

# Memorandum to the City of Markham Committee of Adjustment

August 16, 2021

**File:** A/106/21  
**Address:** 14 Denby Court – Markham, ON  
**Applicant:** Jey Anandarajan  
**Hearing Date:** August 25, 2021

The following comments are provided on behalf of the Central Team. The applicant is requesting relief from the following “Fourth Density Semi-Detached Residential (RSD4)” zone requirements under By-law 134-79, as amended, as it relates to a rear yard addition. The requested variance is to permit:

**a) By-law 134-79, Sec. 8.2:**

a minimum rear yard setback of 6.84 m (22.44 ft), whereas the by-law permits a minimum rear yard setback of 7.50 m (24.61 ft).

## **Property Description**

The subject property is an irregular pie shaped lot located on the north side of Denby Court, north of Highway 7 East, east of Main Street Unionville, and west of Kennedy Road. The property is currently developed with a two-storey detached dwelling, which backs onto an open space area (Denby Valley). The property is situated along a court within a stable residential area that is comprised of detached dwellings.

## **Proposal**

The applicant is proposing to construct a two-storey rear yard addition to the existing dwelling, and is seeking relief from the minimum rear yard setback. The addition would have a gross floor area (GFA) of approximately 31.81 m<sup>2</sup> (342.40 ft<sup>2</sup>), divided equally above grade to accommodate a new great room on the ground floor and a new master bedroom on the second floor.

## **Official Plan and Zoning**

Official Plan 2014 (partially approved on November 24/17, and updated on April 9/18)

The subject property is designated “Residential Low Rise”, which provides for low rise housing forms including single detached dwellings.

## Zoning By-Law 134-79

The subject property is zoned “Fourth Density Semi-Detached Residential (RSD4)” under By-law 134-79, as amended, which permits one single detached or semi-detached dwelling per lot. The proposed development does not comply with the by-law with respect to the minimum rear yard setback requirement.

## **Zoning Preliminary Review (ZPR) Not Undertaken**

The applicant has confirmed that a ZPR has not been conducted. However, the applicant has received comments from the zoning staff through their building permit process to confirm the variance required for the proposed development.

## **COMMENTS**

The *Planning Act, R.S.O. 1990, c. P. 13, as amended* states that four tests must be met in order for a variance to be granted by the Committee of Adjustment (“the Committee”):

- a) The variance must be minor in nature;
- b) The variance must be desirable, in the opinion of the Committee, for the appropriate development or use of land, building or structure;
- c) The general intent and purpose of the Zoning By-law must be maintained;
- d) The general intent and purpose of the Official Plan must be maintained.

### **Reduction in Rear Yard Setback**

The applicant is requesting a minimum rear yard setback of 6.84 m (22.44 ft), whereas the By-law requires a minimum rear yard setback of 7.50 m (24.61 ft). This is a reduction of 0.66 m (2.17 ft).

As previously noted, the property is irregular in shape, which is partially due to the angular rear lot line. The majority of the dwelling's rear building line would comply with the minimum rear yard setback, save and except for a small portion at the northwest corner, which is caused by a pinch point in the rear yard (see Site Plan in Appendix "B"). Staff are of the opinion that the requested variance is minor in nature and have no objections.

### **TRCA Comments**

The subject property is located partially within and adjacent to a flood plain associated with the Rouge River Watershed, which is regulated by the Toronto Region and Conservation Authority (TRCA). The TRCA provided comments on August 3, 2021 (Appendix "C"), indicating that the proposed addition is located within TRCA's regulated area. The TRCA has no objections to the minor variance application, provided that the applicant obtains a conservation permit and remits the associated application fee. A condition requiring the applicant to satisfy the TRCA's requirements has been included in Appendix "A" to be attached to any approval of this application.

### **PUBLIC INPUT SUMMARY**

No written submissions were received as of August 16, 2021. It is noted that additional information may be received after the writing of the report, and the Secretary-Treasurer will provide information on this at the meeting.

### **CONCLUSION**

Planning staff have reviewed the application with respect to Section 45(1) of the *Planning Act*, and are of the opinion that the variance request meets the four tests. Staff recommend that the Committee consider public input in reaching a decision. The onus is ultimately on the applicant to demonstrate how they satisfy the tests of the *Planning Act* required for the granting of minor variances.

### **APPENDICES**

Appendix "A" – Conditions of Approval

Appendix "B" – Plans

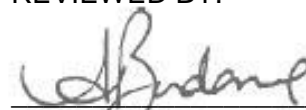
Appendix "C" – TRCA Comments: August 3, 2021

PREPARED BY:



Aleks Todorovski, Planner, Zoning and Special Projects

REVIEWED BY:



Sabrina Bordone, Senior Planner, Central District

**APPENDIX "A"**

**CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/106/21**

1. The variance applies only to the proposed development as long as it remains.
2. That the variance applies only to the proposed development, in substantial conformity with the batch stamped plans attached as Appendix "B" to this Staff Report, and that the Secretary-Treasurer receive written confirmation from the Director of Planning and Urban Design or designate that this condition has been fulfilled to his or her satisfaction.
3. That the applicant satisfies the requirements of the TRCA, financial or otherwise, as indicated in their letter to the Secretary-Treasurer attached as Appendix "C" to this Staff Report, and that the Secretary-Treasurer receive written confirmation that this condition has been fulfilled to the satisfaction of the TRCA.

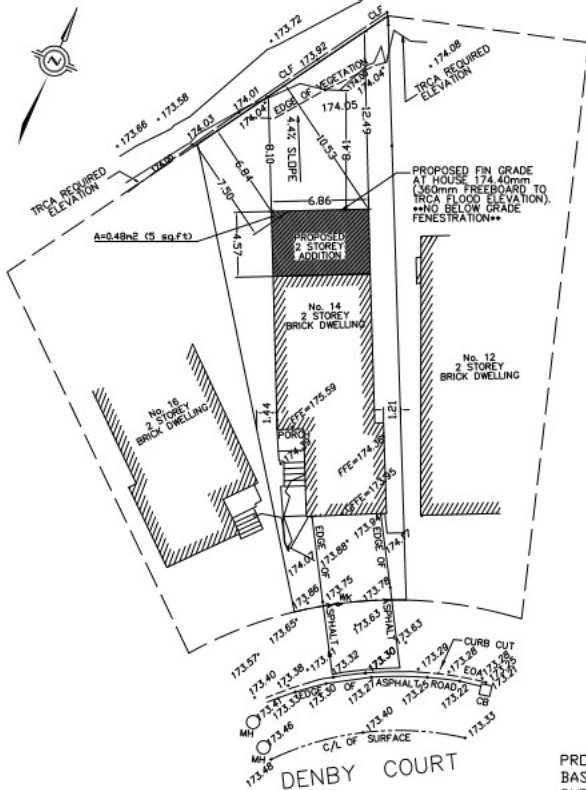
CONDITIONS PREPARED BY:

A handwritten signature in black ink, appearing to read 'Aleks Todorovski', is written over a horizontal line.

Aleks Todorovski, Planner, Zoning and Special Projects

**APPENDIX “B”**

**PLANS TO BE ATTACHED TO ANY APPROVAL OF FILE A/106/21**



SITE PLAN

PROPERTY AND BUILDING DETAILS  
BASED ON J. D. BARNES LIMITED  
SURVEY DWG 21-21-617-00  
DATED MAY 31, 2021

PROPERTY DATA  
ADDRESS: 14 DENBY CT  
ZONING BY LAW: 134-7  
ZONING DESIGNATION: RSD-4  
LOCATED IN: TRCA SCREENING ZONE

## Appendix B

File: 21.130240.000.00.MNV

LOT COVERAGE ANALYSIS

PROPERTY AREA = 423m<sup>2</sup>

EXISTING HOUSE AREA = 113m<sup>2</sup>

HOUSE ADDITION AREA = 113m<sup>2</sup>

TOTAL PROPOSED LOT COVERAGE

145m<sup>2</sup>/423m<sup>2</sup> = 0.343 = 34.3%

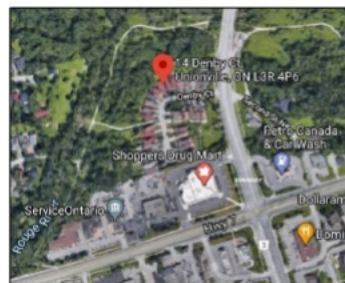
Date: 08/18/21  
MM/DD/YY

PROPOSED ADDITION SETBACKS

FRONT YARD = NO CHANGE

REAR YARD = VARIES 10.53m TO 6.84m

SIDE YARD = 1.21m (EAST), 1.44m (WEST)



KEY PLAN

General Notes		
2	UPDATED PER J. D. BARNES SURVEY, INCLUDING TRCA CONTOUR ELEV. 174.04	11/17/21
1	ISSUED FOR PERMIT APPLICANT	11/16/21
0	DRAFT FOR ZONING REVIEW	11/11/21
No.	Revision/Issue	Date

Project Name and Address	
ANANDARAJAN RESIDENCE 14 DENBY CT. MARKHAM PROPOSED REAR ADDITION	

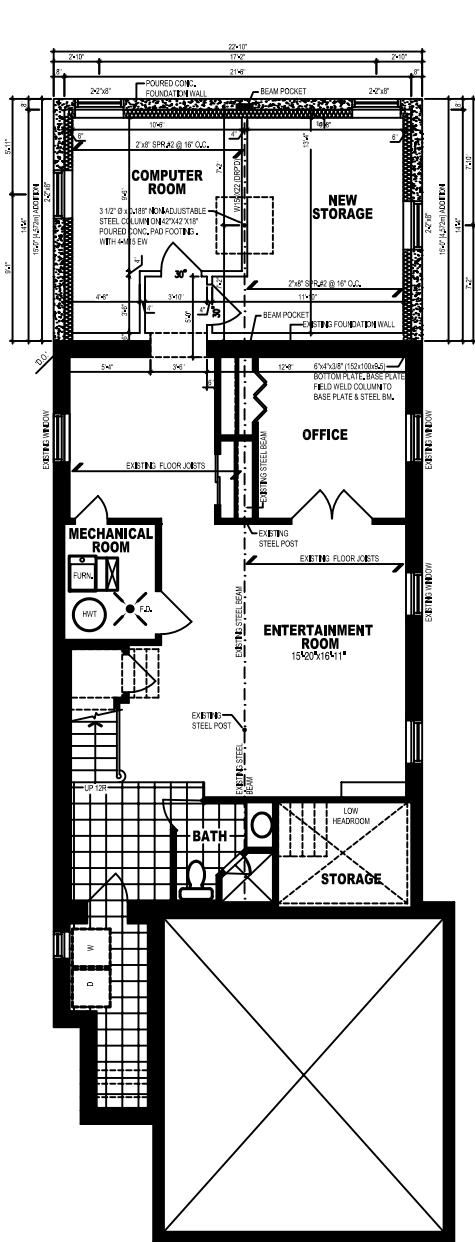
Project	
Rev	JAN 2021
Rev	N.T.S.

Sheet	
Rev	SP-01
Rev	N.T.S.

Appendix B

File: 21.130240.000.00.MNV

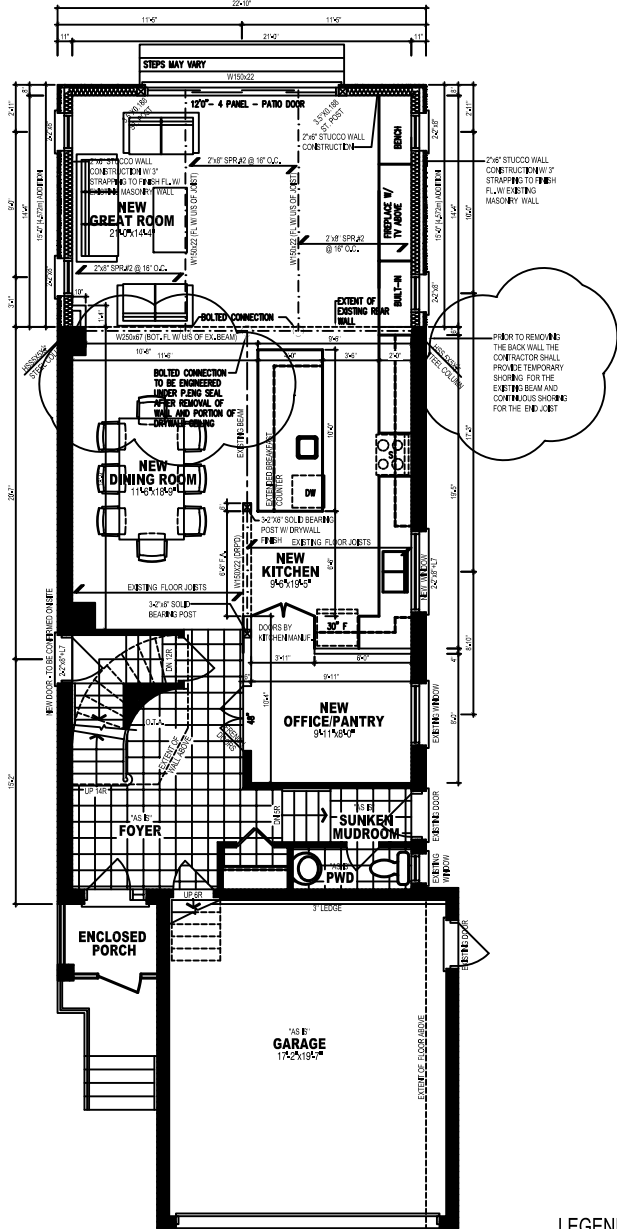
Date: 08/18/21  
MM/DD/YY



PROPOSED BASEMENT PLAN  
AREA OF ADDITION = 342.5 sf  
SCALE : 3/16"=1'-0"

LEGEND

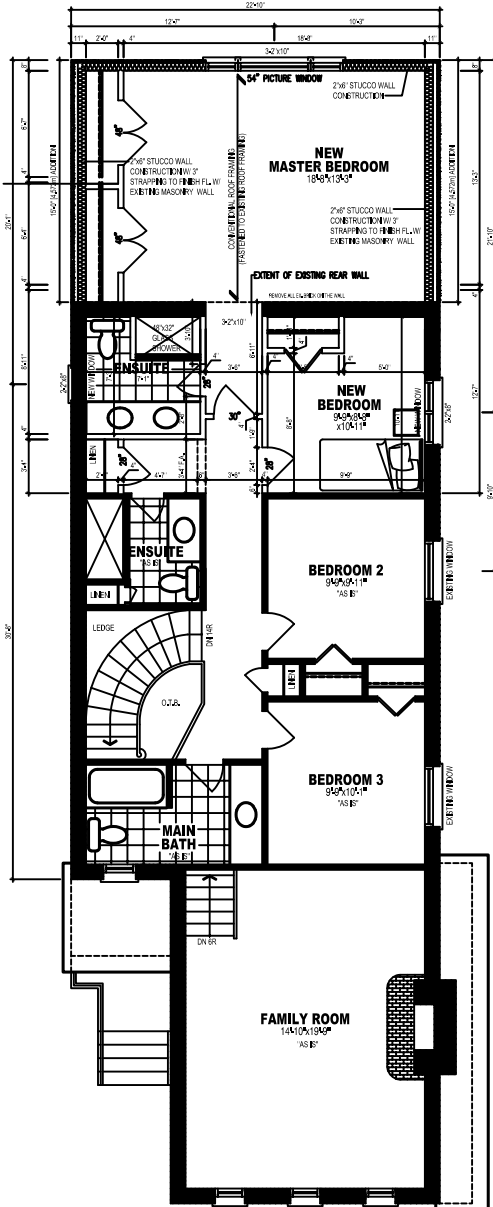
EXISTING WALLS



PROPOSED GROUND FLOOR PLAN  
AREA OF ADDITION = 342.5 sf  
SCALE : 3/16"=1'-0"

LEGEND

EXISTING WALLS



PROPOSED SECOND FLOOR PLAN  
AREA OF ADDITION = 342.5 sf  
SCALE : 3/16"=1'-0"

LEGEND

EXISTING WALLS

NOTES:



NO	REVISION	DATE	BY	ACCEPTED	DATE
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COOPERATOR:

OWNER/CLIENT:

PROJECT:

14 DENBY COURT

DRAWING TITLE:

FLOOR PLAN



HILAND ENGINEERING INC  
3980 14TH AVE UNIT 802  
MARKHAM ONTARIO  
L3R 0A9  
947-289-2918  
info@hiland.ca

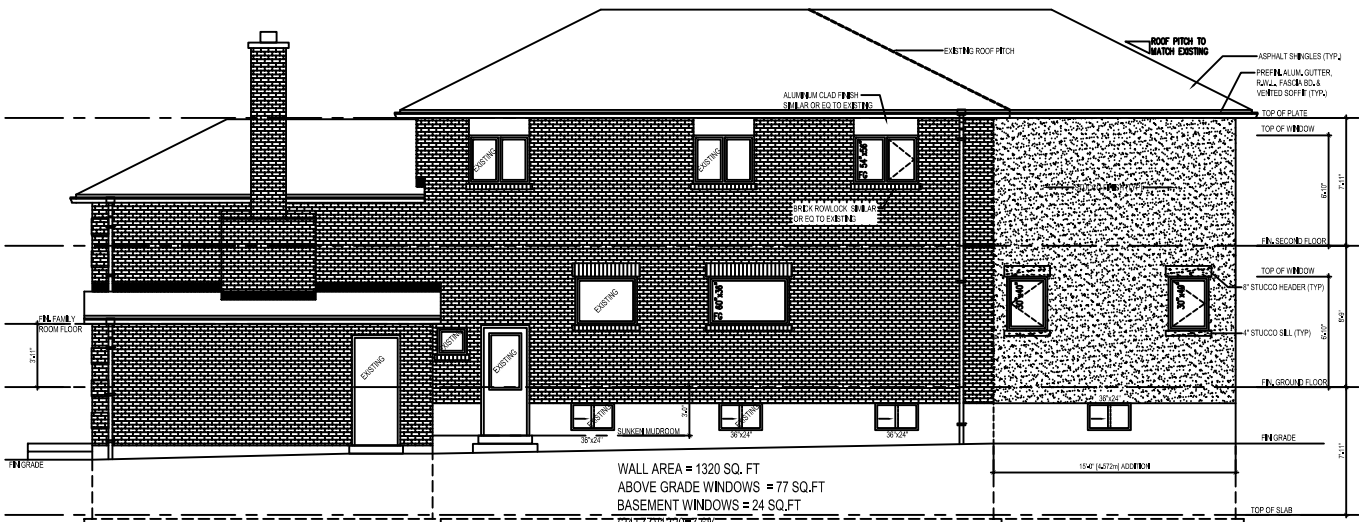
SEAL

SCALES: 3/16"=1'  
DRAWN BY: RZ  
CHECKED BY: RZ  
DATE: APRIL 2021  
PROJECT No: 21063-099  
DRAWING No: A00

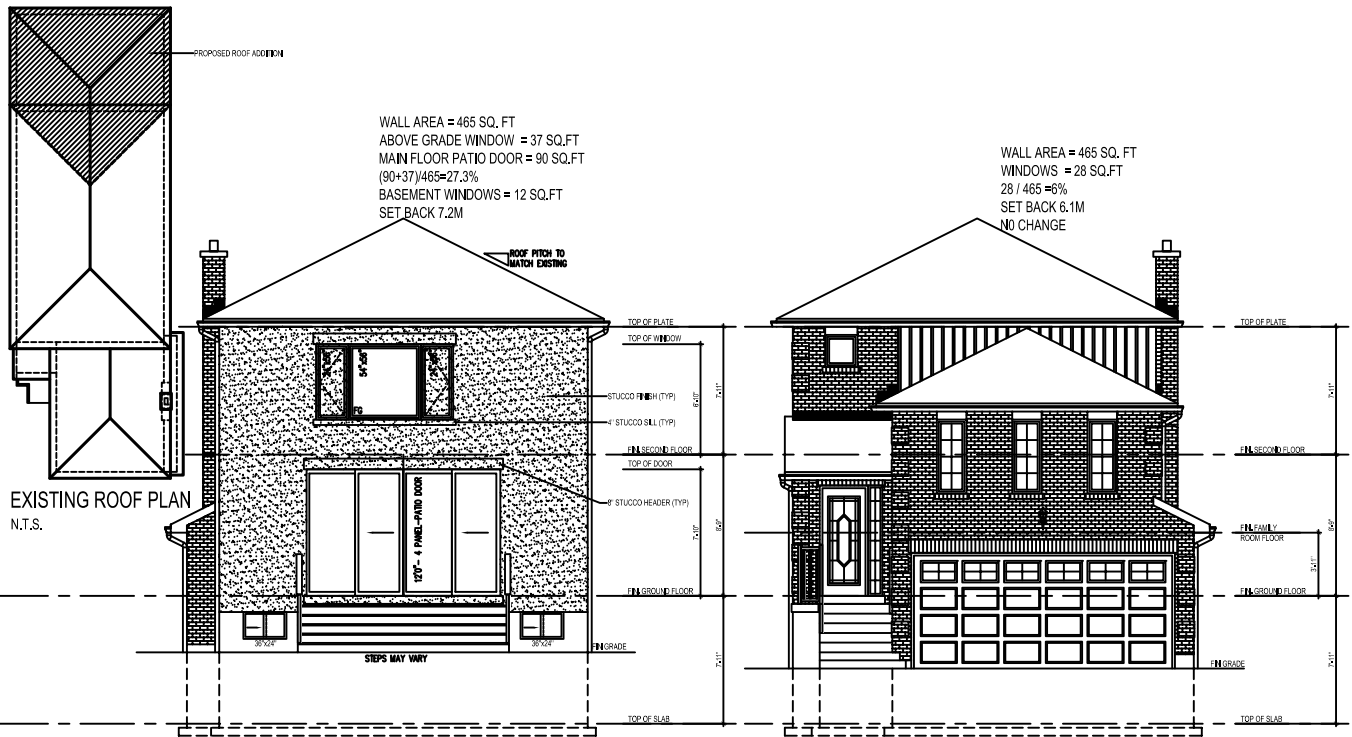
Appendix B

File: 21.130240.000.00.MNV

Date: 08/18/21  
MM/DD/YY



PROPOSED RIGHT SIDE ELEVATION



PROPOSED REAR ELEVATION

EXISTING FRONT ELEVATION

Excavation and Backfill

- Excavation shall be undertaken in such a manner so as to prevent damage to existing structures, adjacent property and utilities
- The topsoil and vegetable matter in unexcavated areas under a building shall be removed. The bottom of excavations for foundations shall be free of all organic material
- If termites are known to exist, all stumps, roots and wood debris shall be removed to a minimum depth of 11 3/4" in excavated areas under a building, and the clearance between untreated structural wood elements and the ground shall be no less than 17 3/4"
- Backfill within 23 5/8" of the foundation walls shall be free of deleterious debris and boulders over 9 7/8" in diameter

Dampproofing and Drainage

- In normal soil conditions, the exterior surfaces of foundation walls enclosing basements and crawl spaces shall be dampproofed. Where hydrostatic pressure occurs, a waterproofing system is required
- Masonry foundation walls shall be parged with 1/4" of mortar covered over the footing prior to dampproofing
- 4" dia. foundation drains shall be laid on level, undisturbed ground adjacent to the footings at or below the top of the basement slab or crawl space floor, and shall be covered with 6" of crushed stone. Foundation drains shall drain to a storm sewer, drainage ditch, dry well or sump
- Window wells shall be drained to the footing level or to a ditch or sump pump.
- Downspouts not directly connected to a storm sewer shall have extensions to carry water away from the building, and provisions shall be made to prevent soil erosion
- Concrete slabs in attached garages shall be sloped to drain to the exterior
- The building site shall be graded so that surface, sump and roof drainage will not accumulate at or near the building and will not adversely affect adjacent properties

Footings

- minimum 2200 psi poured concrete
- minimum 48" below finished grade
- Footings shall be founded on natural undisturbed soil, rock or compacted granular fill with minimum bearing capacity of 1570 psf 2090 psf for ICF

Footing Size

Floors Supported	Supporting Ext. Wall	Supporting Int. Wall	Column Area
1	9 7/8"	7 7/8"	4.3 ft <sup>2</sup>
2	13 3/4"	13 3/4"	8.1 ft <sup>2</sup>
3	17 3/4"	19 3/4"	10.8 ft <sup>2</sup>

- Increase exterior footing width by 2 5/8" for each storey of brick veneer supported, by 5 1/8" for each storey of masonry and by 6" for ICF
- Increase interior footing width by 4" for each storey of masonry above footing, and by 4" for each 8"-10" of wall height above 18'-0"

- The projection of an unreinforced footing beyond the wall supported shall not be greater than its thickness

Step Footings

- 23 5/8" max. rise
- 23 5/8" min. run

Foundation Walls

- To be poured concrete, unit masonry, ICF or preserved wood (see drawings for type and thickness)
- Dampproofing shall be a heavy coat of bituminous material.
- Foundation wall to extend minimum 8" above finished grade.
- A drainage layer is required on the outside of a foundation wall where the interior insulation extends more than 2'-11" below exterior grade. A drainage layer shall consist of
  - Min. 3/4" mineral fibre insulation with min. Density of 3.60 lb/ft<sup>3</sup>
  - Min. 4" of free drainage granular material, or
  - An approved system which provides equivalent performance
- Foundation walls shall be braced or have the floor joists installed before backfilling

Concrete Floor Slabs

- Garage, carport and exterior slabs and exterior steps shall be 4650 psi concrete with 5-8% air entrainment
- Basement slab 3600 psi concrete, minimum 4" thick, placed on a minimum 4" of coarse, clean, granular material
- All fill other than coarse clean material placed beneath concrete slabs shall be compacted to provide uniform support

Masonry Walls

- Where constructed of 3 1/2" brick, wall shall be bonded with a header course every 23 5/8" o/c vertically and horizontally and 2'-11" o/c for block or tile.
- Provide 2" solid masonry, concrete filled top course or continuous 2"x4" wood plate under all roof and floor framing members
- Provide 7 1/2" solid masonry under beams and columns
- Masonry wall to be tied to each tier of joists with 1 9/16" x 3/16" corrosion resistant steel straps, keyed minimum 4" into masonry. When joists are parallel to wall, ties are to extend across at least 3 joists @ 6'-7"
- Inside of wall to be parged and covered with No. 15 breather-type asphalt paper
- For reduced foundation walls to allow a brick facing while maintaining lateral support, tie minimum 3 1/2" brick to minimum 3 1/2" back-up block with corrosion resistant ties at least 0.028 in. <sup>2</sup> in cross sectional area, spaced 7 7/8" vertically and 2'-11" horizontally, with joints completely filled with mortar
- Masonry over openings shall be supported on corrosion resistant or prime painted steel lintels with a minimum o6" end bearing

NOTES:



NO	REVISION	DATE	BY	ACCEPTED	DATE
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COOPERATOR:

OWNER/CLIENT:

PROJECT:

14 DENBY COURT

DRAWING TITLE:

FRONT AND REAR ELEVATION



HILAND ENGINEERING INC  
3950 14TH AVE UNIT 802  
MARKHAM ONTARIO  
L3R 0A9  
947-289-2918  
info@hiland.ca

SEAL

SCALES: 3/16"=1'

DRAWN BY: RZ

CHECKED BY: RZ

DATE: APRIL 2021

PROJECT No: 21063-099

DRAWING No: A01

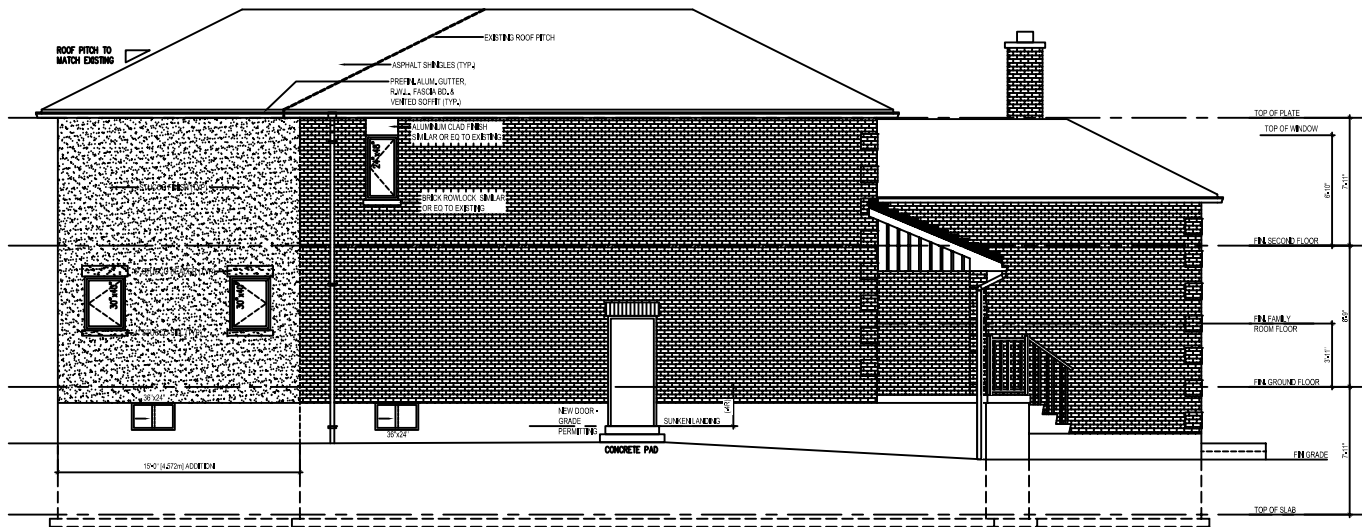


Appendix B

File: 21.130240.000.00.MNV

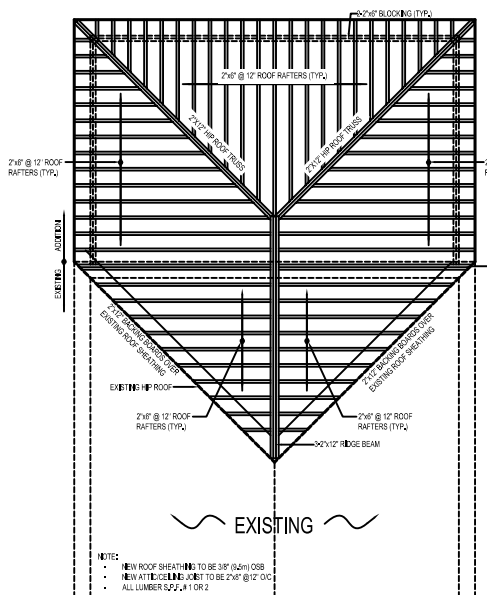
Date: 08/18/21

MM/DD/YY

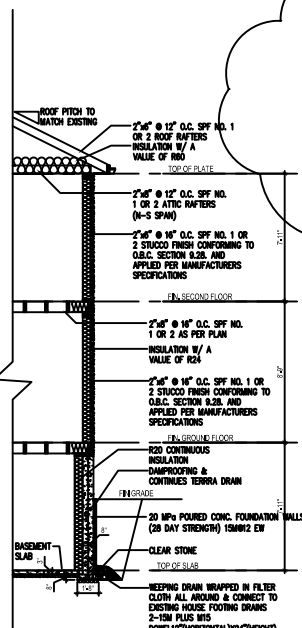


PROPOSED LEFT SIDE ELEVATION

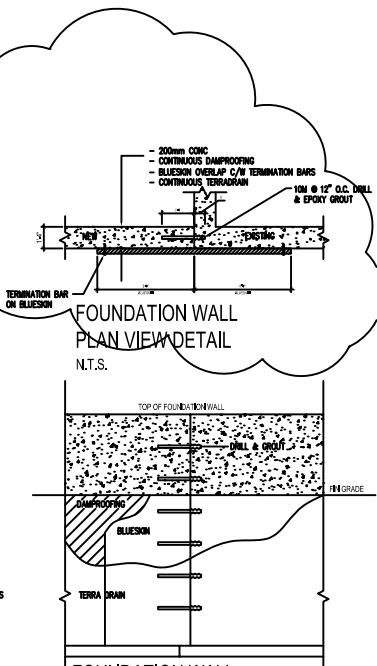
WALL AREA = 1320 SQ. FT  
ABOVE GRADE WINDOWS = 25 SQ. FT  
BASEMENT WINDOWS = 12 SQ. FT  
SET BACK 2.0M  
ALLOWABLE 8%  
(12+25)/1320=2.8%



PARTIAL ROOF PLAN W/ STRUCTURE



TYPICAL EXTERIOR WALL SECTION



FOUNDATION WALL  
PLAN VIEW DETAIL  
N.T.S.

Wood Frame Construction

- All lumber shall be spruce-pine-fir No. 1 & 2, and shall be identified by a grade stamp
- Maximum moisture content 19% at time of installation
- Wood framing members which are supported on concrete in direct contact with soil shall be separated from the concrete with 6 mil polyethylene or type 'S' roll roofing

Walls

- Exterior walls shall consist of:
  - cladding
  - air barrier system lapped 4" at joints
  - lumber, plywood, OSB or gypsum sheathing
  - 2"x6" studs @16" o.c.
  - R24 insulation
  - 2"x6" bottom plate
  - 2"x6" double top plate
- Interior loadbearing walls shall consist of:
  - 2"x4" studs @16" o.c.
  - 2"x4" bottom plate and double 2"x4" top plate
  - 2"x4" mid-girts if not sheathed
  - 1/2" gypsum board sheathing

Floors

- See floor plans for floor joist size and spacing requirements
- Joists to have minimum 2" of end bearing
- Joists shall bear on a sill plate fixed to foundation with 1/2" anchor bolts @ 7'-10" o.c
- Header joists between 4'-0" and 10'-6" in length shall be doubled. Header joists exceeding 10'-6" shall be sized by calculations
- Trimmer joists shall be doubled when supported header is between 2'-7" and 6'-7" Trimmer joists shall be sized by calculations when supported header exceeds 6'-7"
- 1 1/2" x 1 1/2" cross bridging required not more than 6'-10" from each support and from other rows of bridging
- Joists shall be supported on joist hangers at all flush beams, trimmers, and headers.
- Non-loadbearing partitions shall be supported on a joist or on blocking between joists.
- See section/details for subflooring requirements

Roof & Ceilings

- See floor plans for rafter, roof joist and ceiling joist size and spacing requirements
- Hip and valley rafter shall be 2" deeper than common rafters
- 2"x4" collar ties @ rafter spacing with 1"x4" continuous brace at mid span if collar tie exceeds 7'-10" in length
- See section/details for roof sheathing requirements

Notching & Drilling of Trusses, Joists, Rafters

- Holes in floor, roof and ceiling members to be not larger than 1/4 the actual depth of member and not less than 2" from edges
- Notches in floor, roof and ceiling members to be located on top of the member within 1/2 the actual depth from the edge of bearing and not greater than 1/3 the joist depth
- Wall studs may be notched or drilled provided that no less than 2/3 the depth of the stud remains, if load bearing, and 1 9/16" if non-load bearing
- Roof truss members shall not be notched, drilled or weakened unless accommodated in the design

Roofing

- Fasteners for roofing shall be corrosion resistant. Roofing nails shall penetrate through or at least 1/2" into roof sheathing
- Every asphalt shingle shall be fastened with at least 4 nails for 3'-3" wide shingle (o6 7/16" staples)
- Eave protection shall extend 2'-11" up the roof slope from the edge, and at least 11 3/4" from the inside face of the exterior wall, and shall consist of Type M or Type S Roll Roofing laid with minimum head and end laps cemented together, or glass fibre or Polyester fibre coated base sheets, or self sealing composite membranes consisting of modified bituminous coated material or NO.15 saturated felt lapped and cemented. Eave protection is not required for unheated buildings, for roofs exceeding a slope of 1 in 1.5, or where a low slope asphalt shingle application is provided
- Open valleys shall be flashed with 2 layers of roll roofing, or 1 layer of sheet metal min. 23 5/8" wide
- Flashing shall be provided at the intersection of shingle roofs with exterior walls and chimneys
- Sheet metal flashing shall consist of not less than 1/16" sheet lead, 0.013" galvanized steel, 0.013" copper, 0.014" zinc, or 0.019" aluminum

Columns, Beams & Lintels

- Steel beams and columns shall be shop primed 350W steel.
- Minimum 3 1/2" end and bearing for wood and steel beams, with 7 7/8" solid masonry beneath the beam.
- Steel columns to have minimum outside diameter of 2 7/8" and minimum wall thickness of 3/16"
- Wood columns for carports and garages shall be minimum 1 1/2" x 3 1/2" all other cases either 5 1/2" x 5 1/2" or 7 1/4" round, unless calculations based on actual loads show lesser sizes are adequate. All columns shall be not less than the width of the supported member
- Masonry columns shall be a minimum of 1 3/8" x 11 3/8" or 9 1/2" x 15"
- Provide solid blocking the full width of the supported member under all concentrated loads

CONCRETE NOTES:

- ALL CONCRETE TO HAVE A MINIMUM TWENTY EIGHT (28) DAY COMPRESSIVE STRENGTH AS NOTED ON CONCRETE SCHEDULE DATA

STEEL CONSTRUCTION NOTES:

- ALL STRUCTURAL STEEL SHALL CONFORM TO C.S.A. G40.21/42 WITH A MINIMUM YIELD STRENGTH OF 350 MPa.
  - STRUCTURAL STEEL DETAILING AND CONNECTIONS TO CONFORM TO C.S.A. CAN S-16/14-14
- ALL WELDING SHALL BE IN CONFORMANCE WITH C.S.A. W59-M1989 AND TO THE REQUIREMENTS OF W47.1/42 AND SHALL UTILIZE E480X ELECTRODES.

WOOD CONSTRUCTION NOTES:

- ALL "T" JOIST AND "LVL" SHALL BE ENGINEERED.
- CONTRACTOR TO INSTALL "T" JOIST AND "LVL" IN STRICT COMPLIANCE WITH MANUFACTURE'S REQUIREMENTS WITH REGARD TO BEARING, LATERAL SUPPORT, CONNECTOR DETAILS, CUTTING AND MODIFICATION ETC.
- ALL WOOD FRAMING AND CONSTRUCTION (B.NAILING, BLOCKING, BRIDGING, BEARING ETC.) SHALL COMPLY WITH CBC - SECTION 9.2.3 WOOD FRAME CONSTRUCTION. WOOD MATERIAL SHALL BE MINIMUM NO. 2 & BTR GRADE SPRUCE.
- ALL PLYWOOD SHALL BE STAMPED EXTERIOR GRADE.

NOTES:



NO	REVISION	DATE	BY	ACCEPTED	DATE

COOPERATOR:

OWNER/CLIENT:

PROJECT:

14 DENBY COURT

DRAWING TITLE:

SIDE ELEVATION AND DETAIL



HILAND ENGINEERING INC  
3950 14TH AVE UNIT 802  
MARKHAM ONTARIO  
L3R 0A9  
947-289-2818  
info@hiland.ca

SCALES: 3/16"=1'  
DRAWN BY: RZ  
CHECKED BY: RZ  
DATE: APRIL 2021  
PROJECT No: 21063-099  
DRAWING No: A02



**APPENDIX “C”**

**TRCA COMMENTS: AUGUST 3, 2021**

August 3, 2021

CFN 64187.11

**Uploaded to E-Plan**

Justin Leung  
Secretary-Treasurer – Committee of Adjustment  
City of Markham  
101 Town Centre Blvd.  
Markham ON L3R 9W3

Dear Mr. Leung:

**Re: Minor Variance Application A/106/21**  
**14 Denby Court, Markham**  
**Owner: Jey Anandarajan**

This letter acknowledges receipt of the above noted Minor Variance Application in the City of Markham, circulated to Toronto and Region Conservation Authority (TRCA) on July 19, 2021. TRCA staff have 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 where we advise our municipal partners on matters related to Provincial Policies relevant to TRCA’s jurisdiction. A list of the documents received and reviewed can be found in Appendix ‘A’ of this letter.

**Purpose of the Application**

It is our understanding that the purpose of the application is to request relief from By-law 134-79, as amended, as it relates to a proposed addition to the rear portion of the existing dwelling:

- a) **By-law 134-79, Sec. 8.2:** to allow rear yard setback of 6.84m, whereas the by-law permits minimum rear yard setback of 7.5m.

**Applicable Policies and Regulations**  
**Provincial Policy Statement (2020)**

The Provincial Policy Statement 2020 (PPS) provides policy direction on matters of provincial interest related to land use planning and development. According to subsections 3 (5) and (6) of the *Planning Act*, as amended, all planning decisions made by a municipality and all comments provided by the TRCA shall be consistent with the PPS.

Section 2.1 provides policies for the protection of natural features and areas. It is of note that Section 2.1.8 of the PPS states that development and site alteration shall not be permitted on lands

adjacent to certain natural features or areas unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.

Through a MOU between Conservation Ontario, the Ministry of Municipal Affairs and Housing, and the Ministry of Natural Resources and Forestry, the responsibility to uphold the natural hazards section of the PPS (Section 3.1) has been delegated to Conservation Authorities where the province is not involved. TRCA staff note that Section 3.1 of the PPS generally directs development and site alteration to locations outside of hazardous lands that would be impacted by flooding hazards and/or erosion hazards and prohibits development in areas that would be rendered inaccessible to people and vehicles during times of flooding hazards, unless it has been demonstrated that the site has safe access. The PPS also directs planning authorities to consider the potential impacts of climate change that may increase the risk associated with natural hazards.

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

Based on the available information at this time, the subject property is located partially within TRCA's Regulated Area under Ontario Regulation 166/06 as it is partially within and adjacent to a Regulatory flood plain associated with the Rouge River Watershed. In accordance with Ontario Regulation 166/06 (Development, Interference with Wetlands and Alteration to Shorelines and Watercourses), a permit is required from the TRCA prior to any of the following works taking place within TRCA's Regulated Area:

- 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, the temporary or permanent placing, dumping or removal of any material originating on the site or elsewhere.

### **TRCA's Living City Policies**

The Living City Policies for Planning and Development in the Watersheds of the Toronto and Region Conservation Authority (LCP) is a TRCA policy document that guides the implementation of TRCA's legislated and delegated roles and responsibilities in the planning and development approvals process. These policies describe 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. It is these policies, along with those found in other provincial and municipal plans, documents and guidelines that guide TRCA's review of the subject applications.

### **Application-Specific Comments**

Based on our review the proposed addition is located within TRCA's Regulated Area under Ontario Regulation 166/06; however, we have no concerns regarding the location of the addition and are satisfied that it will be appropriately flood-proofed.

As such, TRCA staff have no objections to this Minor Variance Application and advise the applicant that a permit from TRCA under Ontario Regulation 166/06 is required.

**Review Fees**

As per TRCA's role as a commenting agency for *Planning Act* application circulated by member municipalities to assess whether a proposed development may be impacted by TRCA, the applicant is advised that the TRCA has implemented a fee schedule for our planning application review services. This application is subject to a \$610 review fee (2021 TRCA Planning Fee Schedule).

An electronic invoice will be sent via email to the property owner for processing of fees through online payment.

**Conclusion**

Based on our review of this submission, TRCA staff have no objections to this Minor Variance Application, subject to the following condition:

1. That the applicant remit TRCA's review fee of \$610 for the subject application; and,
2. That the applicant obtains a permit from the TRCA under Ontario Regulation 166/06, as amended, for the proposed works.

TRCA also requests notification of any decisions made by the City on this application and, if applicable, any appeals that may be made to the Local Planning Appeal Tribunal by any party in respect to this application.

We trust these comments are of assistance. Should you have any questions, please contact the undersigned.

Sincerely,

Dan Nguyen  
Planner I, Development Planning and Permits  
[dan.nguyen@trca.ca](mailto:dan.nguyen@trca.ca), 416-661-6600 ext. 5306

DN/mb

### **Appendix 'A': Materials Reviewed by TRCA**

- Drawing No. SP-01 – Site Plan, no author, dated Jan. 2021;
- Drawing No. A00 – Floor Plan, prepared by Hiland Engineering Inc., dated April 2021;
- Drawing No. A01 – Front & Rear Elevation, prepared by Hiland Engineering Inc., dated April 2021;
- Drawing No. A02 – Side Elevation & Detail, prepared by Hiland Engineering Inc., dated April 2021,
- Topographic Survey – prepared by J.D. Barnes, dated May 31, 2021.