

File: A230/21

Applicant: Armaan and Rajbinder Dhillon

Address: 233 Old Humber Crescent, Kleinburg

Agent: Square Design Group

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"/>	
Development Engineering	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Parks, Forestry and Horticulture Operations		
By-law & Compliance		
Financial Planning & Development	<input checked="" type="checkbox"/>	
Fire Department		
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: None

Background History: None

Staff Report Prepared By: Adriana MacPherson
Hearing Date: Wednesday, December 8, 2021

**Please note that additional comments may be received after the publication of the Staff Report. These comments will be processed as an addendum (see website for details).*



Minor Variance
Application

Agenda Item: 15

A230/21

Ward: 1

Staff Report Prepared By: Adriana MacPherson, Assistant Secretary Treasurer

Date & Time of Live Stream Hearing: Wednesday, December 8, 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](https://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

To make an electronic deputation at the meeting please contact the Committee of Adjustment at 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: Armaan and Rajbinder Dhillon

Agent: Square Design Group

Property: 233 Old Humber Crescent, Kleinburg

Zoning: The subject lands are zoned RE(EN) – Estate Residential Zone (Established Neighbourhood) and subject to the provisions of Exception 14.459 under By-law 01-2021 as amended.

The subject lands are zoned RR – Rural Residential and subject to the provisions of Exception 9(741) under By-law 1-88 as amended.

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

Related Files: None

Purpose: Relief from By-law 1-88, as amended and By-law 01-2021 is being requested to permit the construction of a proposed cabana to be located in the rear yard.

The subject lands are zoned R1B (EN) and subject to the provisions of Exception 14.336 under Zoning By-law 01-2021.

#	Zoning By-law 01-2021	Variance requested
1	Section 4.1.4, 1. requires the maximum building height to the mean height of Accessory Building is 3.0 metres.	To permit the maximum height of an accessory building (Cabana) of 4.36 metres.
2	Section 4.1.3, 1. requires the maximum area of an Accessory Building of 67.0 square metres.	To permit a maximum area of an Accessory Building (Cabana) of 147.91 square metres in size.

The subject lands are zoned R1 and subject to the provisions of Exception 9(563) under Zoning By-law 1-88, as amended.

	Zoning By-law 1-88	Variance requested
3	Section 4.1.1 b) requires the maximum building height required for any accessory building or structure shall be 4.5 metres measured from the highest point.	To permit the maximum height of an accessory building (Cabana) of 5.5 metres.
4	Section 4.1.1 b) requires the maximum building height required to the nearest part of the roof of an Accessory Building is 3.0 metres.	To permit a maximum height of 3.22 metres to the nearest part of the roof of an Accessory Building (Cabana).
5	Section 4.1.1 a) requires the maximum area of an Accessory Building of 67.0 square metres.	To permit a maximum area of an Accessory Building (Cabana) of 147.91 square metres in size.

Background (previous applications approved by the Committee on the subject land): None

For information on the previous approvals listed above please visit 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: None

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 November 23, 2021

Applicant confirmed posting of signage on November 24, 2021

Property Information	
Existing Structures	Year Constructed
Dwelling	2010
Cabana	TBC

Applicant has advised that they cannot comply with By-law for the following reason(s):
The proposed cabana cannot comply with the By-law because the height is greater than 4.5m to the highest point of the roof, and the lowest part of the roof is also greater than 3m.

Also the proposed cabana cannot comply with the maximum square footage allowed.

Committee of Adjustment recommended conditions of approval: None

Adjournment Request / File Review History:

None

Building Standards (Zoning Review):

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

Building Permit No. 06-001691 for Single Detached Dwelling - New, Issue Date: May 10, 2006.

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).

Air Conditioner and/or Heat Pump Units shall be permitted in the interior side yard with a minimum setback of 0.6 metres and may encroach a maximum of 1.5 metres into the required rear yard or exterior side yard.

Building Inspections (Septic):

No comments or concerns

Development Planning:

The Development Planning Department recommends approval of the application.
Please see Schedule C for Development Planning comments/conditions.

Development Engineering:

The Development Engineering (DE) Department does not object to variance application A230/21 subject to the following condition(s):

1. 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 to learn how to apply for lot grading and/or servicing approval.

1. As the proposed cabana in the subject property is 147.91 m2, the owner/ applicant needs to obtain a lot grading permit from Development Inspection and Lot Grading division of the City’s Development Engineering Department. Please note any in ground structure over 10 m2 requires a grading permit. Please contact COA application engineering reviewer after receiving the grading permit to clear the condition. (Condition attached)

Parks Development - Forestry:
No comments received to date.

By-Law and Compliance, Licensing and Permit Services:
No comments received to date

Development Finance:
No comment no concerns

Fire Department:
No comments received to date

Schedule A – Plans & Sketches

Schedule B – Public Correspondence
None

Schedule C - Development Planning & Agency Comments
Development Planning – Comments no conditions
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 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 Farzana.Khan@Vaughan.ca	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 to learn how to apply for lot grading and/or servicing approval.
2	TRCA Hamedeh Razavi 416-661-6600 x 5256 hamedeh.razavi@trca.ca	1. That the applicant provides the required fee amount of \$610.00 payable to the Toronto and Region Conservation Authority. 2. The applicant successfully obtains an after-the-fact permit pursuant to Ontario Regulation 166/06 from TRCA for the proposed works.

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

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 Ontario Land Tribunal (OLT) 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

Adriana MacPherson

T 905 832 8585 Extension 8360

E CofA@vaughan.ca

Schedule A: Plans & Sketches

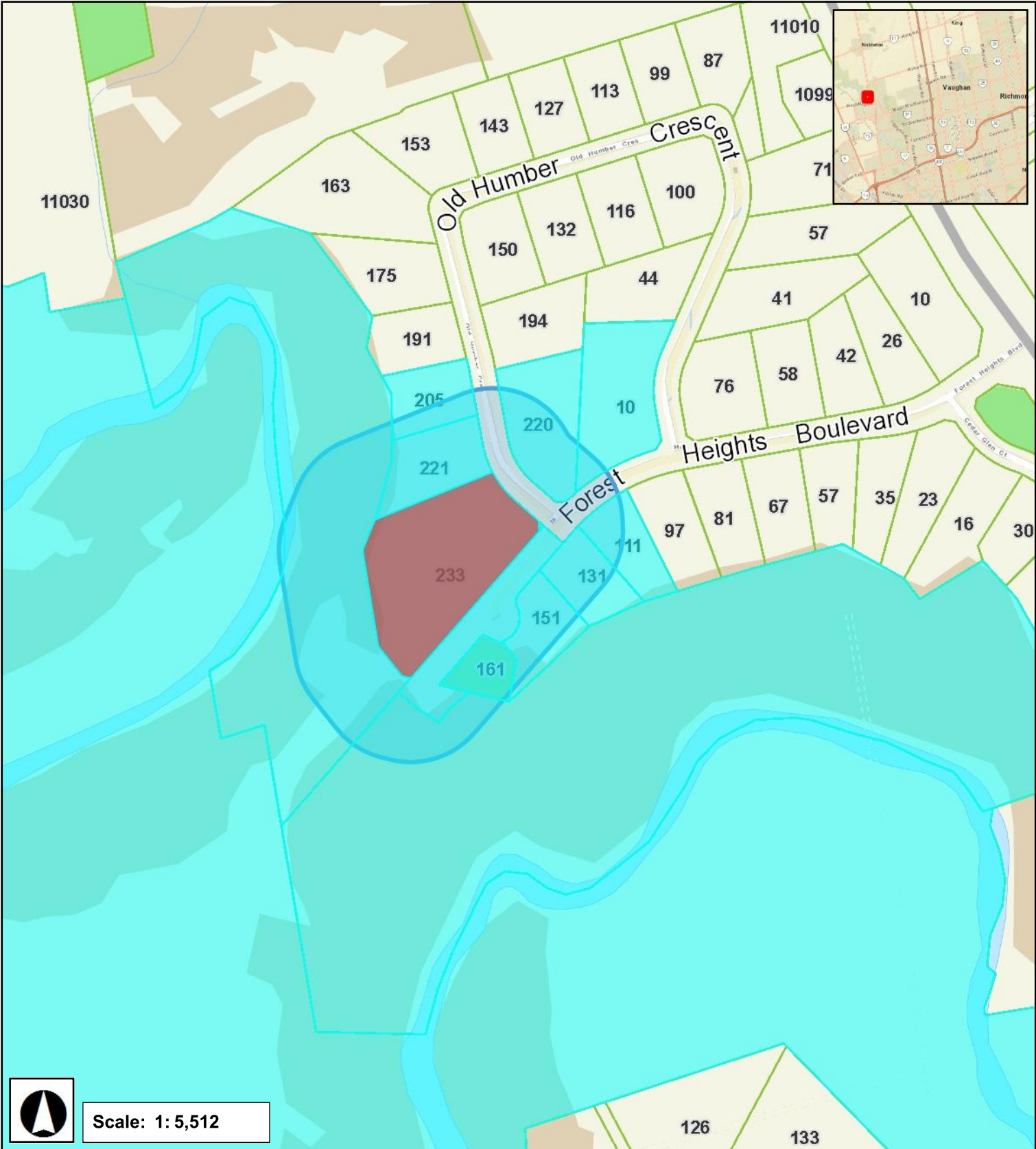
Please note that the correspondence listed in Schedule A is not comprehensive. Plans & sketches received after the preparation of this staff report will be provided as an addendum.

Location Map
Plans & Sketches



A230/21 - Notification Map

233 Old Humber Crescent, Kleinburg



Highway 27

Nashville Road

November 23, 2021 11:04 AM

Zoning By-law 01-2021

- 1. To permit the maximum height of an accessory building (Cabana) of 4.36 metres.
- 2. To permit a maximum area of an Accessory Building (Cabana) of 147.91 square metres in size.

Zoning By-law 1-88

- 3. To permit the maximum height of an accessory building (Cabana) of 5.5 metres.
- 4. To permit a maximum height of 3.22 metres to the nearest part of the roof of an Accessory Building (Cabana).
- 5. To permit a maximum area of an Accessory Building (Cabana) of 147.91 square metres in size.

A230/21

Design Group

PROJECT:

Cabana
ON
233 Old Humber Crescent
Woodbridge, ON L4H 3N5

DRAWING:

Site Plan

PLOTTED:

DATE:

PROJECT NO:

SCALE:

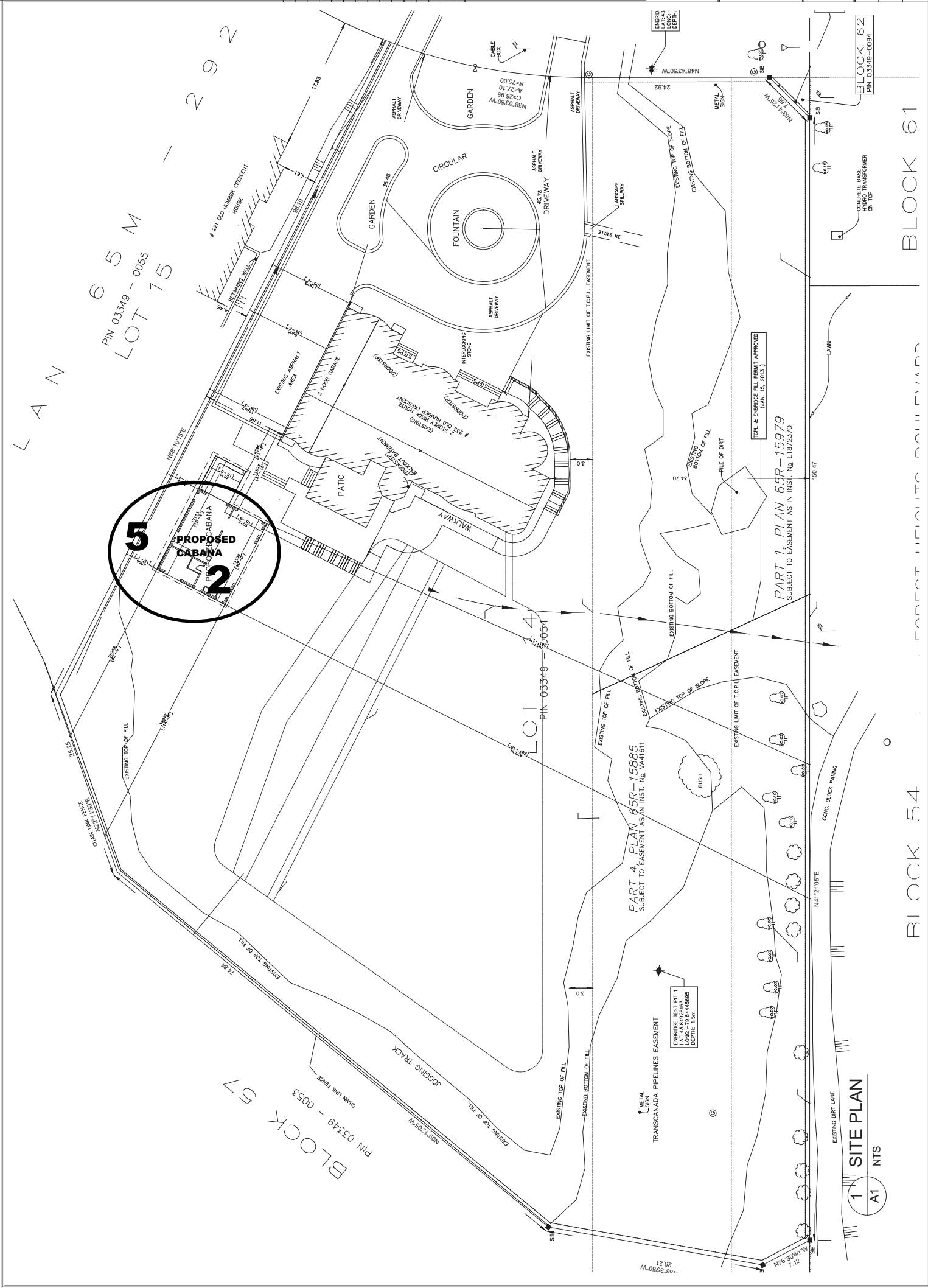
DRAWN BY:

AS NOTED

REVIEWED BY:

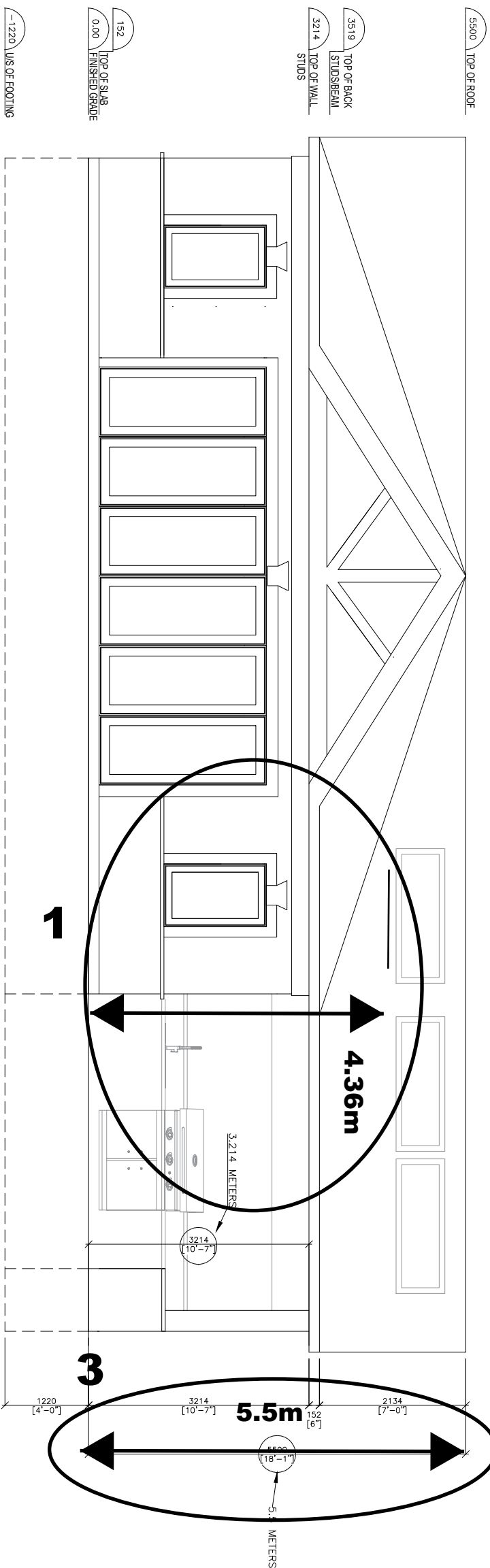
DRAWING NO:

A1



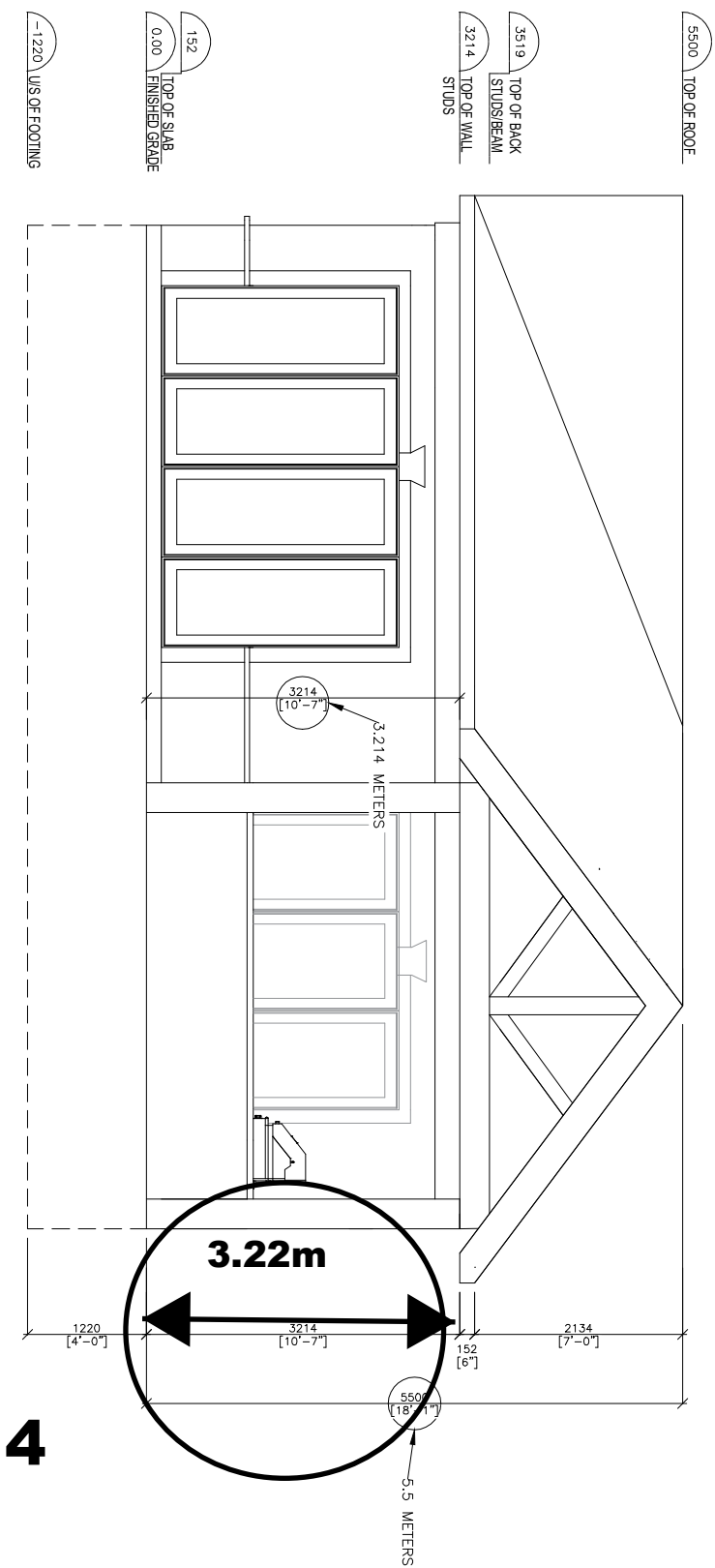
1 ELEVATION A

A3 1:75



1 ELEVATION A

A3 1:75



2 ELEVATION C

A3 1:75

No	DESIGNATION	
	REVISIONS	

ISSUED FOR CONSTRUCTION
ISSUED FOR BID
ISSUED FOR BUILDING PERMIT
ISSUED FOR SITE PLAN APPROVAL

SUBMITTALS

1

SUBMITTALS

CONTRACTORS MUST CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS ON THE PROJECT AND MUST REPORT ANY DISCREPANCIES TO THE DESIGNER BEFORE PROCEEDING WITH CONSTRUCTION.

THIS DRAWING MUST NOT BE USED FOR CONSTRUCTION PURPOSES UNTIL SEALED AND SIGNED BY THE DESIGNER.

DO NOT SCALE DRAWINGS.

**Square
Design
Group**

PROJECT:

Cabanac

ON

233 Old Humber Crescent

Woodbridge, ON L4H 3N5

DRAWING

ELEVATIONS

PLOTTED:

DATE: PROJECT No:

SCALE:

AS NOTED

DRAWN BY:	REVIEWED BY:
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A₃

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.-

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

To: Christine Vigneault, Committee of Adjustment Secretary Treasurer

From: Nancy Tuckett, Director of Development Planning

Date: December 08, 2021

Name of Owner: Rajbinder and Armaan Dhillon

Location: 233 Old Humber Crescent

File No.(s): A230/21

Proposed Variance(s) (By-law 01-2021):

1. To permit the maximum height of an accessory building (Cabana) of 4.36 m.
2. To permit a maximum area of an accessory building (Cabana) of 147.91 m² in size.

By-Law Requirement(s) (By-law 01-2021):

1. Section 4.1.4.1 requires the maximum building height to the mean height of an accessory building is 3 m.
2. Section 4.1.3.1 requires the maximum area of an accessory building of 67 m².

Proposed Variance(s) (By-law 1-88):

1. To permit the maximum height of an accessory building (Cabana) of 5.5 m.
2. To permit a maximum height of 3.22 m to the nearest part of the roof of an accessory building (Cabana).
3. To permit a maximum area of an accessory building (Cabana) of 147.91 m² in size.

By-Law Requirement(s) (By-law 1-88):

1. Section 4.1.1 b) requires the maximum building height required for any accessory building or structure shall be 4.5 m measured from the highest point.
2. Section 4.1.1 b) requires the maximum building height required to the nearest part of the roof of an accessory building is 3 m.
3. Section 4.1.1 a) requires the maximum area of an accessory building of 67 m².

Official Plan:

City of Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential"

Comments:

The Owner is proposing to construct a cabana in the rear yard with the above-noted variances.

The Development Planning Department has no objection to the requested variances for the proposed cabana. The proposed cabana meets the setback requirements under both Zoning By-law 1-88 and Zoning By-law 01-2021, is relatively small in comparison to the overall size of the lot, and the size and scale is consistent with accessory buildings built within the neighbourhood.

The subject lands are within an area of archaeological potential in the City's database of archaeological resources. As such, the Owner is advised that the following standard clauses apply:

- i. Should archaeological resources be found on the Subject Lands during excavation and construction activities, all work must cease, and both the Ontario Ministry of Heritage, Tourism, Sport and Culture Industries and the City of Vaughan's Planning Department shall be notified immediately.
- ii. In the event that human remains are encountered during construction activities, the Owner must immediately cease all construction activities. The Owner shall contact the York Regional Police Department, the Regional Coroner and the Bereavement Authority of Ontario of the Ministry of Government and Consumer Services

The subject property is partially located within the Toronto and Region Conservation Authority ('TRCA') Regulated Area. The TRCA has reviewed the application and have no

concerns with the proposed cabana, subject to the Owner receiving a permit from the TRCA pursuant to Ontario Regulation 166/06.

Accordingly, 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.

Recommendation:

The Development Planning Department recommends approval of the application.

Conditions of Approval:

If the Committee finds merit in the application, the following conditions of approval are recommended:

None

Comments Prepared by:

Michael Torres, Planner I

Chris Cosentino, Senior Planner

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

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

Email: tony.donofrio@alectrautilities.com

Adriana MacPherson

Subject: FW: A230/21 - Request for Comments (233 Old Humber Cres, Vaughan)

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

Sent: November-15-21 11:27 AM

To: Adriana MacPherson <Adriana.MacPherson@vaughan.ca>

Cc: Committee of Adjustment <CofA@vaughan.ca>

Subject: [External] RE: A230/21 - Request for Comments (233 Old Humber Cres, Vaughan)

Good Morning Adriana,

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

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 | www.york.ca

November 26, 2021

CFN 64195.35
XRef-CFN 36223.24, 37146, 45093.52, 48107

SENT BY E-MAIL: Christine.Vigneault@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 A230.21
233 Old Humber Crescent, PLAN 65M2928 Lot 14
City of Vaughan, Region of York
Owner: Rajbinder and Armaan Dhillon
Agent: Anthony Bartolini c/o Square Design Group**

This letter acknowledges receipt of the above-noted application circulated by the City of Vaughan. The materials were received by Toronto and Region Conservation Authority (TRCA) on November 11, 2021. TRCA staff has reviewed the above noted application, and as per the "Living City Policies for Planning and Development within the Watersheds of the TRCA" (LCP), provides the following comments as part of TRCA's commenting role under the *Planning Act*; the Authority's delegated responsibility of representing the provincial interest on natural hazards encompassed by Section 3.1 of the *Provincial Policy Statement, 2020*; TRCA's Regulatory Authority under Ontario Regulation 166/06, *Development, Interference with Wetlands and Alterations to Shorelines and Watercourses*; and, our Memorandum of Understanding (MOU) with the Region of York, wherein we provide technical environmental advice related to provincial plans.

Purpose of the Application

It is our understanding that the purpose of the above noted application is to request the following variances under both the By-Law 01-2021 and 1-88:

By-Law 01-2021

1. To permit the maximum height of an accessory building (Cabana) of 4.36 metres, whereas the maximum building height to the mean height of Accessory Building of 3.0 metres is required.
2. To permit a maximum area of an Accessory Building (Cabana) of 147.91 square metres in size, whereas the maximum area of an Accessory Building of 67.0 square metres is required.

By-Law 1-88

1. To permit the maximum height of an accessory building (Cabana) of 5.5 metres, Whereas the maximum building height for any accessory building or structure shall be 4.5 metres measured from the highest point.
2. To permit a maximum height of 3.22 metres to the nearest part of the roof of an Accessory Building (Cabana), whereas the maximum building height to the nearest part of the roof of an Accessory Building is 3.0 metres.
3. To permit a maximum area of an Accessory Building (Cabana) of 147.91 square metres in size, whereas the maximum area of an Accessory Building of 67.0 square metres is required.

The noted variances are being requested to facilitate the construction of a non-habitable accessory structure (cabana).

Ontario Regulation 166/06

The subject property is partially located within TRCA's regulated area due to the presence of a valley corridor associated with the Main Humber River on the west 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.

Application-Specific Comments

Based on a review of TRCA's current regulation mapping, the proposed cabana is located within TRCA's Regulated Area. The physical top of bank (TOB) coincides with the 213.5 metre above sea level (masl) contour on the northside of the property and the 212 masl contour on the south of the site based on available topographic information. The proposed cabana is approximately 9 metres away from the TOB. As such, TRCA staff do not have any objections to the currently proposed works and above noted variances. However, since the structure is located within TRCA's Regulated Area, a permit pursuant to Ontario Regulation 166/06 is required.

Based on a review of historic mapping, it appears that the subject works were initiated between 2018 and 2019, prior to TRCA issuance of a permit. The works will have to be authorized through an after-the-fact permit. A list of TRCA's after-the-permit requirements has been provided in Appendix 'A' for the applicant's reference.

Fees

By copy of this letter, the applicant is advised that the application is subject to a \$610.00 (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 A230.21, subject to the following condition:

1. That the applicant provides the required fee amount of \$610.00 payable to the Toronto and Region Conservation Authority.

2. The applicant successfully obtains an after-the-fact permit pursuant to Ontario Regulation 166/06 from TRCA for the proposed works.

TRCA trusts these comments are of assistance. Should you have any questions, please contact the undersigned at extension 5256 or at Hamedeh.Razavi@trca.ca

Sincerely,



Hamedeh Razavi
Planner I
Development Planning and Permits
HR/mh

TRCA Permit Application Requirements

In order to initiate TRCA permit application process, the following materials at the minimum would need to be submitted to our office via Hamedeh.Razavi@trca.ca:

1. Complete Application for Development, Interference with Wetlands & Alterations to Shorelines & Watercourses.

2. The following plans/drawings:

- Site plan showing location and dimension of all proposed works, the top of bank delineation and the setback between the proposed works and the top of bank.
- Grading Plan, if no changes in grading is proposed, please add a note to the site plan indicating the same.
- Planting Plan. if any planting is proposed please ensure they are native non-invasive to TRCA's jurisdiction. For native species within TRCA jurisdiction, please see species ranked L1 to L5 on the following table: https://s3-ca-central-1.amazonaws.com/trcaca/app/uploads/2019/07/08142613/2019_Flora_Ranks_Scores.pdf
- Erosion and Sediment Control Plan.

3. The legal survey of the subject property; and,

4. permit review fee of \$990.00 (*Works on Private Residential Property - Minor*), plus a 100% premium levied for undertaking works without a permit.

Schedule D: Previous Approvals (Notice of Decision)

None