

**DATE:** June 12, 2018

**TO:** Dan Antonacci, Manager & Deputy Secretary-Treasurer,  
City Planning, Community Planning – North York District  
5100 Yonge St.

**ATT:** **Daniela DeGasperis, Application Technician, (416) 395-0120**

**FROM:** Diane Leal, Planner, Ravine and Natural Feature Protection

**RE:** **80 Braeside Road  
Committee of Adjustment (C of A) - File No. A0697/17EYK  
Minor Variance Application**

I acknowledge receipt of the public hearing notice regarding variances for the construction of a replacement two-storey dwelling with an integral garage at **80 Braeside Road**.

The **majority** of the property is regulated under Chapter 658 of the City of Toronto Municipal Code - Ravine and Natural Feature Protection (RNFP) By-law. The **entire** property is part of the City's Natural Heritage System.

The RNFP By-law is applicable throughout the City of Toronto and regulates certain activities within protected areas as defined in Schedule A of the bylaw. The purpose of the By-law is to promote the management, protection and conservation of ravines and associated natural and woodland areas and to prohibit and regulate the injury and destruction of trees, filling, grading and dumping in defined areas. A permit is required to conduct any of the above activities within RNFP areas.

**Urban Forestry RNFP has reviewed the materials submitted, inspected the site and requests that the C of A deny Minor Variance #9 as listed in the C of A Notice.**

"Chapter 90.20.20.10 (1), By-Law 569-2013

A residential dwelling (rear deck) is not permitted in the Open Space-Natural Zone. The proposed use is a residential dwelling (rear deck)."

Approval of the requested Minor Variance as depicted in drawings provided to the C of A will result in structures (deck and supporting caissons) within the Open Space-Natural Zone – which is contrary to the intent and function of the Ravine and Natural Feature Protection By-law. Specifically, this variance diminishes the land's capacity to support tree health and other ecological functions.

The deck is proposed in the Open Space-Natural Zone. If this proposal is approved, the amount of available planting area and stormwater infiltration will be reduced.

If the C of A approves the requested Minor Variances, Urban Forestry RNFP recommends the C of A make the approval subject to the following condition:

1. *Submission of a complete application for a permit to injure or remove privately owned trees as per City of Toronto Municipal Code Chapter 658.*

Applicants requiring additional information please forward inquiries to **Diane.Leal@toronto.ca** or call **(416) 392-1888**.

Regards,



Diane Leal  
Planner, Urban Forestry, Ravine and Natural Feature Protection

cc: Daniela DeGasperis, Case Manager, Committee of Adjustment, City of Toronto  
Sai-Man Lam, Senior Planner, Community Planning, City of Toronto  
Stephanie Worrone, Planning and Development, TRCA



Photo 1. Photograph illustrating relationship between existing rear deck and the ravine. Photo taken March 07, 2017 by RNFP Staff.





Photo 2. Photograph illustrating relationship between existing rear deck and the ravine. Photo taken March 07, 2017 by RNFP Staff.





Photo 3. Photograph illustrating relationship between existing rear deck and the ravine. Photo taken March 07, 2017 by RNFP Staff.





Photo 4. Photograph of a twin-stem silver maple (*acer saccharinum*) tree with stem diameters of 52 & 62cm. Tree grows through existing rear deck. Photo taken March 07, 2017 by RNFP Staff.





Photo 5. Photograph of the area below the existing deck in relation to ravine. Photo taken March 07, 2017 by RNFP Staff.



Photo 6. Photograph of area below the existing deck. Trunk of the twin-stem silver maple can be seen. This area is protected by the RNFP By-law and is within the Natural Heritage System. It is also zoned Open Space -Natural. Photo taken March 07, 2017 by RNFP Staff.