



September 9, 2022

VIA EMAIL

City of Brampton, Committee of Adjustment
City Clerk's Office
Brampton City Hall
2 Wellington Street West
Brampton, ON L6Y 4R2

Attention: Jeanie Myers, Secretary-Treasurer

**Re: CVC File No. A 22/268
Municipality File No. A-2022-0268
Mohammed Ilyas
2257 and 2267 Embleton Road
Part of Lot 5, Concession 5 WHS
City of Brampton**

Credit Valley Conservation (CVC) staff have reviewed the subject application and offer comments based on the following roles and responsibilities:

1. Watershed Based Resource Management Agency and Public (commenting) Body under the Planning Act - providing comments based on CVC's Board approved policies;
2. Planning Advisory Services - providing environmental planning and technical advice/comments based on service agreements or memorandum of understanding;
3. Delegated Responsibilities - providing comments representing the provincial interest regarding natural hazards (except forest fires) as identified in Section 3.1 of the Provincial Policy Statement (2020);
4. Regulatory Responsibilities - providing comments to ensure the coordination of requirements under the Conservation Authorities Act Section 28 regulation, to eliminate unnecessary delay or duplication in process;
5. Source Protection Agency - providing advisory comments to assist with the implementation of the CTC Source Protection Plan under the Clean Water Act, as applicable.

Ontario Regulation 160/06:

The property is subject to the Development, Interference with Wetlands, and Alterations to Shorelines & Watercourses Regulation (Ontario Regulation 160/06). This regulation prohibits altering a watercourse, wetland or shoreline and prohibits development in areas adjacent to the Lake Ontario shoreline, river and stream valleys, hazardous lands and wetlands, without the prior written approval of CVC (i.e. the issuance of a permit).

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Site Characteristics:

Based on information currently available in our office, the subject site is regulated due to wetland (Provincially Significant Churchville-Norval Wetland Complex), and a watercourse (tributary of the Credit River) and associated hazards. As such, the property is regulated by CVC under Ontario Regulation 160/06.

Additionally, the property is located within the Peel Core Greenlands. It is the policy of the Region of Peel to protect the form and function of these natural areas. CVC provides technical support to this agency with respect to delineation of natural features and reviewing potential impacts from subsequent development within and adjacent to these lands. We suggest you contact the Region of Peel if you have questions on this matter.

Proposal:

It is our understanding that the applicant is requesting the Committee to approve a minor variance to permit:

- A Day Nursery, whereas the by-law does not permit the proposed use;
- 40% of the required front yard to be landscaped open space, whereas the by-law requires a minimum 70% of the required front yard to be landscaped open space;
- A front yard setback of 8.0m (22.25 ft), whereas the by-law requires a minimum front yard setback of 12m (39.37 ft);
- A side yard setback of 6.0m (19.68 ft), whereas the by-law requires a minimum side yard setback of 7.5m (34.60 ft); and,
- A building height of 12.0m (39.37 ft), whereas the by-law permits a maximum building height of 10m (32.80 ft).

Comments:

Due to the features noted above, there are constraints to development on the subject site. CVC staff have previously attended a site visit to stake the wetland limits at the back of the property. The staked limits and appropriate buffers should be reflected on all future plans. We understand that the proposal will require a Site Plan application, and CVC staff will be circulated for review and comment to confirm that development is appropriately sited. Based on the Site Plan (Viewpoint Studio Inc., August 28, 2022) provided, there appears to be room to site development outside of the natural features and hazards with buffers; however, further information will be required for review at the Site Plan stage to confirm that all development is appropriately sited.

As the current use of the property already permits an institutional use (i.e. private school), and reduced setbacks are not proposed at the back of the property where the wetland and watercourse are located, we have **no objection** to the approval of this minor variance by the Committee at this time. The applicant should note that we will review plans through the future Site Plan application, which will need to demonstrate that the proposed school and day nursery are sited outside the natural hazards, natural heritage features and appropriate

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buffers. As noted above, a CVC permit will also be required prior to any development on the property.

I trust that these comments are sufficient. Please do not hesitate to contact the undersigned at trisha.hughes@cvc.ca or 905-670-1615 (ext. 325) should you have any further questions. Please circulate CVC on any future correspondence or applications regarding this site.

Sincerely,



Trisha Hughes
Planner

cc: Angelo Ambrico, City of Brampton
Abiral Homagain, Peel Region
Mohammed Ilyas (owner)
Sami Abu Shanb (agent)