

October 18, 2023

CFN 68434.11
xRef: CFN 69697

By email: coa@brampton.ca; 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-2023-0283
51 Moorcroft Place
City of Brampton, Region of Peel
Owner: Kashif Pannu and Saima Pannu

This letter acknowledges receipt of the subject application, received on September 27, 2023. Toronto and Region Conservation Authority (TRCA) staff have reviewed the application and the circulated materials 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-2023-0283 is to permit a proposed deck to encroach 3.07metres into the rear yard setback, resulting in a setback of 2.7 metres from the deck to the rear lot line, whereas the bylaw permits a deck/balcony to encroach a maximum 2.0metres

into the rear yard setback, resulting in a required setback of 4.0 metres from the deck to the rear lot line.

Recommendation

TRCA's staff have no objection to support the approval of Minor Variance Application assigned City File No. **A-2023-0283**, subject to the following condition:

- 1) That the applicant provides the required \$660.00 planning review fee.

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 partially (rear yard almost entirely) located within TRCA's Regulated Area of the Humber River Watershed. Specifically, the subject land is located adjacent to a valley corridor associated with a tributary of the Humber River. 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

TRCA permit no. C-230976 (expiring August 17, 2025) was issued to construct an above grade deck with an area of 23.22 sq.m. (250 sq.ft.). The approved works also included a 11.14 sq.m. (120sq.ft.) shed, a 20.90 sq.m. (225sq.ft.) walkway paving in the side and rear yard, 18.98 sq.m. (204 sq.ft.) patio paving under the proposed deck, and one new window in the basement of the existing house.

Application Specific Comments

The proposed development will be located within TRCA's regulated portion of the site. TRCA staff have no concerns with the requested variance. Please note that all future development proposals on the property should be circulated to TRCA for our review and approval prior to any works taking place.

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

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