

August 17, 2021

CFN 64183.14
XREF CFN 64183.09, 62563.09

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 2021-0169
8 Tortoise Court
Lot 11, Plan M-90
City of Brampton, Region of Peel
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 August 11, 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 2021-0169 is to request the following variances:

1. To permit an accessory structure (fireplace) having a height of 3.96 m. (13 ft.) whereas the by-law permits a maximum height of 3.5 m. (11.48 ft.);
2. To permit 5 accessory structures whereas the by-law permits a maximum of 2 accessory structures;
3. To permit a combined gross floor area of 220.84 sq.m. (2377.10 sq.ft.) for 5 accessory structures (cabana 1, cabana 2, pergola, shed and fireplace) 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, a shed, and a fireplace.

Background

It is our understanding that TRCA staff reviewed minor variance applications A 2020-0129 (CFN 62563.09) and A 2021-0087 (CFN 64183.09) for 2 cabanas, a shed, a pergola and a fence at the subject property. It is also our understanding that a TRCA Permit C- 210592 (CFN 65142) was issued for the shed located north of the existing house at the subject property.

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 4 of the proposed 5 accessory structures including the cabana 1, cabana 2, the pergola, and the fireplace, are located outside of TRCA's Regulated Area. Additionally, it appears that the proposed shed is located within TRCA's Regulated Area and is consistent with the above noted TRCA permit. As such, TRCA staff have no concerns with the proposed works in this application, as submitted.

Recommendation

On the basis of the comments noted in this letter, TRCA staff support **conditional approval** to the Minor Variance A 2021-0169, subject to the following condition:

1. The applicant submits \$610 *Variance Residential- Minor* 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