



March 16, 2016

CFN 55125.02, 55160.11

**BY 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

**ADDENDUM**  
**AGENDA ITEM**  
**6-8**  
**COMMITTEE OF ADJUSTMENT**

Dear Mr. Coles:

**Re: Committee of Adjustment Application B003/16, A087/16, A088/16  
12330 Highway 27 & 6080 King-Vaughan Road  
Part of Lot 7, Concession 7  
City of Vaughan  
12330 Highway 27 (ALCN Holdings – Nick Caravaggio)  
6080 King-Vaughan Road (Tony Dimperio)**

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

#### **Background**

##### B003/16

It is our understanding that the purpose of the above noted Consent Application is to request the consent of the committee of adjustment to sever a 0.77 ha parcel of land from an existing 4.76 ha parcel, for the purpose of conveying the lot to be severed to an adjacent property to the east, leaving a 3.99 ha lot to be retained for agricultural purposes.

##### A087/16

It is our understanding that the purpose of the Minor Variance Application is to request the following:

1. To permit a minimum lot area of 3.99 ha, whereas a minimum lot area of 10 ha is required.

It is the understanding of TRCA staff that the variance applies to the retained lands.

##### A088/16

It is our understanding that the purpose of the Minor Variance Application is to request the following:

1. To permit a minimum lot area of 3 ha, whereas a minimum lot area of 10 ha is required.
2. To permit a minimum lot frontage of 82 m, whereas a minimum lot frontage of 100 m is required.

It is the understanding of TRCA staff that this variance pertains to the lands receiving the lot to be severed.

#### **Recommendations**

Based upon the comments noted below, TRCA staff recommends **deferral** of the above noted Consent and Minor Variance Applications until the natural features on the subject lands can be appropriately assessed and delineated to ensure that there is no further fragmentation of the features.

#### **Applicable Policies and Regulations**

##### Ontario Regulation 166/06

The subject properties are located within the TRCA's 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.

##### Living City Policies

In addition, the Living City Policies for Planning and Development in the Watersheds of the Toronto and Region Conservation Authority (LCP) describes a "Natural System" made up of water resources, natural features and areas, natural hazards, potential natural cover and/or buffers. The LCP recommends that development, infrastructure and site alteration not be permitted within the Natural System, and that these lands be conveyed into public ownership for their long term protection and enhancement. The LCP also provides policies for developing adjacent to, and in, the Natural System (where permitted), while meeting natural hazard

management requirements, and maintaining and enhancing the functions of the protected Natural System. These policies also seek to integrate the natural and built environments, maximizing opportunities for ecosystem services from across the entire landscape. It is these policies that guide TRCA's review of the subject application, along with those found in other Provincial and municipal plans, documents and guidelines.

#### Greenbelt (2005)

The subject properties are located within an area designated as Protected Countryside under the Greenbelt Plan. The Greenbelt identifies that any development or site alteration within 120 m of a Key Natural Heritage Features within the Natural Heritage system or a Key Hydrologic Feature anywhere within the Protected Countryside requires a Natural Heritage Evaluation. A 30 m Vegetation Protection Zone is applied as a buffer around these features.

Additionally, the Greenbelt Plan includes policies relating the lot creation within the plan area. As per Section 4.6.2 (c) minor lot adjustment or boundary additions, provided they do not create a separate lot for a residential dwelling in a speciality crop area or prime agricultural areas and there is no increased fragmentation of a key natural heritage feature of key hydrologic feature is permitted.

The TRCA has an interest in conserving, protecting and enhancing the natural features of the Greenbelt and provides technical advice on applications that are located on the Greenbelt. However, given that municipalities are the designated approval authority under the *Greenbelt Act, 2005* the City of Vaughan has the responsibility to ensure this proposal conforms to the provisions of the ORMCP.

#### **Application-Specific Comments**

As noted above, the subject properties are located within TRCA's Regulated Area of the Humber River Watershed. The subject properties are traversed by two tributaries of the East Humber River. Based on TRCA's estimated flood plain mapping and modeling portions of both properties are within the Regional Storm Flood Plain associated with the north to south flowing tributary. Additionally, based on TRCA staff review, it appears that there is a west to east flowing stream feature, located on the property at 6080 King-Vaughan Road, which feeds into north to south flowing watercourse.

Based upon a review of the materials submitted with the application it appears that the lot line proposed in the application will result in the fragmentation of the stream feature.

The TRCA has an interest in conserving, protecting and enhancing all natural features and functions and discourages the fragmentation of ownership of valley and stream corridors and/or hazard lands within our jurisdiction. Additionally, Section 4.6.2 (c) of the Greenbelt Plan does not allow for the fragmentation of a key natural heritage feature of key hydrologic feature to result from a proposed lot adjustment or boundary addition.

As such, TRCA recommend that the applicant undertake a Natural Heritage Evaluation which examines the function and limit of the stream feature on the property. The result of this report can be used to determine the delineation of the new lot line in order to ensure the feature will not be further fragmented.

#### **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 Consent Application (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,



Stephen Bohan  
Planner I  
Planning and Development  
Extension 5743

SB/kh

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T.J. Cieciora, Design Plan Services Inc.: [tjc@designplan.ca](mailto:tjc@designplan.ca)