-21 - REQUEST FOR COMMENTS - 905-21-478

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

Sent: November-29-21 3:18 PM

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

Subject: [External] RE: B006-21 - B009-21 A117-21 - A121-21 - REQUEST FOR COMMENTS - 905-21-478

Hi Lenore,

Re: B006-21 - B009-21

Subsequent to review of the abovementioned Consent Application at 167 National Dr Woodbridge ON, Bell Canada's engineering department have determined that there are no concerns or comments at this time.

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



November 29, 2021

CFN 64150.04
Ex-Ref CFN 64135.03

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

**Re: Consent Applications B006.21, B007.21, B008.21, B009.21
Minor Variance Applications A117.21, A118.21, A119.21, A120.21, A121.21
Part of Lot 11, Concession 6; Lot 65, Registered Plan M1800
167 National Drive, City of Vaughan, Region of York
Carmelo Calabro and Milena Calabro (Agent: Lou Pompili)**

This letter acknowledges receipt of the above-noted applications circulated by the City of Vaughan. The materials were received by Toronto and Region Conservation Authority (TRCA) on November 3, 2021. TRCA staff has reviewed the above noted applications, 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

B006.21 – B009.21: It is our understanding that the purpose of the above noted applications is to request the consent of the Committee of Adjustment to convey four lots marked Lot 1, 2, 3 & 4 on the circulated sketch for the creation of four (4) new residential lots and to retain a 0.19 ha parcel. Based on a review of the circulated materials, TRCA staff understand the proposed severance of lots to be as follows:

- Lot 1 - 0.22 ha;
- Lot 2 - 0.24 ha;
- Lot 3 - 0.24 ha;
- Lot 4 - 0.21 ha.

A117.21: It is our understanding the purpose of this application is to request the following variances for the lands identified as Lot 1:

1. The minimum proposed lot frontage is 41.67 metres, whereas the minimum required lot frontage is 45.0 metres.
2. The minimum proposed lot area is 2,259.2 square metres, whereas the minimum required lot area is 4,000.0 square metres.

A118.21: It is our understanding the purpose of this application is to request the following variances for the lands identified as Lot 2:

1. The minimum proposed lot frontage is 35.0 metres, whereas the minimum required lot frontage is 45.0 metres.
2. The minimum proposed lot area is 2,383.0 square metres, whereas the minimum required lot area is 4,000.0 square metres.

A119.21: It is our understanding the purpose of this application is to request the following variances for lands identified as Lot 3:

1. The minimum proposed lot frontage is 35.0 metres, whereas the minimum required lot frontage is 45.0 metres.
2. The minimum proposed lot area is 2,406.3 square metres, whereas the minimum required lot area is 4,000.0 square metres.

A120.21: It is our understanding the purpose of this application is to request the following variances for the lands identified as Lot 4:

1. The minimum proposed lot frontage is 35.0 metres, whereas the minimum required lot frontage is 45.0 metres.
2. The minimum proposed lot area is 2,087.3 square metres, whereas the minimum required lot area is 4,000.0 square metres.

A121.21: It is our understanding the purpose of this application is to request the following variances for the retained lands:

1. The minimum proposed lot area is 1,943.2 square metres, whereas the minimum required lot area is 4,000.0 square metres.

Background

TRCA staff have been involved in discussions with the landowner and their agent regarding a proposal to subdivide the subject property since February 22, 2021. Specifically, a request to review a consent proposal and a tree removal permit was submitted to TRCA. TRCA and City staff met with the proponent on March 9, 2021, to discuss the proposal and the policy framework affecting the site. TRCA and City of Vaughan staff identified that severance of this property would not be supported. After the meeting with the owner's representative, the noted applications were returned to the proponent accompanied by a formal letter dated March 16, 2021.

Ontario Regulation 166/06

The subject property is located within TRCA's Regulated Area because of the valley corridor associated with the Humber River that traverses the eastern portion of the property. In accordance with *Ontario Regulation 166/06 (Regulation of Development, interference with Wetlands and Alterations to Shorelines and Watercourses)*, any development or site alteration within the Regulated Area of this property would require a permit from TRCA.

Application-Specific Comments

The subject property is a single vacant lot of record that is almost entirely located within a valley corridor (tributary of the Humber River). Based on available digital elevation information, the valley slope within the property ranges in height from 13 metres to 20 metres. The inclination (i.e., steepness) of the slope ranges from 2:1 (horizontal to vertical) on the northern portion to 3:1 (horizontal to vertical)

on the southern portion. There is a small, flat, tableland area located at the central portion of the lot. The site is in a naturalized condition with mature trees and associated undergrowth. It has been brought to TRCA's attention that the owner has been clearing vegetation on portions of the site. TRCA staff have performed several site visits to the property to assess the conditions and delineate the limits of the natural features and hazards. The physical top of bank was confirmed by TRCA on April 17, 2019. The limit of the top of bank represents the limit of the hazardous lands on the property.

The Living City Policies for Planning and Development in the Watersheds of the Toronto and Region Conservation Authority (LCP) describes a '*Natural System*' made up of natural features and areas, water resources, natural hazards, potential natural cover and/or buffers. The LCP recommends that development not be permitted within the *Natural System* and that it be conveyed into public ownership for its long-term protection and enhancement.

Given that the subject property is located entirely within the *Natural System* due to the valley corridor and associated vegetation, TRCA staff would not be supportive of further subdivision of the property to facilitate new residential development. Section 7.5.2.4 (a) of TRCA's Living City Policies identifies:

That lands containing the Natural System (natural features, natural hazards, buffers, and any potential natural cover) are not be zoned for development, and not form part of the lots to be created or developed, but rather, be zoned for environmental protection and be set aside for dedication into public ownership in accordance with Section 7.3.2 Conveyance of the Natural System into Public Ownership.

Furthermore, Section 7.5.2.4 (b) outlines that:

The creation of a new lot(s) not be supported unless a suitable building envelope exists outside the Natural System in accordance with the policies in Sections 7 and 8 and municipal requirements. This would include sufficient space within the building envelope for required municipal setbacks and infrastructure including, but not limited to, private septic systems, wells, driveways, and parking and outdoor amenity areas.

TRCA staff recognize that (one) lot of record exists at 167 National Drive, on which there is currently no development. However, it should be noted, that amongst other matters, the agreement for the registered plan of subdivision as executed December 16, 1976, between 310218 Ontario Limited and the Corporation of the Town of Vaughan states within Section B Environmental Protection that:

The Owner shall not construct any buildings or structure of any kind, other than those necessary for erosion control, within the steeply sloping treed area of lots numbered 28 to 30 and 63 to 69 inclusive, i.e., beyond the "no development line" referred to in paragraph A.#.1.(a). The Owner shall neither place nor remove fill of any kind, whether originating on the site or elsewhere, not alter any existing vegetation without the written consent of the Metropolitan Toronto and Region Conservation Authority.

Given the above noted clause, it is evident at that during negotiation and registration of the subdivision that the Conservation Authority and the Municipality recognized the hazard presented by the steep slope within the subject property and saw fit to restrict the location of development on the constrained single lot. TRCA continues to support the restriction of development on the subject lands acknowledging the hazard that was recognized during the registration of the plan of subdivision and remains on site today.

As a portion of the property is zoned “RR – Rural Residential” pursuant to City of Vaughan Zoning By-Law 1-88 and given there is a modest development envelope that is located above the top of bank, staff continue to support the development of one (1) single detached dwelling and ancillary uses on the property.

TRCA’s recent correspondence to the applicant has been included in Appendix ‘A’ of this letter for the committee’s reference.

Fees

By copy of this letter, the applicant is advised that the application is subject to a \$2,310.00 (Consent - Residential-Standard) review fee. The applicant is responsible for fee payment and should forward the application fee to this office as soon as possible.

Recommendation

The proposed consent applications would sever the Natural System within the erosion hazard. TRCA staff have worked extensively with owners of this property over the years to assess development potential and have been consistent in identifying that the property is only suitable for one modest single detached dwelling, This was conveyed to the applicant prior to their filing of this application. Based on the above, TRCA staff recommend **denial** of the above-noted applications.

We trust these comments are of assistance. Should you have any questions, please contact the undersigned at extension 5269 or at mark.howard@trca.ca.

Sincerely,

Mark Howard, MCIP, RPP
Senior Planner, Vaughan Review Area
Development Planning and Permits | Development and Engineering Services

HR/mh

Appendix 'A' Previous TRCA Correspondence Related to Severance Proposal



March 16, 2021

BY E-MAIL ONLY <l.pompili@hotmail.com>

Mr. Lou Pompili
BelCap Management Inc.
8750 Jane Street, Unit 16
Vaughan, ON, L4K 2M9

**Re: Return of Permit Application dated February 22, 2021 requesting consent to sever lands and permission for tree removal
167 National Drive (Part of Lot 11, Concession 6), Vaughan
Owner: Mr. Carmelo Calabro**

This letter acknowledges the receipt of your February 22, 2021 application for a permit pursuant to the Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses (Ontario Regulation 166/06).

It is the understanding of TRCA staff that the purpose of the permit application was to (i) sever the property into three lots for the purposes of developing detached dwellings, and (ii) to facilitate the removal of trees from the subject lands.

In accordance with Ontario Regulation 166/06 a permit is required from TRCA prior to any of the following types of development or site alteration taking place within TRCA's Regulated Area:

- a) straightening, changing, diverting, or interfering in any way with the existing channel of a river, creek, stream, or watercourse, or for changing or interfering in any way with a wetland.
- b) development, if in the opinion of the Authority, the control of flooding, erosion, dynamic beaches or pollution or the conservation of land may be affected by the development.

Please be advised that "development" as related to the regulation is defined as:

- i. the construction, reconstruction, erection or placing of a building or structure of any kind,
- ii. any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building/structure, or increasing the number of dwelling units in the building/structure,
- iii. site grading,
- iv. the temporary or permanent placing, dumping or removal of any material originating on the site or elsewhere.

Further to our discussion in which TRCA staff, City of Vaughan staff and you were involved on March 9, 2021, consent (to sever lands) applications are Planning Act applications and require submission to City of Vaughan - Committee of Adjustment. Moreover, the removal of individual trees is regulated by York Region and the City of Vaughan, requiring application to their respective Forestry Departments. While TRCA provides technical environmental advice and comments to our municipal partners in these matters, we are not the decision makers with respect to Planning Act applications.

As TRCA does not have authority in these matters, this letter serves to officially return your Ontario Regulation 166/06 permit application. Furthermore, please be advised that no fees are owed, and no fees have been billed to the provided credit card

Mr. Lou Pompili

2

March 16, 2021

Preliminary Comments on a Potential Consent Application

While TRCA will be formally circulated for comment if a formal consent application is submitted to the City, we are taking this opportunity to re-iterate the initial comments that we have provided to you verbally in our above-mentioned meeting, to ensure that you are clear on the position of TRCA staff prior to filing any further applications with respect to this property. In this regard, TRCA staff reiterates that based upon the extensive review of the property to date, and the policies that are applicable to proposed development, Authority staff **cannot** support the severance of the subject lands into multiple lots.

To assist the agent and owner, staff offer the following as a summary of TRCA comments discussed during the meeting of March 9, 2021. The information should not be considered an exhaustive record but rather an overview of the general policy concerns that do not support the severance of the property into multiple lots.

- **Provincial Policy Statement, 2020:** The *Planning Act* dictates that agencies engaged in planning, including the TRCA, "shall be consistent with" the Provincial Policy Statement (PPS) when reviewing development applications. In accordance with Section 3.1 of the PPS, development, including lot creation, shall generally be directed to areas outside of natural hazards unless the effects and risk to public safety are minor, can be mitigated in accordance with provincial standards and where the four (4) tests of Section 3.1.7 can be met. Furthermore, Sections 2.1.5 & 2.1.8 of the PPS identify that development and site alteration shall not be permitted within or on adjacent lands to natural heritage features, including significant valleyland, woodlands, wetlands, and wildlife habituate in Ecoregion 6E and 7E, unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological function.
- **The Living City Policies:** Through the application of The Living City Policies for Planning and Development in the Watersheds of the Toronto and Region Conservation Authority (LCP) TRCA has an interest in conserving, protecting, and enhancing natural features and functions and discouraging the fragmentation of ownership of valley corridor and/or hazard lands within our jurisdiction. Given that the subject property is located almost entirely within the *Natural System*, TRCA staff would not be supportive of further subdivision of the property or rezoning of the site to facilitate additional residential development. Moreover,

Section 7.5.2.4 (a) of TRCA's Living City Policies identifies that *lands containing the Natural System (natural features, natural hazards, buffers, and any potential natural cover) not be zoned for development, and not form part of the lots to be created or developed, but rather, be zoned for environmental protection and be set aside for dedication into public ownership in accordance with Section 7.3.2 Conveyance of the Natural System into Public Ownership.*

Furthermore, Section 7.5.2.4 (b) outlines that *the creation of a new lot(s) not be supported unless a suitable building envelope exists outside the Natural System in accordance with the policies in Sections 7 and 8 and municipal requirements. This would include sufficient space within the building envelope for required municipal setbacks and infrastructure including, but not limited to, private septic systems, wells, driveways, and parking and outdoor amenity areas.*

TRCA staff recognize that a lot of record exists at 167 National Drive, on which there is currently no development. However, It should be noted, that amongst other matters, the agreement for the registered plan of subdivision as executed December 16, 1976 between 310218 Ontario Limited and the Corporation of the Town of Vaughan states within Section B Environmental Protection that states...*The Owner shall not construct any buildings or structure of any kind, other than those necessary for erosion control, within the steeply sloping treed area of lots numbered 28 to 30 and 63 to 69 inclusive, i.e., beyond the "no development line" referred to in paragraph A.#.1.(a). The Owner shall neither place nor remove fill of any kind, whether originating on the site or elsewhere, not alter any existing vegetation without the written consent of the Metropolitan Toronto and Region Conservation Authority.*

As a portion of the property is zoned "RR – Rural Residential" per the City of Vaughan Zoning By-Law 1-88, and as there is a small development envelope on the property that is located above top of bank on the property, staff can support the development a one (1) single-family detached dwelling and ancillary uses,

Mr. Lou Pompili

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March 16, 2021

subject to the proposal meeting the applicable policies of The Living City Policies (2014), City of Vaughan Official Plan and Zoning By-Law 1-88, and subject to all development and site alteration being located inland from the staked top of bank, and applicable buffers.

To further assist the agent and owner, TRCA has attached the final correspondence between the Authority and the previous owner dated July 10, 2020 (figure 1). The letter details a development concept which is located entirely above the top of bank, and it identifies the minimum setbacks supportable by TRCA.

Please be advised, that this letter does not include comments from the City of Vaughan. The agent and/or owner is advised to speak with them directly at (905) 832-2281.

Please be advised that this letter is based on current TRCA policy. . Any future development proposal would be subject to the policies in effect at the time of application.

We trust these comments are of assistance.



Quentin Hanchard, RPP
Associate Director
Development Planning and Permit
quentin.hanchard@trca.ca
(416) 661-6600 ext. 5324

Mr. Lou Pompili

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March 16, 2021

Figure 1 – Letter to Former Landowner of 167 National Drive (3 pages)



CFN: 56994.13

July 10, 2020

Steve Hengsperger
President
Tersano
By Email Only

Dear Mr. Hengsperger:

**Re: TRCA Concept Development Application
167 National Drive
City of Vaughan**

Over the past several months we have discussed the potential for development on the subject property, and the extent of development that may be supported by the TRCA. As you are aware, the property is located adjacent to a tributary of the Humber River, and portions of the subject property are located within the associated valley corridor. In earlier stages of this concept development process, TRCA staff staked the top of the valley bank on the subject property, and provided a further refinement to this staking, as reflected in our correspondence of 2017 and June 4, 2019). In that correspondence, TRCA staff identified the environmental constraints on the property, and provided additional guidance with respect to studies that would need to be completed, as well as the area of the property in which development (construction of a single-family residential home) could be considered.

Through our conversations, we have discussed several development concepts, and have worked together to refine the concepts to address TRCA's concerns. On June 24, 2020, you provided me with a refined concept that provides for a single-family dwelling footprint, which is located entirely within the area above the staked top of bank, and which provides a minimum setback of 10 feet to the top of bank on the north side of the property, with the majority of the proposed building achieving a greater setback. The concept also provides for a 40 foot setback from the National Drive right-of-way. In this concept the total lot coverage is 5%, and the total footprint of all structures (including garage and covered porches) is 6,005 sq ft. This concept is attached to this letter, for ease of reference.

TRCA staff are prepared to support this concept in principle. I do wish to note, however, that the setbacks provided in this concept constitute the bare minimum setbacks that can be supported by TRCA staff. As this concept is refined, please ensure that the total

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S. Hengsperger- 2 -July 17, 2020

footprint does not expand beyond that which is shown on this drawing, and that the setbacks are not further reduced. Additionally, if the proposed building is a multi-storey building, please note that no further encroachment of upper floors, decks, patios or garages, or any cantilevering of these into the setback will be supported by TRCA staff.

As you are aware, a TRCA permit will be required for development on this property. Once development concepts are further refined, TRCA staff would recommend that a TRCA permit application be submitted with the requisite additional details and studies. These are likely to include a scoped natural heritage evaluation and an updated geotechnical report, which specifically addresses the proposed concept.

It is also our understanding that your proposed concept may not comply with the City of Vaughan Zoning By-law, and should this application be advanced, a minor variance application may be required. We would encourage you to discuss these requirements further with City staff.

This letter does not provide formal comments or clearance with respect to TRCA's position on any planning or permit application relating to the subject site. This information is provided to assist in the formulation of a development concept for the property. Please ensure all future proposals for works on the subject property are circulated to TRCA for our review and approval prior to commencement of any works. Our full submission requirements for planning and permit applications can be accessed by contacting the undersigned or visiting our website at: <http://www.trca.on.ca/planning-services-permits/>.

We trust that this is of assistance.

Sincerely,

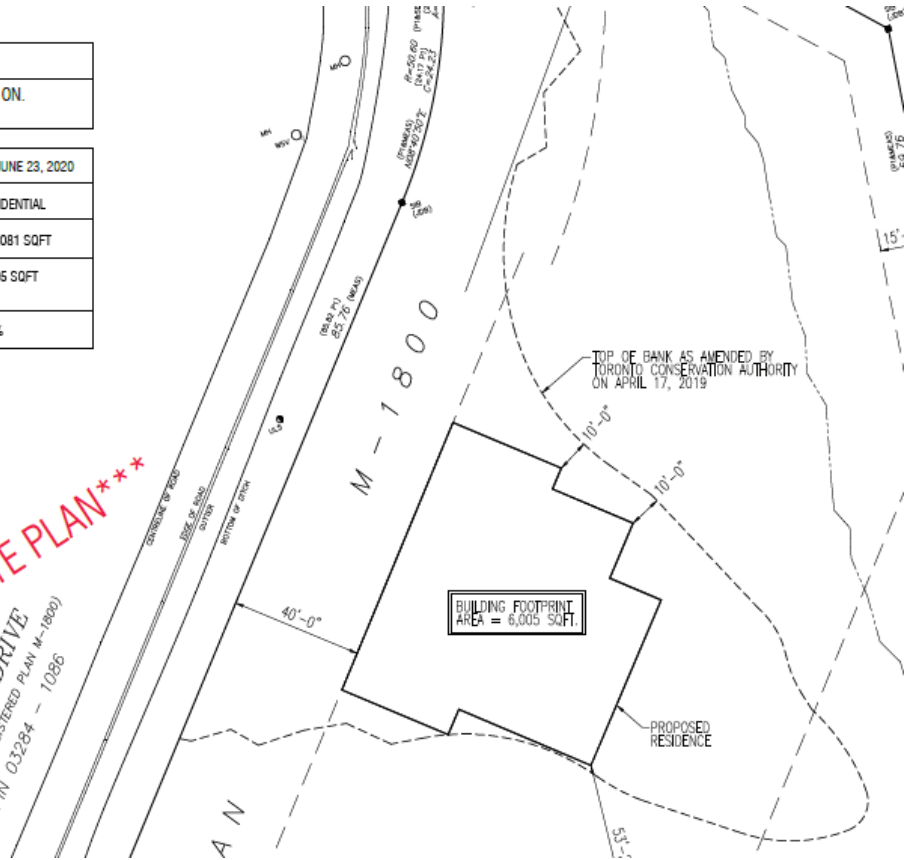
Quentin Hanchard, RPP
Associate Director
Development Planning and Permits
Extension 5324

SITE DESCRIPTION:	
Lot 65 of Reg. Plan M-1800 in the City of Vaughn ON.	

SITE INFORMATION:		UPDATED : JUNE 23, 2020
ZONED	RESIDENTIAL	
TOTAL AREA OF LOT:	119,081 SQFT	
TOTAL FOOTPRINT OF ALL STRUCTURES: (INCLUDING GARAGE AND COVER PORCHES)	6,005 SQFT	
LOT COVERAGE ALL STRUCTURES (MAX. 10%):	5.0%	

*****PRELIMINARY SITE PLAN*****

NATIONAL DRIVE
 (DEDICATED BY REGISTERED PLAN M-1800)
 PIN 0-3284 - 1086



Schedule D: Previous Approvals (Notice of Decision)

N/A

SCHEDULE E: STUDIES & REPORTS

Studies & Reports

The following studies and reports were submitted by the applicant for B006/21, B007/21, B008/21, and B009/21 and A117/21, A118/21, A119/21, A120/21, and A121/21 and circulated to staff and agencies for review:

Study/Report	Consultant	Date of Study/Report
Environmental Impact Study	Dougan & Associates	October 2021
Land Use Planning Justification Report	GWD	October 2021
Site Servicing Brief	Valdor Engineering Inc.	October 7, 2021
Topographic Map	Noica Consulting	February 2021
Tree Inventory Table	Noica Consulting	January 29 and February 1, 2021
Tree Inventory Report	Noica Consulting	February 16, 2021

****See Item 1-4 B006/21, B007/21, B008/21, and B009/21 for full reports.**