

July 8, 2021

CFN 64183.12

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 2021-0129
38 Davenhill Road
Part of Block 1, Registered Plan 43M-1802 and Part 21, Registered Plan 43R-33142
City of Brampton
Gino Teolis

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 July 6, 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 2021-0129 is to request the following variances:

1. To permit a landscaped open space of 31.82% of the lot area whereas the by-law requires a minimum of 35% of the lot area to be landscaped open space;
2. To permit a landscaped open space of 42.44 sq.m. (456.82 sq.ft.) abutting the rear wall of the dwelling whereas the by-law requires a minimum landscaped open space area of 45 sq.m. (484.38 sq.ft.) abutting the rear wall of the dwelling.

It is our understanding that the requested variances are required to facilitate the development of 16.18 sq.m. deck attached to the back of the existing house.

Ontario Regulation 166/06

The subject land is located within TRCA's Regulated Area of the Humber River Watershed. Specifically, the subject property is located adjacent to a valley corridor associated with 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. Please submit a permit application.

Application-Specific Comments

Based on our review, it appears that the proposed deck is located approximately 10 m. from the Top of Bank located to the back of the subject property. As such, TRCA staff have no concerns with the proposed deck and the requested variances, as submitted.

Please advise the applicant to submit a TRCA permit application for the deck (Application for Development, Interference with Wetlands & Alterations to Shorelines and Watercourses – Ontario Regulation 166/06) and the associated review fee of \$225 (Works on Private Residential Property – Minor Ancillary).

Recommendation

On the basis of the comments noted in this letter, TRCA staff support **conditional approval** of Minor Variance Application A 2021 – 0129, subject to the following conditions:

1. The applicant acquires a TRCA permit pursuant to Ontario Regulation 166/06;
2. The applicant submits a \$610 review fee to this office.

Fees

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 fee of \$610 (Variance Residential– Minor). The applicant is responsible for fee payment and should forward the application fee to this office as soon as possible.

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,



Lina Alhabash

Planner I

Development Planning and Permits | Development and Engineering Services

LA/as