

December 8, 2023

CFN 68434.16

**By email: [coa@brampton.ca](mailto:coa@brampton.ca); [clara.vani@brampton.ca](mailto:clara.vani@brampton.ca)**

Clara Vani  
Legislative Coordinator & Secretary-Treasurer Committee of Adjustment  
Committee of Adjustment  
2 Wellington Street West  
Brampton, ON L6Y 4R2

Dear Clara Vani,

**Re: Minor Variance Application and City File No. A-2023-0362  
89 Wellington Street East  
City of Brampton, Region of Peel  
Owner: 15274702 Canada Inc.**

This letter acknowledges receipt of the subject application, received on November 17, 2023. Toronto and Region Conservation Authority (TRCA) staff have reviewed the application and the circulated materials listed in Appendix A to this letter in accordance with Ontario Regulation 686/21 and Ontario Regulation 166/06.

TRCA staff have reviewed the submission in accordance with Section 21.1(1) of the Conservation Authorities Act, which requires TRCA to provide programs and services related to the risk of natural hazards within its jurisdiction. The standards and requirements of such mandatory programs and services are listed under Ontario Regulation 686/21. Specifically, the regulation requires that TRCA must, acting on behalf of the Ministry of Natural Resources and Forestry (MNRF) or in its capacity as a public body under the Planning Act, ensure that decisions under the Planning Act are consistent with the natural hazard policies of the Provincial Policy Statement (PPS) and conform to any natural hazard policies in a provincial plan.

We have also reviewed the application in accordance with Ontario Regulation 166/06. TRCA must ensure that where development and/or site alteration is proposed within an area regulated by the Authority under Ontario Regulation 166/06, that it conforms to the applicable tests and associated policies (Section 8 of TRCA's The Living City Policies) for implementation of the regulation.

Please also note that updates to the Conservation Authorities Act and Ontario Regulation 596/22, which came into effect on January 1, 2023, prevent TRCA from providing municipal programs and services related to reviewing and commenting on a proposal under the Planning Act, such as those services previously provided under plan review Memorandum of Understanding (MOU) with an upper or lower tier municipality. In conformity with Ontario Regulation 686/21 and Ontario Regulation 596/22, TRCA's review does not include comments pertaining to matters (e.g. natural heritage) outside of our core planning mandate and regulatory authority.

### **Purpose of the Application**

The purpose of Minor Variance Application assigned City File No. **A-2023-0362** is to permit an additional residential unit (ARU) whereas the by-law does not permit the use.

It is our understanding that the requested variances are required to facilitate the second unit dwelling the basement of the existing one storey house. Also, there is no new openings proposed at this time.

### **Recommendation**

TRCA's staff have no objection to support the approval of Minor Variance Application assigned City File No. **A-2023-0362**. A TRCA permit pursuant to Ontario Regulation 166/06 may be required for any future works on the subject property.

### **Site Context**

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

Under the provisions of Section 28 of the Conservation Authorities Act, TRCA administers a Development, Interference with Wetlands and Alterations to Shorelines and Watercourses regulation (Ontario Regulation 166/06). The subject property is almost entirely located within TRCA's Regulated Area of the Etobicoke Creek Watershed. Specifically, the subject land is located adjacent to a valley slope and Regulatory Flood Plain within the valley associated with a tributary of the Etobicoke Creek. As such, a TRCA permit pursuant to Ontario Regulation 166/06 is required from this Authority prior to any development and/or site alteration taking place within TRCA's Regulated Area on the property.

### **Application Background**

On September 26, 2023, TRCA issued permit no. C-231131 to construct a second unit dwelling in the basement of the existing one storey house. The foundation of the house is over 10m from the regulatory floodplain. As such, floodproofing measures were not required. Also, there is no new development proposed and therefore a top of slope staking was not required.

### **Application Specific Comments**

Based on our review, the proposed development will be located within TRCA's regulated portion of the site. We thank the applicant for securing a TRCA Permit for the proposed second unit dwelling.

### **Fee**

TRCA staff thank the applicant for their prompt payment of the required planning review fee of \$660.00 received on December 1, 2023.

We thank you for the opportunity to comment. Should you have any additional questions or comments, please contact the undersigned.

Sincerely,

Marina Janakovic

Planner I

Development Planning and Permits | Development and Engineering Services

Toronto and Region Conservation Authority

Telephone: (437) 880-2368

Email: Marina.Janakovic@trca.ca

### **Appendix A: Circulated Materials**

- Minor Variance Application
- Drawing no. SP-1, Site Plan, dated September 7, 2023, prepared by Midtown Technical Services
- Drawing no. EX-1, Existing Basement Floor Plan, dated September 7, 2023, prepared by Midtown Technical Services
- Drawing no. A-1, Proposed Basement Floor Plan, dated September 7, 2023, prepared by Midtown Technical Services
- TRCA Permit