

October 1, 2021

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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 Applications – A 2021-0208 and A 2021-0209
20 and 25 Newkirk Court
Part Block 5, 6, 7, 16 and 17 Plan 43M-2107, 43R-39991
City of Brampton, Region of Peel
Heart Lake Mayfield Industrial GP Inc. (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 2021-0208 at 20 Newkirk Court is to request the following variances:

1. To permit a minimum interior side yard setback of 1.5 m. (4.92 ft.) whereas the by-law requires a minimum interior side yard setback of 2.0 m. (6.56 ft.)
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.

The purpose of Minor Variance Application A 2021-0209 at 25 Newkirk Court is to permit a maximum building setback of 45.0 m. from Countryside Drive whereas the by-law permits a maximum building setback of 20.0 m. from Countryside Drive for a lot abutting Heart Lake Road.

It is our understanding that the requested variances are required to facilitate the development of 2 multi-unit small bay industrial buildings which together will form a future Standard Plan of Condominium intended to facilitate the sale of units within the buildings to individual owners.

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 2021-0135 (CFN 64168.28) to facilitate the development of two 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 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 2021-0135 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 Variance Applications A 2021-0208 & A 2021-0209, subject to the following conditions:

1. The applicant successfully acquires approval of Site Plan Application SPA 2021-0135.
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.

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.

Sincerely,



Lina Alhabash

Planner I

Development Planning and Permits | Development and Engineering Services

LA/as