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July 23, 2014

Committee of Adjustment

ADDENDUM

AGENDA ITEM

8-11

COMMITTEE OF ADJUSTMENT



Toronto and Region
Conservation

for The Living City

July 22, 2014

XREF CFN 46961.06

BY MAIL & E-MAIL: Todd.Coles@vaughan.ca

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

Dear Mr. Coles:

**Re: Consent Applications: B035/14, B036/14, B037/14 & B038/14
29 Gatehouse Court, 23 Gatehouse Court, 8399 Kipling Avenue
Part of Lot 10, Concession 8
Part of Block 93, Registered PJan 65M-3059
City of Vaughan
1738283 Ontario Inc., 1738676 Ontario Inc. & Raffaele Palmisano
(Agent: Clare Riepma, Riepma Consultants Inc.)**

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

Purpose of the Applications

B035/14:

The purpose of this application is to request the consent of the Committee of Adjustment to a convey parcel of land marked "A" on the sketch provided as part of the consent application, as an ADDITION to an existing lot taken into the title of the lands to the EAST, together with all required easements and right-of-ways, if required, and retain the lands marked "B" on the attached sketch for a single family dwelling.

Currently, the conveyed and retained lands are vacant.

B036/14:

The purpose of this application is to request the consent of the Committee of Adjustment to convey a parcel of land for the CREATION of a NEW LOT marked "A" on the sketch provided as part of the consent application, for residential purposes, together with all required easements and right-of-ways, if required, and retain the lands marked "B" on the attached sketch for residential purposes.

Currently, the conveyed and retained lands are vacant.

B037/14:

The purpose of this application is to request the consent of the Committee of Adjustment to convey a parcel of land marked "A" on the sketch provided as part of the consent application, as an ADDITION to an existing lot taken into the title of the lands to the WEST, together with all required easements and right-of-ways, if required, and retain the lands marked "B" on the attached sketch for a single family dwelling.

Currently, the conveyed lands are vacant with two residential dwellings on the retained lands.

B038/14:

The purpose of this application is to request the consent of the Committee of Adjustment to convey a parcel of land marked "A" on the sketch provided as part of the consent application, as an ADDITION to an existing lot taken into the title of the lands to the EAST, together with all required easements and right-of-ways, if required, and retain the lands marked "B" on the attached sketch for a single family dwelling.

Currently, the conveyed lands are vacant with two residential dwellings on the retained lands.

Recommendations

Based upon the comments noted below, TRCA staff provides **conditional approval** of the above noted Consent Applications, subject to the following conditions:

1. The applicant submits the consent application fee of \$1,260.00 payable to the Toronto and Region Conservation Authority. This is the total fee required for the four consent applications submitted concurrently on the subject site.

Applicable Policies and Regulations

The subject properties are partially located within a TRCA Regulated Area of the Humber River Watershed. In accordance with the Ontario Regulation 166/06, a permit is required from the TRCA prior to any 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.

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. The VSCMP defines the valley corridor boundary by the long term stable top of bank (where there is a well-defined feature) plus 10 metres inland. The corridor boundary is also extended to include any significant adjacent vegetation. Please be advised that new development, including lot creation, is not permitted within the boundaries of valley corridors.

Application-Specific Comments

It is TRCA staff understanding that the land which is the subject to the above noted applications was also the subject of another application under the *Planning Act*:

- Zoning By-law Amendment Z.12.026 – APPROVED December 11, 2012.

TRCA staff reviewed the Zoning By-law Amendment Application to rezone the subject properties from "A" Agricultural Zone to "R2" Residential Zone to facilitate the creation of three residential lots with frontage onto Gatehouse Court. The three proposed lots are shown to be 23.5 metres from the natural features and natural hazards identified on the site. As such, the applicant has demonstrated that the proposed development does not encroach within the limits of the valley corridor and that there is still sufficient safe access to the remaining dwellings at 8399 Kipling Avenue. It is TRCA staff understanding that the above noted Zoning By-law Amendment has since been approved. The subject Consent Applications appear consistent with the approved Zoning By-law Amendment. As such, TRCA staff has no concerns with the Consent Applications.


Please note, however, that TRCA staff has an interest in reviewing any future development proposals and/or planning applications affecting the retained and severed portions of the subject properties as these lands are partially regulated by the TRCA pursuant to Ontario Regulation 166/06.

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 \$1,260.00 Consent/Severance/Land Division (Minor) review fee. The applicant is responsible for fee payment and should forward the application fee to this office as soon as possible.

I trust these comments are of assistance. Should you have any additional questions or comments, please do not hesitate to contact the undersigned.

Yours truly,


Anant Patel
Planner I
Planning and Development
Extension 5618

AP/cs

cc: Clare Riepma, Riepma Consultants Inc.: riepma@riepma.ca