

October 1, 2021

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**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 Applications – A 2021-0210, A 2021-0211, A 2021-0212, A 2021-0213 and A 2021-0214**  
**10 and 20 Eco Park Close and 5, 10 and 15 Newkirk Court**  
**Block 1,2, 3, 4, 7, 8 Parts 1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, 14, 15, 18, Plan 43M-2107, 43R-39991**  
**City of Brampton, Region of Peel**  
**Heartlake Holdings Inc, Fiera Real Estate Core Fund GP Inc., Fiera Real Estate Core Fund LP. (Agent: GWD c/o Marc De Nardis)**

This letter acknowledges receipt of the above noted applications circulated by the City of Brampton. The materials were received by Toronto and Region Conservation Authority (TRCA) on September 27, 2021. TRCA staff has 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*; 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 2021-0210 at 10 Eco Park Close is to request the following variances:

1. To permit a maximum building setback of 19.0 m. from Heart Lake Road and a daylight triangle whereas the by-law permits a maximum building setback of 6.0 m. for a corner lot that abuts Heart Lake Road or a daylight triangle;
2. To permit a maximum building setback of 26.0 m. from Eco Park Close whereas the by-law permits a maximum building setback of 6.0 m. for a corner lot that abuts Eco Park Close;
3. To permit an outside storage location in the interior side yard to be visible from a street and lands zoned Open Space or Floodplain whereas the by-law only permits outside

storage in the rear yard or interior side yard screened from view from a street and lands zoned Open Space and Floodplain.

The purpose of Minor Variance Application A 2021-0211 at 20 Eco Park Close is to permit an outside storage location in the rear yard to be visible from a street and lands zoned Open Space or Floodplain whereas the by-law only permits outside storage in the rear yard or interior side yard screened from view from a street and lands zoned Open Space and Floodplain.

The purpose of Minor Variance Application A 2021-0212 at 10 Newkirk Court is to request the following variances:

1. To permit a minimum landscape open space area of 0.6 m. along any lot line abutting a street, except at approved access and building locations, whereas the by-law requires a minimum 3.0 m. wide landscaped open space along any lot line abutting a street except at approved access and building locations;
2. To permit a retaining wall to be located within the required minimum landscape open space area whereas the by-law does not permit a retaining wall to be located within the required minimum landscape open space area;
3. To permit an outside storage location in the interior side yard to be visible from a street and lands zoned Open Space or Floodplain whereas the by-law only permits outside storage in the rear yard or interior side yard screened from view from a street and lands zoned Open Space and Floodplain.

The purpose of Minor Variance Application A 2021-0213 at 15 Newkirk Court is to request the following variances:

1. To permit an outside storage location in the interior side yard to be visible from a street and lands zoned Open Space or Floodplain whereas the by-law only permits outside storage in the rear yard or interior side yard screened from view from a street and lands zoned Open Space and Floodplain.
2. To permit a minimum landscape open space area of 1.0 m. along any lot line abutting a street, except at approved access and building locations, whereas the by-law requires a minimum 3.0 m. wide landscaped open space along any lot line abutting a street except at approved access and building locations.

The purpose of Minor Variance Application A 2021-0214 at 5 Newkirk Court is to request the following variances:

1. to permit a maximum building setback of 16.0 m. from Heart Lake Road or a daylight triangle whereas the by-law permits a maximum building setback of 6.0 m. for a corner lot that abuts Heart Lake Road or daylight triangle;
2. to permit a maximum building setback of 21.0 m. from Eco Park Close whereas the by-law permits a maximum building setback of 6.0 m. for a corner lot that abuts Eco Park Close;
3. To permit a minimum landscape open space area of 1.0 m. along any lot line abutting a street, except at approved access and building locations, whereas the by-law requires a minimum 3.0 m. wide landscaped open space along any lot line abutting a street except at approved access and building locations;
4. To permit a retaining wall to be located within the required minimum landscape open space area whereas the by-law does not permit a retaining wall to be located within the required minimum landscape open space area;
5. To permit an outside storage location in the interior side yard to be visible from a street and lands zoned Open Space or Floodplain whereas the by-law only permits outside



storage in the rear yard or interior side yard screened from view from a street and lands zoned Open Space and Floodplain.

It is our understanding that the requested variances are required to facilitate the development of 5 warehouse type industrial buildings with associated office space at the subject properties.

#### **Background**

It is our understanding that TRCA staff previously reviewed a Plan of Subdivision (21T-09012B) and are currently reviewing a Site Plan application SPA 2021-0134 (CFN 64168.27) to facilitate the development of 5 industrial buildings at the subject properties.

#### **Ontario Regulation 166/06**

A portion of the subject lands are located within TRCA's Regulated Area of the Etobicoke Creek Watershed. Specifically, a portion of the subject properties is located adjacent to a valley corridor and Provincially Significant wetlands associated with the Etobicoke Creek. 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 applications. Provided that the applicant addresses our comments to Site Plan Application SPA 2021-0134 to the satisfaction of TRCA, TRCA staff have no concerns with the requested variances, as submitted.

#### **Recommendation**

On the basis of the comments noted in this letter, TRCA staff support **conditional approval** to the Minor Variances A 2021-0210, A 2021-0211, A 2021-0212, A 2021-0213 & A 2021-0214, subject to the following conditions:

1. The applicant successfully acquires approval of Site Plan Application SPA 2021-0134.
2. The applicant acquires a TRCA permit pursuant to Ontario Regulation 166/06 for the proposed works.
3. The applicant submits \$1,155 (*Variance – Minor*) review fee to this office for our review of the above noted Minor Variance Applications.

#### **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 \$1,155 (*Variance – 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

LA/as