

COMMITTEE OF ADJUSTMENT
NOTICE OF HEARING
MINOR VARIANCE APPLICATION

WEDNESDAY JULY 8, 2020

File No.: A 012-20

Location of Subject Property: 15606 Duffy's Lane

Property Owner: Pui Loo Tsung (Agent: Domenic Petosa)

Purpose of Minor Variance: The applicant is requesting relief from Zoning By-law 2006 50, as amended to a) permit a Driveway Width (maximum) of 12.72m; and, b) permit two dwellings for a temporary period while the new proposed dwelling is constructed.

You are receiving this Notice as you are either the applicant, an owner of land within 60 metres of the subject land, or a person or public body who has requested to be notified.

Due to continuing efforts to contain the spread of COVID-19 and to protect individuals, Town Hall will not be open to the public to attend Committee of Adjustment Hearings until further notice.

Applicants

The applicant or any authorized person acting on behalf of the applicant may participate in the hearing through the electronic method provided by the Secretary-Treasurer/Legislative Services.

Public

Members of the public may access the meeting details on the above noted hearing date and time on the Town's website at <https://calendar.caledon.ca/meetings> or by telephone at 416-216-5643 Canada Toll (Toronto)
Meeting Access Code: 132 966 5501#
416-216-5643 Canada Toll (Toronto)
Meeting Access Code: 132 120 1889 #

Delegations

If you wish to speak to an application referenced on the agenda package, please visit the Town's website Committee of Adjustment page to submit the online delegation request form. <https://www.caledon.ca/en/government/committee-of-adjustment.aspx#>

Written Comments

In accordance with Ontario Regulation 200/96, written comments may be sent to the Secretary-Treasurer of the Committee of Adjustment by regular mail or e-mail prior to the above-noted hearing date. Such written comments will form part of the public record.

Additional Information

Additional information regarding the application can be obtained by contacting the Secretary-Treasurer(s) of the Committee of Adjustment. Staff Reports can be made available on the Friday before the hearing date.

If you wish to be notified of the Decision of the Committee of Adjustment in respect of the proposed minor variance, you must make a written request to the Secretary-Treasurer, Committee of Adjustment by mail or email to COFA.Agenda@caledon.ca.

If a person or public body that files an appeal of a decision of the Committee of Adjustment in respect of the proposed minor variance does not make written submission to the Committee of Adjustment before it approves or refuses the variance(s), the Local Planning Appeal Tribunal may dismiss the appeal.



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Caledon, ON L7C 1J6
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Local Planning Appeal Tribunal

The applicant, the Minister or any other person or public body who has an interest in the matter may, within TWENTY DAYS (20) of the making of the decision appeal to the Tribunal against the decision of the committee by filing with the Secretary-Treasurer of the committee a Notice of Appeal setting out the objection to the decision and the reasons in support of the objection accompanied by payment to the Secretary-Treasurer of the fee charged by the Tribunal under the Local Planning Appeal Tribunal Act, 207, as payable on an appeal from a committee of adjustment to the Tribunal. For more information on the prescribed fee and to obtain a copy of the appeal from, please visit the LPAT website at <http://elto.gov.on.ca>.

Staff note a cheque is required to be submitted payable to the Town of Caledon for \$209 for the preparation of the file materials to be forwarded to LPAT.

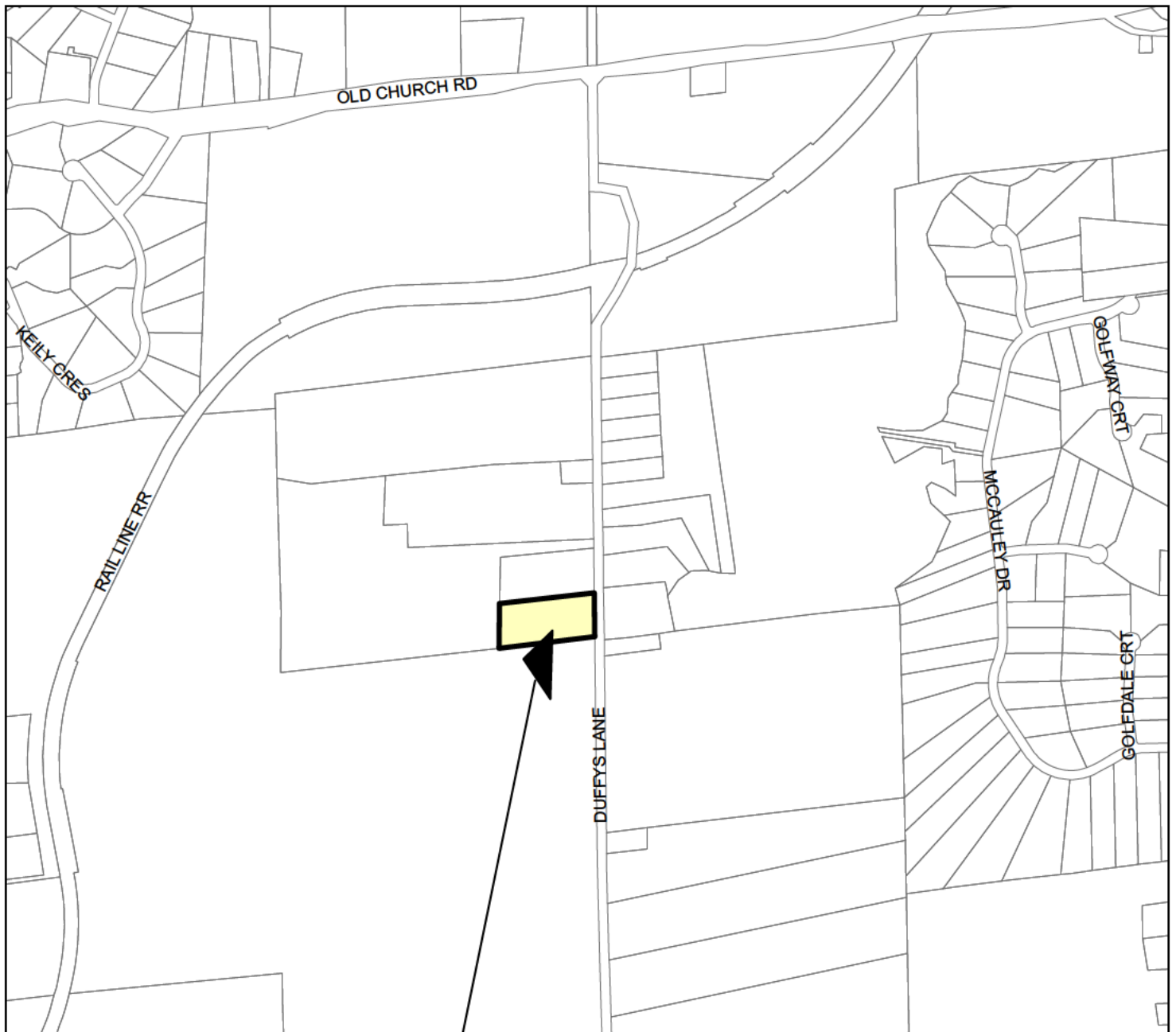
The land which is the subject of the application is also the subject of an application under the *Planning Act* for:

| | |
|--------------------------|----------------|
| Official Plan Amendment: | Not Applicable |
| Zoning By-law Amendment: | Not Applicable |
| Consent: | Not Applicable |
| Minor Variance: | Not Applicable |

DATED AT THE TOWN OF CALEDON THIS 18TH DAY OF June 2020.

Additional information regarding this notice may be obtained between 8:30 a.m. to 4:30 p.m. Monday to Friday by calling 905-584-2272 ext. 4265/4291 or COFA.Agenda@caledon.ca.





Subject Property



Minor Variance
A 012-20
Domenic Petosa

15606 Duffy's Lane
Lot 19, Concession 5 (Albion)

LOCATION MAP



Date: February 25, 2020

File No.: A 012-20

FEB/18/2020

COMMITTEE OF ADJUSTMENT APPLICATION FOR MINOR VARIANCE

(Under section 45 of the *Planning Act*, R.S.O. 1990, as amended for relief from the Town's Comprehensive Zoning By-law)

Personal information on this form is collected pursuant to the *Planning Act* and will be used in the processing of the application. Applicants are advised that the Committee of Adjustment is a public process in which all material provided may be considered public information and may be made available upon request. Questions should be forwarded to the Municipal Freedom of Information Coordinator at 905-584-2272.

RECEIVED
FEB 25 2020
PLANNING DEPARTMENT

File Number: A 0012-0020
SPATB-007

TAX ASSESSMENT ROLL NUMBER:

| | | | |
|---|----------------------------------|-------------------------------|------------------|
| 1. NAME OF OWNER <u>DOMENIC PETOSA</u> <u>Lolo Tsung</u> | | NAME OF AUTHORIZED AGENT — | |
| STREET & NUMBER <u>15606 DUFFY'S LANE</u> | | STREET & NUMBER — | |
| CITY <u>CALEDON</u> | POSTAL CODE <u>ON L7E 3B9</u> | CITY — | POSTAL CODE — |
| TELEPHONE — | FAX/E-MAIL — | TELEPHONE — | FAX/E-MAIL — |

| | |
|---|--|
| 2. OFFICIAL PLAN (current designation of subject land) <u>RURAL LANDS</u> <u>ENVIRONMENTAL POLICY AREA (EPA)</u> | ZONING (current zoning of subject land) <u>ENVIRONMENTAL POLICY AREA 01</u> <u>OAK RIDGE MORaine (EPA1-ORM)</u> |
|---|--|

3. PROPOSED RELIEF - list variance(s) requested

a) MINOR VARIANCE REQUIRED TO PERMIT A DRIVEWAY OF 12.72 m WHEREAS
THE BY-LAW PERMITS DRIVEWAY WIDTH (MAXIMUM) OF 8.5 m

b) A MINOR VARIANCE IS REQUIRED TO PERMIT TWO DWELLINGS; WHEREAS
THE BY-LAW PERMITS ONLY ONE DWELLING PER LOT WHILE THE NEW
PROPOSED DWELLING IS CONSTRUCTED

4. EXPLANATION AND DESCRIPTION OF PROPOSAL – the reason why the proposal cannot comply with the provisions of the zoning by-law

A) DRIVEWAY WIDTH CANNOT BE MAINTAINED AT 8.5m SINCE THERE ARE
3 GARAGE DOORS

B) EXISTING HOME WILL BE DEMOLISHED ONCE NEW HOME IS BUILT, EXISTING
HOME MUST BE MAINTAINED BECAUSE MY FAMILY WILL BE LIVING IN IT

5. LEGAL DESCRIPTION –

Lot 19 Concession 5 Former Township ALBION

OR
Lot — Registered Plan —

6. MUNICIPAL ADDRESS - of subject property

Number 15606 Street or Road Name DUFFY'S LANE



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7. DIMENSIONS OF LAND AFFECTED (metric units):

Frontage: 96.75 m Depth: 208.3 m Area: 4.84 ha / 11.95 ACRES

8. Date of acquisition by current owner(s): 2003

9. ACCESS to subject property is by: (please check one)

Provincial Highway ☐ Regional Road ☐ Municipal Road ☒
Right-of-Way ☐ Other: ☐

| 10. EXISTING USES OF THE SUBJECT PROPERTY | YEAR ESTABLISHED | PROPOSED USES (if different) |
|---|------------------|------------------------------|
| <u>RESIDENTIAL</u> | <u>UNKNOWN</u> | <u>DWELLING</u> |
| | | |

11. EXISTING BUILDINGS/STRUCTURES:

DATE CONSTRUCTED: UNKNOWN

TYPE BUNGALOW front lot line setback 31 height 4.3 m
rear lot line setback 168 dimensions 8x25
side lot line setback 24.16 floor area 200 m²
side lot line setback 35

DATE CONSTRUCTED:

TYPE front lot line setback height
rear lot line setback dimensions
side lot line setback floor area
side lot line setback

12. PROPOSED BUILDINGS/STRUCTURES:

TYPE DWELLING

| | | | |
|--------------------------------------|--------------------------------------|---------------|-------------------------|
| front lot line setback <u>51.54m</u> | height <u>33' 6 1/2" (10.21m)</u> | <u>55.07m</u> | <u>3.7m</u> |
| rear lot line setback <u>85.20</u> | dimensions <u>18m x 28m</u> | <u>149 m</u> | <u>2.5 x 3.0</u> |
| side lot line setback <u>25.0</u> | floor area <u>376.7m²</u> | <u>28.85m</u> | <u>7.5m²</u> |
| side lot line setback <u>43.0</u> | | <u>64.0m</u> | |

#4 ACCESSORY BLDG
WOOD SHED

****NOTE: A SKETCH PLAN DRAWN TO SCALE (METRIC) MUST ACCOMPANY THIS APPLICATION.**



13. MUNICIPAL SERVICES AVAILABLE (check applicable items):

Piped water Supply ☐ Private Well ☒

Private Septic System ☒ Sanitary Sewers ☐

Drainage: Storm Sewers ☐ Ditches ☒ Swales ☒

Other: _____

14. OTHER APPLICATIONS - indicate if subject lands are the subject of the following planning applications:

| | | |
|---|-------------------------------|------------------------|
| <input type="checkbox"/> Zoning By-law Amendment | File Number _____ | Status _____ |
| <input type="checkbox"/> Plan of Subdivision | File Number _____ | Status _____ |
| <input type="checkbox"/> Consent/Land Division | File Number _____ | Status _____ |
| <input type="checkbox"/> Previous Minor Variances | File Number _____ | Status _____ |
| <input checked="" type="checkbox"/> Site Plan Application | File Number <u>SPA 18-009</u> | Status <u>ON GOING</u> |

15. REGISTERED PROPERTY OWNER(S) APPOINTMENT AND AUTHORIZATION TO AN AGENT:

I / We, the undersigned, being the registered property owner(s) of the subject property, hereby authorize Domenik Petosa to act on
(authorized agent's name)

my / our behalf with respect to making a minor variance application to the Town of Caledon.

L. Tsung
OWNER / SIGNING OFFICER

Domenik Petosa
OWNER / SIGNING OFFICER

☐ I have authority to bind the Corporation.

Lolo Tsung - OWNER
NAME OF CORPORATION

DOMENIK PETOSA - OWNER
Print - FULL NAME AND POSITION

- NOTE: i) If the owner(s) is a corporation, this appointment and authorization shall include the statement that the person signing this appointment and authorization has authority to bind the corporation or alternatively, the corporate seal is affixed over the signature.
- ii) If there is more than one owner, all owners shall complete and sign this or affix an additional appointment authorization form.
- iii) If the agent is a corporation, please specify the name of the person(s) who is appointed on its behalf.



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16. PERMISSION TO ENTER PROPERTY:

By completing the Declaration of Owner or Authorized Agent, I / we hereby acknowledge and authorize the members of the Town of Caledon Committee of Adjustment and staff as well as any other government body or agency, to enter upon the lands subject to this application for the purpose of conducting a site inspection and agree that no discussion shall take place with the Committee members or staff during the site inspection.

dp

Initials

LI

Initials

17. SIGN POSTING AND PROPERTY STAKING AGREEMENT:

I / We hereby acknowledge receipt of the Notice Sign from Town staff and agree that such Notice Sign shall be posted at least 10 days before the hearing on an application for a minor variance and clearly visible and legible from a public highway or other place to which the public has access, at every separately assessed property in the area to which the application applies or, where posting on the property is impractical, at a nearby location chosen by the Secretary-Treasurer.

I / we hereby acknowledge that failure to adequately post and maintain such sign may result in the deferral of the hearing of the application by the Committee of Adjustment and a deferral fee may be required to be paid to the Town by the Applicant at a cost established by By-law by the municipality.

dp

Initials

LI

Initials

Minor Variance Application Checklist

STAFF CHECK

- ☐ Application Fee (as per Town of Caledon Fee By-law) Fees may be paid by cash, cheque, Visa, Mastercard or debit card. If the fee is being paid by cheque, the cheque must be made payable to the Treasurer, Town of Caledon.
- ☐ Application Form (all sections must be complete)
- ☐ Conservation Authority Comment fee made payable to the appropriate Conservation Authority. The Conservation Authority will advise the owner/agent if the application is considered major and will request further payment
- ☐ Appointment and Authorization Form, (if someone other than the owner of the property is submitting the application)
- ☐ Permission to Enter Form
- ☐ Posting of Advisory Sign Form
- ☐ Arrangements have been made to have the Notice Sign posted on the property.
- ☐ The applicant must submit two (1) copy of a scaled sketch plan (metric) 8 1/2" x 11" paper. Full size plans greater than 8 1/2 x 11 can be submitted. Two (2) full-sized Site Plans are required for Industrial, Commercial, Institutional, and Recreational Applications. *A Site Plan Application maybe required for Residential.* The plan shall clearly indicate the following information:
 - ☐ The boundaries and dimensions of the subject property;
 - ☐ The location, size and type of all existing and proposed buildings and structures on the subject land, indicating the distance of the buildings or structures from the front yard lot line, rear lot line, exterior side lot line and the side yard lot lines (in metric);
 - ☐ The approximate location of all natural and artificial features on the subject land and on land that is adjacent to the subject land that, in the opinion of the applicant, may affect the application. Examples include buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks;
 - ☐ The current uses of land that is adjacent to the subject land;
 - ☐ The location, width and name of any roads within or abutting the subject land, indicating whether it is an opened road allowance, a public travelled road, a private road or a right of way;
 - ☐ If access to the subject land will be by water only, the location of the parking and boat docking facilities to be used; and
 - ☐ The location of and nature of any easement affecting the subject land.
- ☐ A Key Map indicating the general location of the subject property.
- ☐ Arrangements have been made to discuss the Application with surrounding property owners.

The applicant/owner/agent wishes to proceed without a Preliminary/Pre-consult (DART) meeting.

Date: _____ Signed by (Owner/agent): _____



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DECLARATION OF OWNER OR AUTHORIZED AGENT

I, DOMENIK PERESA of the TOWN of
CALEDON in the REGION
of PEEL:

Solemnly declare that all above statements and the statements contained in all exhibits transmitted herewith are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the CANADA EVIDENCE ACT.

Information is being collected under the authority of the *Planning Act*, R.S.O. 1990, CHAPTER P.13. In accordance with that *Act*, the Town of Caledon provides public access to all *Planning Act* applications, supporting information and comments submitted to the Town for review. In submitting the information to the Town, the submitter acknowledges that the information contained in this application and any supporting information including reports, studies and drawings provided by the owners, agents, consultants or solicitors, and any comments received from the public, together constitute public information and will become part of the public record. In accordance with the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56, copies of the application and any of its supporting information, documents or comments may be released or made available to the general public through the Town's website or by any other means.

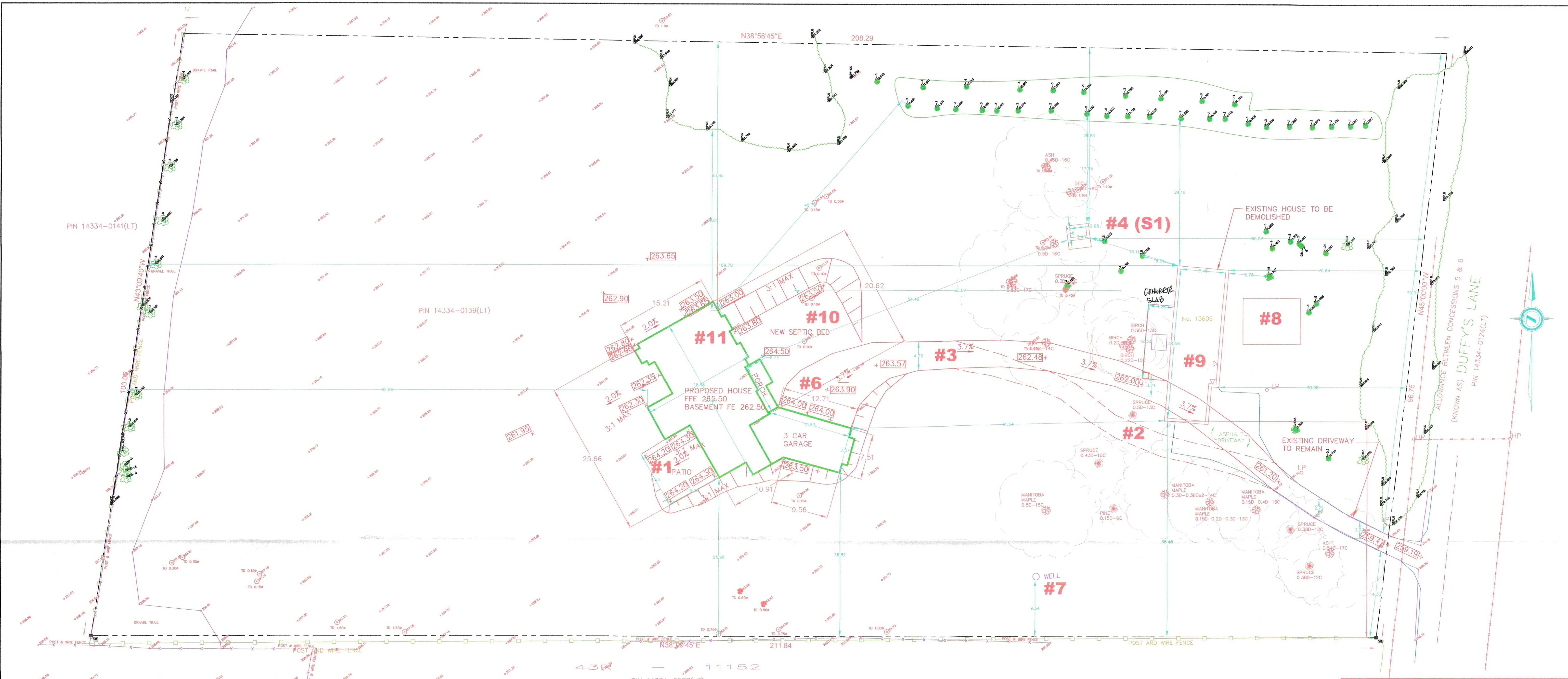
Note: The signature of an applicant or authorized agent must be witnessed by a Commissioner, etc. A Commissioner is available at Town Hall, if needed.

DECLARED before me at the

Town of Caledon
in the Region of Peel
this 25 day of February 2020.

Cindy Pillsworth
Signature of Commissioner, etc.,
Cindy May Pillsworth, a Commissioner, etc.,
Regional Municipality of Peel,
for the Corporation of the Town of Caledon.
Expires October 9, 2022.

Domenik Peresa
Signature of
Applicant/Agent/Owner



NOTES

1. PATIO IS CAST IN PLACE POURED CONCRETE SLAB ON GRADE
2. TEMPORARY CONSTRUCTION ACCESS ROAD, TO BE REMOVED AT COMPLETION OF HOME CONSTRUCTION
3. LOCATION OF NEW DRIVEWAY AT COMPLETION OF HOME CONSTRUCTION
4. WOOD SHED TO REMAIN (S1)
5. APPLICATION FOR MINOR VARIANCE DUE TO WIDTH OF DRIVEWAY BEING 13.63 m
6. EXISTING WELL TO REMAIN
7. EXISTING SEPTIC BED TO BE DECOMMISSIONED AND REMOVED FROM SITE AFTER COMPLETION OF NEW HOME
8. EXISTING HOME TO BE DEMOLISHED AND REMOVED FROM SITE AFTER COMPLETION OF NEW HOME
9. NEW SEPTIC BED
10. MINIMUM DRIVEWAY WIDTH THROUGHOUT SITE SHALL BE 4.0 M
11. CLEAR WIDTH TO ALL VEGETATION ALONG DRIVEWAY SHALL BE 6.0M
12. ANY OVERHEAD OBSTRUCTIONS SHALL BE AT LEAST 5.0 M ABOVE THE DRIVEWAY SURFACE
13. MAXIMUM CHANGE IN GRADIENT OF NOT MORE THAN 1 IN 12.5 OVER A MINIMUM DISTANCE OF 15 M

LEGEND

- EXISTING ELEVATION
- PROPOSED ELEVATION
- SWALE
- GROUND SLOPE
- MAJOR FLOW ROUTE

RECEIVED
FEB 25 2020
PLANNING DEPARTMENT

| | | | |
|--|------|--|----|
| 2020/02/14 | | SITE PLAN REVISIONS | |
| NO: | DATE | DESCRIPTION | BY |
| REVISIONS | | | |
| APPROVAL: | | ENGINEER'S SEAL: | |
| PROJECT TITLE: 15606 DUFFY'S LANE CALEDON, ONTARIO | | | |
| DRAWING TITLE: SITE PLAN | | | |
| BaseTech Consulting Inc. | | | |
| 309 Roywood Crescent Newmarket, Ontario L3Y 1A6 | | Phone : (905) 251-7720 e-mail : basetechconsulting@rogers.com | |
| DRAWN BY: TD | | PROJECT NO: 16-06 | |
| DESIGNED BY: WMPF | | DRAWING NO: SP-1 | |
| APPROVED BY: WMPF | | | |
| DATE: MAR 2016 | | SCALE: 1:300 | |

COMMITTEE OF ADJUSTMENT
Application for Minor Variance
July 8, 2020

'A' 012-20, Lolo Tsung & Domenic Petosa, 15606 Duffy's Lane (Ward 4)

RECOMMENDATION

Staff is of the opinion that the proposal meets the four tests as set out in Section 45(1) of the *Planning Act*, R.S.O. 1990, as amended. Staff recommend approval of Minor Variance application 'A' 012-20 in accordance with the attached Schedule A, subject to the following condition:

1. That the Secretary-Treasurer receive confirmation from Legal Services indicating that the Applicant has provided the following:
 - a. A registered second dwelling agreement and the collection of applicable securities, if required and insurance. This agreement shall be prepared by Legal Services and all costs associated with the preparation and registration of same shall be at the expense of the applicant in accordance with the Town's Fees By-law.

PROPOSAL

The applicant is requesting relief from Zoning By-law 2006-50, as amended to:

1. Permit a Driveway Width (maximum) of 12.72m
2. Permit two dwellings for a temporary period while the new proposed dwelling is constructed.

ANALYSIS

Town of Caledon Official Plan

In the Official Plan, the subject property is designated as Rural Lands and Environmental Policy Area on Schedule "A", Land Use Plan. The property is also captured within the Sand and Gravel area of the Caledon High Potential Mineral Aggregate Resource Area (CHPMARA) as identified in Schedule "L", CHPMARA Prioritization Plan. The subject lands are within the Oak Ridges Moraine (ORM) and has

a land use designation of Countryside Area as shown on Schedule “P”, Oak Ridges Moraine Conservation Plan Area Land Use Designations.

Uses permitted in the Rural Lands designation include, among others, a detached dwelling. Staff is satisfied that the application is in keeping with the general intent and purpose of the Town’s Official Plan.

Zoning By-law 2006-50, as amended

The subject property is zoned Rural – Oak Ridges Moraine (A2-ORM) and Environmental Policy Area 2 – Oak Ridges Moraine (EPA2-ORM), by Zoning By-law 2006-50, as amended. The property is approximately 1.96 hectares (4.85 acres) in size and contains an existing dwelling and an accessory wooden shed. The existing dwelling, proposed new detached dwelling, attached three (3) car garage and associated site alteration is located all within the A2-ORM zoning. Uses permitted in the A2-ORM zone include, among others, a detached dwelling.

As noted above, the subject lands are also designated Countryside Area as per the Oak Ridges Moraine Conservation Plan. The property is subject to Site Plan Control as a portion of the lands are zoned EPA2-ORM and its associated 90 metre screening buffer. As such, an approval through the Town’s Oak Ridges Moraine Site Plan Application process is also required to facilitate the proposed works. The applicant has submitted a ORM Site Plan Application which is currently under review (File No. SPA 2018-0009). The site design and details will be reviewed through the ORM Site Plan Application.

The applicant is proposing to maintain the occupancy permissions for the existing dwelling unit for a temporary period while the new dwelling is being constructed. Once the new house is constructed and the applicant has received an occupancy permit for the new house, the existing dwelling will be demolished within the timeframe agreed to within the legal agreement. The original building site will be returned to a natural state. To ensure this occurs, staff recommends the following condition:

1. That the Secretary-Treasurer receive confirmation from Legal Services indicating that the Applicant has provided the following item:
 - a. A registered second dwelling agreement and the collection of applicable securities, if required and insurance. This agreement shall be prepared by Legal Services and all costs associated with the preparation and registration of same shall be at the expense of the applicant in accordance with the Town’s Fees By-law.

In addition to the above, the applicant is also requesting relief from the Town's Zoning By-law to permit a driveway width of 12.72 metres, whereas the by-law permits a driveway width (maximum) of 8.5 metres. It is staff's understanding that the increased driveway width is to accommodate the maneuvering area associated with the configuration of the proposed entry/exit of the attached three (3) car garage. Staff have no concerns with the request to increase the driveway width to accommodate access to the proposed three (3) car garage, subject to the plan provided in support of the application forming part of the approval as a Schedule.

It is planning staff's opinion that the proposal meets the general intent and purpose of Comprehensive Zoning By-law 2006-50, as amended.

Respectfully submitted by,

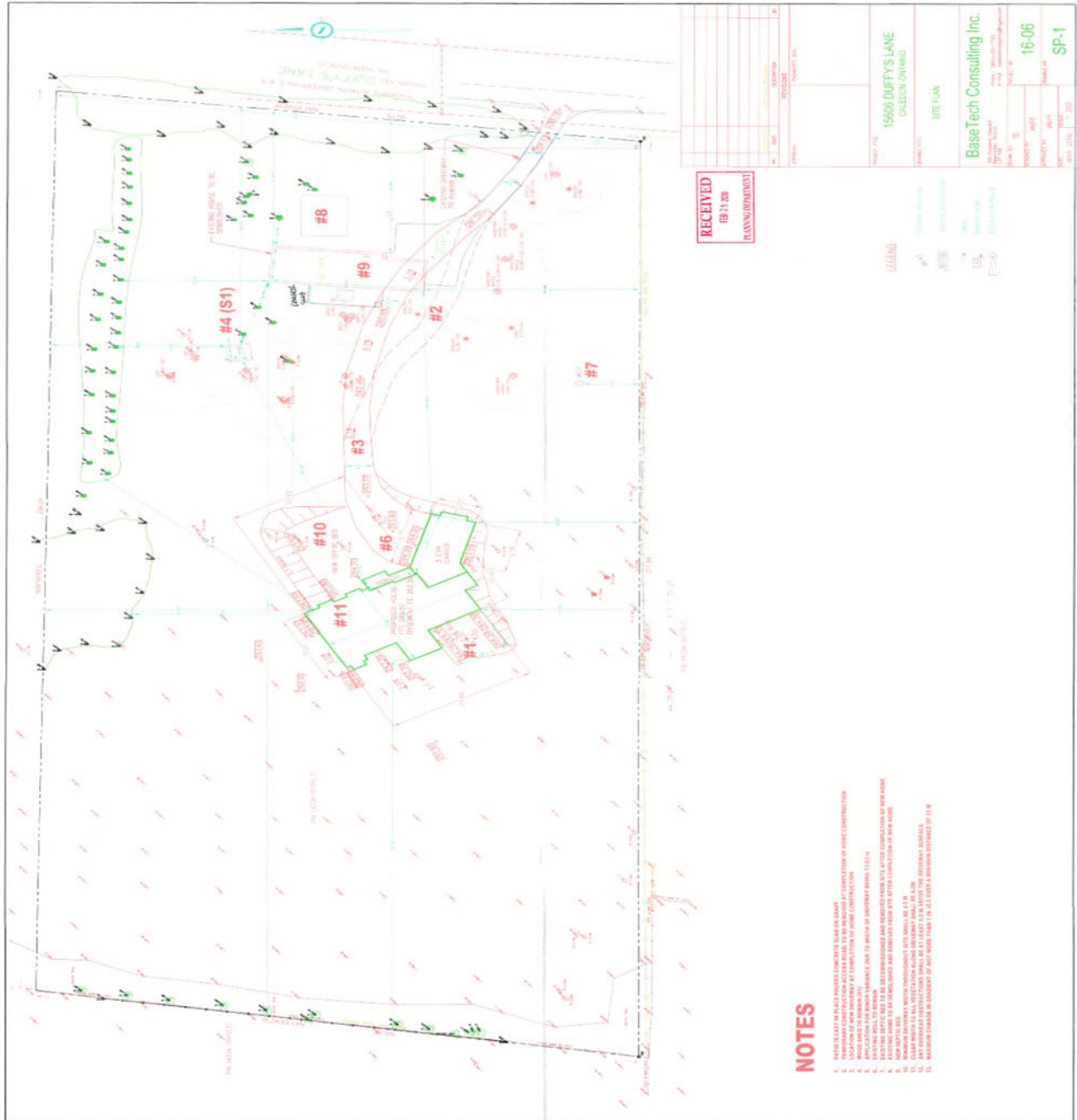


Aidan Pereira
Community Development Planner



Rob Hughes
Manager of Planning Services

Schedule "A"





Date of Hearing: July 8, 2020

File Number: A 012-20

| Department | Staff | Comments | Condition(s) If applicable |
|---------------------------|----------------------|---|--|
| Community Services | | | |
| Planning and Development | Zoning Administrator | <p>The subject property is zoned Rural – Oak Ridges Moraine (A2-ORM) and Environmental Policy Area 2 – Oak Ridges Moraine (EPA2-ORM) by the Town of Caledon Zoning By-law 2006-50, as amended.</p> <p>The applicant requests relief from Zoning By-law 2006-50, as amended to permit a maximum driveway width of 12.72m whereas a maximum of 8.5m is permitted, and to permit two dwellings on the lot whereas one dwelling per lot is permitted for a temporary period.</p> <p>The applicant is seeking to permit two dwellings on the subject site so that the resident may occupy the existing dwelling while the second dwelling is under construction. The increased driveway width is sought to provide a driveway width that is wide enough to service the 3</p> | <p>That the Secretary-Treasurer receive confirmation from Legal Services indicating that the applicant has provided the following items:</p> <p>A registered second dwelling agreement and the collection of applicable securities, if required and insurance. This agreement shall be prepared by Legal Services and all costs associated with the preparation and registration of same shall be at the expense of the applicant in accordance with the Towns' Fees By-law.</p> <p>If the Committee of Adjustment conditionally approves the variances staff request that Site Plan prepared by Base Tech Consulting Inc. dated February 14, 2020 an date stamped by the Town of Caledon February 25, 2020 be</p> |

| | | | |
|-------------------|--|---|-------------------------------------|
| | | <p>door integrated garage that will be part of the new dwelling to be constructed.</p> <p>That the Secretary-Treasurer receive confirmation from Legal Services indicating that the applicant has provided the following items:</p> <p>A registered second dwelling agreement and the collection of applicable securities, if required and insurance. This agreement shall be prepared by Legal Services and all costs associated with the preparation and registration of same shall be at the expense of the applicant in accordance with the Towns' Fees By-law.</p> | attached to the report and decision |
| | Landscape Architect | No Concerns | |
| | Technologist Development Engineer | No Concerns | |
| | Heritage Resource Officer | No concerns | |
| | Policy & Sustainability | No comments received | |
| Municipal Numbers | Development Coordinator/Senior Planner | No concerns. The municipal number will not be impacted. It was confirmed with fire that the existing municipal number will remain while the new dwelling is being constructed since the 2 dwellings will share the existing driveway. The existing dwelling will be demolished once construction of the new dwelling is complete. | |

| | | | |
|--|---------------------------------|--|--|
| Fire & Emergency Services | Chief Fire Prevention Officer | No Concerns | |
| | | | |
| Building & Support Services | Plans Examiner | The proposed development will be reviewed under the Ontario Building Code through the review of the Building Permit application. | |
| | | | |
| Finance & Infrastructure Services | | | |
| Transportation | Traffic Technologist | No Concerns | |
| | | | |
| Finance | Senior Financial Analyst | <p>A 012-20 Roll # 010.003.21100.0000 15606 DUFFYS LANE TSUNG PUI LOO / PETOSA DOMENICO JAMES</p> <p>As at March 18, 2020, property taxes for 15606 DUFFYS LANE are determined to be current. There are no outstanding financial obligations that would otherwise affect the attached application # A 012-20. These comments apply solely to # A 012-20 and are based on information available as at March 18, 2020.</p> | |
| | | | |
| Corporate Services | | | |
| Regulatory Services/By-law | By-law and Licensing Supervisor | No Concerns | |

External Agency Comments

| Agency | Comments |
|---------------------------------------|---------------------|
| Region of Peel | See attached letter |
| Hydro One | Not applicable |
| Toronto Region Conservation Authority | See attached letter |
| Credit Valley Conservation | Not applicable |
| Ministry of Transportation | Not applicable |
| Canadian Pacific Railway | Not applicable |
| Propane Operator | Not applicable |
| Niagara Escarpment Commission | Not applicable |

Public Works

10 Peel Centre Dr.
Suite B
Brampton, ON
L6T 4B9
tel: 905-791-7800

peelregion.ca

March 16, 2020

Cindy Pillsworth
Secretary-Treasurer
Committee of Adjustment
Town of Caledon
6311 Old Church Road,
Caledon ON, L7C 1J6

CC: Larissa Svirplys-Howe, Development Services

Re: **Peel Region Consolidated Comments
Town of Caledon Committee of Adjustment Hearing
April 15, 2020**

Dear Ms. Pillsworth,

Regional Planning staff have reviewed the applications listed on the April 15, 2020 Committee of Adjustment Agenda and offer the following comments. The Region has no comments on the following applications: A 011-20, A 013-20, A 016-20, B 006-20

Regarding Consent Application: B 010-20

Site Plan Servicing – Camila Marczuk (905) 791-7800, extension 8230

Comments:

- As per Peel Water Design Criteria Standard 4.3, “Hydrants near driveways shall be located a minimum of 1.25 m clear from the projected garage (or edge of driveway, whichever is greater) in residential applications...”
- Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant’s expense. For more information, please call our Site Servicing Technicians at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca

Regarding Minor Variance Application: A 012-20

Planning – Dylan Prowse (905) 791-7800, extension 7921

Comments:

- Schedule D1 of the Region of Peel Official Plan designates the subject land as Countryside area of the Oak Ridges Moraine Conservation Plan (ORMCP) (2017). Section 7 of the ORMCP permits the development of a single dwelling provide that:
 - a) The use, erection and location would have been permitted by the applicable zoning by-law on November 15, 2001; and
 - b) The applicant demonstrates, to the extent possible, that the use, erection and location will not adversely affect the ecological integrity of the Plan Area.
- The applicant must confirm that the proposed development meets all applicable provisions of the ORMCP and are satisfactory to the TRCA and the Town of Caledon.

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Suite B
Brampton, ON
L6T 4B9
tel: 905-791-7800

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Regarding Minor Variance Application: A 014-20

Planning – Dylan Prowse (905) 791-7800, extension 7921

Comments:

- The subject land is located within a Core Area and a Core Woodland Area of the Greenlands System in Peel as identified under policy 2.3.2 of the Regional Official Plan. We rely on the environmental expertise of the Credit Valley Conservation Authority for the review of development applications located within or adjacent to Core Areas of the Greenlands Systems in Peel and their potential impacts on the natural environment. We request that Town staff consider comments from the CVC and incorporate their conditions of approval appropriately. Final approval of this application requires all environmental concerns to be addressed to the satisfaction of the Credit Valley Conservation Authority.
- The subject land is located within the Greenbelt Natural Heritage System (NHS), as Designated by section 3.2 of the Greenbelt Plan (2017). Section 3.2.2 Natural Heritage System policies require any new development to demonstrate a minimal level of disturbance and impervious surface (3, d, i, ii) or return 30% of the developable area to natural self-sustaining vegetation. The applicant must confirm that the proposed development meets all applicable provisions of the Greenbelt Plan and is satisfactory to the CVC and Town of Caledon.
- The Greenbelt Plan (2017) speaks to the construction of second dwellings within the protected countryside, stating: “Outside of the Natural Heritage System, second dwelling units are permitted within single dwellings permitted in accordance with sections 4.5.1 and 4.5.2 or within existing accessory structures on the same lot.” The proposed dwelling is significantly larger than the existing dwelling on the property and cannot be considered an accessory structure. Additionally, the subject lands are within the Natural Heritage System, and as such the Greenbelt Plan generally does not permit the operation of two dwellings concurrently on the same lot. Provided that the Town is satisfied that there is a mechanism in place to ensure the removal of the existing dwelling upon completion of the second dwelling and that a second dwelling does not remain on the lot, the Region is supportive of this application.

Regarding Minor Variance Application: A 015-20

Planning – Dylan Prowse (905) 791-7800, extension 7921

Comments:

- The subject land is located within a Core Area and a Core Woodland Area of the Greenlands System in Peel as identified under policy 2.3.2 of the Regional Official Plan. We rely on the environmental expertise of the Credit Valley Conservation Authority for the review of development applications located within or adjacent to Core Areas of the Greenlands Systems in Peel and their potential impacts on the natural environment. We request that Town staff consider comments from the CVC and incorporate their conditions of approval appropriately. Final approval of this application requires all environmental concerns to be addressed to the satisfaction of the Credit Valley Conservation Authority.
- The subject land is located within the Greenbelt Natural Heritage System (NHS), as Designated by section 3.2 of the Greenbelt Plan (2017). For “Agricultural Uses” This plan permits the provision of “accommodation for full-time farm labor when the size and nature of the operation requires additional employment”. As the proposed

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dwelling will be occupied by the property manager for the purposes of assisting with the agricultural uses on site, the Region is satisfied that the proposed use is in keeping with this intent and purpose of the Plan. The applicant must confirm that the proposed development meets all other applicable provisions of the Greenbelt Plan and is satisfactory to the CVC and Town of Caledon.

Regarding Consent Application: B 007-20

Site Plan Servicing – Camila Marczuk (905) 791-7800, extension 8230

Comments:

- As per the Region of Peel Public Works Stormwater Design Criteria and Procedural Manual, the Region of Peel shall require the use of Low Impact Development (LID) approaches where no site specific soil, groundwater, infrastructure or policy constraints exist.
 - Stormwater Management techniques shall be implemented to the satisfaction of the Region of Peel, the local Conservation Authority and all concerned departments and agencies (4.0)
 - Post development flows must be equal to pre-development flows (4.3)
 - The Region of Peel Shall require stormwater quantity control to reduce stormwater peak flow run off from developing sites. Post development flows shall not adversely affect the performance of downstream Region of Peel infrastructure, negatively impact adjacent properties and exacerbate or increase the downstream flood or erosion risk (4.3)
 - Where possible, flows from outside the Regional Road allowance are to be directed to the local municipality's storm sewer system (5.1)
 - No grading will be permitted within any Region of Peel ROW to support adjacent developments (5.1)
- Please note that severing the lands may adversely affect the existing location of the water and sanitary sewer services, if any exist. The result of this may require the applicant to install new water / sanitary servicing connections to either the severed or retained lands in compliance with the Ontario Building Code. The applicant may require the creation of private water / sanitary sewer servicing easements. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please call our Site Servicing Technicians at 905.791.7800 x7973 or by email at: siteplanservicing@peelregion.ca
- For location of existing water and sanitary sewer Infrastructure please contact Records at 905-791-7800 extension 7882 or by e-mail at PWSERVICERequests@peelregion.ca

Traffic Development – Catherine Barnes (905) 791-7800, extension 7569

Comments:

- No new access to Old Church Road will be supported as there is adequate access via Marilyn Street.
- The Region requires the gratuitous dedication of lands to meet the Regional Official Plan requirement for Regional Road 22 (Old Church Road), which has a right-of-way of 35.5 metres, 17.75 metres from the centreline of the road allowance;
- The Region requires the gratuitous dedication of a 0.3m reserve behind the property line along Regional Road 22 (Old Church Road);

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- The applicant is to dedicate these lands to the Region, free and clear of all encumbrances. All costs associated with the transfer, including preparation of the necessary reference plan are the responsibility of the applicant. The applicant must provide the Region with the necessary title documents and a draft reference plan for review and approval prior to deposit;

Condition:

Should the committee see merit in this consent application, we request the following be included in the conditions of approval:

- That the Secretary-Treasurer receive written confirmation from the Region of Peel that satisfactory arrangements have been made between the owner and the Region regarding:
 - The dedication of lands to meet the Region's right of way requirements for Regional Road 22 (Old Church Road)
 - The creation of a 0.30m reserve behind the property line along Regional Road 22 (Old Church Road)
 - The location and configuration of the proposed access.

Regarding Deferred Minor Variance Application: A 039-19:

Planning – Dylan Prowse (905) 791-7800, extension 7921

Comment:

- Schedule D1 of the Region of Peel Official Plan designates the subject property as "Palgrave Estates Residential Community", which is an additional component of the Countryside Area of the Oak Ridges Moraine Conservation Plan (ORMCP) (2017). Section 14 (1) of the ORMCP permits residential development in the Palgrave Estates Residential Community subject to the Town of Caledon Official Plan and the listed provisions of the ORMCP.
 - The ORMCP section 22 (1) 6. identifies significant woodlands as a key natural heritage feature. In addition, the Region of Peel Official Plan policy 2.3.2.2 (b) identifies a portion of the subject property as a 'Core Woodland'.
 - Section 22 (2) of the ORMCP prohibits all development and site alteration to land within a key natural heritage feature. The location of the shed and garage are located directly within the natural heritage feature (Woodland).
- The subject land is located within a Core Woodland area designated under Policy 2.3.2.2 of the Regional Official Plan (ROP). We rely on the environmental expertise of the Nottawasaga Valley Conservation Authority for the review of development applications located within or adjacent to Core Areas of the Greenlands Systems in Peel and their potential impacts on the natural environment. We therefore request that the Town of Caledon Committee of Adjustment and staff consider comments from the Nottawasaga Valley Conservation Authority and incorporate their conditions of approval appropriately.
- Final approval of this application requires all environmental concerns to be addressed to the satisfaction of the Nottawasaga Valley Conservation Authority. The Town of Caledon should be satisfied that the application conforms to applicable Official Plan policies and Zoning By-law requirements.

For further questions or concerns please contact the undersigned at 905-791-7800, extension 7921, or by email at: dylan.prowse@peelregion.ca



Dylan Prowse, BES
Junior Planner, Development Services

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March 17, 2020

CFN 62564

BY EMAIL: cindy.pillsworth@caledon.ca

Ms. Cindy Pillsworth
Town of Caledon
6311 Old Church Road
Caledon, ON L7C 1J6

Dear Ms. Pillsworth

**Re: Minor Variance Application – A 012-20
15606 Duffy's Lane
Lot 9, Concession 5 ALB
Town of Caledon
Domenic Petosa**

This letter will acknowledge receipt of the above noted application, received on March 3, 2020. Toronto and Region Conservation Authority (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, 2014 (PPS); TRCA's Regulatory Authority under Ontario Regulation 166/06, Development, Interference with Wetlands and Alterations to Shorelines and Watercourses; and our Memoranda of Understanding (MOU) with the Town of Caledon and the Region of Peel wherein we provide technical environmental advice.

Purpose of the Application

The purpose of this Minor Variance Application A 012-20 is to request the following variances:

1. To permit a driveway of 12.72 m., whereas the By-law permits maximum driveway width of 8.5 m.;
2. To permit two dwellings while the new proposed dwelling is constructed, whereas the By-law permits only one dwelling per lot.

It is our understanding that the purpose of the above variances is to facilitate the development of a two-storey single-family detached residential dwelling, an attached garage, a patio, a new driveway, and a new septic system.

Recommendation

Based on the comments noted below, TRCA staff have **no objection** to the approval of Minor Variance Application A 012-20 based on the following conditions:

1. The application obtains a TRCA permit pursuant to Ontario Regulation 166/06 for the proposed works.

Applicable Policies and Regulations**Ontario Regulation 166/06:**

A portion of the subject property is located within TRCA's Regulated Area of the Humber River Watershed, as it is adjacent to a valley corridor associated with a tributary of the Humber River, and is located within 120 metres of locally significant and unevaluated wetlands on the Oak Ridges Moraine. In accordance with Ontario Regulation 166/06, as amended (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:

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

Oak Ridge Moraine Conservation (ORMCP):

The subject property is located on the Oak Ridges Moraine (ORM), within the Countryside Area land use designation and is subject to the provisions of the Oak Ridges Moraine Conservation Plan (ORMCP).

Based on our review, it appears that the subject property is located within the 120 metre Minimum Area of Influence (MAI) of locally significant and unevaluated wetland features. Under the ORMCP, significant wetlands are identified as Key Natural Heritage Features (KNHFs) and/or Hydrologically Sensitive Features (HSFs). The ORMCP generally requires a Natural Heritage Evaluation (NHE) for any development within the 120 metre Minimum Area of Influence (MAI) of KNHFs/HSFs to delineate and assess the feature(s) and demonstrate no adverse impacts to the ecological integrity of the ORM will result from the proposed development.

Application Specific Comments**Planning and Development:**

It is our understanding that the requested variance is required to facilitate the development of a two-storey detached dwelling, an attached garage, a patio, a new driveway, and new a septic system. It is also our understanding that TRCA staff have reviewed a Site Plan Application (SPA 18-09) for the proposed works, and have only minor comments which can be addressed through our permitting process.

Based on our review of this application, it appears that the proposed works in this application are consistent with the Site Plan Application (SPA 18-09). As such, TRCA staff have no concerns with the requested variances, as submitted.

Permitting:

As noted above, the subject property is located within TRCA's Regulated Area. As such, a permit pursuant to Ontario Regulation 166/06 will be required.

1. Please advise the applicant to submit a TRCA permit application (Application for Development, Interference with Wetlands & Alterations to Shorelines and Watercourses –

Ontario Regulation 166/06) and the associated review fee of \$875 (Works on Private Residential Property – Standard).

Fees

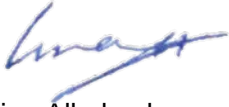
In addition to regulatory responsibilities, TRCA has a role as a commenting agency for Planning Act applications circulated by member municipalities to assess whether a proposed development may be impacted by the TRCA.

By copy of this letter, TRCA staff thanks the applicant for providing the \$580 review fee (2018 TRCA Planning Fees Schedule – Variance – Residential Minor).

Conclusion

We thank you for the opportunity to review the subject application and provide our comments as per our commenting and regulatory role. Should you have any additional questions or comments, please do not hesitate to contact the undersigned.

Sincerely,



Lina Alhabash
Planner I
Planning and Development
Tel: (416) 661-6600, Ext.5657
Lina.alhabash@trca.ca

LA/as