

November 26, 2020

CFN 62563.08

BY EMAIL: jeanie.myers@brampton.ca

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

Dear Ms. Myers:

Re: Minor Variance Application – A 2020-0119
13 Scott Street
Part Lots 27 & 28, Plan BR2
City of Brampton
Christine Merrifield

This letter will acknowledge receipt of the above noted application, received on November 24, 2020. Toronto and Region Conservation Authority (TRCA) staff have reviewed the above noted application, and as per the "Living City Policies for Planning and Development within the Watersheds of the TRCA" (LCP), provides the following comments as part of TRCA's commenting role under the *Planning Act*, the Authority's delegated responsibility of representing the provincial interest on natural hazards encompassed by Section 3.1 of the *Provincial Policy Statement, 2020 (PPS)*; TRCA's Regulatory Authority under Ontario Regulation 166/06, *Development, Interference with Wetlands and Alterations to Shorelines and Watercourses*; and our Memorandum of Understanding (MOU) with the Region of Peel wherein we provide technical environmental advice.

Purpose of the Application

The purpose of Minor Variance Application A 2020-0119 is to request a variance to permit the expansion of an existing legal non-conforming use (duplex) by adding one (1) additional unit in the basement of the existing dwelling resulting in a total of three (3) dwelling units whereas the by-law does not permit the proposed additional unit.

It is our understanding that the purpose of the above variance is to legalize a third dwelling unit located in the basement of the existing house at the subject property.

Recommendation

On the basis of the comments noted below, TRCA staff supports **conditional approval** to Minor Variance Application A 2020-0119, subject to the following condition:

1. The applicant submits \$580 review fee to this office.

Applicable Policies and Regulations

Ontario Regulation 166/06:

A portion of the subject property is located within TRCA's Regulated Area of the Etobicoke Creek Watershed, as it is located adjacent to the Regulatory Flood Plain associated with a tributary of the Etobicoke Creek. In accordance with Ontario Regulation 166/06, as amended (Development,

Interference with Wetlands and Alteration to Shorelines and Watercourses), a permit is required from the TRCA prior to any of the following works taking place:

- a) straightening, changing, diverting or interfering in any way with the existing channel of a river, creek, stream or watercourse, or for changing or interfering in any way with a wetland;
- b) development, if in the opinion of the Authority, the control of flooding, erosion, dynamic beaches or pollution or the conservation of land may be affected by the development.

Development is defined as:

- i. the construction, reconstruction, erection or placing of a building or structure of any kind;
- ii. any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure or increasing the number of dwelling units in the building or structure;
- iii. site grading, including the temporary or permanent placing, dumping or removal of any material originating on the site or elsewhere.

It is our understanding that the requested variance is required to legalize a third dwelling unit located in the basement of the existing house. Based on our review, the existing house is located outside of TRCA's Regulated Area. As such, TRCA staff has no concerns with the proposed works, as submitted, and a TRCA permit will not be required at this time.

Fees

In addition to regulatory responsibilities, TRCA has a role as a commenting agency for Planning Act applications circulated by member municipalities to assess whether a proposed development may be impacted by the TRCA.

1. By copy of this letter, the applicant is advised that the TRCA has implemented a fee scheduled for our planning application review services. This application is subject to a \$580 (Variance – Residential – Minor) review fee. The applicant is responsible for fee payment and should forward the application fee to this office as soon as possible.

Conclusion

We thank you for the opportunity to review the subject application and provide our comments as per our commenting and regulatory role. Should you have any additional questions or comments, please do not hesitate to contact the undersigned.

Sincerely,



Lina Alhabash
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Planning and Development
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LA/as