

June 11, 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-2025-0054
Consent Application – B-2025-0008
2-6 Maritime Ontario Boulevard
City of Brampton, Region of Peel
Owner: Multiland Pacific Holdings Ltd.
Agent: Michael Foderick McCarthy Tetrault LLP.**

This letter will acknowledge receipt of the City's circulation of the above noted Minor Variance and Consent Application received by Toronto and Region Conservation Authority (TRCA) on May 26, 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-2025-0054 is:

1. To permit all lands zoned SC-1912 to be treated as one lot for zoning purposes, whereas the by-law does not permit all lands within this zone to be treated as one lot.

TRCA staff understand that the requested variance ensures that the entirety Property will, from a zoning perspective, continue to read from the street and function as one lot despite a legal lot division.

TRCA staff understand that the purpose of Consent Application B-2025-0008 is to:

1. To permit the division of the property into two separate lots.

The proposed created lot will be for car washing, located on the western portion of the larger property, which is currently under construction. The proposed retained lot will be for the two existing car sales dealerships, located on the eastern portion of the property. The consent application will facilitate the future conveyance of the proposed conveyed lot.

Reciprocal easements are proposed for car and pedestrian traffic between the conveyed and retained lots as part of the consent application. TRCA staff understand that for the purposes of both the minor variance and consent application, no alteration or new construction is proposed and the existing buildings will be maintained on the proposed lots.

Background

According to our records, TRCA staff have not been circulated and consequently did not provide comments on the Minor Variance no. A-2023-0144 (to permit a motor vehicle washing establishment on the property) and the approved Site Plan application no. SPA-2022-0087.

O. Reg. 41/24 and CA Act

Given the above noted natural features and natural hazards, a portion of the subject lands are located within TRCA's Regulated Area of the Mimico Creek Watershed and are subject to O. Reg. 41/24 and the CA Act. Based on our review, the proposed development is in close proximity to a Regulatory flood spill. As such, TRCA Permits will be required from TRCA prior to any works commencing within the TRCA Regulated Area. TRCA staff will discuss permit fees and requirements with the applicant at such time that the review and approvals have advanced and TRCA Permits are required to facilitate development of the subject lands.

Application Specific Comments

It is noted that a flood spill exists west of the subject property; however, TRCA has not yet determined the full extent of this spill. In the absence of detailed delineation, TRCA requires a conservative approach by applying the water surface elevation at the spill area. The maximum regional flood elevation in this area is approximately **194.19 m**. Accordingly, all floodproofing requirements should be based on the regional flood elevation plus a 0.3 m freeboard, resulting in a required elevation of **194.49 m**. This should be demonstrated on a site plan and submitted to TRCA staff for review.

At this time, it remains unclear whether the subject property is directly affected by the adjacent spill and the applicant will need to confirm ground conditions on site. Should the proponent wish to refine the floodplain extent beyond the above elevation and determine whether the property is impacted, they may retain a qualified consultant to undertake detailed hydraulic modelling. Any such modelling must be submitted to TRCA's Water Resources team for review and approval.

Recommendation

As currently submitted, TRCA staff are of the opinion that the Minor Variance Application assigned City File No. A-2025-0054 and Consent Application No. B-2025-0008 are not consistent with Provincial policy. Specifically, Section 5 (Natural Hazards) of the PPS. TRCA staff recommend **deferral** to provide the applicant with the opportunity to revise the proposed works and address TRCA's staff concerns. Should the Committee not grant deferral of the application at the June 24, 2025 Committee of Adjustment meeting, TRCA staff recommend denial of the application at this time.

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 \$1,590.00 – Consent 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 June 11, 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
Telephone: (437) 880-2368
Email: Marina.Janakovic@trca.ca

CC: Applicant (tahir.ayub@openroadautogroup.com)
Agent(mfoderick@mccarthy.ca;jpc@mccarthy.ca)

Appendix 'A' Materials Received by TRCA

- Minor Variance Application
- Cover Letter, page 2 of 2, dated June 2, 2025, prepared by Agent, page 7 of the minor variance application
- Drawing no. A012a, Site Plan SPA-2022-0087, Consent Application, dated May 13, 2025, prepared by WEIS Group, page 10 of minor variance application
- Zoning Non-compliance Checklist, prepared by Zoning, dated June 3, 2025
- Survey
- Draft Reference Plan