

June 14, 2024

PAR-DPP-2024-00058

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-2024-0172
30 Ellen Street
City of Brampton, Region of Peel
Owner: EFRY Hope and Help for Women
Agent: Lisa Zanon EFRY Hope and Help for Women - Manager

This letter acknowledges receipt of the subject minor variance 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.

The subject property is located within TRCA's Regulated Area of the Etobicoke Creek Watershed. Specifically, the subject land is located almost entirely within the Regulatory Flood Plain 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 on the property.

Purpose of the Application

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

1. To permit a detached garage having a height of 6.27 metres, whereas the by-law permits a maximum detached garage height of 4.5 metres; and
2. To permit a 2-storey detached garage having gross floor area of 67.63 square metres, whereas the by-law permits a maximum gross floor area of 48 square metres.

TRCA staff understand that there is an existing single-family dwelling and gazebo on the property.

It is our understanding that the requested variances are required to facilitate the 67.6334 sq.m. detached garage with an upper level for storage.

Application Specific Comments

Based on our latest preliminary 2D modeling results, it appears that the subject property is located almost entirely within the Regulatory Flood Plain. The Water Surface Elevation on the property is 214.87 masl.

Specifically, the proposed detached garage is located within the hydraulic floodway. As per TRCA's Living City Policies (LCP) new development located within a hydraulic floodway is not supported. As such, we encourage the applicant to revise the proposed development to locate the garage outside of the hydraulic floodway. TRCA staff are available to meet and discuss the proposed development to establish if an appropriate location is available.

Once appropriate location, outside of the hydraulic floodway, is established for the garage, TRCA will require that the detached garage be properly flood proofed according to TRCA policies and standards.

Additionally, the proposed detached garage has a second floor for storage. The applicant is to note that as per the LCP, increasing the number of dwelling units in a building within the flood hazard is not and would not be permitted in the future.

Given the above, TRCA has concerns the proposed location and floodproofing of the structure in this minor variance application, as submitted. TRCA requests that the applicant contacts the undersigned to initiate discussions regarding TRCA's concerns.

The applicant is to be advised to submit a TRCA permit application for the proposed detached garage (Development Application Ontario Regulation 41/24) and the associated review fee of \$995.00 (Works on Private Residential Property – Standard).

Should the applicant disagree with this preliminary flood plain analysis, the applicant may hire a consultant to determine the flooding extent of the spill using two-dimensional hydraulic model, otherwise the applicant is required to apply the preliminary result of TRCA's flood modelling.

Recommendation

TRCA staff recommend **deferral** of Minor Variance Application assigned City File no. **A-2024-0172** to provide an opportunity for the applicant to revise the proposed works and address TRCA's staff concerns regarding the proposed location and floodproofing of the structure. Should the Committee not grant deferral of the application at the June 18, 2024, Committee of Adjustment meeting, TRCA staff recommend denial of the application at this time.

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 \$660.00 (Variance Residential – 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
Telephone: (437) 880-2368
Email: Marina.Janakovic@trca.ca

Appendix A: Circulated Materials

- Drawing unnumbered, Site Plan, undated, prepared by Applicant
- Drawing unnumbered, Front Elevation, undated, prepared by Applicant
- Drawing unnumbered, Left Elevation, undated, prepared by Applicant