

November 5, 2024

PAR-DPP-2024-00359
X REF CFN: 65631

SENT BY E-MAIL: (cofa@king.ca)

Adriana Bozzo
Planning Coordinator, Secretary Treasurer
Planning Division
Township of King
2588 King Road
King City, ON L7B 1A1

Dear Adriana Bozzo,

**Re: Minor Variance Application A-24-49
88 Sunny Acre Cres
Registered Plan 65M-4797
Township of King, York Region
Owner: Scouli Developments (BT) Inc. (c/o Howard Li)
Agent: Malone Given Parsons Ltd. (c/o Steven McIntyre)**

This letter will acknowledge receipt of the circulation of the above noted Minor Variance Application received by Toronto and Region Conservation Authority (TRCA) on October 24, 2024. A list of materials reviewed by TRCA is included in Appendix "A".

TRCA staff have reviewed the application in accordance with the Conservation Authorities Act (CA Act) and its associated regulations, which require TRCA to provide programs and services related to the risk of natural hazards within its jurisdiction. Whether acting on behalf of the Ministry of Natural Resources (MNR) or as a public body under the Planning Act, Conservation Authorities (CAs) must help ensure that decisions under the Planning Act are consistent with the natural hazards policies of the Provincial Policy Statement (PPS) and conform to any natural hazard policies in a Provincial Plan.

In addition, TRCA staff have also reviewed these applications in accordance with TRCA's permitting responsibilities under Section 28.1 of the CA Act. Where development activities are proposed within a TRCA Regulated Area (i.e., river or valley, wetlands, hazardous lands, etc.), a permit is required from TRCA. TRCA must ensure that where a proposal is within an area regulated by TRCA, that the proposal conforms with the appropriate policies of Section 8 of TRCA's Living City Policies (LCP), which evaluate a proposal's ability to meet the tests of the CA Act and regulation.

We provide the following in accordance with TRCA's commenting role under the Planning Act and regulatory role under the Conservation Authorities Act (CA Act). For additional information, please see Ontario Regulation 686/21.

Purpose of the Application

It is our understanding that the applicant is seeking relief from Zoning By-law 2017-66 and Zoning By-law 74-53 to permit the following variances to increase the maximum permitted encroachment into the required rear yard setback, of an unenclosed covered porch not exceeding one (1) storey in height:

- Relief from Section 3.42 (Table 3.42.1 ((iv) to permit a maximum encroachment of 4.0 metres into a required rear yard setback for an unenclosed covered porch not exceeding one (1) storey in height. **(Zoning By-law 2017-66)**
- Relief from Section 6.55 (iv) to permit a maximum encroachment of 4.0 metres into a required rear yard setback for an unenclosed covered porch not exceeding one (1) storey in height. **(Zoning By-law 74-53)**

Site Context

O. Reg. 41/24 and CA Act:

TRCA staff have had a review of the subject property and note it is located outside of TRCA's regulated area. As such, a TRCA permit in accordance with Section 28.1 of the CA Act will not be required for development on this property.

Application Specific Comments

TRCA staff have previously issued TRCA permits associated with an approved draft plan of subdivision (Town File:19T-06K08). Through the planning process associated with this subdivision, all natural hazards located on the subject property were defined. Accordingly, the above noted lot, was appropriately setback from applicable hazards and regulated features.

Based on our review of the submitted materials, the requested variances are internal to the subdivision and do not appear to impact TRCA's interests or conditions of draft plan approval.

As noted above, no development is being proposed within TRCA's Regulated Area. Therefore, a TRCA permit in accordance with Section 28.1 of the CA Act will not be required in this instance. Notwithstanding, TRCA has an interest in all future development on the above-mentioned property as it may be subject to a TRCA permit in accordance with Section 28.1 of the CA Act. Given the above, staff have no concerns with the minor variance application as currently proposed.

Application Review Fee

By copy of this letter, the applicant is advised that the TRCA has implemented a fee schedule for our planning application review services. This minor variance application is subject to a \$660 (Minor Variance -Residential Minor). The applicant can contact the undersigned via email to organize payment of this fee. For more information regarding this fee, the applicant can refer to TRCA's planning services fee schedule: [Fee Schedule for TRCA Development Planning Services](#). The applicant is responsible for arranging payment of this fee to our office within 60 days of this letter.

Recommendations

Based on the comments noted in this letter, TRCA staff recommends **conditional approval** of Minor Variance Application A-24-49 based on the following condition(s):

1. The applicant submits the minor variance application fee of \$660 payable to TRCA.

We trust these comments are of assistance. Should you have any questions, please contact me at porter.greatrex@trca.ca.

Sincerely,



Porter Greatrex, MPI
Planner I
Development Planning and Permits | Development and Engineering Services

PG/nm

Appendix A: Materials Reviewed

- Notice of Public Hearing, dated October 24, 2024.
- Draft M-Plan prepared by Schaeffer Dzaldov Purcell Ltd., dated May 30, 2023.