

September 2, 2021

CFN 64183.16  
XREF CFN 65319

**BY EMAIL: [jeanie.myers@brampton.ca](mailto: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 2021-0177**  
**6 Everlasting Court**  
**Lot 103, Plan 43M-1865**  
**City of Brampton, Region of Peel**  
**Mansur Shah and Mohsin Shah (Agent: Anthony Bartolini)**

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 30, 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 2021-0177 is to request the following variances:

1. To permit an accessory building (proposed cabana) having a gross floor area of 47.5 sq.m. (511.29 sq.ft.) whereas the by-law permits a maximum gross floor area of 15 sq.m. (161.46 sq.ft.) for an individual accessory building
2. To permit an accessory building (proposed cabana) having a height of 3.809 m. (12.50 ft.) whereas the by-law permits a maximum height of 3.0 m. (9.84 ft.) for an accessory building;
3. To permit an accessory building (proposed cabana) to be used as habitable space (installation of a washroom) whereas the by-law does not permit an accessory building be used for habitable space.

It is our understanding that the requested variances are required to facilitate the development of a cabana, a pool, and a patio, located to the back of the existing house.

**Background**

It is our understanding that TRCA has issued Permit C-210732 (CFN 65319) to facilitate the development of a 50.3 sq.m. inground pool, a 47.5 sq.m. cabana and a patio at the subject property consistent with the current proposal.

**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 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.

**Application-Specific Comments**

Based on our review, it appears that the proposed works in this application are consistent with the above noted TRCA permit. As such, TRCA staff have no concerns with the proposed works and the requested variances, as submitted.

**Recommendation**

On the basis of the comments noted in this letter, TRCA staff support **conditional approval** to the Minor Variance A 2021-0177, subject to the following condition:

1. The applicant submits \$610.00 *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](mailto:Lina.alhabash@trca.ca).

Sincerely,



Lina Alhabash

Planner I

Development Planning and Permits | Development and Engineering Services

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