

**File:** A146/20

**Applicant:** Conrad & Antonina Tamburro

**Address:** 38 Klamath Ct Maple

**Agent:** Frank Rotundo

Please note that comments and written public submissions received after the preparation of this Staff Report (up until noon on the last business day prior to the day of the scheduled hearing date) will be provided as an addendum.

Commenting Department	<input checked="" type="checkbox"/> Positive Comment	Condition(s) <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
	<input checked="" type="checkbox"/> Negative Comment	
Committee of Adjustment	<input checked="" type="checkbox"/>	
Building Standards	<input checked="" type="checkbox"/>	
Building Inspection	<input checked="" type="checkbox"/>	
Development Planning	<input checked="" type="checkbox"/>	
Cultural Heritage (Urban Design)		
Development Engineering	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Parks, Forestry and Horticulture Operations	<input checked="" type="checkbox"/>	
By-law & Compliance		
Financial Planning & Development	<input checked="" type="checkbox"/>	
Fire Department	<input checked="" type="checkbox"/>	
TRCA	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Ministry of Transportation		
Region of York	<input checked="" type="checkbox"/>	
Alectra (Formerly PowerStream)	<input checked="" type="checkbox"/>	
Public Correspondence (see Schedule B)		

Adjournment History: N/A

Background History: N/A

Staff Report Prepared By: Pravina Attwala  
Hearing Date: Thursday, February 4, 2021



Minor Variance  
Application

Agenda Item: 16

A146/20

Ward: 1

Staff Report Prepared By: Pravina Attwala, Assistant Secretary Treasurer

**Date & Time of Live Stream Hearing:** Thursday, February 4, 2021 at 6:00 p.m.

As a result of COVID-19, Vaughan City Hall and all other City facilities are closed to the public at this time.

A live stream of the meeting is available at [Vaughan.ca/LiveCouncil](http://Vaughan.ca/LiveCouncil)

Please submit written comments by mail or email to:

City of Vaughan  
Office of the City Clerk – Committee of Adjustment  
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1  
[cofa@vaughan.ca](mailto:cofa@vaughan.ca)

To make an electronic deputation at the meeting please contact the Committee of Adjustment at [cofa@vaughan.ca](mailto:cofa@vaughan.ca) or 905-832-8504. Ext. 8332

Written comments or requests to make a deputation must be received by noon on the last business day before the meeting.

**Applicant:** Conrad & Antonina Tamburro

**Agent:** Frank Rotundo

**Property:** 38 Klamath Ct Maple

**Zoning:** The subject lands are zoned R3, Residential Zone and subject to the provisions of Exception 9(910) under By-law 1-88 as amended

**OP Designation:** Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential and Natural Areas"

**Related Files:** None

**Purpose:** Relief from By-law 1-88, as amended, is being requested to permit the construction of a proposed cabana located in the rear yard.

The following variances are being requested from By-Law 1-88, as amended, to accommodate the above proposal:

By-law Requirement	Proposal
1) A minimum rear yard setback of 10.0 metres is required to an accessory structure.	1) To permit a minimum rear yard setback of 0.5 metres to an accessory structure.
2) A minimum interior side yard setback of 1.2 meters is required to an accessory structure.	2) To permit a minimum interior side yard setback of 0.9 metres to an accessory structure.

Background (previous applications approved by the Committee on the subject land): N/A

For information on the previous approvals listed above please visit [www.vaughan.ca](http://www.vaughan.ca). To search for a file number, enter it using quotes around it. For example, "A001/17".

To search property address, enter street number and street name using quotes. For example, "2141 Major Mackenzie". Do not include street type (i.e. drive).

Adjournment History: N/A

Staff & Agency Comments

Please note that staff/agency comments received after the preparation of this Report will be provided as an addendum item to the Committee. Addendum items will shall only be received by the Secretary Treasurer until **noon** on the last business day **prior** to the day of the scheduled Meeting.

Committee of Adjustment:

Public notice was mailed on January 21, 2021

Applicant confirmed posting of signage on January 20, 2021

Property Information	
Existing Structures	Year Constructed
Dwelling	1998

Applicant has advised that they cannot comply with By-law for the following reason(s):

1.

Cannot comply with a 7.5m rear yard setback. This is not practical for a lot this size
2.

Cannot comply with a 1.5m side yard setback. This is excessive for a structure of this size.

Adjournment Request: None.

Building Standards (Zoning Review):

Stop Work Order(s) and Order(s) to Comply: There are no outstanding Orders on file

A Building Permit has not been issued. The Ontario Building Code requires a building permit for structures that exceed 10m2

The applicant shall be advised that additional variances may be required upon review of detailed drawing for building permit/site plan approval.

The subject lands may be subject to Ontario Regulation 166/06 (TRCA - Toronto and Region Conservation Authority.

Please note Section 4.1.1(b) that states the maximum height of an accessory building or structure measured from the average finished ground level to the highest point of the said building or structure shall be 4.5 metres. The nearest part of the roof shall not be more than three(3) metres above finished grade.

Building Inspections (Septic):

No comments or concerns

Development Planning:

Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential" and "Natural Areas"

The Owner is requesting permission to construct an accessory structure (cabana) with the above noted variances.

The Development Planning Department does not object to the location of the cabana as the reduction in interior side yard setback will not impact to the neighbouring property, as the height and area of the structure complies with Zoning By-law 1-88.

The subject lands abut an "OS1 Open Space Conservation Zone" to the rear, Policy Planning and Environmental Sustainability ('PPES') staff have reviewed the site plan, site photos, Vaughan Maps and have no concerns from a natural heritage perspective. The cabana has a sufficient rear yard setback and will be constructed on a concrete pad thereby, minimizing the disturbance to the adjacent OS1 Zone. The Development Engineering Department has reviewed this proposal in terms of water filtration/runoff and have no concerns.

The Development Planning Department is of the opinion that the proposal is minor in nature, maintains the general intent and purpose of the Official Plan and Zoning By-law, and is desirable for the appropriate development of the land.

The Development Planning Department recommends approval of the application.

Cultural Heritage (Urban Design):

There are no cultural heritage concerns for this application.

Development Engineering:

Although the rear yard setback is less than the City of Vaughan minimum standard (0.6m), DE is supporting the application based on the consideration that the rear of the cabana drains to the ravine and does not impact the property line swale.

The Development Engineering (DE) Department does not object to variance application A146/20 subject to the following condition(s):

The Owner/applicant shall submit the final Lot Grading and/or Servicing Plan to the Development Inspection and Lot Grading division of the City's Development Engineering Department for final lot grading and/or servicing approval prior to any work being undertaken on the property. Please visit or contact the Development Engineering Department through email at DEPermits@vaughan.ca or visit

[https://www.vaughan.ca/services/residential/dev\\_eng/permits/Pages/default.aspx](https://www.vaughan.ca/services/residential/dev_eng/permits/Pages/default.aspx) to learn how to apply for lot grading and/or servicing approval.

**Parks Development - Forestry:**  
No comments or concerns

**By-Law and Compliance, Licensing and Permit Services:**  
No comments.

**Financial Planning and Development Finance:**  
No comment no concerns

**Fire Department:**  
No comments or concerns

**Schedule A – Plans & Sketches**

**Schedule B – Public Correspondence**  
None

**Schedule C - Agency Comments**  
Alectra (Formerly PowerStream) – No concerns or objections  
Region of York – No concerns or objections  
TRCA – comments with conditions

**Schedule D - Previous Approvals (Notice of Decision)**  
None

**Staff Recommendations:**  
Staff and outside agencies (i.e. TRCA) act as advisory bodies to the Committee of Adjustment. Comments received are provided in the form of recommendations to assist the Committee.

The Planning Act sets the criteria for authorizing minor variances to the City of Vaughan’s Zoning By-law. Accordingly, review of the application considers the following:

- ✓ That the general intent and purpose of the by-law will be maintained.
- ✓ That the general intent and purpose of the official plan will be maintained.
- ✓ That the requested variance(s) is/are acceptable for the appropriate development of the subject lands.
- ✓ That the requested variance(s) is/are minor in nature.

Should the Committee **adjourn** this application the following condition(s) is required: N/A

Should the Committee find it appropriate to approve this application in accordance with request and the sketch submitted with the application as required by Ontario Regulation 200/96, the following conditions have been recommended:

	Department/Agency	Condition
1	Development Engineering Farzana Khan  905-832-8585 x 3608 <a href="mailto:Farzana.khan@vaughan.ca">Farzana.khan@vaughan.ca</a>	The Owner/applicant shall submit the final Lot Grading and/or Servicing Plan to the Development Inspection and Lot Grading division of the City’s Development Engineering Department for final lot grading and/or servicing approval prior to any work being undertaken on the property. Please visit or contact the Development Engineering Department through email at <a href="mailto:DEPermits@vaughan.ca">DEPermits@vaughan.ca</a> or visit <a href="https://www.vaughan.ca/services/residential/dev_eng/permits/Pages/default.aspx">https://www.vaughan.ca/services/residential/dev_eng/permits/Pages/default.aspx</a> to learn how to apply for lot grading and/or servicing approval.
2	TRCA Hamedeh Razavi  416-661-6600 x 5256 <a href="mailto:hamedeh.razavi@trca.ca">hamedeh.razavi@trca.ca</a>	1. The applicant obtains a revision to TRCA permit no. C-200911, to authorize the proposed cabana structure. 2. The applicant provides the required fee amount of \$580.00 payable to the Toronto and Region Conservation Authority.

## Conditions

It is the responsibility of the owner/applicant and/or authorized agent to obtain and provide a clearance letter from respective department and/or agency. This letter must be provided to the Secretary-Treasurer to be finalized. All conditions must be cleared prior to the issuance of a Building Permit.

### Please Note:

Relief granted from the City's Zoning By-law is determined to be the building envelope considered and approved by the Committee of Adjustment.

Development outside of the approved building envelope (subject to this application) must comply with the provisions of the City's Zoning By-law or additional variances may be required.

Elevation drawings are provided to reflect the style of roof to which building height has been applied (i.e. flat, mansard, gable etc.) as per By-law 1-88 and the Committee of Adjustment approval. Please note, that architectural design features (i.e. window placement), that do not impact the style of roof approved by the Committee, are not regulated by this decision.

### Notice to the Applicant – Development Charges

That the payment of the Regional Development Charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the Regional Development Charges By-law in effect at the time of payment.

That the payment of the City Development Charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the City's Development Charges By-law in effect at the time of payment.

That the payment of the Education Development Charge if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the Boards of Education By-laws in effect at the time of payment

That the payment of Special Area Development charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and The City's Development Charge By-law in effect at the time of Building permit issuance to the satisfaction of the Reserves/Capital Department.

### Notice to Public

**PLEASE NOTE:** As a result of COVID-19, Vaughan City Hall and all other City facilities are closed to the public at this time.

**PUBLIC CONSULTATION DURING OFFICE CLOSURE:** Any person who supports or opposes this application, but is unable to attend the hearing, may make a written submission, together with reasons for support or opposition. Written submissions on an Application shall only be received until **noon** on the last business day **prior** to the day of the scheduled hearing. Written submissions can be mailed and/or emailed to:

City of Vaughan  
Office of the City Clerk – Committee of Adjustment  
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1  
[cofa@vaughan.ca](mailto:cofa@vaughan.ca)

**ELECTRONIC PARTICIPATION:** During the COVID-19 emergency, residents can view a live stream of the meeting [Vaughan.ca/LiveCouncil](https://www.v Vaughan.ca/LiveCouncil). To make an electronic deputation, residents must complete and submit a [Public Deputation Form](#) no later than **noon** on the last business prior to the scheduled hearing. To obtain a Public Deputation Form please contact our office or visit [www.vaughan.ca](https://www.v Vaughan.ca)

Presentations to the Committee are generally limited to 5 minutes in length. Please note that Committee of Adjustment meetings may be audio/video recorded. Your name, address comments and any other personal information will form part of the public record pertaining to this application.

**PUBLIC RECORD:** Personal information is collected under the authority of the Municipal Act, the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), the Planning Act and all other relevant legislation, and will be used to assist in deciding on this matter. All personal information (as defined by MFIPPA), including (but not limited to) names, addresses, opinions and comments collected will become property of the City of Vaughan, will be made available for public disclosure (including being posted on the internet) and will be used to assist the Committee of Adjustment and staff to process this application.

**NOTICE OF DECISION:** If you wish to be notified of the decision in respect to this application or a related Local Planning Appeal Tribunal (LPAT) hearing you must complete a Request for Decision form and submit to the Secretary Treasurer (ask staff for details). In the absence of a written request to be notified of the Committee's decision you will **not** receive notice.

**For further information please contact the City of Vaughan, Committee of Adjustment**

T 905 832 8585 Extension 8002  
E [CofA@vaughan.ca](mailto:CofA@vaughan.ca)

Schedule A: Plans & Sketches

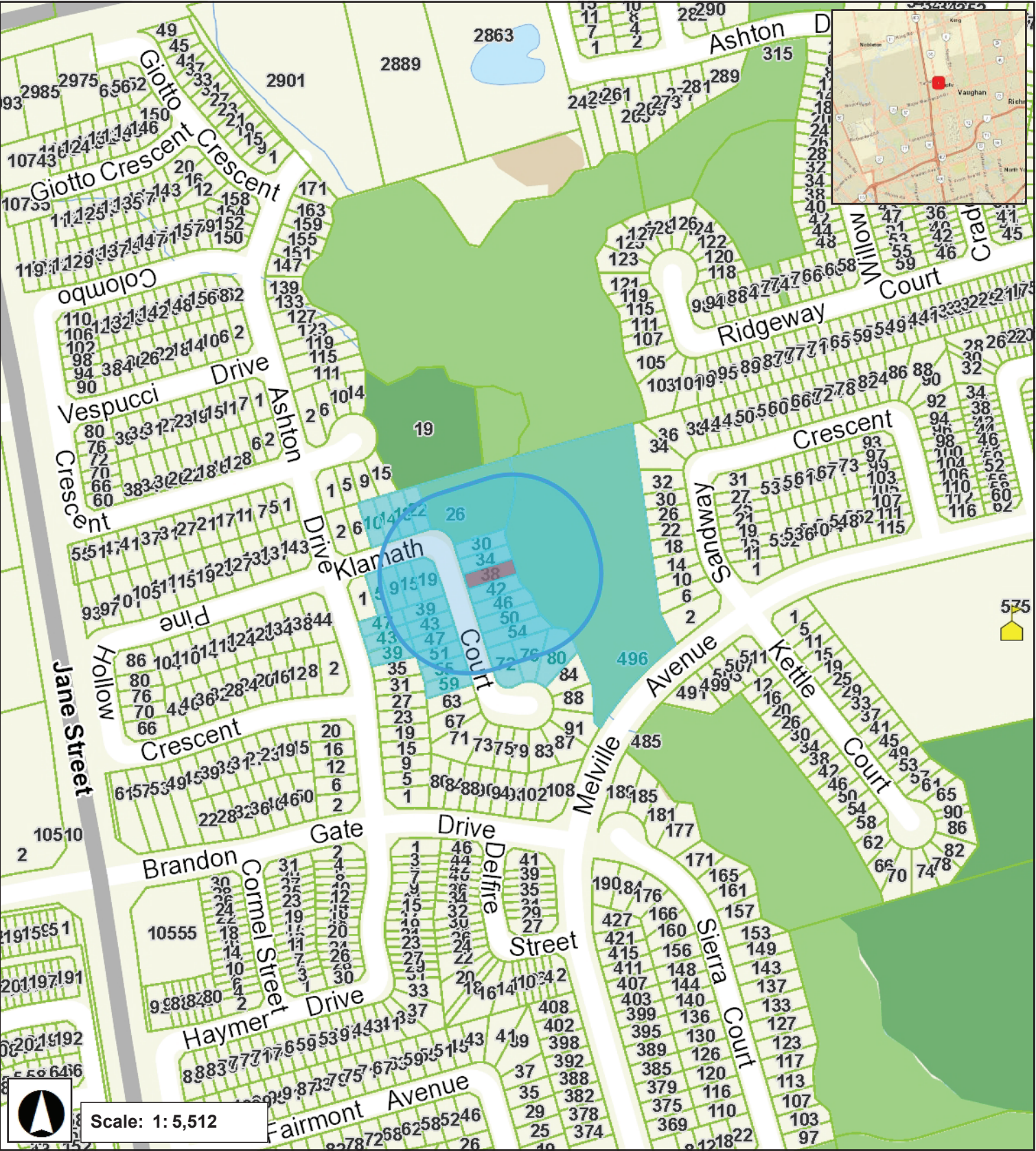
Please note that the correspondence listed in Schedule A is not comprehensive. Plans & sketches received after the preparation of this staff report will be provided as an addendum.

Location Map  
Plans & Sketches



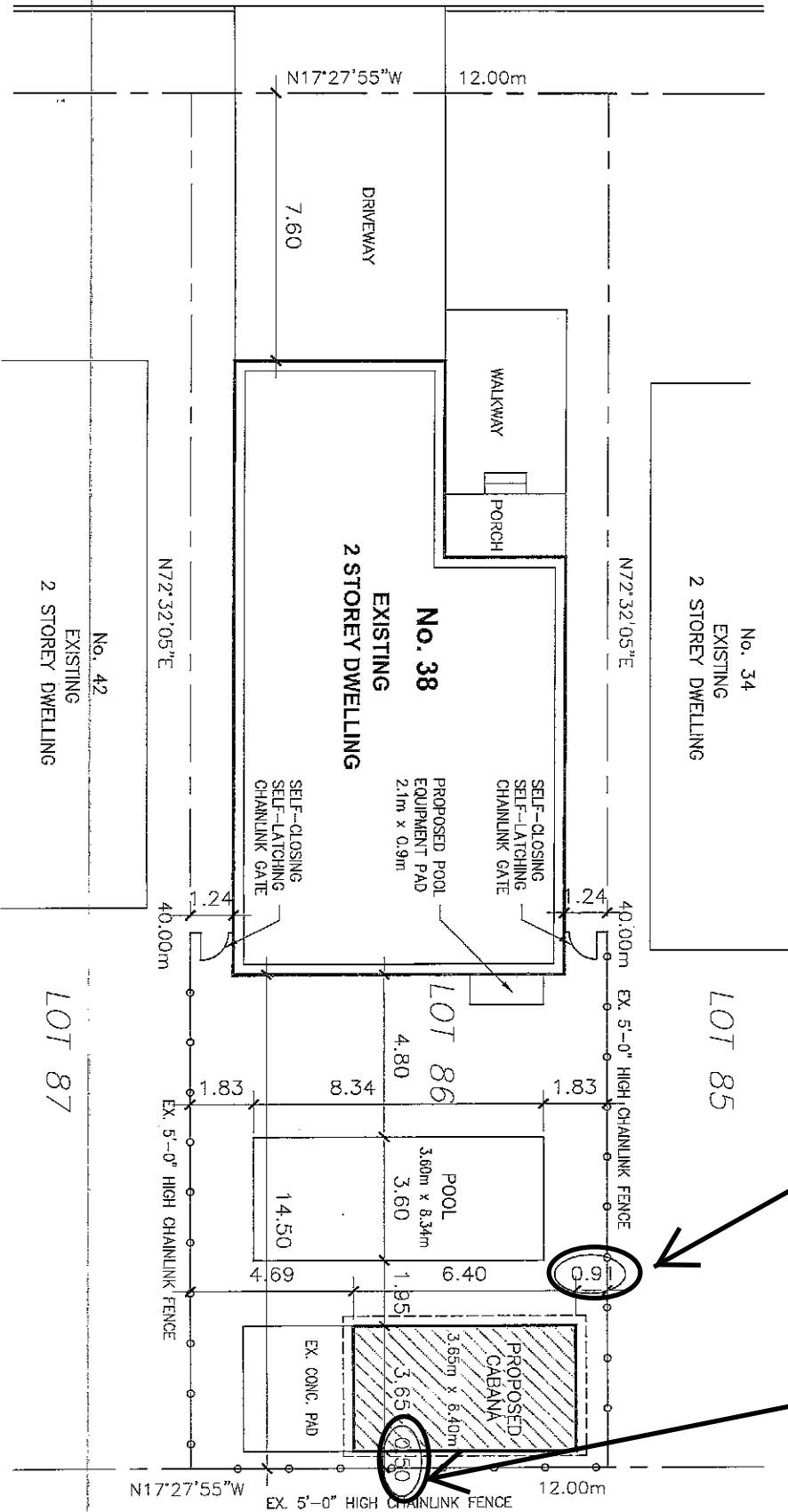
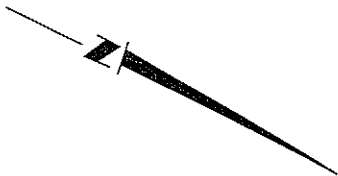
**38 KLAMATH CRT. MAPLE**

**Teston Road**



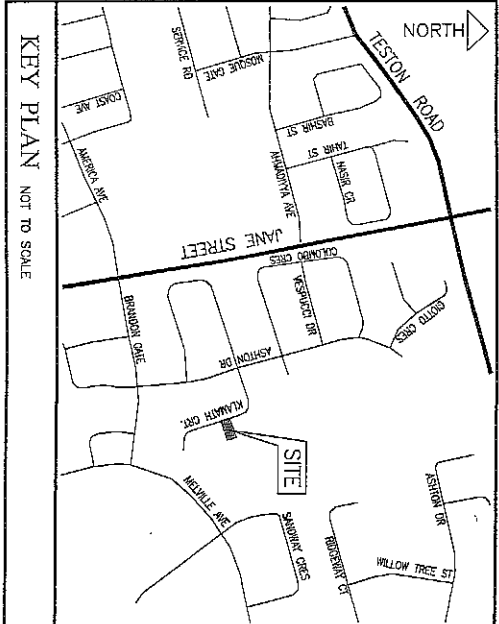
A146/20

SURVEY INFORMATION PREPARED BY  
RADY-PENTEK & EDWARD SURVEYOR, OLS.  
DATED NOVEMBER 25, 1997  
SURVEYOR'S REAL PROPERTY REPORT  
PART 1 PLAN OF  
LOTS 84,85 AND 86  
REGISTER PLAN 65M-3094  
CITY OF VAUGHAN  
REGIONAL MUNICIPALITY OF YORK



0.9m

0.5m



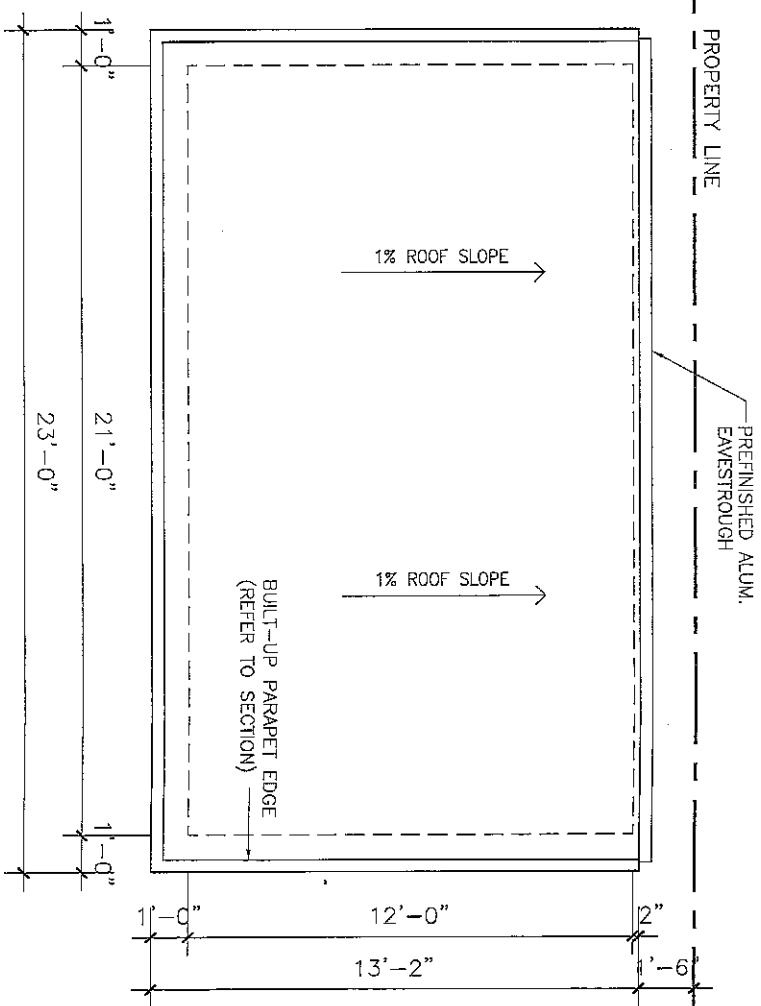
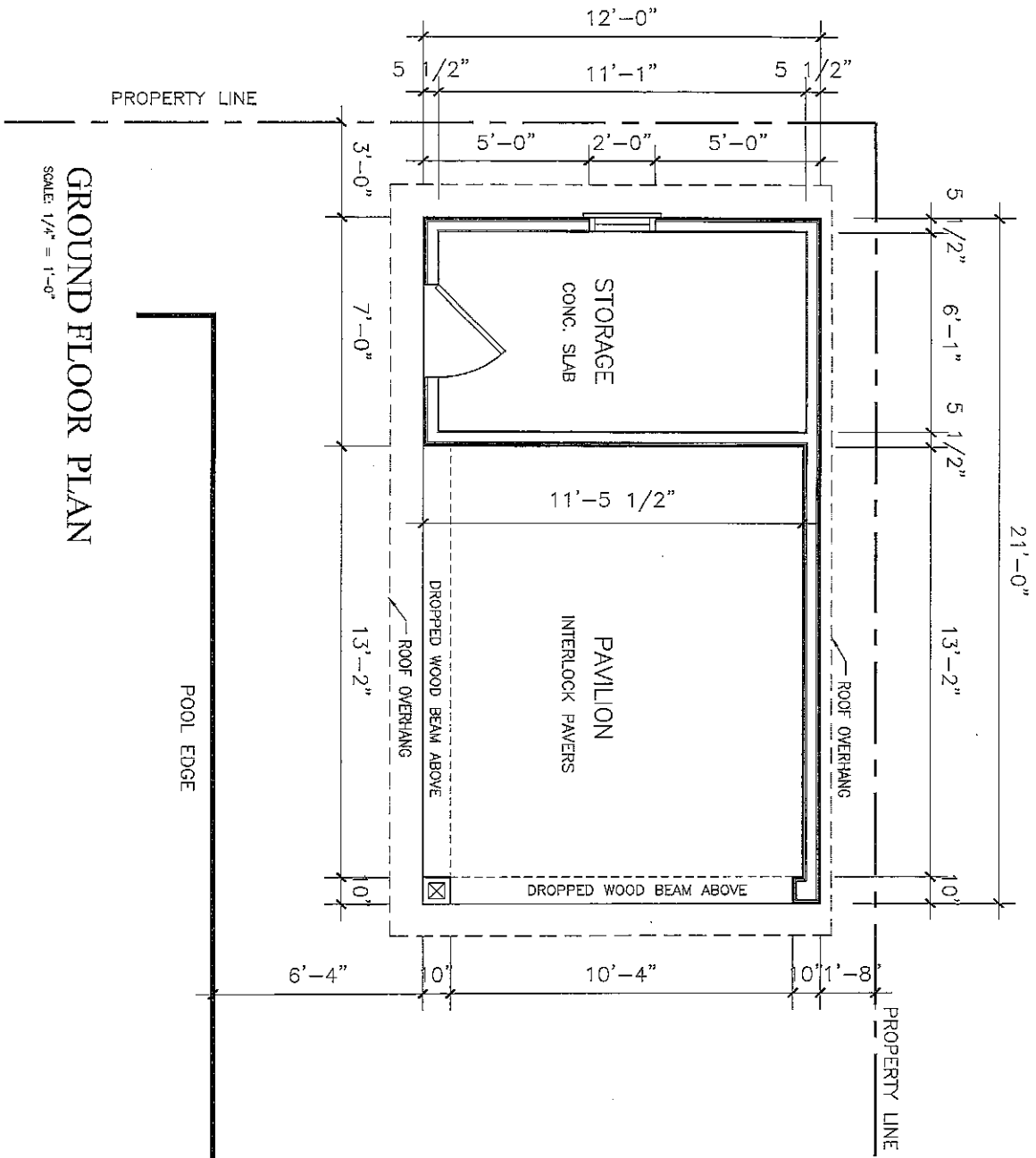
SITE STATISTICS

LOT AREA	480.00 m <sup>2</sup>	5,167 s.f.
EX. DWELLING FOOTPRINT (NOT INCLUDING PORCH)	150.54 m <sup>2</sup>	1,620 s.f.
POOL AREA	30.60 m <sup>2</sup>	329 s.f.
PROPOSED CABANA		
— FLOOR AREA	23.36 m <sup>2</sup>	251 s.f.
— COVERAGE	4.87 %	
— NORTH SIDE YARD SETBACK	0.91 m	3'-0"
— SOUTH SIDE YARD SETBACK	4.69 m	15'-4 1/2"
— REAR YARD SETBACK	0.50 m	1'-8"
— HEIGHT OF ROOF	3.40 m	11'-2"
— HEIGHT OF SOFTTT	3.00 m	9'-10"

**RECEIVED**  
DEC 02 2020  
VAUGHAN COMMITTEE  
OF ADJUSTMENT  
38 KLAMATH CRT.  
PROPOSED CABANA  
VAUGHAN, ON.

SITE PLAN  
SCALE 1:150  
A.1





**RECEIVED**  
DEC 02 2020  
VAUGHAN COMMITTEE  
OF ADJUSTMENT

38 KLAMATH CRT.  
PROPOSED CABANA  
VAUGHAN, ON.

Project:

Checklist: ☐ All dimensions and coordinates on the job and report are in accordance to the design.  
☐ DO NOT SCALE DRAWINGS.

No.	Date	Revision
1	NOV 20/20	ISSUED FOR COMMITTEE OF ADJUSTMENT

Drawing Title

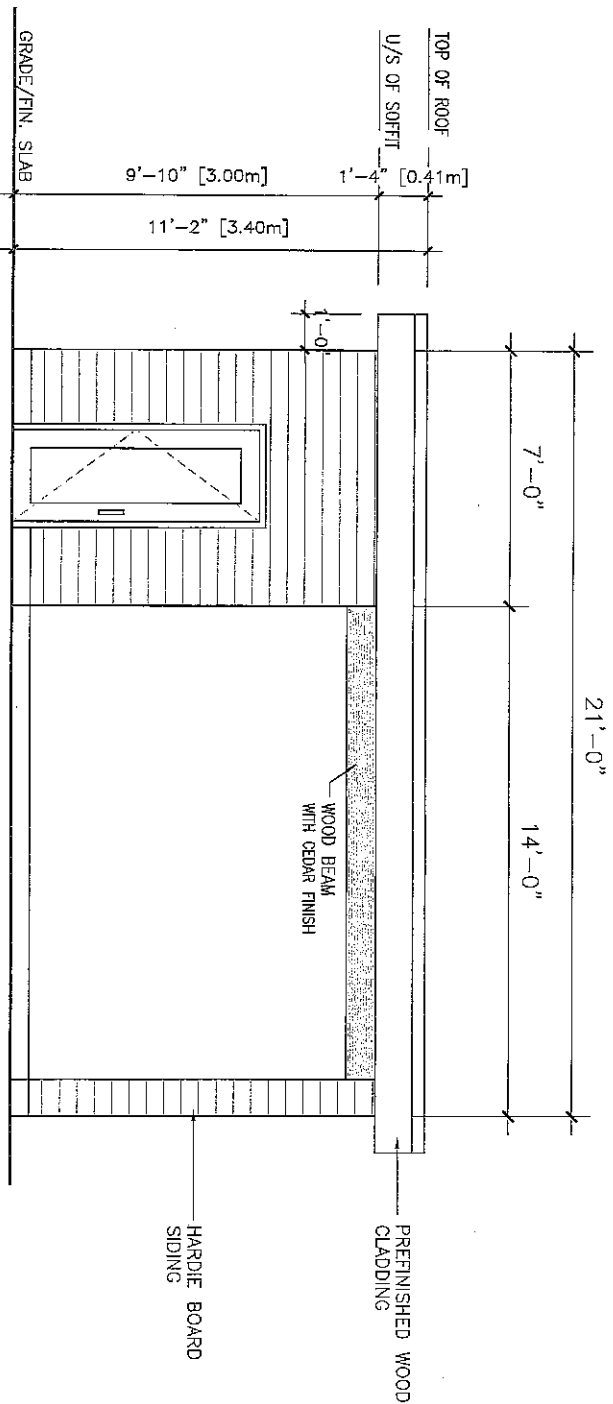
GROUND FLOOR  
& ROOF PLAN

Scale

AS SHOWN

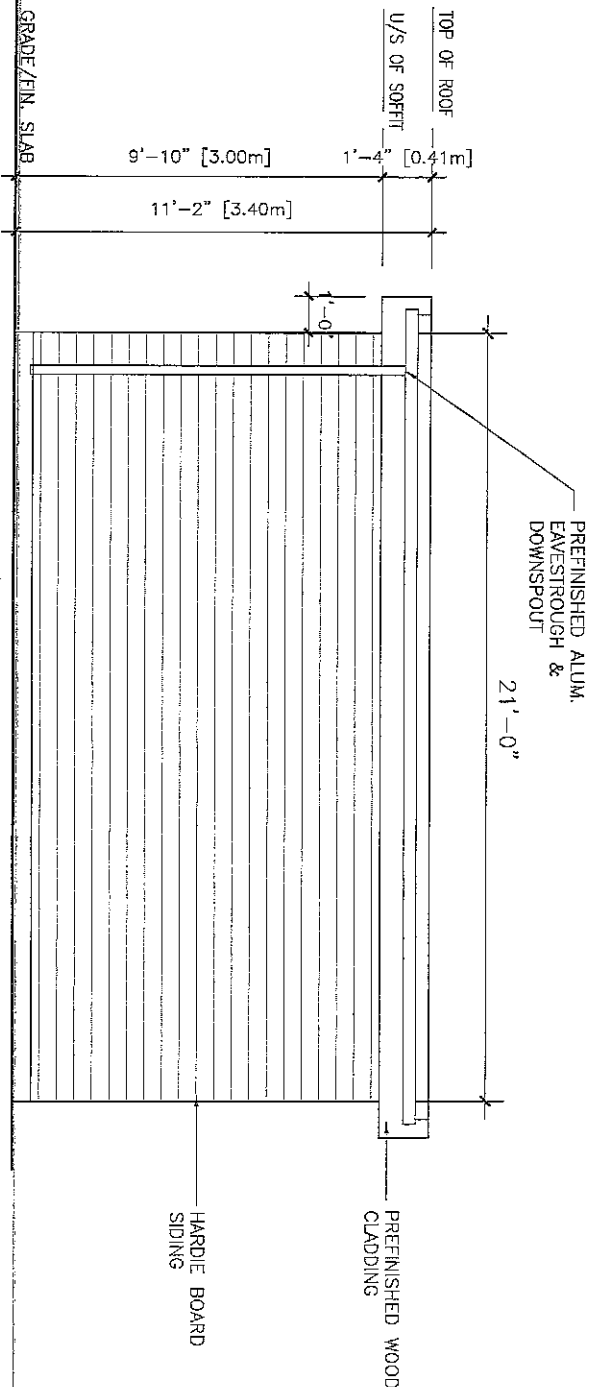
Drawing Number

A.2



WEST ELEVATION

SCALE 1/4" = 1'-0"



EAST ELEVATION

SCALE 1/4" = 1'-0"

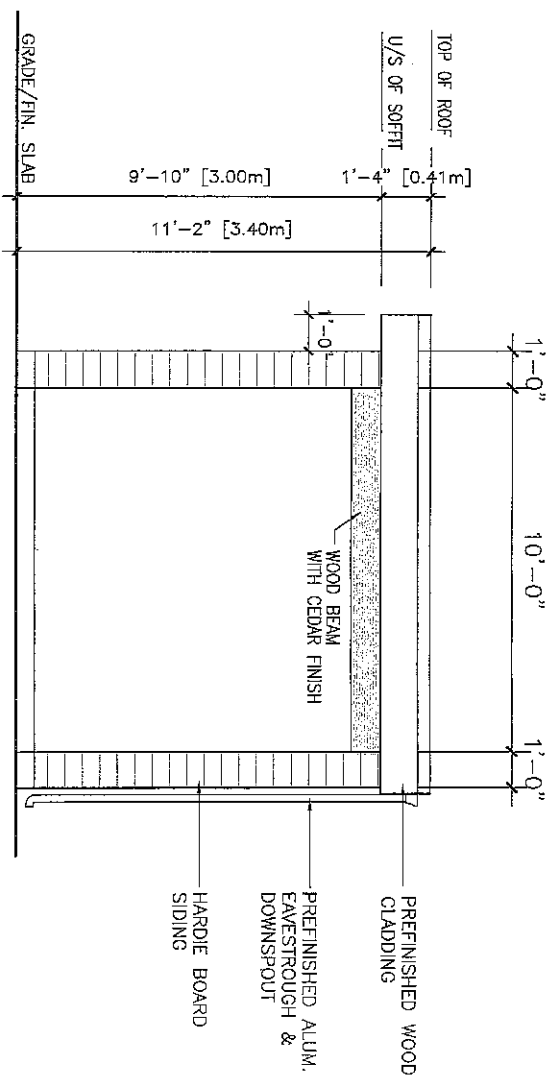
RECEIVED  
DEC 02 2020  
VAUGHAN COMMITTEE  
OF ADJUSTMENT

Project: 38 KLAMATH CRT.  
PROPOSED CABANA  
VAUGHAN, ON.  
Drawing Title: WEST & EAST  
ELEVATIONS

No.	Date	Revision
1	NOV. 20/20	ISSUED FOR COMMITTEE OF ADJUSTMENT

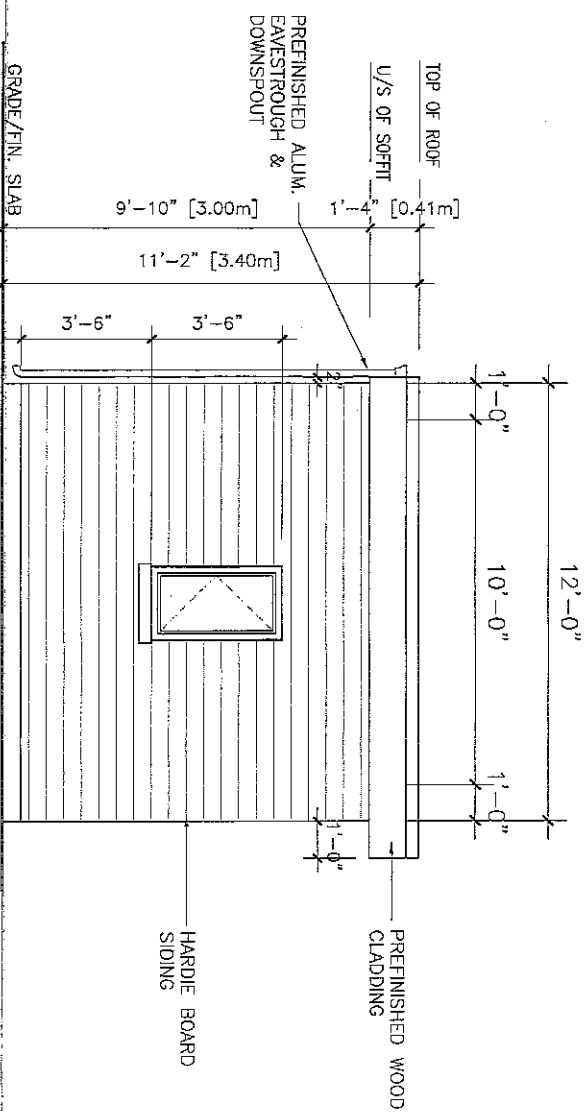
Consultant must check and verify all dimensions and conditions on the site and report any discrepancies to the designer before proceeding with the work.  
DO NOT SCALE DRAWINGS.

Scale	AS SHOWN	Drawing Number
Notes		
Project Number		A.3



### SOUTH ELEVATION

SCALE 1/4" = 1'-0"



### NORTH ELEVATION

SCALE 1/4" = 1'-0"

**RECEIVED**

DEC 02 2020

VAUGHAN COMMITTEE  
OF ADJUSTMENT

No.	Date	Revision
1	NOV. 20/20	ISSUED FOR COMMITTEE OF ADJUSTMENT

Contractor must check and verify all dimensions and conditions on the job, and report any discrepancies to the Designer before proceeding with the work.  
DO NOT SCALE DRAWINGS.

Project:

38 KIAMATH CRT.  
PROPOSED CABANA  
VAUGHAN, ON.

Drawing Title

**SOUTH & NORTH  
ELEVATIONS**

Scale

AS SHOWN

Drawing Number

**A.4**

**Schedule B: Public Correspondence Received**

Please note that the correspondence listed in Schedule B is not comprehensive. Written submissions received after the preparation of this staff report will be provided as an addendum.

**None**

Schedule C: Agency Comments

Please note that the correspondence listed in Schedule C is not comprehensive. Comments received after the preparation of this staff report will be provided as an addendum.-

- Alectra (Formerly PowerStream) – No concerns or objections
- Region of York – No concerns or objections
- TRCA – comments with conditions



**COMMENTS:**

- ☐
- We have reviewed the proposed Variance Application and have no comments or objections to its approval.
- ☒
- We have reviewed the proposed Variance Application and have no objections to its approval, subject to the following comments (attached below).
- ☐
- We have reviewed the proposed Variance Application and have the following concerns (attached below).

Alectra Utilities (formerly PowerStream) has received and reviewed the proposed Variance Application. This review, however, does not imply any approval of the project or plan.

All proposed billboards, signs, and other structures associated with the project or plan must maintain minimum clearances to the existing overhead or underground electrical distribution system as specified by the applicable standards, codes and acts referenced.

In the event that construction commences, and the clearance between any component of the work/structure and the adjacent existing overhead and underground electrical distribution system violates the Occupational Health and Safety Act, the customer will be responsible for 100% of the costs associated with Alectra making the work area safe. All construction work will be required to stop until the safe limits of approach can be established.

In the event construction is completed, and the clearance between the constructed structure and the adjacent existing overhead and underground electrical distribution system violates the any of applicable standards, acts or codes referenced, the customer will be responsible for 100% of Alectra's cost for any relocation work.

**References:**

- Ontario Electrical Safety Code, latest edition (Clearance of Conductors from Buildings)
- Ontario Health and Safety Act, latest edition (Construction Protection)
- Ontario Building Code, latest edition (Clearance to Buildings)
- PowerStream (Construction Standard 03-1, 03-4), attached
- Canadian Standards Association, latest edition (Basic Clearances)

If more information is required, please contact either of the following:

Mr. Stephen Cranley, C.E.T  
Supervisor, Distribution Design, ICI & Layouts (North)  
**Phone:** 1-877-963-6900 ext. 31297

**E-mail:** [stephen.cranley@alectrautilities.com](mailto:stephen.cranley@alectrautilities.com)

Mr. Tony D'Onofrio  
Supervisor, Subdivisions (Alectra East)  
**Phone:** 1-877-963-6900 ext. 24419

**Email:** [tony.donofrio@alectrautilities.com](mailto:tony.donofrio@alectrautilities.com)

## Attwala, Pravina

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**Subject:** FW: A146/20 - REQUEST FOR COMMENTS

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**From:** Hurst, Gabrielle <Gabrielle.Hurst@york.ca>

**Sent:** December-22-20 11:33 AM

**To:** Attwala, Pravina <Pravina.Attwala@vaughan.ca>; Providence, Lenore <Lenore.Providence@vaughan.ca>; MacPherson, Adriana <Adriana.MacPherson@vaughan.ca>

**Subject:** [External] RE: A146/20 - REQUEST FOR COMMENTS

Good morning Pravina,

The Regional Municipality of York has completed its review of the above minor variance and has no comment.

Regards

*Gabrielle*

**Gabrielle Hurst MCIP RPP** | Community Planning and Development Services | The Regional Municipality of York | 1-877 464 9675 ext 71538 | [Gabrielle.hurst@york.ca](mailto:Gabrielle.hurst@york.ca) | [www.york.ca](http://www.york.ca)

January 18, 2021

CFN 62574.36  
Ex Ref CFN 63752

**SENT BY E-MAIL: CofA@vaughan.ca**

Christine Vigneault, Secretary Treasurer  
Committee of Adjustment  
City of Vaughan  
2141 Major Mackenzie Drive  
Vaughan, Ontario L6A 1T1

Dear Ms. Vigneault:

**Re: Minor Variance Application A146/20  
Part Lot 24, Concession 4  
38 Klamath Court  
City of Vaughan, Region of York  
Conrad & Antonina Tamburro (Agent: Frank Rotundo)**

This letter acknowledges receipt of the above noted application, received by the Toronto and Region Conservation Authority (TRCA) on December 8, 2020. TRCA staff has reviewed the application and offers the following comments for the consideration of the Committee of Adjustment.

**Background**

It is our understanding that the purpose of application A129/20 is to request the following:

1. To permit a minimum rear yard setback of 0.5 metres to an accessory structure (cabana) whereas, a minimum rear yard setback of 10 metres is required to an accessory structure.
2. To permit a minimum interior side yard setback of 0.9 metres to an accessory structure (cabana) whereas, a minimum interior side yard setback of 1.2 metres is required to an accessory structure.

The purpose of the noted variances is to permit the construction of an accessory structure (cabana).

**Applicable TRCA Policies and Regulations**

**Living City Policies (LCP)**

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 natural features and areas, water resources, natural hazards, potential natural cover and/or buffers. The LCP recommends that development not be permitted within the Natural System and that it be conveyed into public ownership for its 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.

### **Ontario Regulation 166/06**

A significant portion of the subject property is within TRCA's Regulated Area due to a Regional Storm flood plain associated with a tributary of the Don River. The flood plain covers the eastern half of the site. In accordance with *Ontario Regulation 166/06 (Regulation of Development, interference with Wetlands and Alterations to Shorelines and Watercourses)*, development, interference or alteration may be permitted in the Regulated Area 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 in the Regulated Area.

### **Application-Specific Comments**

As noted above, the eastern half of the site is within a Regional Storm flood plain associated with a tributary of the Don River. Based on a review of the site plan that was circulated with this application, the proposed cabana structure is located within the flood plain area.

TRCA policies direct development and site alteration away from areas impacted by natural hazards, including flooding. TRCA policies do permit non-habitable accessory structures within a flood plain provided the criteria of Section 8.5.1.7 of TRCA's Living City Policy can be achieved. Specifically, TRCA's first approach is to ensure that all non-habitable accessory structures are located outside of the flood plain area if there is a feasible location. A minimum 6 metre setback from the flood plain for any non-habitable, above ground, structure is typically required. In situations where there is no feasible alternative location outside of the flood plain area, consideration is given to locating the accessory structures in the flood plain provided flood proofing requirements are met (i.e., sign off from a structural engineering confirming that the accessory structure can withstand the depths and velocities associated with the flood waters). Given the extent of the flood plain on the subject property (i.e., the entire rear yard is within the flood plain), there is no feasible location to site the cabana structure outside of the flood plain.

TRCA staff issued a permit (permit no. C-200911) on October 19, 2020, to facilitate the construction of an inground swimming pool on the subject property. Except for the cabana structure, the proposed works shown on the submitted plans reflect the works that were shown on the plans permitted by TRCA. As such, the proponent will need to obtain a permit revision to authorize the proposed cabana structure. A list of the permit revision requirements has been included in Appendix 'A'.

### **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 \$580.00 (Variance-

Residential-Minor) review fee. The applicant is responsible for fee payment and should forward the application fee to this office as soon as possible.

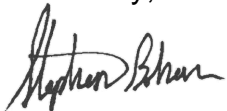
**Recommendation**

Based on the above, TRCA staff have no objection to the approval of Minor Variance Application A146/20 subject to the following conditions:

1. The applicant obtains a revision to TRCA permit no. C-200911, to authorize the proposed cabana structure.
2. The applicant provides the required fee amount of \$580.00 payable to the Toronto and Region Conservation Authority.

We trust these comments are of assistance. Should you have any questions, please contact me at extension 5743 or at [stephen.bohan@trca.ca](mailto:stephen.bohan@trca.ca)

Sincerely,



Stephen Bohan  
Planner

Development Planning and Permits | Development and Engineering Services



**Appendix 'B': TRCA Permit Requirements**

The subject lands are regulated by TRCA pursuant to Ontario Regulation 166/06. As such, a permit will be required from our office for the construction of the proposed cabana.

In order to initiate the process to revise TRCA Permit C-200911, the following materials must be submitted in hard copy to TRCA:

1. Complete Permit Re-Issuance/Minor Revision Application for Development, Interference with Wetlands & Alterations to Shorelines & Watercourses (Residential/Development Projects) (Pursuant to Ontario Regulation 166/06). The application can be downloaded from the following link: [https://s3-ca-central-1.amazonaws.com/trcaca/app/uploads/2018/10/17175054/Permit-Re-Issuance-Application-Form-October-2016\\_new.pdf](https://s3-ca-central-1.amazonaws.com/trcaca/app/uploads/2018/10/17175054/Permit-Re-Issuance-Application-Form-October-2016_new.pdf)
2. A digital copy of the following plans is required:
  - Updated site plan identifying the location (i.e., distance to the property lines) and dimensions of the cabana.
  - Elevation/structural plans for cabana – plans should be signed and stamped by same engineer who produces below noted letter/memo.
  - Grading Plan – If no grading (i.e., placement of fill or excavation) is proposed, please just add a note on the site plan stating, “All existing grades will remain unchanged”.
  - Erosion and Sediment Control Plan: If grading work will be occurring please add relevant TRCA erosion and sediment control notes 1, 2, and 4 from the following link to the site plan/grading plan. <http://www.trca.on.ca/dotAsset/93458.pdf>. We would also be looking to ensure that a note confirming that a non-woven geotextile filter fabric, TERRAFIX 270R or equivalent silt fence would be installed around the work area during construction if any grading will be occurring.
3. Digital copy of letter/memo from a qualified structural engineer confirming that the cabana structure has been designed to withstand the depths and velocities associated with the Regional Storm flood plan. Please contact TRCA's office to confirm the associated depth and velocity information.
4. One Copy of a legal survey of the subject property.
5. Permit revision fee of \$235 (50% of the original permit fee of \$470). TRCA's permit fee schedule can be found by visiting the following site: <https://trca.ca/planning-permits/apply-for-a-permit/>