

January 6, 2017

CFN 55160.50

**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

Dear Mr. Coles:

**Re: Minor Variance Application A015/17**  
**■ Clairwood Court**  
**Part of Lot 20, Concession 8 (Lot 3, Registered Plan 65M 4177)**  
**City of Vaughan**  
**Arc Design Group c/o Peter Jaruczik**

This letter will acknowledge receipt of the above noted application on December 6, 2016. Toronto and Region Conservation Authority (TRCA) staff has reviewed the application and offers the following comments.

**Background**

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

1. To permit a minimum rear yard setback of 0.65m to the pool house, whereas a minimum rear yard setback of 7.5m is required;
2. To permit a minimum interior side yard setback of 1.0m to the pool house, whereas a minimum interior side yard setback of 1.5 m is required;
3. To permit a maximum lot coverage of 40.65% (including pool house), whereas a maximum lot coverage of 36.5% is permitted; and
4. To permit an accessory structure (pool house) to be located partially within a side yard.

It is TRCA staff understanding that the above noted variances are required to permit the construction of a 45.52 sq. m pool house ancillary structure in the rear yard. The subject property contains a single detached dwelling.

**Recommendation**

Based upon the comments noted below, TRCA staff provides **conditional approval** to the above noted Minor Variance application, subject to the following conditions:

1. The applicant submits the Minor Variance application fee of \$550.00 payable to the Toronto and Region Conservation Authority.
2. The applicant successfully obtains a permit pursuant to Ontario Regulation 166/06 from the TRCA for the proposed pool house accessory structure.

**Applicable Policies and Regulations**

*Ontario Regulation 166/06*

The subject property is located within the TRCA's Regulated Area of the Humber River Watershed as it is adjacent to the valley corridor associated with the Humber River. In accordance with the Ontario Regulation 166/06, development, interference or alteration may be permitted where it can be demonstrated to TRCA's satisfaction that the control of flooding, erosion, dynamic beaches, pollution, or the conservation of land will not be affected. In this regard, TRCA must be contacted prior to any works taking place.

*The Living City Policies (LCP)*

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.

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**Application-Specific Comments**

As noted above, a portion of the subject property is located within TRCA's Regulated Area of the Humber River Watershed, though located outside of the Regional Flood Plain. The property is Regulated as the main Humber River and associated valley corridor is located to the adjacent west of the subject property. Based on our review, it appears that a portion of the proposed pool house is located within TRCA's Regulated Area.

1. Please advise the applicant to submit a TRCA Permit Application (Application for Development, Interference with Wetlands and Alterations to Shorelines and Watercourses – Ontario Regulation 166/06) and the associated review fee (\$200 – Works on Private Residential Property – Minor Ancillary Residential) to initiate the TRCA permitting process.

Please be advised that all TRCA permit applications are reviewed by TRCA staff and approved by the TRCA Executive Committee. Details with respect to the permitting process and the application form can be obtained by visiting the following website: <http://www.trca.on.ca/planning-services-permits/permit-applications/>

**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 \$550.00 Variance 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 at extension 4296 or [mandrews@trca.on.ca](mailto:mandrews@trca.on.ca).

Yours truly,

*Mark Andrews*

Mark Andrews  
Planner II  
Planning and Development

Cc: Peter Jaruczik: [arcdesign@rogers.com](mailto:arcdesign@rogers.com)  
Mary [REDACTED]