

A138/13

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MAY 23, 2013

Committee of Adjustment

**ADDENDUM
AGENDA ITEM**

#18

COMMITTEE OF ADJUSTMENT



May 23, 2013

CFN:

BY FAX & MAIL (905) 832-8535

Mr. Todd Coles
Secretary Treasurer
Committee of Adjustment
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1T1

Dear Mr. Coles:

**Re: Committee of Adjustment Application A138/13
Lot 8, Registered Plan 3319
94 Arnold Avenue
City of Vaughan
(Rick Ekstein)**

This letter will acknowledge receipt of the above noted application. Toronto and Region Conservation Authority (TRCA) staff have reviewed the application and offer the following comments.

Background

It is our understanding that the purpose of the above noted variance application is to permit the construction of a new single-detached dwelling with a maximum lot coverage of 22.8%. The By-law permits a maximum lot coverage of 20%.

Applicable Policies and Regulations

The subject property is partially within a Regulated Area of the Don River Watershed. In accordance with the Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation (Ontario Regulation 166/06), a permit is required from the TRCA prior to 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.

Development is defined as the construction, reconstruction, erection or placing of a building or structure of any kind or site grading.

In addition, the TRCA's Valley and Stream Corridor Management Program (VSCMP) sets out development guidelines for properties influenced by valley and stream corridors. The overall objective of the VSCMP policies is to prevent new development from occurring within areas that may introduce risk to life and property associated with flooding, erosion, and slope stability, or that is not compatible with the protection of these areas in their natural state.

VSCMP policies define the valley and stream corridor boundary by the greater of the long term stable top of bank (where there is a well defined feature) plus 10 metres inland, or the flood plain (where there is no valley feature) plus 10 metres inland. Further note that the corridor boundary is also extended to include any significant adjacent vegetation. Please be advised that no new development is permitted within the boundaries of valley and stream corridors.

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Member of Conservation Ontario

5 Shoreham Drive, Downsview, Ontario M3N 1S4 (416) 661-6600 FAX 661-6898 www.trca.on.ca



Site-Specific Comments

As noted above, the subject property is partially within a Regulated Area of the Don River Watershed. Our mapping indicates that a drainage feature is located near the rear property line and the subject property is in very close proximity to the flood plain associated with the drainage feature.

Based upon previous flood studies produced for the area, including a flood study prepared by SNC Lavalin as part of the City of Vaughan Engineering Department's Thornridge Drainage Study and Thornhill Roads Improvements project, the Regional Storm Flood Elevation for this area is approximately 179.95 metres above sea level (m.a.s.l.). Based upon the drawing provided as part of this application, it would appear that the subject property is outside of the Regional Storm Flood Plain; however, due to the proximity of the flood plain, a portion of the property is regulated by the TRCA.

TRCA staff note that the proposed dwelling on the drawing provided is located outside of the TRCA regulated portion of the subject property; as such a permit under Ontario Regulation 166/06 is not required. However, if any works are proposed in the rear yard of the property such as accessory uses or retaining walls for landscaping purposes, a permit from the TRCA may be required.

Recommendations

In light of the above, TRCA staff have **no objections** to the Committee of Adjustment Application A138/13, subject to the following condition:

1. The applicant submit the variance application fee of \$300 payable to the Toronto and Region Conservation Authority.

TRCA staff request that a Notice of Decision for this application be forwarded to our office when available. However, please be advised that all future development proposals should be circulated to the TRCA for our review and approval prior to any works taking place.

Fees

By copy of this letter, the applicant is advised that the TRCA has implemented a fee schedule for our planning application review services. This application is subject to a \$300 variance application (screening assessment) fee. The applicant is responsible for fee payment and should forward the application fee to this office as soon as possible.

We trust this is satisfactory. Should further discussion and/or clarification be required, please do not hesitate to call the undersigned at extension 5724.

Yours truly,



Anthony Sun, BES
Planner 1
Planning and Development
Extension 5724

cc: Susan Summers, Hicks Partnership Inc. (fax: 905-339-1214)