

	<b>COMMITTEE OF ADJUSTMENT REPORT VALIDATION OF TITLE APPLICATIONS B021/21 - B026/21</b>
---	--

<b>AGENDA ITEM NUMBER: 1 to 6</b>	<b>CITY WARD #: 2</b>
<b>APPLICANT:</b>	CB 10 (Islington) Holding Corp.
<b>AGENT:</b>	Mike Smith
<b>PROPERTY:</b>	1 Hartman Ave, Units 1 – 6, Woodbridge ON
<b>ZONING DESIGNATION:</b>	The subject lands are zoned and subject to the provisions of Exception under By-law 1-88 as amended
<b>VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:</b>	Vaughan Official Plan 2010 ('VOP 2010'): “Low-Rise Residential (2)” by Volume 2, Section 11.11 - Woodbridge Centre Secondary Plan
<b>RELATED APPLICATIONS:</b>	B021/21 – B026/21 (inclusive)
<b>PURPOSE OF APPLICATION:</b>	<p>To validate the following transfers of land in accordance with Section 57 of the <i>Planning Act</i>:</p> <p><b>B021/21</b> – Part of Lot 3, Registered Plan M-1110, Designated as Part 1 on Plan 65R-38541.</p> <p><b>B022/21</b> - Part of Lot 3, Registered Plan M-1110, Designated as Part 2 on Plan 65R-38541.</p> <p><b>B023/21</b> - Part of Lot 3, Registered Plan M-1110, Designated as Part 3 on Plan 65R-38541.</p> <p><b>B024/21</b> - Part of Lot 3, Registered Plan M-1110, Designated as Part 4 on Plan 65R-38541.</p> <p><b>B025/21</b> - Part of Lot 3, Registered Plan M-1110, Designated as Part 5 on Plan 65R-38541.</p> <p><b>B026/21</b> - Part of Lot 3, Registered Plan M-1110, Designated as Part 6 on Plan 65R-38541.</p>

**THIS REPORT CONTAINS COMMENTS FROM THE FOLLOWING DEPARTMENTS & AGENCIES:**

\*Please see **Schedule B** of this report for a copy of Development Planning correspondence.

DEPARTMENTS	Circulated	Comments Received	Conditions	Nature of Comments
Committee of Adjustment	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Recommend Approval w/Conditions
Building Standards (Zoning Review)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Confirm compliance with the Zoning By-law
Development Planning	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Recommend Approval/No Conditions

APPLICANT CORRESPONDENCE				
*Please see <b>Schedule C</b> of this report for a copy of applicant correspondence listed below.				
Correspondence Type	Name	Address	Date Received (mm/dd/yyyy)	Summary
Applicant / Authorized Agent	David R. Spencer, Schneider Ruggiero Spencer Millburn LLP	1-161 Pennsylvania Avenue, Concord, ON L4K 1C3	12/15/2021	Justification Letter



## COMMITTEE OF ADJUSTMENT REPORT VALIDATION OF TITLE APPLICATIONS B021/21 - B026/21

<b>AGENDA ITEM NUMBER: 1 to 6</b>	<b>CITY WARD #: 2</b>
<b>APPLICANT:</b>	CB 10 (Islington) Holding Corp.
<b>AGENT:</b>	Mike Smith
<b>PROPERTY:</b>	1 Hartman Ave, Units 1 – 6, Woodbridge ON
<b>ZONING DESIGNATION:</b>	The subject lands are zoned RM1 and subject to the provisions of Exception 9(1476) under Zoning By-law 1-88, as amended.
<b>VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:</b>	Vaughan Official Plan 2010 ("VOP 2010"): "Low-Rise Residential (2)" by Volume 2, Section 11.11 - Woodbridge Centre Secondary Plan
<b>RELATED APPLICATIONS:</b>	B021/21 – B026/21 (inclusive)
<b>PURPOSE OF APPLICATION:</b>	<p>To validate the following transfers of land in accordance with Section 57 of the <i>Planning Act</i>:</p> <p><b>B021/21</b> – Part of Lot 3, Registered Plan M-1110, Designated as Part 1 on Plan 65R-38541.</p> <p><b>B022/21</b> - Part of Lot 3, Registered Plan M-1110, Designated as Part 2 on Plan 65R-38541.</p> <p><b>B023/21</b> - Part of Lot 3, Registered Plan M-1110, Designated as Part 3 on Plan 65R-38541.</p> <p><b>B024/21</b> - Part of Lot 3, Registered Plan M-1110, Designated as Part 4 on Plan 65R-38541.</p> <p><b>B025/21</b> - Part of Lot 3, Registered Plan M-1110, Designated as Part 5 on Plan 65R-38541.</p> <p><b>B026/21</b> - Part of Lot 3, Registered Plan M-1110, Designated as Part 6 on Plan 65R-38541.</p>

### HEARING INFORMATION

**DATE & TIME OF HEARING:** Tuesday, December 21, 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.

#### PUBLIC PARTICIPATION

You can watch a live stream of the hearing at [Vaughan.ca/LiveCouncil](https://vaughan.ca/LiveCouncil)

If you wish to speak to the Committee of Adjustment on an application please complete and submit a [Public Deputation Form](#) to [cofa@vaughan.ca](mailto:cofa@vaughan.ca) **by noon** on the last business day prior to the hearing.

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 must be submitted by **noon** on the last business day **prior** to the day of the scheduled hearing. Written submissions can be emailed to [cofa@vaughan.ca](mailto:cofa@vaughan.ca)

[For more information, please visit the City of Vaughan website.](#)

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

COMMITTEE OF ADJUSTMENT COMMENTS	
Date Public Notice Mailed:	Not Applicable
Date Applicant Confirmed Posting of Sign:	Not Applicable
Adjournment Requests (from staff): <small>*Adjournment requests provided to applicant prior to issuance of public notice</small>	Not Applicable
Committee of Adjustment Comments:	<p>Section 57(1) of the <i>Planning Act</i> allows a Committee of Adjustment authorized to grant consents the ability to issue a “certificate of validation”.</p> <p>Once issued, a certificate of validation will state that the prior contravention of subdivision control provisions under the Planning Act are deemed to have never had the effect of preventing the conveyance of land or the creation of an interest in land.</p> <p><i>Ontario Regulation 144/95</i> requires the validation certificate to conform to the City’s Official Plan and Zoning By-law.</p>
Committee of Adjustment Recommended Conditions of Approval:	Payment of the Certificate Fee as provided on the City of Vaughan’s Committee of Adjustment Fee Schedule for Applications B021/21 to B026/21. A Certificate Fee is required per application.

BUILDING STANDARDS (ZONING) COMMENTS	
<p><b>B021/21</b> - The subject lands are zoned RM1 and subject to the provisions of Exception 9(1476) under Zoning By-law 1-88, as amended. <b>Permit No. 2020 107679</b> has been issued in compliance with Zoning By-law 1-88a.a</p> <p>Building Permit(s) Issued:</p> <p>Building Permit No. 20-107679 for Street Townhouse - New, Issue Date: Apr 21, 2021 Building Permit No. 20-107679 for Street Townhouse - Alteration, Issue Date: Dec 01, 2021 Building Permit No. 21-132204 for Street Townhouse - Alternative Solutions, Issue Date: (Not Yet Issued) Other</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>The subject lands may be subject to Ontario Regulation 166/06 (TRCA - Toronto and Region Conservation Authority).</p> <p><b>B022/21</b> - The subject lands are zoned RM1 and subject to the provisions of Exception 9(1476) under Zoning By-law 1-88, as amended. <b>Permit No. 2020 109081</b> has been issued in compliance with Zoning By-law 1-88a.a.</p> <p>There are no outstanding Orders on file Building Permit(s) Issued: A Building Permit has not been issued.</p> <p>The Ontario Building Code requires a building permit for structures that exceed 10m2</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>The subject lands may be subject to Ontario Regulation 166/06 (TRCA - Toronto and Region Conservation Authority).</p> <p><b>B023/21</b> -The subject lands are zoned RM1 and subject to the provisions of Exception 9(1476) under Zoning By-law 1-88, as amended. <b>Permit No. 2020 109083</b> has been issued in compliance with Zoning By-law 1-88a.a.</p> <p>There are no outstanding Orders on file</p>	

BUILDING STANDARDS (ZONING) COMMENTS	
<p>A Building Permit has not been issued. The Ontario Building Code requires a building permit for structures that exceed 10m2.</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>The subject lands may be subject to Ontario Regulation 166/06 (TRCA - Toronto and Region Conservation Authority).</p> <p><b>B024/21</b> - The subject lands are zoned RM1 and subject to the provisions of Exception 9(1476) under Zoning By-law 1-88, as amended. <b>Permit No. 2020 109084</b> has been issued in compliance with Zoning By-law 1-88a.a</p> <p>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 applicant shall be advised that additional variances may be required upon review of detailed drawing for building permit/site plan approval.</p> <p>The subject lands may be subject to Ontario Regulation 166/06 (TRCA - Toronto and Region Conservation Authority).</p> <p><b>B025/21</b> - The subject lands are zoned RM1 and subject to the provisions of Exception 9(1476) under Zoning By-law 1-88, as amended. <b>Permit No. 2020 109085</b> has been issued in compliance with Zoning By-law 1-88a.a.</p> <p>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 applicant shall be advised that additional variances may be required upon review of detailed drawing for building permit/site plan approval.</p> <p>The subject lands may be subject to Ontario Regulation 166/06 (TRCA - Toronto and Region Conservation Authority).</p> <p><b>B026/21</b> - The subject lands are zoned RM1 and subject to the provisions of Exception 9(1476) under Zoning By-law 1-88, as amended. <b>Permit No. 2020 109090</b> has been issued in compliance with Zoning By-law 1-88a.a.</p> <p>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 applicant shall be advised that additional variances may be required upon review of detailed drawing for building permit/site plan approval.</p> <p>The subject lands may be subject to Ontario Regulation 166/06 (TRCA - Toronto and Region Conservation Authority).</p>	
<b>Building Standards Recommended Conditions of Approval:</b>	None

DEVELOPMENT PLANNING COMMENTS	
<p>The Development Planning Department recommends approval of the applications.  **See Schedule C for Development Planning Comments.</p>	
<b>Development Planning Recommended Conditions of Approval:</b>	None

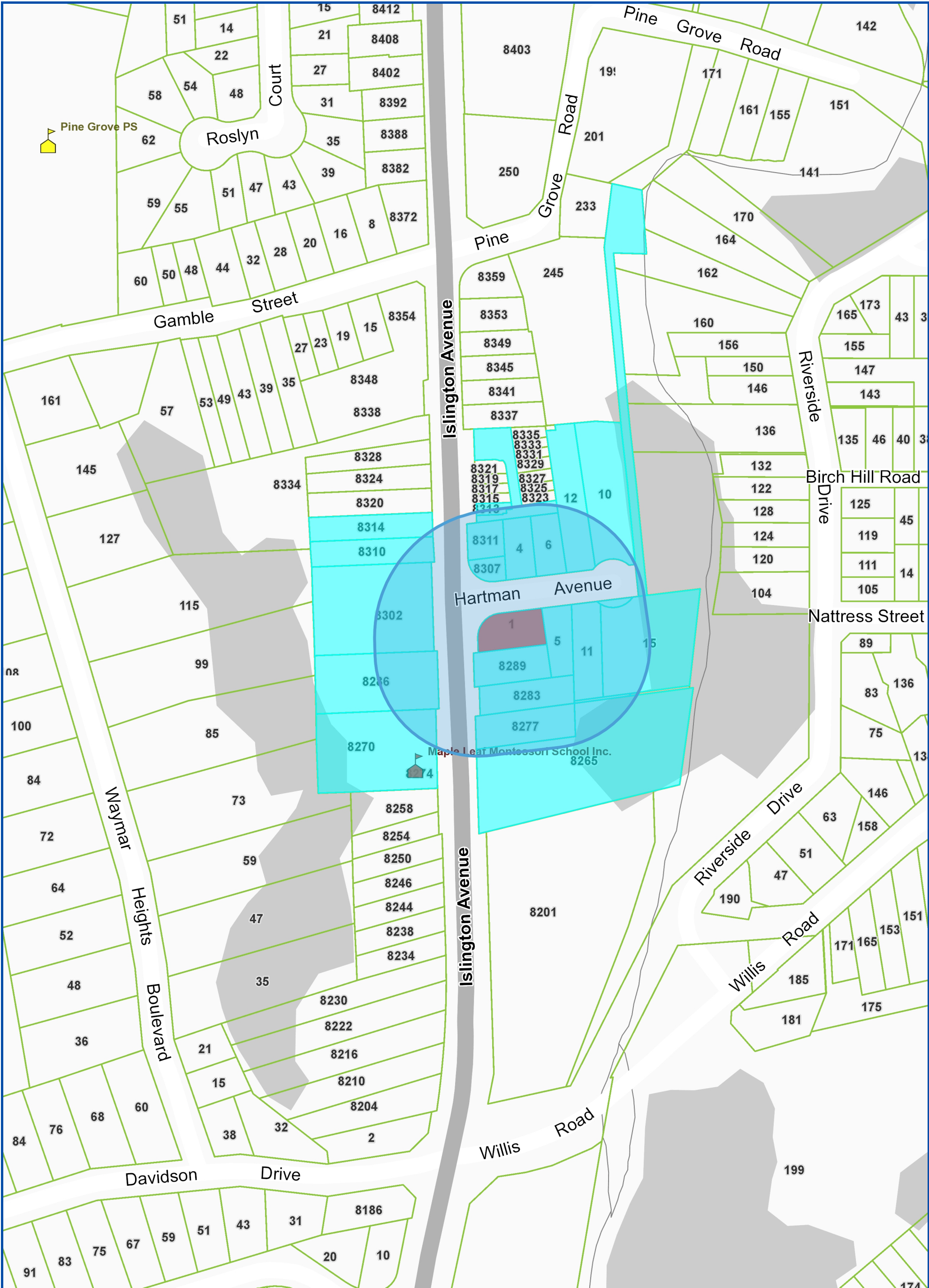
SCHEDULES	
*See Schedule for list of correspondence	
<b>Schedule A</b>	Location Map & Deposited Reference Plan (65R-38541)
<b>Schedule B</b>	Development Planning Comments
<b>Schedule C</b>	Correspondence – Solicitors Letter

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

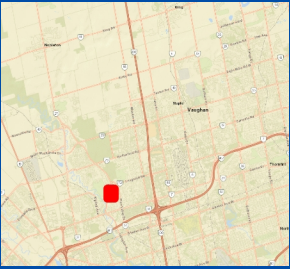
SUMMARY OF RECOMMENDED CONDITIONS OF APPROVAL		
#	DEPARTMENT / AGENCY	CONDITION(S) DESCRIPTION
1	Committee of Adjustment <a href="mailto:christine.vigneault@vaughan.ca">christine.vigneault@vaughan.ca</a>	Payment of the Certificate Fee as provided on the City of Vaughan's Committee of Adjustment Fee Schedule for Applications B021/21 to B026/21. A Certificate Fee is required per application.

**SCHEDULE A: LOCATION MAP & REFERENCE PLAN**





Map Information:



NOTIFICATION MAP - B021/21 to B026/21

1 HARTMAN AVENUE, WOODBRIDGE  
TOWNHOUSE UNITS 1 TO 6

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.



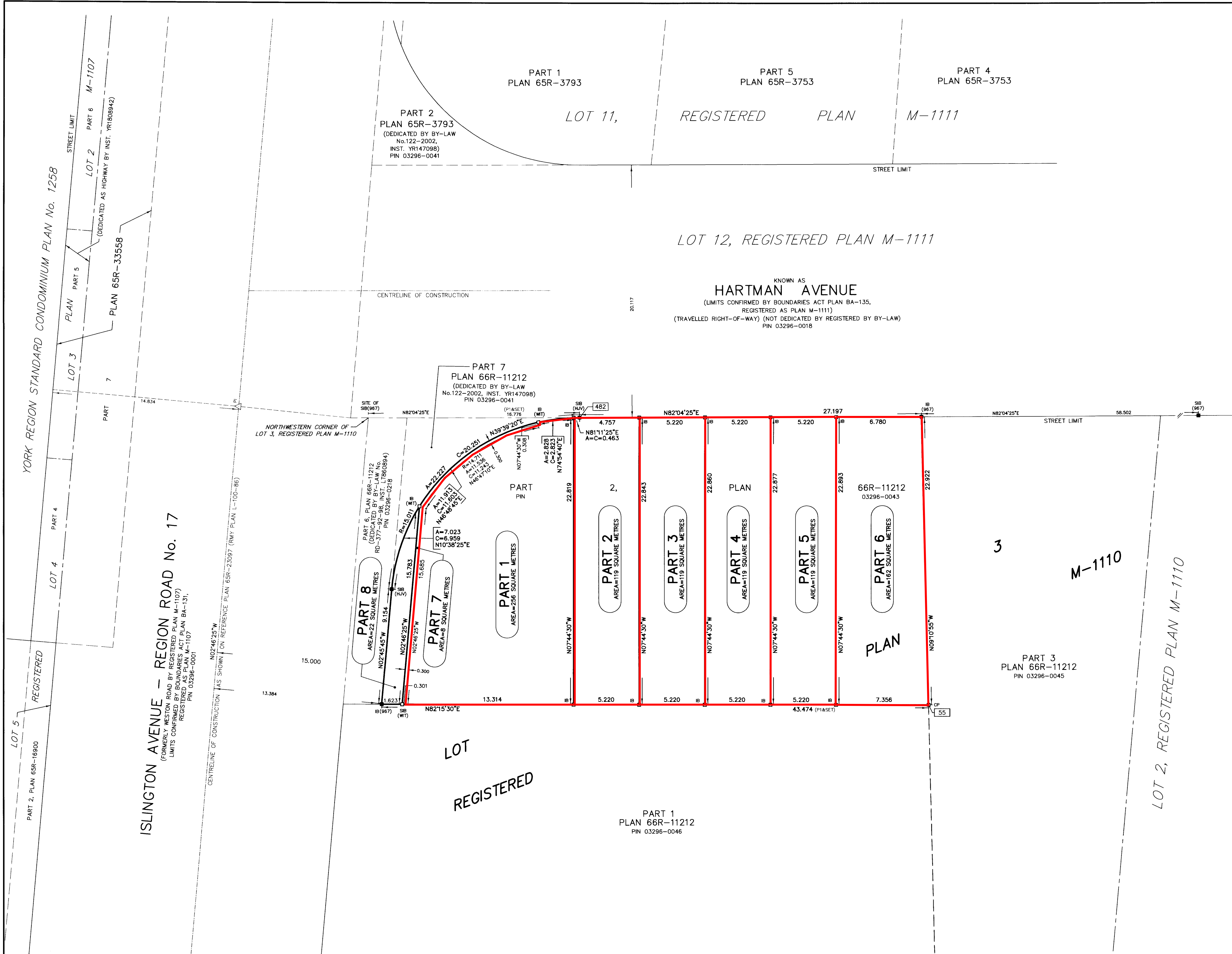
Scale: 1:3,074  
0 0.05 km



Created By:  
Infrastructure Delivery  
Department  
December 17, 2021 12:28 PM

Projection:  
NAD 83  
UTM Zone  
17N





I require this plan to be deposited under the Land Titles Act.

Date JULY 10, 2019

*G.B.V.*  
GARY B. VANDERVEEN O.L.S.

PLAN 65R-38541

RECEIVED AND DEPOSITED  
Date *July 15, 2019*  
*"R.D'Amato"*  
Representative for  
the Land Registrar for  
the Land Titles Division of  
YORK REGION (No. 65)

SCHEDULE				
PART	PART OF LOT	PLAN	ALL OF PIN	AREA (SQ. METRES)
1	3	M-1110	03296-0043	256
2				119
3				119
4				119
5				119
6				162
7				8
8				22

PLAN OF SURVEY OF  
PART OF LOT 3  
REGISTERED PLAN M-1110  
CITY OF VAUGHAN  
THE REGIONAL MUNICIPALITY OF YORK

SCALE: 1 : 150  
2 1 0 5 10  
METRES

HOLDING JONES VANDERVEEN INC.  
ONTARIO LAND SURVEYORS

- NOTES
- DENOTES SURVEY MONUMENT FOUND
  - DENOTES SURVEY MONUMENT SET
  - SIB DENOTES STANDARD IRON BAR
  - IB DENOTES IRON BAR
  - CP DENOTES CONCRETE PIN
  - 967 DENOTES W. N. WILDMAN LIMITED, O.L.S.
  - HJV DENOTES HOLDING JONES VANDERVEEN INC., O.L.S.
  - SCP DENOTES SPECIFIED CONTROL POINT
  - RMV DENOTES THE REGIONAL MUNICIPALITY OF YORK
  - P1 DENOTES PLAN 66R-11212

CONVERGENCE OF 1'04'30" COUNTERCLOCKWISE HAS BEEN APPLIED TO BEARINGS AS SHOWN ON REFERENCE PLAN 66R-11212 TO ACCOUNT FOR DIFFERENT GEOGRAPHICAL CO-ORDINATE REFERENCE SYSTEMS.

BEARING, DISTANCE AND CO-ORDINATE NOTES		
BEARINGS AND CO-ORDINATES ARE GRID AND ARE DERIVED FROM SPECIFIED CONTROL POINTS No. 10519980207 AND No. 10519980208 AND ARE REFERRED TO THE 6° UNIVERSAL TRANSVERSE MERCATOR GRID PROJECTION, ZONE 17, CENTRAL MERIDIAN 81°00' WEST LONGITUDE, NAD 83 (ORIGINAL).		
CO-ORDINATES TO URBAN ACCURACY PER SEC. 14(2) OF O. REG. 216/10.		
DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999741.		
AREAS SHOWN HEREON ARE CALCULATED FROM GROUND DISTANCES.		
POINT ID	EASTING	NORTHING
SCP 10519980207	613849.198	4850334.597
SCP 10519980208	613.879.153	4849750.093
55	613925.037	4850085.288
482	613894.450	4850104.161
CO-ORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.		
DISTANCES AND CO-ORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.		

SURVEYOR'S CERTIFICATE


I CERTIFY THAT:

1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.

2. THE SURVEY WAS COMPLETED ON JULY 10, 2019.

JULY 10, 2019  
DATE

*G.B.V.*  
GARY B. VANDERVEEN  
ONTARIO LAND SURVEYOR



HOLDING JONES VANDERVEEN INC.  
ONTARIO LAND SURVEYORS  
1700 LANGSTAFF ROAD, SUITE 1002  
VAUGHAN, ON L4K 3S3  
PHONE: 905-660-4000, 416-445-3800 EMAIL: h.j.v@h.j.v-ols.ca

SCALE: 1:150	DRAWN BY: J.Y.	CHKD. BY: G.V.	JOB NO: 17-2583 - REF1
--------------	----------------	----------------	------------------------



**SCHEDULE B: DEVELOPMENT PLANNING COMMENTS**

**To:** Christine Vigneault, Committee of Adjustment Secretary Treasurer

**From:** Nancy Tuckett, Director of Development Planning

**Date:** December 21, 2021

**Name of Owner:** CB 10 (Islington) Holding Corp.

**Location:** 1 Hartman Avenue (formerly 8295 Islington Avenue)

**File No.(s):** B021/21, B022/21, B023/21, B024/21, B025/21 & B026/21

---

**Proposal:**

The Owner has submitted Validation of Title Applications B021/21, B022/21, B023/21, B024/21, B025/21 and B026/21 to approve a land title correction, under Section 57 of the *Planning Act*, for the Subject Lands municipally known as 1 Hartman Avenue.

**Official Plan:**

Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential (2)" by Volume 2, Section 11.11 - Woodbridge Centre Secondary Plan

**Comments:**

The Subject Lands are developed with a newly constructed townhouse block comprised of six (6) townhouse dwelling units, which was approved by Vaughan Council on March 19, 2019 through Official Plan Amendment File OP.18.006, Zoning By-law Amendment File Z.18.010 and Site Development File DA.18.017.

The lots for each townhouse dwelling unit comply with the requirements of Zoning By-law 1-88 and conform to the policies of VOP 2010.

A Part Lot Control exemption by-law was passed by Council to create the individual lots within the townhouse block; however, it could not be registered at the Land Registry Office and was subsequently repealed as the Subject Lands are not located within a Registered Plan of Subdivision, which is a precondition for the passage of a Part Lot Control exemption pursuant to the *Planning Act*.

Under the assumption that the Subject Lands were subject to Part Lot Control exemption, the Owner conveyed ownership of the six (6) lots in contravention of the *Planning Act*.

Now that ownership of the parcels has been transferred to the purchasers, the Owner is seeking approval of a title correction from the Committee of Adjustment through the Validation of Title Applications.

The Development Planning Department has no objection to the request for Validation of Title for the transferred townhouse dwelling lots on the Subject Lands, as it is considered a technical correction in nature.

**Recommendation:**

The Development Planning Department recommends approval of the applications.

**Conditions of Approval:**

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

None

**Comments Prepared by:**

Letizia D'Addario, Senior Planner  
Chris Cosentino, Senior Planner

**SCHEDULE C: APPLICANT CORRESPONDENCE**

**Reply To: David Spencer**  
**Direct Line: 416.363.2213**  
**Email: dspencer@srlawpractice.com**

December 15, 2021

City of Vaughan  
Development Planning Department  
2141 Major Mackenzie Drive  
Vaughan, ON  
L6A 1T1

**Attention: Christine Vigneault, Secretary Treasurer, Committee of Adjustment**

Dear Ms. Vigneault:

RE: PLC.21.008 - 1 Hartman Avenue, Vaughan, Ontario legally described as PIN 03296-0043 (LT) being PCL 3-4 SEC M1110; PT LT 3 PL M1110; PTS 1-6 ON PLAN 65R-38541; VAUGHAN; SUBJECT TO AN EASEMENT IN GROSS AS IN YR3245640 (the "**Lands**")  
Our File No.: 40675

---

We act as solicitors for CB 10 (Islington) Holding Corp., the developer of the Lands. This development was approved by the City for a six townhouse development fronting on Hartman Avenue which development is fully constructed.

Our client has transferred out the six parcels with the townhomes constructed thereon to related entities, which parcels are comprised of parts 1 to 6 on Plan 65R38541. We have attached the six registered transfers for your consideration. The assumption that a part lot control exemption bylaw would be available for these transfers has proven to be incorrect. The transfers therefore do not comply with the terms and provisions of Section 50 of the Planning Act R.S.O. 1990 c.P. 13 as amended (the "**Planning Act**").

Accordingly our client is hereby requesting that the Committee of Adjustment grant relief for the Planning Act violations by exercising its powers to grant a Certificate of Validation for all of the above noted transfers pursuant to its delegated authority under Section 57 of the Planning Act.

Please feel free to contact the writer if you have any further questions.

---

REPLY TO: **Vaughan Office** | 1-161 Pennsylvania Ave, Concord, ON L4K 1C3

**Toronto Office:** 1000-120 Adelaide St W, Toronto, ON M5H 3V1



Yours truly,  
**SCHNEIDER RUGGIERO SPENCER MILBURN LLP**

  
Per: David R. Spencer  
Partner

Legal services provided through David R. Spencer Professional Corporation

DS:kt