

March 26, 2021

CFN 64183.01

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 2021-0035
28 Richland Crescent
Lot 14, Registered Plan 43M-1517
City of Brampton
Ajaypal S. Bajwa & Parveen Dhillon (Agent: Nour Elgendy)

This letter will acknowledge receipt of the above noted applications, received on March 19, 2021. 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 2021-0035 is to request the following variances:

1. To permit an interior side yard setback of 0.47 m. (1.54 ft.) to a proposed deck whereas the by-law required a minimum interior side yard setback of 0.6 m. (1.97 ft.) provided the combined total of the interior side yards on an interior lot is not less than 1.8 m. (5.91 ft.);
2. To permit an existing accessory structure (shed) having a rear yard setback of 0.31 m. (1.02 ft.) and a side yard setback of 0.26 m. (0.85 ft.) whereas the by-law requires a minimum setback of 0.6 m. (1.97 ft.) to all lot lines for an accessory structure.

It is our understanding that the requested variances are required to allow the development of a sunroom addition and a deck attached to the back of the existing house, and to recognize an existing shed, located to the back of the house.

Recommendation

On the basis of the comments noted below, TRCA staff support **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;
2. The applicant submits \$580 review fee to this office.

Applicable Policies and Regulations**Ontario Regulation 166/06:**

A portion of the subject property is located within TRCA's Regulated Area of the Humber River Watershed, as it is 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 required to allow the development of a sunroom and deck, and to recognize an existing shed located to the back of the house.

Based on our review, it appears that the existing shed is located the Top of Slope associated with the valley corridor located to the back of the property. Additionally, it appears that the proposed sunroom and deck are located at least 6 m. from the Top of slope. Based on our review of the valley slope, TRCA staff have no concerns with the slope's stability. Given the minor nature of the works in this application, TRCA staff have no concerns with the shed, proposed sunroom and deck, as submitted.

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 proposed works.

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 \$470 review fee (Works on Private Residentials – Minor).

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 \$580 review fee (Variance – Minor Residential). 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
Planner I
Planning and Development
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LA/as