

May 14, 2024

CFN 70437.15

**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-2024-0130**  
**102 Heartview Road**  
**City of Brampton, Region of Peel**  
**Owner: Nicolin and Joanne Guinette**  
**Agent: Noble Prime Solutions Ltd. c/o Pavneet Kaur**

This letter acknowledges receipt of the subject minor variance application, received on April 22, 2024. Toronto and Region Conservation Authority (TRCA) staff have reviewed this application and the circulated materials listed in Appendix A to this letter in accordance with the Conservation Authorities Act, which requires TRCA to provide programs and services related to the risk of natural hazards within its jurisdiction. With respect to Planning Act matters, conservation authorities have a role to 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.

In addition, TRCA staff have also reviewed this application in accordance with Ontario Regulation 41/24. Where development activity is proposed, within a regulated area, a permit is required to ensure that it conforms to the applicable tests for implementation of the regulation.

The subject property is located within TRCA's Regulated Area of the Etobicoke Creek Watershed. Specifically, a portion of the side yard at the subject property is regulated by TRCA as it is adjacent to (off the lot) the Provincially Significant Wetland called Heart Lake Wetland – Class 2. As such, a TRCA permit pursuant to Ontario Regulation 41/24 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.

**Purpose of the Application**

TRCA staff understand that the purpose of Minor Variance Application is to permit a proposed side yard garden suite having a gross floor area of 43.57sq m (469 sq ft) whereas, the by-law permits a maximum gross floor area of 35 sq m for a garden suite.

### **Application Specific Comments**

It is our understanding that the requested variances are required to facilitate the single storey garden suite with a side yard setback of 2.5m, whereas the existing side yard setback is 7.30m.

Based on a review of TRCA's available mapping, the subject development is appropriately buffered from the adjacent natural hazard. As such, no additional setback is required from the adjacent property and TRCA staff have no concerns with the development footprint as currently shown.

### **Recommendation**

TRCA's staff have **no objection** to support the approval of Minor Variance Application assigned City File No. **A-2024-0130** at **102 Heartview Road**, subject to the following condition:

1) The applicant obtains a TRCA permit pursuant to Ontario Regulation 41/24 for the proposed works and pays the applicable permit review fee of \$240.00 – minor ancillary residential.

A TRCA permit pursuant to Ontario Regulation 41/24 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 May 7, 2024.

We thank you for the opportunity to comment. We trust these comments are of assistance. 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. A-1, Site Plan/ Grading Plan, dated April 4, 2024, prepared by Noble Prime Solutions Ltd.
- Drawing no. 1 of 1, Siting and Grading Plan, dated June 21, 2012, prepared by Viljoen Architect Inc.