

September 22, 2020

CFN 62527.03

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 2020-0078
Consent Application – B 2020-0016
370 Main Street North
Part Lot 8, Concession 1 EHS
City of Brampton
7724939 Canada Inc. (agent: Daniel Orellana, SmartCentres)

This letter will acknowledge receipt of the above noted application, received on September 14, 2020. Toronto and Region Conservation Authority (TRCA) staff have 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 (PPS)*; 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.

Purpose of the Application
A 2020-0078

The purpose of Minor Variance Application A 2020-0078 is to permit a parking rate of 1 space for each 32 sq.m. of gross commercial floor area, resulting in a minimum requirement of 822 parking spaces (based on the proposed floor area) whereas the by-law requires that parking be provided at a rate of 1 space for each 19 sq.m. of gross commercial floor area, resulting in a parking requirement of 996 parking spaces (based on the proposed floor area).

B 2020-0016

The purpose of Consent Application B 2020-0016 is to request consent to sever a parcel of land currently having a total area of approximately 73981.97 sq.m. (18.28 acres). The effect of the application is to create a new lot having frontage of approximately 6136 sq.m. (1.52 acres) to facilitate a land sale. It is proposed that the severed parcel be used for commercial purposes (a self-storage facility is proposed).

It is our understanding that the purpose of the above applications is to facilitate the development of a new lot where a self-storage facility is proposed, and to revise the parking space requirement for the existing shopping centres, located on the retained lot.

Recommendation

On the basis of the comments noted below, TRCA staff supports **conditional approval** of Minor Variance Application A 2020-0078 and Consent Application B 2020-0016, subject to the following condition:

1. The applicant submits a review fee of \$300 (remaining balance of 2018 TRCA Planning Fees Schedule – Consent Minor).

Application Specific Comments**Ontario Regulation 166/06**

The subject property is located within TRCA's Regulated Area of the Etobicoke Creek Watershed, as it is entirely located within the floodplain associated with a tributary of Etobicoke Creek. In accordance with Ontario Regulation 166/06, as amended (Development, Interference with Wetlands and Alteration to Shorelines and Watercourses), a permit is required from the TRCA prior to any of the following works taking place:

- a) straightening, changing, diverting or interfering in any way with the existing channel of a river, creek, stream or watercourse, or for changing or interfering in any way with a wetland;
- b) development, if in the opinion of the Authority, the control of flooding, erosion, dynamic beaches or pollution or the conservation of land may be affected by the development.

Development is defined as:

- i. the construction, reconstruction, erection or placing of a building or structure of any kind;
- ii. any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure or increasing the number of dwelling units in the building or structure;
- iii. site grading, including the temporary or permanent placing, dumping or removal of any material originating on the site or elsewhere.

It is our understanding that TRCA staff previously reviewed a zoning by-law amendment application (OZS-2020-003), and a site plan application (SPA-2020-0053) for a five-storey multi-unit self storage facility at the subject property. Additionally, a TRCA permit (C-200578) was granted to facilitate its development. It is also our understanding that in the near future, the applicant intends to file planning applications in support of a comprehensive redevelopment proposal for the site for mixed-use development. As such, TRCA staff has been working with the applicant and the City of Brampton to evaluate feasible options to remove the subject property from the floodplain.

Based on our review of the current applications, it appears that the proposed new lot is located within the Regulatory Floodplain. However, as the subject lands are proposed to be removed from the floodplain as part of a comprehensive redevelopment and remediation strategy for the site and that the proposed new lot is not needed to implement remedial works, TRCA staff is satisfied that our interests are adequately addressed. As such, TRCA staff has no concerns with the proposed severance and the minor variance, as submitted.

Please be advised that TRCA staff have an interest in any future development on the subject property as they may be subject to a TRCA permit pursuant to Ontario Regulation 166/06.

Fee

In addition to regulatory responsibilities, TRCA has a role as a commenting agency for Planning Act applications circulated by member municipalities to assess whether a proposed development may be impacted by the TRCA.

By copy of this letter, TRCA thanks the applicant for submitting \$1,100 review fees. However, please note that TRCA's review fees for consent applications is \$1,400 (2018 TRCA Planning Fees Schedule – Consent Minor).

1. Please advise the applicant to submit \$300 remaining balance as soon as possible.

Conclusion

We thank you for the opportunity to review the subject application and provide our comments as per our commenting and regulatory role. Should you have any additional questions or comments, please do not hesitate to contact the undersigned.

Sincerely,



Lina Alhabash
Planner I
Planning and Development
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