

April 23, 2025

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-2024-0446
17 Chiltern Court
City of Brampton, Region of Peel
Owner: Gary James and Alexandra Morris
Agent: N/A

This letter will acknowledge receipt of the City's 1st circulation of the above noted Minor Variance Application received by Toronto and Region Conservation Authority (TRCA) on April 16, 2025. A list of materials reviewed by TRCA is included in Appendix "A".

TRCA staff have reviewed the application in accordance with the Conservation Authorities Act (CA Act) and its associated regulations, which require TRCA to provide programs and services related to the risk of natural hazards within its jurisdiction. Whether acting on behalf of the Ministry of Natural Resources (MNR) or as a public body under the Planning Act, Conservation Authorities (CAs) must help ensure that decisions under the Planning Act are consistent with the natural hazards policies of the Provincial Planning Statement (PPS) and conform to any natural hazard policies in a Provincial Plan.

In addition, TRCA staff have also reviewed these applications in accordance with TRCA's permitting responsibilities under Section 28.1 of the CA Act. Where development activities are proposed within a TRCA Regulated Area (i.e., river or valley, wetlands, hazardous lands, etc.), a permit is required from TRCA. TRCA must ensure that where a proposal is within an area regulated by TRCA, that the proposal conforms with the appropriate policies of Section 8 of TRCA's Living City Policies (LCP), which evaluate a proposal's ability to meet the tests of the CA Act and regulation.

Purpose of the Application

TRCA staff understand that the purpose of Minor Variance Application A-2024-0446 is to:

1. To permit a fence in the rear yard having a height of 2.59 metres, whereas the by-law permits a maximum fence of 2.0 metres in the rear yard;
2. To permit an accessory structure (existing shed) having a setback of 0.19 metres to the side lot line, whereas the by-law requires a minimum 0.6 metres to the nearest lot line;
3. To permit a combined gross floor area of 23.14 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; and

4. To permit three (3) accessory structures (two sheds and a pergola), whereas the by-law permits a maximum of two (2) accessory structures.

TRCA staff understand that the requested variances are required to recognize the as-built wooden fence and three accessory structures in the rear and side yard. The first shed (1996) is 7.43sq.m. in the side yard. The second shed is 4.18 sq.m. in the side yard. The rear yard pergola was built in 2013.

O. Reg. 41/24 and CA Act

Given the above noted natural features and natural hazards, the subject lands are entirely located within TRCA's Regulated Area of the Etobicoke Creek Watershed and are subject to O. Reg. 41/24 and the CA Act.

Application Specific Comments

The entire subject property is located within the Regulatory Flood Plain. The Water Surface Elevation and velocity are 207.465m and 0.506 m/s at the subject property respectively.

The two sheds and the pergola are located within the Regulatory Floodplain, however it is not within the hydraulic floodway based on the depth and velocity above. In accordance with Section 8.5.7.1 Valley and Stream Corridors of the TRCA's The Living City Policies, TRCA supports new accessory structures within the flood hazards if proposed works are not within the hydraulic floodway. Based on our review, the accessory structures are located within TRCA's regulated area. However, based on the minor nature of the development a TRCA Permit is not required.

TRCA is interested in future site alteration and development on the property and should be contacted prior to any changes.

Recommendation

As currently submitted, TRCA staff are of the opinion that the Minor Variance Application assigned City File No. **A-2024-0446** is consistent with Provincial policy. Specifically, Section 5 (Natural Hazards) of the PPS. Additionally, it is staff's position that these applications are in conformity with TRCA's LCP policies. As such, TRCA has **no objection** to the approval of the application subject to the following condition:

1. That the applicant provides the required \$660.00 planning review fee.

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 \$660.00 – Minor Variance review fee. The applicant is responsible for fee payment and should forward the application fee to this office as soon as possible. An invoice was sent to the owner through email on April 16, 2025.

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' Materials Received by TRCA

- Application Form
- Site Plan Sketch, undated, prepared by applicant
- Letter RE: Fence Height and Pergola, dated September 18, 2024, prepared by applicant
- Letter RE: Fence Height and Pergola, dated September 3, 2024, prepared by owner at 13 and 19 Chiltern Court
- Zoning Non-compliance Checklist, dated October 11, 2024, prepared by Zoning