

May 6, 2021

CFN 64183.09

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 2021-0087
8 Tortoise Court
Lot 11, Plan M-90
City of Brampton
Raghubir Ubhi (Agent: Elen Abunahla)**

This letter acknowledges receipt of the above noted application circulated by the City of Brampton. The materials were received by Toronto and Region Conservation Authority (TRCA) on May 4, 2021. TRCA staff has reviewed the above noted application, 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*; 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 related to provincial plans.

Purpose of the Applications

The purpose of Minor Variance Application A 2021-0087 is to request the following variances:

1. To permit an accessory structure (cabana 1) having a gross floor area of 78.25 sq.m. (842.28 sq.ft.) whereas the by-law permits a maximum gross floor area of 23.0 sq.m. (247.60 sq.ft.) for an individual accessory structure;
2. To permit an accessory structure (cabana 1) having a building height of 4.57 m. (15 ft.) whereas the by-law permits a maximum building height of 4.5 m (14.76 ft.);
3. To permit an accessory structure (cabana 2) having a gross floor area of 69.32 sq.m. (746.15 sq.ft.) whereas the by-law permits a maximum gross floor area of 23.0 sq.m. (247.60 sq.ft.) for an individual accessory structure;
4. To permit an accessory structure (cabana 2) having a building height of 5.03 m. (16.50 ft.) whereas the y-law permits a maximum height of 4.5 m. (14.76 ft.);
5. To permit an accessory structure (pergola) having a height of 5.19 m. (17.03 ft.) whereas the by-law permits a maximum height of 4.5 m. (14.76 ft.);

6. To permit an accessory structure (shed) having a gross floor area of 48.25 sq.m. (519.36 sq.ft.) whereas the by-law permits a maximum gross floor area of 23.0 sq.m. (247.60 sq.ft.) for an individual accessory structure;
7. To permit 4 accessory structures (cabana 1, cabana 2, pergola and shed) whereas the by-law permits a maximum of 2 accessory structures;
8. To permit 4 accessory structures (cabana 1, cabana 2, pergola and shed) having a combined gross floor area of 212.24 sq.m. (2284.53 sq.ft.) whereas the by-law permits a maximum combined gross floor area of 40 sq.m. (430.56 sq.ft.).

It is our understanding that the requested variances are required to facilitate the development of two cabanas a pergola and a shed.

Background

It is our understanding that TRCA staff reviewed a minor variance application A 2020-0129 (CFN 62563.09) for a shed, a cabana and a fence at the subject property and provided comments on November 27, 2020. Staff noted that a TRCA permit is required for the shed.

Ontario Regulation 166/06

The subject land is located within TRCA's Regulated Area of the Humber River Watershed. Specifically, a significant portion of the subject property is located within Estimated Regulatory Flood Plain associated with a tributary of the Humber River. As such, a TRCA permit pursuant to Ontario Regulation 166/06 will be required for any development or site alteration within the Regulated Area on the property.

Application-Specific Comments

Based on our review, it appears that the proposed 2 cabanas and pergola are located outside of TRCA's Regulated Area. Additionally, it appears that the proposed shed is located within TRCA's Regulated Area and outside of the estimated Regulatory Flood Plain. Provided that the applicant acquires a TRCA permit for the shed, TRCA staff have no concerns with the proposed works in this application, as submitted.

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 of \$210 (Works on Private Residential Property – Minor Ancillary).

Recommendation

On the basis of the comments noted in this letter, TRCA staff support **conditional approval** to the above noted application, subject to the following condition:

1. The applicant acquires a TRCA permit pursuant to Ontario Regulation 166/06;

Fees

By copy of this letter, TRCA staff thanks the applicant for submitting the \$580 review fee (Variance – Residential Minor).

We trust these comments are of assistance. Should you have any questions, please contact me at 416-661-6600 extension 5657 or at Lina.alhabash@trca.ca.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Lina', with a stylized flourish extending from the end.

Lina Alhabash
Planner I

Development Planning and Permits | Development and Engineering Services

LA/as