



May 23, 2013

**BY MAIL AND FAX (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 A139/13  
Lot 4, Plan 65M-2907  
784 Clarence Avenue  
City of Vaughan  
(Omar Abdelati)**

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

**Background**

It is our understanding that the purpose of the above-noted variance application is to permit the construction of a cabana with a rear yard setback of 6.0 metres, a floor area of 59.3 square metres, a height of 6.22 metres and various other landscaping works with reduced interior side yard setbacks.

The By-law requires a minimum rear yard setback of 10 metres, permits a maximum floor area of 10 square metres, and a height of 3 metres for the cabana.

**Applicable Policies and Regulations**

The subject property is partially within a Regulated Area of the Humber 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

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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](http://www.trca.on.ca)



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Committee of Adjustment

CFN:

**ADDENDUM  
AGENDA ITEM**

**19**

**COMMITTEE OF ADJUSTMENT**

boundaries of valley and stream corridors.

#### Site-Specific Comments

As noted above, the subject property is partially within a Regulated Area of the Humber River Watershed. The property is located partially within the valley corridor of a tributary of the Main Humber River.

Based upon a site visit conducted by TRCA staff on March 25, 2013, we note that the top-of-slope of the valley wall is located at the rear property line. TRCA staff requested that a 6 metre setback be provided for any structures or significant grading works from the top-of-slope.

The drawing provided as part of this variance application is generally consistent with our requirements and TRCA Geotechnical staff are satisfied that the proposal has been adequately setback from the valley wall; however, as the works are located within the TRCA regulated portion of the property, a permit under Ontario Regulation 166/06 is required.

#### Recommendations

In light of the above, TRCA staff have **no objections** to the Committee of Adjustment Application A193/13 as submitted subject to the following conditions:

1. The applicant successfully obtain a permit under Ontario Regulation 166/06 for the proposed cabana and minor grading works prior to the issuance of a municipal building permit; and
2. 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 revised fee schedule for our planning application review services. This application is subject to a \$300 variance application review fee (screening assessment) payable to the TRCA. The applicant is responsible for this fee and should forward payment 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 I  
Planning and Development  
Extension 5724

cc: Robert Boltman (fax: 905-326-2356)

