

March 5, 2024

CFN 70437.06

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 – A-2024-0034
87 Dolphin Song Crescent
City of Brampton, Region of Peel
Owner: Angella Anderson and Neville Anderson
Agent: Jarvis Design Firm**

This letter acknowledges receipt of the subject application, received on February 16, 2024. 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

TRCA staff understand that the purpose of Minor Variance Application is:

1. To permit a front yard setback of 3.25m to a proposed porch enclosure whereas the by-law requires a minimum front yard setback of 4.0m to the main wall of the building.
2. To permit a building addition of a proposed porch with an exterior side yard setback of 1.68m whereas the by-law requires a minimum exterior side yard setback of 3.0m.

It is our understanding that the requested variances are required to facilitate the enclosed space of an as-built porch. TRCA staff understand that the porch already exists and therefore the space will not be increasing.

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 adjacent (right side yard and front yard) to 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 is located within TRCA's regulated portion of the site. However, based on the minor nature of the development a TRCA Permit is not required.

Recommendation

TRCA's staff have **no objection** to support the approval of Minor Variance Application assigned City File No. A-2024-0034.

A TRCA permit pursuant to Ontario Regulation 166/06 may be required for any future works on the subject property.

Fee

TRCA staff thank the applicant for their prompt payment of the required planning review fee of \$660.00 received on March 4, 2024.

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

Drawing no. A1.01, Site Plan, dated September 11, 2023, prepared by Jarvis Design Firm

Drawing no. A1.02, Floor Plan and Elevations, dated September 11, 2023, prepared by Jarvis Design Firm