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COMMUNICATION	
CW (PH)	JUNE 17/14
ITEM -	6

June 16, 2014  
File 6774

Mr. Tony Iacobelli  
Senior Environmental Planner  
City of Vaughan  
2141 Major Mackenzie Drive,  
Vaughan ON L6A 1T1

Dear Sir,

**RE: NATURAL HERITAGE NETWORK STUDY  
AMENDMENTS TO THE VAUGHAN OFFICIAL PLAN 2010 ("VOP 2010")  
MOHSEN CHARMCHY – 21 MILL STREET  
FILE 25.5.4**

Further to our discussion this will confirm my request on behalf of Mr. Charmchy, the owner of the property at 21 Mill Street, that the VOP 2010 be amended to delete his entire property from the Natural Heritage Network on the grounds that:

- it is located outside the Don River valley feature; and
- the property comprises a new lot that was created by consent last year for the purpose of constructing a new detached dwelling.

The land use designation of the subject property in OPA 210 is "Low Density Residential". VOP 2010 redesignates the lands to "Natural Area". This redesignation was appealed by the former owner, Monica Murad, to the Ontario Municipal Board. The appeal has not yet been heard. Monica Murad continues to own the retained lot located immediately to the west at 15 Mill Street.

When the consent application was considered by the Committee of Adjustment, there were no objections expressed by the Toronto and Region Conservation Authority ("TRCA") because the lot is located above the top of bank of the Don River valley, which is located on the opposite side of Mill Street. The TRCA required the submission of a geotechnical report which established that the subject property was in a stable condition suitable for the construction of a detached dwelling. A copy of the TRCA letter dated May 9, 2013, is attached.

I would accordingly request that Schedule 13 ("Land Use") of VOP 2010 be amended to return the subject property at 21 Mill Street to an appropriate residential designation, i.e. Low-Rise Residential. I would also request that the property be removed from the "Core Feature"



designation shown on Schedule 2 ("Natural Heritage Network") and from any other schedule indicating inclusion of the property within the Natural Heritage Network.

Please notify me of the adoption of any official plan amendment that may arise from the study.

Thank you for your assistance.

Yours truly,  
**Weston Consulting**  
Per:



Alan Young, BES, MSc, MCIP, RPP  
Senior Associate

- c. M. Charmchy  
M. Simaan, Kramer Simaan Dhillon LLP  
J. Barmi, Architect  
J. Abrams, City Clerk





May 9, 2013

CFN:

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 Applications A121/13 and B006/13  
15 Mill Street  
Lots 6 & 7, Part of Lot 5, RP 328  
City of Vaughan, York Region  
(Monica Murad)

This letter will acknowledge receipt of the above noted variance and consent applications. 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 applications are to permit the severance of the subject property to create a new lot for future residential development.

**Applicable Policies and Regulations**

The subject property is partially located within a Regulated Area of the Don River watershed. In accordance with Ontario Regulation 166/06 (*Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation*), a permit is required from the TRCA prior to any of the following works taking place:

- a) straightening, changing, diverting or interfering in any way with the existing channel of a river, creek, stream or watercourse, or for changing or interfering in any way with a wetland;
- b) 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:

- i) the construction, reconstruction, erection or placing of a building or structure of any kind,
- ii) any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure or increasing the number of dwelling units in the building or structure,
- iii) site grading,
- iv) the temporary or permanent placing, dumping or removal of any material, originating on the site or elsewhere.

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

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Member of Conservation Ontario





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May 9, 2013

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. The corridor boundary is also extended to include any significant adjacent vegetation. Please note that the fragmentation of the ownership of valley and stream corridors is discouraged under the VSCMP.

**Comments**

The subject property is partially regulated under Ontario Regulation 166/06 as the East Don River valley corridor is located on the north side of Mill Street and the top-of-slope of the valley wall is located along the edge of the roadway (approximately 9 metres from the subject property).

Based upon a Geotechnical Letter of Opinion, prepared by Soil Engineers Ltd., dated April 19, 2013, received by the TRCA April 22, 2013, TRCA staff are satisfied that the proposed lot and eventual proposed dwelling are adequately setback from the long-term-stable top-of-slope (approximately 10 metres from a 3 horizontal : 1 vertical gradient line to the new lot).

Please note that a small portion of the proposed severed lot would remain within a TRCA regulated area due to the proximity of the valley corridor and long-term-stable top-of-slope. However, TRCA staff are satisfied that the proposal does not result in the fragmentation of ownership of the valley system.

**Recommendations**

In light of the above, TRCA staff have **no objections** to the above noted Committee of Adjustment applications, as submitted subject to the following conditions:

1. The applicant submit the variance application fee of \$1,200 payable to the Toronto and Region Conservation Authority.

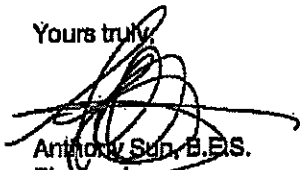
However, please be advised that all future development proposals should be circulated to the TRCA for our review and approval prior to any works taking place.

**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 \$1,200 severance application review fee which has been included as a condition for our clearance of these applications. The applicant is responsible for fee payment and should forward the application fee to this office as soon as possible.

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

Yours truly,



Anthony Sub, B.B.S.  
Planner I  
Planning and Development  
Extension 5724

cc: Alan Young, Weston Consulting (fax: 905-738-6637)

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