

June 14, 2024

PAR-DPP-2024-00055

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-2024-0177
27 Moorcroft Place
City of Brampton, Region of Peel
Owner: Tejpal Bedi, Manjit Bedi and Jasvinder Bedi
Agent: Rely Solution Inc. c/o Shivang Tarika

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 partially within TRCA's Regulated Area of the Humber River Watershed. Specifically, the subject land is located adjacent to the Regulatory Flood Plain (off the lot) associated with a tributary of the Humber River. 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 Minor Variance Application is to:

1. To permit a proposed deck to encroach 3.1 metres into the rear yard setback, resulting in a setback of 2.9 metres from the deck to the rear property line, whereas the by-law permits a deck to encroach a maximum 2 metres into the rear yard setback, resulting in a required setback of 4 metres from the deck to the rear lot line.

TRCA staff understand there is an existing single-family dwelling on the lot. It is our understanding that the requested variances are required to facilitate the unenclosed (approx. 36 sq.m.) rear yard deck and a second-unit dwelling.

Application Specific Comments

Based on our review, the proposed works are located within TRCA's regulated area on the property due to the adjacent Regulatory Floodplain in the rear yard. The nearest Water Surface Elevation and velocity are 184.44m and 0.57 m/s at the subject property respectively.

As such, a TRCA permit pursuant to Ontario Regulation 41/24 will be required. Please advise the applicant to submit a TRCA permit application for the proposed second unit dwelling and rear yard deck (Application for Development, Interference with Wetlands & Alterations to Shorelines and Watercourses – Ontario Regulation 166/06) and the associated review fee of \$535.00 (Works on Private Residential Property – Minor).

TRCA policies require that you demonstrate that “new” development, including the legalization of a secondary dwelling is not subject to flooding. The proposed second-unit dwelling must be properly dry flood-proofed according to TRCA policies and standards, including any potential basement windows and entrances. Given the above, TRCA has concerns with floodproofing of the proposed works in this minor variance application, as submitted. TRCA requests that the applicant contacts the undersigned to initiate discussions regarding TRCA's concerns.

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-2024-0177** to provide an opportunity for the applicant to revise the proposed works and address TRCA's staff concerns. 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

- Sheet no. A1, Existing Dwelling, dated May 2024, prepared by Rely Solution Inc.