

COMMITTEE OF ADJUSTMENT  
PLANNING ACT PROVISIONAL (CONSENTS)

# **NOTICE OF DECISION**

Application Nos: B027/06 & B028/08  
C.06.027 & C.06.028

Applications for consent have been made by **TERRA SPERANZA DEVELOPMENTS INC.**, 137 Bowes Road, Concord, Ontario, L4K 1H3.

**Property:** **TERRA SPERANZA DEVELOPMENT INC.** with respect to Part of Lot 9, Concession 9, (Municipally known as 8265 Huntington Road, Woodbridge).

The subject lands are zoned A, Agricultural zone and OS1, Open Space Conservation zone under By-Law 1-88 as amended.

**PURPOSE AND EFFECT**

The purpose of this application is to request the consent of the Committee of Adjustment to convey parcels of land marked "A" on the attached sketches as addition to an existing lot taken into the title of the land to the **south**, for industrial purposes and retain the lands marked "B" on the attached sketch for industrial purposes.

Both subject and retained lands are vacant.

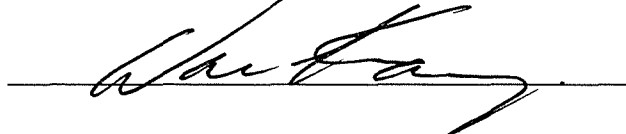
**Other Planning act Applications**

The land which is the subject in this application is also the subject of an application under the Planning act for:

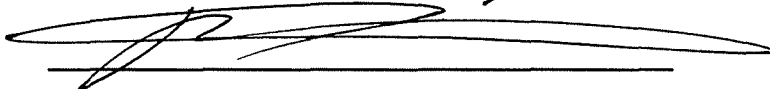
**B027/06 & B028/06                      Zoning                      File No. Z.04.036**

The above noted application was heard by the Committee of Adjustment on: May 11, 2006, in conjunction with B029/06.

Moved by:



Seconded by:



THAT Application No. **B027/06 & B028/06 - TERRA SPERANZA DEVELOPMENTS INC.**, be **APPROVED**, in accordance with the sketch attached and subject to the following conditions:

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

1. That the owner shall pay (for each application) all taxes as levied (**by certified cheque**), if required, to the satisfaction of the Reserves/Capital Department; (contact Terri Liuni in the Reserves/Capital Department to have this condition cleared).
2. That the applicant provide to the Secretary Treasurer letters of undertaking, stating that the ADDITION to an existing lot taken into the title of the land to the **SOUTH**, for industrial purposes;
3. This consent is given on the express understanding that Subsection 3 or Subsection 5 of Section 50 of the Planning Act shall apply to any subsequent conveyance in respect to the subject lands;
4. The Owner shall convey sufficient property to provide 17.5m from the centerline of Huntington Road municipal road allowance to the City of Vaughan at no cost and free of charge and encumbrance to the City; if required, to the satisfaction of the Engineering Department;

5. The Owner shall arrange to prepare and register a reference plan at his/her expense for the conveyance of the required road widening to the satisfaction of the City of Vaughan. Owner shall pay the cost (\$300.00 cheque payable to the City of Vaughan) for the registration of the conveyed lands to the City of Vaughan, if required, to the satisfaction of the Engineering Department;
6. A by-law shall be passed dedicating the road widening as public highway to the satisfaction of the Engineering Department and the Owner shall pay the cost (\$250.00 cheque payable to the City of Vaughan) for the of the registration of the road dedication by-law to the City of Vaughan, if required, to the satisfaction of the Engineering Department;
7. That Consent applications B027/06 and B028/06 be approved;
8. Submission to the Secretary-Treasurer of **FOUR (4)** white prints of a registered deposited reference plan of survey, showing the subject land which conforms with the application submitted and which shows the dimensions and areas of each part shown on the plan;
9. Upon fulfilling and complying with all of the above-noted conditions, the Secretary-Treasurer of the Committee of Adjustment must be provided with a letter **and three (3) copies of a legal size (8.5" by 14") "Schedule Page", in a format satisfactory to the Secretary-Treasurer**, from the Applicant's solicitor confirming the legal description of the subject lands, sufficient for registration purposes **the "Schedule Page" will be an attachment to the Certificate**. Upon being satisfied with said legal description and upon all other conditions for the consent having been satisfied, the Secretary-Treasurer shall provide a Certificate of Official to the applicant in accordance with Section 53(42) of the Planning Act, R.S.O. 1990, as amended;
10. A fee of **\$285.00** made payable to the Treasurer City of Vaughan shall, be submitted to the Secretary Treasurer for the issuance of the Certificate/stamping of the deeds. It will be necessary to allow up to **three (3) working days** after all conditions have been fulfilled and documentation filed. Same day service is also available for an additional cost of **\$145.00, provided all conditions of approval have been fulfilled and all required documents are submitted by 11:30 am that day;**
11. Prior to the issuance of a building permit, if required, the applicant shall fulfil and comply with all of the above noted consent conditions;

**IMPORTANT:**

Pursuant to Section 53(20) of the Planning Act, the applicant shall have a period of one year from the date of the Committee of Adjustment giving Notice of the herein Decision to the Applicant to fulfil and comply with all of the (above-noted) conditions of Consent. Failing to comply with this requirement will result in the application to be deemed to be refused.

**ALL CONDITIONS MUST BE FULFILLED.**

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

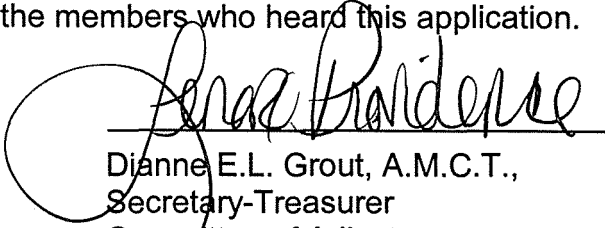
CARRIED.

CHAIR: \_\_\_\_\_

Signed by all members present who concur in this decision:

~~M. Maughan  
Chair,~~~~ABSENT~~T. DeCicco  
Vice Chair,L. Fluxgold,  
Member,D. H. Kang  
Member,M. S. Panicali  
Member,**CERTIFICATION**

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

  
Dianne E.L. Grout, A.M.C.T.,  
Secretary-Treasurer  
Committee of Adjustment  
City of Vaughan

Additional information regarding the application for consent will be available to the public for inspection between 8:30 a.m. and 4:30 p.m. Monday to Friday at the City of Vaughan Clerk's Department, 2141 Major Mackenzie Drive, Vaughan, Ont., (Telephone (905) 832-2281, Ext. 8360, 8394 or 8332; Fax (905) 832-8535.

You will be entitled to receive notice of any changes to the conditions of the provisional consent if you have made a written request to be notified of the decision to give or refuse to give provisional consent or make a written request to be notified of changes to the conditions of the provisional consent.

Only individuals, corporations and public bodies may appeal decisions or any condition in respect of applications for consent to the Ontario Municipal Board. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group.

Any notice of appeal shall set out the reasons for the appeal. The notice of appeal accompanied by the fee prescribed under the Ontario Municipal Board Act shall be filed with the Secretary-Treasurer of the Committee of Adjustment.



**BE ADVISED THAT:** A Certificate pursuant to Subsection 53 (21) of The Planning Act cannot be given until all conditions of consent have been fulfilled.

**Date of this notice was sent: MAY 19, 2006**

**The last date for appealing the decision is: JUNE 8, 2006**

**APPEALS MUST BE RECEIVED BY THIS OFFICE NO LATER THAN 4:30 P.M. ON JUNE 8, 2006.**

PART 1, PLAN 65R-  
PIN 03317-0019

PART 1, PLAN 65B-  
PIN 03317-0020

PART II  
PART 1, PLAN 65R--  
PIN 03317-0021

PART 10

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B027/06

LOT 10, CONCESSION 9

PART 1, PLAN 65R--  
PIN 03317-0019

“B”

“B”

LOT 9, CONCESSION 9

PART 1, PLAN 65R--  
PIN 03317-0020

PART 14  
PART 13

PART 12

PART II  
PART 1, PLAN 65R--  
PIN 03317-0021

PART 10

PART 9

B028/00



Committee of Adjustment  
(CONSENTS)

Address all correspondence to the Secretary-Treasurer

Please refer to the file number **B027/06 & B028/06**

**NOTICE TO THE OWNER**

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

A copy of the "notice of decision" is attached, together with relevant information concerning appeal of the decision.

If the decision is not appealed, you will receive a notice that it is "final and binding", in due course. It will be in order for you to fulfill the conditions of approval.

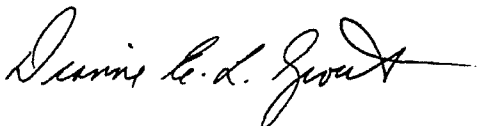
All conditions must be fulfilled before a Certificate can be issued by the Secretary-Treasurer certifying that consent has been given. These conditions must be fulfilled not later than the date set out in the decision.

**The period for fulfilling conditions cannot be extended.**

Although you may have appointed an agent to act on your behalf in the application, it is your responsibility, as owner, to ensure that all conditions are fulfilled in time. Failure to do so will result in the decision being deemed to have been refused, pursuant to subsection 53(20) of The Planning Act, and your application file will be closed.

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

Respectfully,



Dianne E. L. Grout, A.M.C.T.,  
Secretary-Treasurer  
City of Vaughan  
Committee of Adjustment

Committee of Adjustment

(CONSENTS)

TO: OWNER/AGENT/SOLICITOR Please refer to file number **B027/06 & B028/06**

SUBJECT: FULFILMENT OF CONDITIONS OF APPROVAL

Please note carefully the following:

1. All conditions of approval must be fulfilled before a Certificate of Consent pursuant to subsection 21 of Section 50 of The Planning Act can be issued. Unnecessary delay in the issue of the Certificate can be avoided by observing the following procedures:

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

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

(b) CONDITIONS CONCERNING THE REGIONAL MUNICIPALITY OF YORK:

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

17250 Yonge Street  
P. O. Box 148  
Newmarket, Ontario  
L3Y 6Z1

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

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

(c) CONDITIONS CONCERNING OTHER AGENCIES:

(i.e. Conservation Authorities, Ministry of Transportation and Communications, etc.) - requests for written advice, permits, etc., must be forwarded directly to the Agency concerned, together with a request that the information required by the Committee be forwarded to the Secretary-Treasurer.

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

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

Committee of Adjustment  
(CONSENTS)

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

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

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

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

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

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

**For information purposes only:**

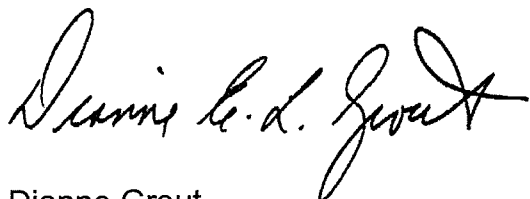
*On a Transfer or Transfer of Easement, one of the following statements on the electronic Transfer must be selected and completed:*

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

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

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

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



Dianne Grout  
Secretary-Treasurer of the Committee of Adjustment  
City of Vaughan