

June 14, 2024

PAR-DPP-2024-00064  
X-REF: V3743, CFN 68450.03

**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: Consent Application – B-2024-0010  
40 West Drive and 44 West Drive  
City of Brampton, Region of Peel  
Owner: 2868335 Ontario Inc.  
Agent: IDM (2005) Consultants Inc.**

This letter acknowledges receipt of the subject consent application, received on May 17, 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.

A portion of the subject property (lot 44) is regulated by TRCA as it is traversed by a watercourse. The subject property is located within TRCA's Regulated Area of the Etobicoke Creek Watershed. Specifically, the subject land is located within the Regulatory Flood Plain (lot 44) associated with a tributary of the Etobicoke Creek. 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 Areas 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 Consent Application is to request a consent to sever a parcel of land (Lot 40) currently having a total area of approximately 1.607 hectares (3.97 acres) together with a reciprocal access easement. The proposed severed lot (Lot 44) has a frontage of approximately 142.32 metres (466.92 feet), a depth of approximately 76.29 metres (250.31 feet), and an area of approximately 0.700 hectares (1.73 acres). It is proposed that 2 lots be established from the existing lot with a reciprocal access easement.

TRCA staff understand there is one commercial building existing, and no new structures are being proposed.

### **Background**

A violation notice (V3743) was issued (on or around May 2023) to the company, 2868335 Ontario Inc., for the unauthorized work that is taking place. Works relate to the expansion of a parking lot and associated grading on both properties, storage of fill material at #40. Both properties are owned by the same Corporation (2868335 Ontario Inc.). TRCA enforcement staff have requested its removal.

### **Application Specific Comments**

Based on our review, the proposed severance will be located within TRCA's regulated portion of the site. The drawing circulated shows that the severed lot will contain the Regulatory flood plain which does not conform to TRCA's The Living City Policies (LCP).

Based on our review of the materials submitted in this application, the proposed severance contains a regulated feature (ie. Regulatory floodplain). As per LCP Section 7.3.1.3, the creation of new lots containing regulated features is not supported. As presently presented, TRCA staff cannot support the proposed severance as it is contrary to these policies.

Please advise TRCA if the applicant is comfortable with renaming the severed lot as the retained lot so that the 'severed lot' does not have regulated features. Please re-submit the drawings to TRCA to reflect these changes.

In this way the proposed severance would be located outside of the valley corridor and as such, would not result in the fragmentation of the natural system. Additionally, it appears that no development is proposed at this time.

Please be advised that TRCA staff have an interest in any future works on the retained and severed parcels as they may be subject to TRCA permit pursuant to Ontario Regulation 41/24.

### **Recommendation**

TRCA's staff have **no objection** to support the approval of Minor Variance Application assigned City File No. **B-2024-0010 at 40 West Drive and 44 West Drive, subject to the following condition:**

1. changing the language to have the retained parcel (Lot 40) to be referred to as the severed parcel so, that the severed land be north of the retained lot and the retained land be south of the severed lot.
2. Changing the language to have the severed parcel (Lot 44) to be referred to as the retained parcel so, that the severed land be north of the retained lot and the retained land be south of the severed lot.
3. Planning review fee of \$1,250.00 is paid.

A TRCA permit pursuant to Ontario Regulation 41/24 may be required for any future works on the subject property.

**Fee**

By copy of this letter, the applicant is advised that the TRCA has implemented a fee schedule for our planning application review services. This application is subject to a fee of \$1,250.00 (Variance Commercial – Minor). The applicant is responsible for fee payment and should forward the application fee to this office as soon as possible.

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  
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## **Appendix A: Circulated Materials**

- Drawing unnumbered, Site Plan, undated, prepared by the applicant