

**From:** Paramjit Chahal

**Sent:** Thursday, October 19, 2023 1:20 PM

**To:** COA <coa@brampton.ca>; Vani, Clara <Clara.Vani@brampton.ca>

**Subject:** [EXTERNAL]Fwd: Application No : A-2022-0022

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Subject: Application No : A-2022-0022

The Committee of Adjustment has appointed TUESDAY, October 24, 2023 at 9:00 am  
BRANTHAVEN CREDITVIEW INC. C/O ARDEN SEMPER  
8940 CREDITVIEW ROAD  
PART OF LOT 5, CONCESSION 5 WHS, WARD 4.

Purpose of the Application:

1. THAT THE LANDS SUBJECT TO THE AGRICULTURAL (A) ZONE BE PERMITTED A MINIMUM FRONT YARD SETBACK OF 5.0 METRES, WHEREAS THE BYLAW REQUIRES A MINIMUM FRONT YARD SETBACK OF 12.0 METRES; AND
2. THAT THE LANDS SUBJECT TO THE AGRICULTURAL (A) ZONE BE PERMITTED A MINIMUM SIDE YARD SETBACK OF 0.6 METRES, WHEREAS THE BYLAW REQUIRES A MINIMUM SIDE YARD SETBACK OF 7.5 METRES.

**This application be REJECTED based on the following:**

1. Minor Variance means if we have to adjust 2-3 %, but the Builder wants Front Yard Setback from 12 M to 5 M and Side Yard Setback from 7.5 M to 0.6 M. I don't think this is applicable in Application for Minor Variance.
- 2.. On Creditview Road properties on the same side of the street are minimum 100 foot wide lots & minimum Front Yard Setback of 12 M ie: House No: 8930, 8920, 8910, 8900, 8892. The new House 8884 currently under construction, also kept the minimum front Yard Setback 12 M and side yard 10 feet.
3. I built new Custom house in 2021, i have 100 frontage, before preparing the Drawings I asked our Architect to Build 2 Houses each 50 feet front but City Planner refused and told because all other house besides is 100 feet Lot, But now Builder applied to built 3 houses in 163.2 Feet Frontage on Creditview Rd, So approx 54.4 Feet each lot, I am Wondering why for the Builders, the city has Different bylaw and for public Different Law. Please tell us, does the city only favour the builder(s)?
4. On Property Line 8930 and 8940, there are around 65 Matured trees which were planted 5 decades ago, in 1974. BRANTHAVEN DEVELOPMENT already insured and sent me 2 emails that they will Retain the Trees. According to **TREE PROTECTION**

**POLICY, CONSTRUCTION SHOULD NOT DISRUPT ANCHOR ROOTS, TRANSPORT ROOTS, FEEDER ROOTS.**

I have attached a Sch which shows Minimum protection Distance. It is also mentioned that No Construction, or alternation of Permanent or Temporary Structure allowed within 2-3 Times the distance of the Dripline. (Specification attached). So, i Strongly recommend keeping 7.5 M side Set Back.

5. To protect these trees I followed the city of Brampton Guideline, so I kept an 11 feet side yard on each side. ( Pictures of 8930 attached). Builder should follow the same guidelines.

6. This heritage home was built in 1908, So Creditview Neighbourhood strongly recommended to maintain the beauty of this heritage house with a wider front yard and Side Yard. There are so many houses in GTA without Garage, people are buying and selling these houses, why the Builder want to extend this Heritage house? Even in the New Subdivision in Brampton (Porchlight road) Builder built the houses with Detached Garage, separate from house (Pictures attached).

7. SAFETY CONCERN: Any 3 way or 4 way Stop Sign should be a straight and 90-degree intersection to minimise the chance of accident, But the proposed driveway for this Heritage house and George Robinson Rd is Zig-Zag.

8. Due to this bad planning intersection who is responsible after building these houses, City of Brampton, Planner, Architect?

9. A list of 40 homeowners is attached who are opposing the application for Minor Variance.

10.--- 8877 Creditview Rd is a custom house was built in 2013,that time city didn't allow them widen the driveway to protect these 2 trees ( Picture Attached )

10. MY RECOMMENDATION: Leave 12 M Front yard Setback and Minimum 7.5 M side yard, make only 2 houses in place of 3, min 82 feet front each, make a one mutual entrance for both houses to minimise the accident and traffic congestion on road. Creditview is already a busy road.

11. Branheaven Creditview Inc applied for a permit for the Sale office, I want to ask one thing: Master Plan & Floor plan is not approved yet, case under OLT , what does the builder want to sell from the office? As per my knowledge no one can do the advertisement till the floor plan is approved.

12. This is an upscale neighborhood. The appeal of the neighbourhood should be preserved.

This application should be rejected and ask the builder to wait till the case finalises from OLT .

Thanks & Regard

Paramjit Chahal

8930 Creditview Rd, Brampton

Attachment:

1. Pictures are attached below
- 2 Letter from Branthaven Development to Retain the trees.
3. Tree protection Policy:
4. A signed copy of 40 owner who oppose this Proposal
- 5 Picture of House no 8877 Creditview Rd

**Teresa Ursomarzo**

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**From:** Thomas Kastelic <tkastelic@branthaven.com>  
**Sent:** May 4, 2023 12:10 PM  
**To:** Vanessa Battista  
**Cc:** Enzo Bertucci; 'Paul Edward'; Teresa Ursomarzo; Daniel Botelho  
**Subject:** RE: LTA Application by Branthaven Creditview Inc. - Objection  
**Attachments:** 21-121R03.pdf

Hi Vanessa,

After reviewing the attached, our position is that we'll retain the hedge, but will not keep the they installed fence or replace this neighbours fence.

Unfortunately, it was most likely the previous landowner (my records show this was installed in 2013-2014) who installed the fence in the incorrect location.

Cheers,

**Thomas Kastelic, BComm.**  
Project Manager

**BRANTHAVEN**  
DEVELOPMENT

T 905.333.8364 ext. 224 / M 905.719.0728  
720 Oval Court, Burlington, ON L7L 6A9

e-mail: [tkastelic@branthaven.com](mailto:tkastelic@branthaven.com)



**RE:**

1 message

**Vanessa Battista**

8 June 2023 at 13:58

Cc: Teresa Ursomarzo

Good afternoon,

Thank you for your call today – As discussed, my client has provided written confirmation that they are willing to retain the hedges, a copy of which was enclosed in our previous email on May 4, 2023. I have enclosed another copy of same to this email.

I want to emphasize again that my client will not be, nor is required to, fix or construct any fences around said hedges.

We ask that you provide your Withdrawal of Objection (enclosed again) as soon as possible.

Kind regards,

**Vanessa Battista**



**BRATTYS**<sup>LLP</sup>  
BARRISTERS AND SOLICITORS

P (905) 760-2600 ext 267

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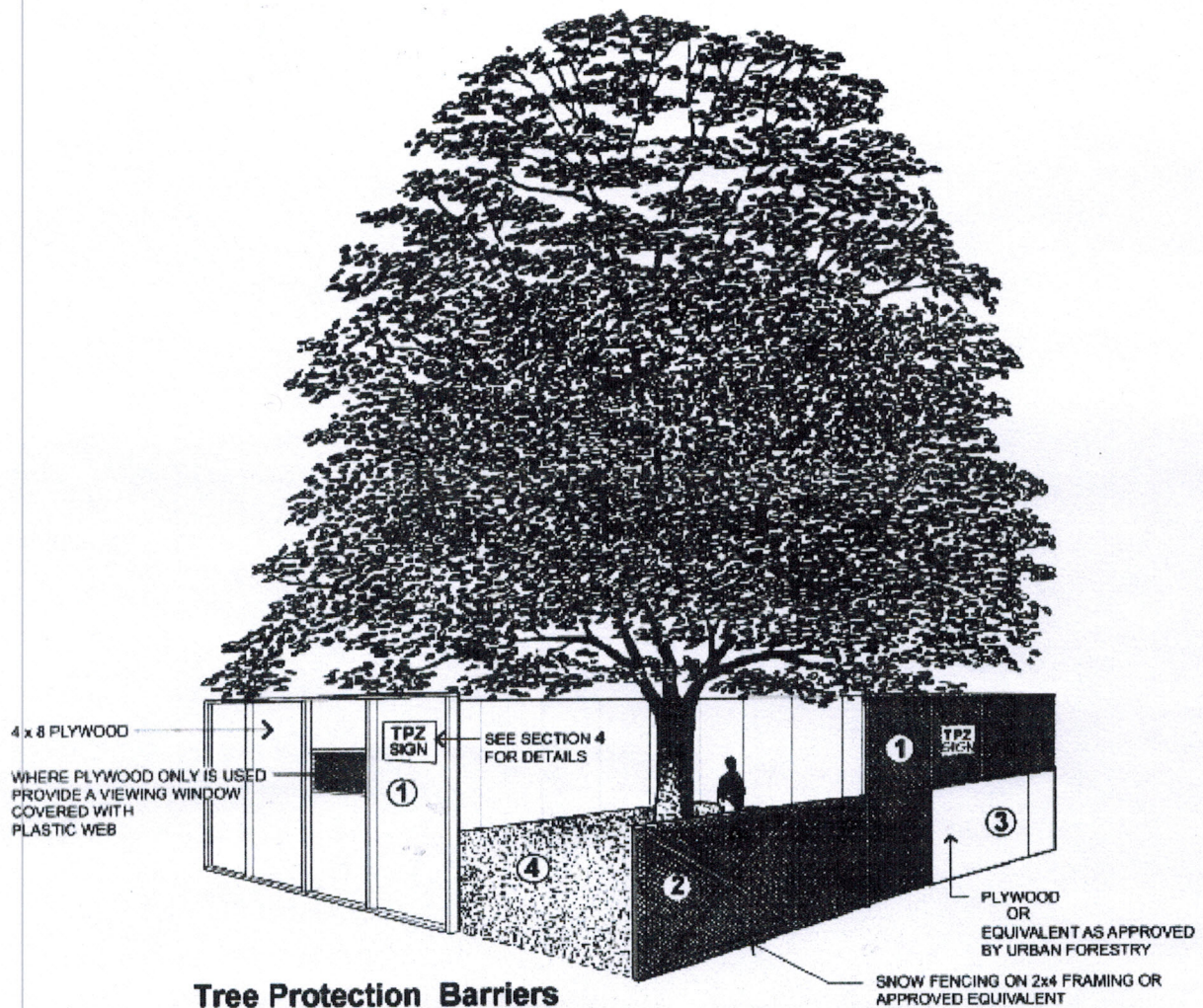
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## Tree Protection Policy and Specifications for Construction Near Trees





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# 1. Introduction

Maintenance, growth and enhancement of the urban forest are important goals of the City of Toronto. Preserving and protecting healthy trees can help the City to achieve these goals. Considering tree protection in the initial stages of construction planning may mean the difference between preserving a healthy tree and having to remove it. Plans created with tree protection in mind help protect the city's urban forest.

The tree protection policy and specifications outlined below reflect the policy of Toronto City Council. Anyone failing to adhere to the tree protection policy and specifications will be financially responsible for any resulting damage to trees and may be charged under the provisions of the applicable City of Toronto tree by-law or subject to orders to comply.

Prior to commencing with any demolition or construction activity it is important that an arborist<sup>1</sup> determines the location, species, size and condition of trees on the property and surrounding properties and becomes familiar with the tree protection by-laws that could impact the proposal.

The following by-laws protect trees in the City of Toronto:

- **Street Tree By-law**, City of Toronto Municipal Code Chapter 813, Article II, protects all trees situated on City streets.
- **Private Tree By-law**, Article III, Chapter 813 of the City of Toronto Municipal Code protects trees on private property with diameter of 30cm or more and trees of any diameter that were planted as a condition of a permit issued under this bylaw or a site plan agreement.
- The **Ravine & Natural Feature Protection By-law**, Chapter 658 of the City of Toronto Municipal Code prohibits and regulates the injury and destruction of trees, as well as filling, grading and dumping within designated areas of the City. There is no minimum diameter for a tree to qualify for protection under the Ravine and Natural Feature Protection By-law. Trees of any size located in the designated areas qualify for protection.
- The **Parks By-law**, Municipal Code Chapter 608, Article VII protects all trees located in a City park.

All above noted by-laws are implemented by Urban Forestry under the authority of the General Manager, Parks, Forestry and Recreation. City of Toronto's tree protection by-laws can be found at [www.toronto.ca/trees](http://www.toronto.ca/trees).

## Types of Tree Damage

**Physical injury** to the trunk, crown and roots of a tree will occur if construction equipment is permitted close to trees or if structures are built into the growing space of a tree. Inappropriate pruning may also result in tree injury. Physical injuries are permanent and can be fatal.

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<sup>1</sup> Arborist – An expert in the care and maintenance of trees including an arborist qualified by the Ontario Training and Adjustment Board Apprenticeship and Client Services Branch, a certified arborist qualified by the International Society of Arboriculture, a consulting arborist registered with the American Society of Consulting Arborists, a registered professional forester or a person with other similar qualifications as approved by the General Manager, Parks, Forestry and Recreation.



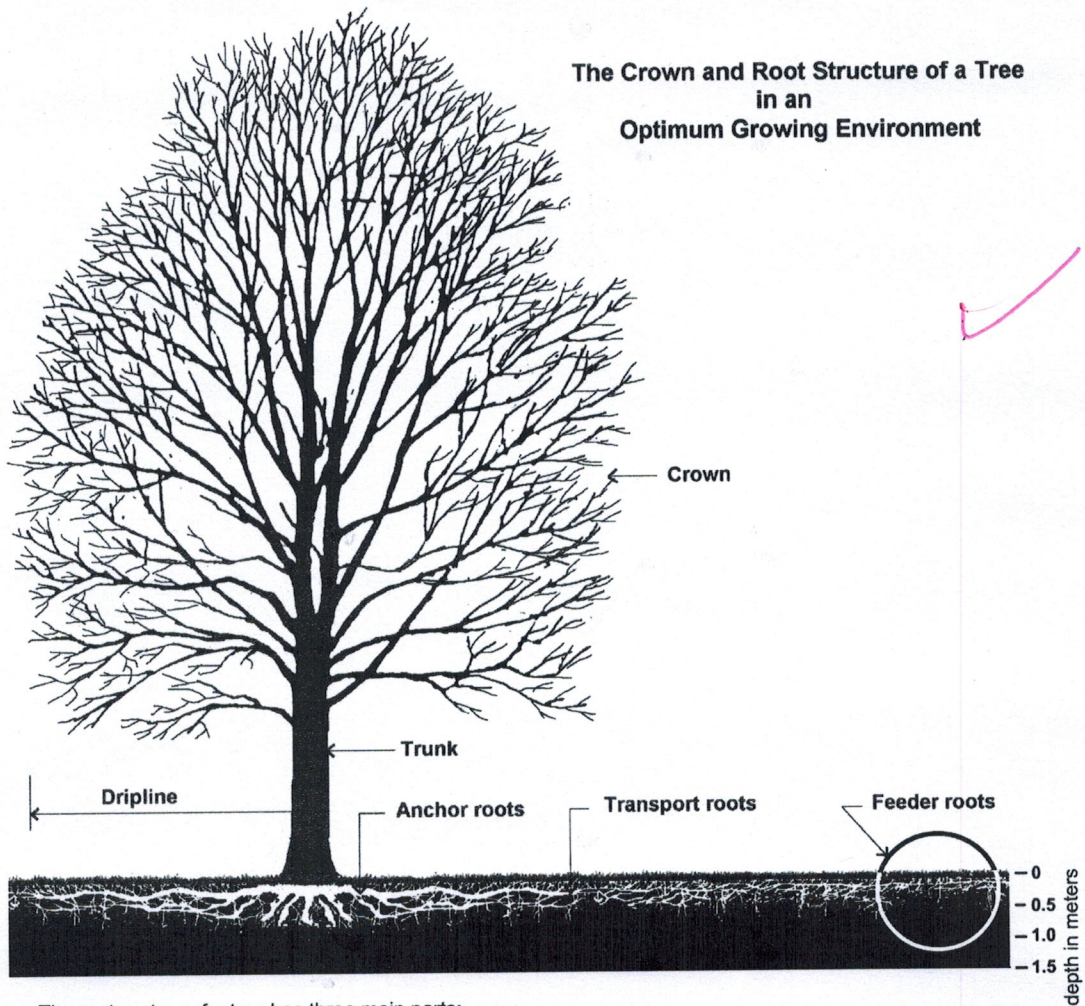
**Root cutting** is another type of physical injury that can significantly impact the health of a tree. The majority of tree roots are found in the upper 30 to 60 cm of soil. Excavation for foundations or utility installation may cut roots if the excavation is too close to trees. Trees can become destabilized and may fall over if anchor roots are severed.

**Compaction of the soil in the tree root zone** is one of the leading causes of tree decline in Toronto's urban forest. Soil compaction occurs primarily from vehicles and equipment moving across the root zones. Piling or storing materials or debris on top of the root system can also result in soil compaction. Soil compaction causes the pore spaces in the soil, which contains air and water necessary for root growth, to be reduced. Without space available for oxygen and water, tree roots will suffocate and tree decline will follow. With rutting, a form of intense compaction, roots are severed by the tires of equipment. Root destruction can also be caused by changes to the existing grade. Adding soil on top of tree roots can smother them by reducing the amount of oxygen and water they can receive. Only a few centimetres of added soil can have a detrimental impact on tree health.

The structural elements of a tree in an optimal growing environment are shown on Figure 1. This figure illustrates the terms used in this policy.



## The Crown and Root Structure of a Tree in an Optimum Growing Environment



The root system of a tree has three main parts:  
Forming the base of the tree are large **anchor roots** from which extend long **transport roots** which together provide the main structural framework for trees. From the transport roots extend a complex network of **feeder roots** that grow outward and upward. These non-woody roots branch out to form fans of thousands of slender roots with fine root hairs. These tiny roots provide the surface where the absorption of air, water and nutrients takes place that sustains the life of the tree.

The root system of a tree grows mainly within the top 60 cm of the surface of good quality, well drained and uncompacted soil.

The root system can extend to more than 2 to 3 times the **dripline** distance.

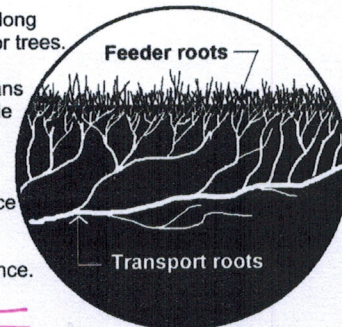


Figure 1: Urban Forestry Detail TP-3



## 2. Protecting Trees

There are a number of steps that can be taken to protect trees prior to, during and after any construction project. Hiring an arborist should be the first step. An arborist can advise on current tree maintenance requirements and determine the impact the proposal will have on trees and the surrounding natural environment.

An inventory of trees on subject and adjacent properties that may be impacted by the proposed work should be prepared in accordance with the City tree by-laws so that the project can be designed with tree protection in mind. A tree protection plan prepared by an arborist will identify the location, species, size and condition of all trees within the area of consideration, identify the extent of injury where applicable and outline proposed tree protection measures for the trees identified for protection.

The **area of consideration** for trees protected under the Private Tree By-law (Municipal Code, Chapter 813, Article III) includes the entire area of site disturbance, including construction related traffic and material storage, and extends 6m beyond the limit of site disturbance. For trees protected under Ravine and Natural Feature Protection By-law (Municipal Code, Chapter 658), the area of consideration includes the area of site disturbance and 12m area beyond.

The following chart provides the required distances for determining a **minimum tree protection zone (TPZ)** for trees located on a City street, in parks and on private property subject to Private Tree By-law and for trees located in areas regulated under the Ravine and Natural Feature Protection By-law. The minimum tree protection zones are based on the diameter of the tree. While these guidelines provide minimum protection distances for the anchor and transport roots of a tree, there can still be significant loss of the feeder roots beyond the established tree protection zone. Feeder roots are responsible for water and nutrient absorption and gas exchange. **For this reason, Urban Forestry may require a TPZ larger than the minimum, depending on the tree and the surrounding environment.**

Trunk Diameter (DBH) <sup>1</sup>	Minimum Protection Distances Required <sup>2</sup> City-owned and Private Trees	Minimum Protection Distances Required Trees in Areas Protected by the Ravine and Natural Feature Protection By-law
		Whichever of the two is greater:
<10cm	1.2 m	The drip line <sup>4</sup> or 1.2 m
10- 29 cm	1.8 m	The drip line or 3.6 m
30 <sup>3</sup> – 40 cm	2.4 m	The drip line or 4.8 m
41 – 50 cm	3.0 m	The drip line or 6.0 m
51 – 60 cm	3.6 m	The drip line or 7.2 m
61 – 70cm	4.2 m	The drip line or 8.4 m
71 – 80cm	4.8 m	The drip line or 9.6 m
81 – 90 cm	5.4 m	The drip line or 10.8 m
91 – 100 cm	6.0 m	The drip line or 12.0 m
>100 cm	6 cm protection for each 1 cm diameter	12cm protection for each 1 cm diameter or the drip line <sup>5</sup>

**Table 1: Minimum Tree Protection Zone (TPZ) Determination**



<sup>1</sup>Diameter at breast height (DBH) measurement of tree stem taken at 1.4 metres (m) above the ground.

<sup>2</sup>Minimum Tree Protection Zone distances are to be measured from the outside edge of the tree base.

<sup>3</sup>Diameter (30 cm) at which trees qualify for protection under the Private Tree By-law.

<sup>4</sup>The drip line is defined as the area beneath the outer most branch tips of a tree.

<sup>5</sup>Converted from ISA Arborists' Certification Study Guide, general guideline for tree protection barriers of 1 foot of diameter from the stem for each inch of stem diameter.

The diagram below shows how the TPZ is determined:

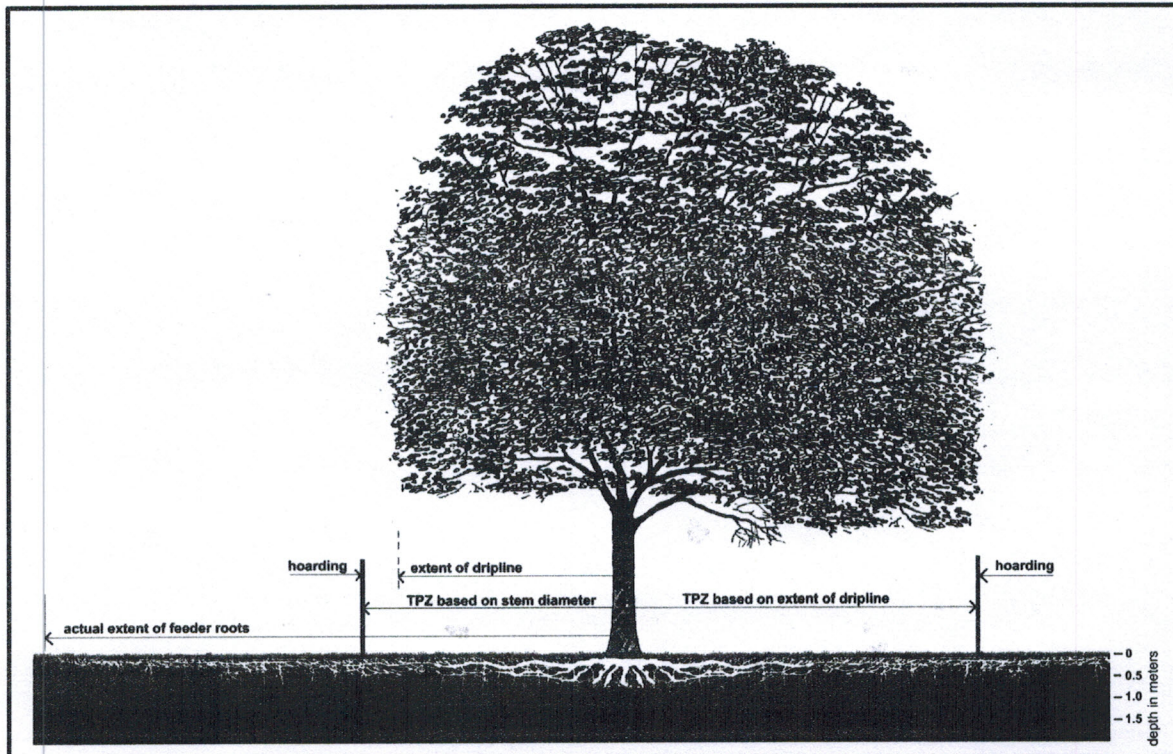


Figure 2: Minimum Tree Protection Zone (TPZ) Determination

In some cases, disturbances in the TPZ may be unavoidable, in which case, the TPZ must be adjusted in consultation with the arborist and Urban Forestry. In these situations, it may be necessary to implement other tree protection measures such as horizontal root protection as noted in section 3 of this document.

In addition to establishing and creating tree protection zones, it may be necessary to implement other protective measures, such as adding mulch to the root zone, aeration of the soil, pruning for deadwood or removing limbs that may be impacted by construction activity. This is also the time to determine the location where new trees can be planted to compliment the construction project and help with the renewal and growth of the urban forest.

Prior to commencing with any excavation, roots approved for pruning by Urban Forestry must first be exposed using pneumatic (air) excavation, by hand digging or by using a low pressure hydraulic (water) excavation. This **exploratory excavation** must be undertaken by an experienced operator under the supervision of a qualified and experienced arborist. The water pressure for hydraulic excavation must be low enough that root bark is not damaged or



removed. This will allow a proper pruning cut and minimize tearing of the roots. The arborist retained to carry out root pruning must contact Urban Forestry no less than three (3) working days prior to conducting any specified work.

Exploratory excavation may also be required for open face cuts outside the minimum tree protection zone (TPZ).

Communication between owners and their designated agents, arborists, contractors and sub-contractors throughout the construction process is critical to ensure that everyone involved is aware of the issues surrounding tree protection, and fully understands the tree protection methodology. Construction damage to trees is often irreversible.

### **Prohibited Activities Within a TPZ**

Except where authorized by Urban Forestry, any activity which could result in injury or destruction of a protected tree or natural feature, or alteration of grade within a Ravine and Natural Feature Protection (RNFP) area, is prohibited within a TPZ, including, but not limited to, any of the following examples:

- demolition, construction, replacement or alteration of permanent or temporary buildings or structures, parking pads, driveways, sidewalks, walkways, paths, trails, dog runs, pools, retaining walls, patios, decks, terraces, sheds or raised gardens
- installation of large stones or boulders
- altering grade by adding or removing soil or fill, excavating, trenching, topsoil or fill scraping, compacting soil or fill, dumping or disturbance of any kind
- storage of construction materials, equipment, wood, branches, leaves, soil or fill, construction waste or debris of any sort
- application, discharge or disposal of any substance or chemical that may adversely affect the health of a tree e.g. concrete sluice, gas, oil, paint, pool water or backwash water from a swimming pool
- causing or allowing water or discharge, to flow over slopes or through natural areas
- access, parking or movement of vehicles, equipment or pedestrians
- cutting, breaking, tearing, crushing, exposing or stripping tree's roots, trunk and branches.
- nailing or stapling into a tree, including attachment of fences, electrical wires or signs
- stringing of cables or installing lights on trees
- soil remediation, removal of contaminated fill
- excavating for directional or micro-tunnelling and boring entering shafts

The above mentioned prohibitions are for area(s) designated as a TPZ. If possible, these prohibitions should also be implemented outside the TPZ in areas where tree roots are located. The roots of a tree can extend from the trunk to approximately 2-3 times the distance of the dripline.



# Community Support for Input for City File: OZS-2022-0014

Application to Amend the Official Plan, Zoning By-law and for a Draft Plan  
of Subdivision (Proposal to develop 60 single-detached dwellings)  
Glen Schnarr & Associates Inc. – Branthaven Creditview Inc., 8940 Creditview Road  
West of Creditview Road and South of Queen Street W.

Name	Initial / Signature	Address
MAHESH LAD		8920 CREDITVIEW ROAD
HEMA LAD		8920 CREDITVIEW ROAD
HEMANT PATEL		8893 CREDITVIEW RD
RAJIAN PATEL		8893 CREDITVIEW RD.
JASVIR BADWAL		8897 CREDITVIEW - RD.
Gurleen Badwal		8897 Creditview - RD.
Hardip Badwal		8897 Creditview RD
Parminder Badwal		8897 Creditview RD
Calviana Maria Guido		8877 Creditview Rd
ALOK NAGPAL		8895 Creditview Rd.
Sonia Nagpal		8895 Creditview Rd.
Sukinder Kohli		8891 Creditview Rd
HASMEET SINGH		8892 CREDITVIEW ROAD
Gurcharan Sondhi		8910 Creditview Rd.
Natanael Pereira		2 George Robinson Dr.
Ilertis Reyes		2 George Robinson Dr.
Paul Chawla		8903 Creditview Road
Jaspreet Singh		8903 Creditview Road
Maria Lumia		8905 Creditview Road
Dan Zi Kovitz		8905 Creditview Road.



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Glen Schnarr & Associates Inc. – Branthaven Creditview Inc., 8940 Creditview Road  
West of Creditview Road and South of Queen Street W.

Name	Initial / Signature	Address
NAVI BARR		8976 CREDITVIEW RD
LAL BARR		8976 CREDITVIEW RD
KARMJEET BARR		8976 CREDITVIEW RD
PREMJEET BARR		8976 CREDITVIEW RD
LAKHWINDER GILL		146 LLOYD SANDERSON
JASJEET SARR		1 BELLCREST RD
AMRINDER SARR		30 OVERLEAF CRT
<del>KAR</del> MANJITS		1 BELLCREST RD
KULDIP CHAHAL		8832 CREDITVIEW RD
HARINDER CHAHAL		8832 CREDITVIEW RD
TARANPREET CHAHAL		8832 CREDITVIEW RD
Pardeep Gill		1 George Robinson Drive
Kristina Gill		1 George Robinson Dr.
HARJEET Gill		1 George Robinson Dr.
JASKARAN KHAL		8891 Creditview RD
HASMEET KHAL		
HARPREET KHAL		
SAHIBA KHAL		
BALJINDER KHAL		
SURINDER KHAL		

