

March 8, 2024

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Xref: CFN 67547

**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 – A-2024-0042**  
**5875 Mayfield Road**  
**City of Brampton, Region of Peel**  
**Owner: Upper Mayfield Estates Inc.**  
**Agent: KLM Planning c/o Lauren Dynes**

This letter acknowledges receipt of the subject application, received on March 7, 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 to permit a temporary sales office with a gross floor area of 220.64 sq.m. on a portion of the subject lands which are currently zoned Agricultural (A), whereas the By-law 270-2004, as amended, does not permit the use.

It is our understanding that the requested variances are to facilitate, the development of a temporary sales office, walkway paving, gravel driveway and 18 gravel parking spaces on the easterly portion of the lands.

TRCA staff understand that the portion of the lands for this Minor Variance application are subject to a forthcoming Zoning By-law Amendment application to permit a future residential development (for which a pre-consultation meeting has already been held for file PRE-2023-0133) and will be zoned accordingly for residential uses. As the lands will be developed for future residential uses and the temporary sales office is proposed to be on the same parcel of land that the future homes will be sold on.

### **Background**

It is important to note that the Subject Lands form the easterly portion of lands owned by the applicant. The westerly portion are subject to the City of Brampton planning OZS-2022-0034/ 21T-22009B and were approved to permit the development of 185 residential units.

TRCA provided planning comments on January 19, 2023 for the Zoning By-law Amendment and Draft Plan of Subdivision (OZS-2022-0034/ 21T-22009B) applications to facilitate the development of 127 single residential dwelling and 48 townhouse dwelling units on the subject property. Here, TRCA's key priority issues have in-principle been adequately addressed. As such, TRCA had no objection to the Draft Plan of Subdivision and ZBA as submitted at the time. Based on the draft plan prepared by KLM Planning Partners Inc., dated November 24, 2022, TRCA staff were in position to provide Conditions of Draft Plan Approval.

### **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 Humber River Watershed. The subject property is partially Regulated owing to the proximity of a Valley system with an associated erosion hazard and floodplain present beyond the eastern property line. 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. Based on our review, the proposed development will be located within TRCA's regulated portion of the site.

### **Application Specific Comments**

As part of TRCA's review of the approved Draft Plan of Subdivision 21T-22009B the overall limits of development for the future 13-ha subdivision within Block 28-2 were established with which the current works conform.

Based on Drawing no. SPA01, TRCA staff understand that Erosion and Sediment Controls consisting of single flow sediment control fencing have been proposed with the application and will be maintained through all phases of construction.

Please advise the applicant to submit a TRCA permit application for the proposed temporary sales office (Application for Development, Interference with Wetlands & Alterations to Shorelines and

Watercourses – Ontario Regulation 166/06) and the associated review fee of \$7380.00 (Works on Subdivision Lands, Commercial, Industrial and Institutional Properties, Recreation and Other Projects – Minor).

**Recommendation**

TRCA's staff have no objection to support the approval of Minor Variance Application assigned City File No. **A-2024-0042**.

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 \$1250.00 received on March 7, 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. SPA01, Siting and Grading Plan, dated February 6, 2024, prepared by Hunt Design Associates Inc.
- Drawing unnumbered, Location Map, dated February 2024, prepared by KLM Planning
- Letter Re: MVA Submission, 4 pages, dated February 18, 2024, prepared by KLM Planning