

January 18, 2021

CFN 64138.01

BY EMAIL: jeanie.myers@brampton.ca

Ms. Jeanie Myers
Committee of Adjustment
City of Brampton
2 Wellington Street West
Brampton, ON L6Y 4R2

Dear Ms. Myers:

**Re: Minor Variance Application – A 2020-0158
Consent Applications – B 2020-0026 and B 2020-0027
10829 McVean Drive
Part Lot 15, Concession 9
City of Brampton
Balbir Bharwalia and Nirmaljit Kaur Bharwalia**

This letter will acknowledge receipt of the above noted applications, received on January 7, 2020. Toronto and Region Conservation Authority (TRCA) staff have reviewed the above noted applications, and as per the “Living City Policies for Planning and Development within the Watersheds of the TRCA” (LCP), provides the following comments as part of TRCA’s commenting role under the *Planning Act*, the Authority’s delegated responsibility of representing the provincial interest on natural hazards encompassed by Section 3.1 of the *Provincial Policy Statement, 2020* (PPS); TRCA’s Regulatory Authority under Ontario Regulation 166/06, *Development, Interference with Wetlands and Alterations to Shorelines and Watercourses*; and our Memorandum of Understanding (MOU) with the Region of Peel wherein we provide technical environmental advice.

Purpose of the Applications

The purpose of Minor Variance Application A 2020-0158 is to request the following variances:

1. To permit a lot width of 48.8 m. whereas the by-law requires a minimum lot width of 60 m.;
2. To permit a lot area of 6,124 sq.m. (0.61 ha.) whereas the by-law requires a minimum lot area of 0.8 ha.;
3. To permit a front yard depth of 10.3 m. whereas the by-law requires a minimum front yard depth of 12.0 m.

The purpose of Consent Application B 2020-0026 is to request consent to sever approximately 8,107.77 sq.m. (0.81 ha.) from a parcel of land currently having a total area of approximately 11.78 ha. (29.11 ac.). The effect of the application is to provide for a lot addition to the adjacent property (0 McVean Drive) for future residential purposes.

The purpose of Consent Application B 2020-0027 is to request the consent to sever approximately 8,107.01 sq.m. (0.81 ha.) from a parcel of land currently having total area of approximately 11.78 hectares (29.11 acres). The effect of the application is to provide for a lot addition to the adjacent property (10829 McVean Drive). The existing residential use will be maintained.

It is our understanding that the purpose of the above variance and consents is to allow a lot adjustment to create two new lots fronting Bowman Avenue. It is also our understanding that the property at 00 McVean Drive will be an L-shape lot and will include the Headwater Drainage Feature and the valley corridor located to the back of the properties.

Recommendation

On the basis of the comments noted below, TRCA staff supports **conditional approval** to the above noted applications, subject to the following conditions:

1. The applicant acquires a TRCA permit pursuant to Ontario Regulation 166/06 for the realignment of the Headwater Drainage Feature and for any future development on 00 McVean Drive;
2. The applicant submits \$1,400 review fee to this office.

Applicable Policies and Regulations

Ontario Regulation 166/06:

A portion of the subject properties is located within TRCA's Regulated Area of the Humber River Watershed, as they are traversed by a Headwater Drainage Feature and are located adjacent to a valley corridor associated with the Humber River. In accordance with Ontario Regulation 166/06, as amended (Development, Interference with Wetlands and Alteration to Shorelines and Watercourses), a permit is required from the TRCA prior to any of the following works taking place:

- a) straightening, changing, diverting or interfering in any way with the existing channel of a river, creek, stream or watercourse, or for changing or interfering in any way with a wetland;
- b) development, if in the opinion of the Authority, the control of flooding, erosion, dynamic beaches or pollution or the conservation of land may be affected by the development.

Development is defined as:

- i. the construction, reconstruction, erection or placing of a building or structure of any kind;
- ii. any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure or increasing the number of dwelling units in the building or structure;
- iii. site grading, including the temporary or permanent placing, dumping or removal of any material originating on the site or elsewhere.

It is our understanding that the requested variances are to allow for a lot adjustment to create two new lots fronting Bowman Avenue. It is also our understanding that the property at 00 McVean Drive will be an L-shape lot and will include the Headwater Drainage Feature (HDF) and the valley corridor located to the back of the properties.

Based on our review, it appears that the proposed new lot line dissects a Headwater Drainage feature, located to the east of the existing house. TRCA staff reviewed a Concept Development Application for the proposed lot adjustment (CFN 60752.01) and determined that the proposed repositioning of the HDF onto 00 McVean Drive is acceptable. It is our expectation that the applicant will acquire a TRCA permit for the repositioning of the HDF and will complete the works prior to the registration of the new lots and prior to any future transfer to ownership. As such, TRCA staff have no concerns with the proposed lot adjustment, as submitted based on this condition.

Permitting:

As previously noted, a portion of the subject properties is located within TRCA's Regulated Area of the Humber River Watershed. As such, a TRCA permit pursuant to Ontario Regulation 166/06 is required for the alignment of the HDF and any future development on 00 McVean Drive.

1. Please advise the applicant to submit a TRCA permit application (Application for Development, Interference with Wetlands & Alterations to Shorelines and Watercourses – Ontario Regulation 166/06) and the associated review fee.

Fees

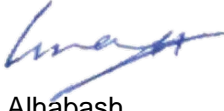
In addition to regulatory responsibilities, TRCA has a role as a commenting agency for Planning Act applications circulated by member municipalities to assess whether a proposed development may be impacted by the TRCA.

2. By copy of this letter, the applicant is advised that the TRCA has implemented a fee scheduled for our planning application review services. This application is subject to a \$1,400 (Consent - Minor) review fee. The applicant is responsible for fee payment and should forward the application fee to this office as soon as possible.

Conclusion

We thank you for the opportunity to review the subject application and provide our comments as per our commenting and regulatory role. Should you have any additional questions or comments, please do not hesitate to contact the undersigned.

Sincerely,



Lina Alhabash
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Planning and Development
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LA/as