

May 30, 2023

CFN 68434.02

By email: Jeanie.Myers@Brampton.ca

Jeanie Myers
Committee of Adjustment
2 Wellington Street West
Brampton, ON L6Y 4R2

Dear Jeanie Myers,

**Re: Minor Variance Application and City File No. A-2023-0123
69 Main Street South
City of Brampton, Region of Peel
Owner: Genvieve Gaultieri-Brown and Patrick Brown
Agent: Blackthorn Development Corporation c/o Maurizio Rogato**

This letter acknowledges receipt of the subject application, received on May 24, 2023. Toronto and Region Conservation Authority (TRCA) staff have reviewed the application 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-2023-0123 is to allow :

1) a 3m setback to the first storey, whereas the by-law requires a setback of 3.89m (10% of the lot width) to the

first storey.

2) a 3m setback to the second storey, whereas the bylaw requires a setback of 7.78m (20% of the lot width) to the second storey.

3) an accessory structure (cabana) with an area of 35.91m², whereas the by-law permits an accessory structure with a maximum arce of 15m².

4) habitable space within an accessory structure (installation of a washroom?), whereas the by-law does not permit habitable space within an accessory structure.

Recommendation

TRCA staff have no objection to the approval of Minor Application assigned City File No. A-2023-0123. 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 located within TRCA's Regulated Area of the Etobicoke Creek Watershed. Specifically, the subject land is located within the Regulatory Flood Plain 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 Specific Comments

Based on our review, the proposed development will be located outside of TRCA's regulated portion of the site. Thus, a TRCA Permit is not required for the proposed works.

Fee

TRCA staff thank the applicant for their prompt payment of the required planning review fee of \$660.00 received on May 26, 2023.

Conclusion

Note that the above comments are being provided based on current policy and legislation which are subject to change from time to time. Future applications will be reviewed in accordance with the policies in effect at the time of review.

We thank you for the opportunity to comment. Should you have any additional questions or comments, please do not hesitate to 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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