

July 8, 2024

PAR-DPP-2024-00108
xRef CFN 70437.10,
C-170282
CFN 57053.01

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-2024-0068
10 Hazelwood Drive
City of Brampton, Region of Peel
Owner: Baligh and Nora Graieb
Agent: Alana + Kelly Design Co. Ltd.

This letter acknowledges receipt of the second circulation of the minor variance application, received on June 20, 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 significant portion of the subject property is located within TRCA's Regulated area owing to the proximity of the Regulatory Flood Plain to the proposed development near the western property limit. Based on the plans submitted, it appears that all the proposed works are located within TRCA's Regulated Area of the Etobicoke Creek Watershed. As such, a TRCA permit is required for all proposed works under Ontario Regulation 41/24.

Based on our latest preliminary 2D modeling results, the subject property is adjacent (off the lot on the south-west corner) to the Regulatory Flood Plain and the proposed development is within 15m of this limit. The front yard maximum Water Surface Elevation is noted as 221.67 masl at the subject property. As such, TRCA staff are satisfied the proposed works are not located within the hazard itself.

Purpose of the Application

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

1. To permit an accessory structure (existing pergola) having a gross floor area of 37.53 square metres (404 sq ft), whereas the by-law permits a maximum gross floor area of 15 square metres for an individual accessory structure;
2. To permit a front yard setback of 0.855 metres to a proposed ground floor addition, whereas the by-law requires a minimum front yard setback of 9.0 metres;
3. To permit an interior side yard setback of 1.995 metres to a proposed second floor addition, whereas the by-law requires a minimum interior side yard setback of 2.8 metres;
4. To permit a lot coverage of 42%, whereas the by-law permits a maximum lot coverage of 25%;
5. To permit an accessory structure (existing shed) having a setback of 0.49 metres to the side lot line, whereas the by-law requires a minimum 0.6 metres to the nearest lot line;
6. To permit an accessory structure (existing pergola) having a gross floor area of 18.95 square metres (204 square feet), whereas the by-law permits a maximum gross floor area of 15 square metres for an individual accessory structure;
7. To permit an accessory structure (existing pergola) having a height of 3.1 metre, whereas the by-law permits an accessory structure having a maximum height of 3.0 metres;
8. To permit an accessory structure (existing pergola) having a height of 3.2 metres, whereas the by-law permits an accessory structure having a maximum height of 3.0 metres; and
9. To permit a combined gross floor area of 71.24 square metres for three (3) accessory structures, whereas the by-law permits a maximum combined gross floor area of 20 square metres for two (2) accessory structures.

TRCA staff understand there is an existing one-story building consisting of 242.71 sq. m. of ground floor habitable space and a 252.46 sq. m. basement. In addition, there are three accessory structures in the rear yard with a gross floor area of:

A: Pergola 18.95 sq. m.

B: Shed 14.86 sq. m.

C: Pergola 37.53 sq.m.

It is our understanding that the requested variances are required to facilitate a 139.31 sq. m. second storey addition; an attached garage; and a pool. The total area of the ground floor addition (garage) in the front yard is not known.

Background

On April 16, 2024, TRCA provided comments to the first circulation of A-2024-0068 to facilitate a 139.31 sq m second storey addition; an attached garage; and a pool. Here, TRCA staff recommended deferral of Minor Variance Application assigned City File no. A-2024-0068 to provide an opportunity for the applicant to revise the proposed works and address TRCA's staff concerns.

Application Specific Comments

TRCA staff have been in discussions with the applicant during the permitting application process regarding the proposed front yard ground floor garage addition (with a gross floor area of 70.23 sq.m.) adjacent to the flood hazard. Based on the spot elevations provided by the agent on June 28, 2024, (within the revised site plan), the proposed garage is setback 5.1m from the floodline. Given the existing development setback on the property TRCA staff can accept the proposed pinch point for the corner of the non-habitable space and have no objections to the plans as currently shown. As part of future permitting processes architectural elevations will need to be provided for all sides of the building demonstrating a vertical buffer of 0.3m above the flood elevation (221.97masl). This will ensure that all openings are dry flood-proofed.

Recommendation

TRCA's staff have **no objection** to support the approval of Minor Variance Application assigned City File No. **A-2024-0068 at 10 Hazelwood Drive**, subject to the following condition:

1) that the applicant obtains a TRCA permit pursuant to Ontario Regulation 41/24 for the proposed works and pays the required \$995 permit review fee.

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 March 26, 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. 0.01, Site Plan Minor Variance, dated February 9, 2024, prepared by Alana + Kelly Design Co. Ltd.;
- Drawing no. 2023-10104-01, Revised Site Plan, dated June 27, 2024, prepared by AM Engineering, received by TRCA on June 28, 2024;
- Letter: RE: Proposed Building Addition for 10 Hazelwood Drive, Brampton, Regulatory Floodline Setback, prepared by AM Engineering, received by TRCA on June 28, 2024.