

October 14, 2020

CFN 6253.07

**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 2020-0097**  
**31 Rainbrook Close**  
**Lot 127, Plan 43M-1821**  
**City of Brampton**  
**Gene and Joy Costales (Agent: Alexander Aodesh)**

This letter will acknowledge receipt of the above noted application, received on October 8, 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, 2014 (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**

The purpose of this Minor Variance Application A 2020-0097 is to request the following variance:

1. To permit a proposed building addition to be located 8.72 m. from a Floodplain Zone (F) whereas the by-law requires a minimum setback of 10 m. from a Floodplain Zone (F).

It is our understanding that the purpose of the above variance is to allow the development of an 18 sq.m. (193.64 sq.ft.) sunroom addition and a 7.85 sq.m. (84.49 sq.ft.) deck attached to the rear of the existing house.

**Recommendation**

On the basis of the comments noted below, TRCA staff supports **conditional approval** to Minor Variance Application A 2020-0097, subject to the following condition:

1. The applicant acquires a TRCA permit pursuant to Ontario Regulation 166/06.

**Applicable Policies and Regulations**

**Ontario Regulation 166/06:**

A portion of the subject property is located within TRCA's Regulated Area of the Humber River Watershed, as it is located adjacent to a tributary of the Humber River. 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 the requested variance is required to facilitate the development of a sunroom addition and a deck attached to the rear of the existing house. Based on our review, it appears that the proposed works are located outside of, and are setback approximately 18.5 m. from the Regional Floodplain associated with the tributary which is located to the rear of the subject property. Additionally, the area of the proposed works consists of manicured lawn. As such, TRCA staff has no concerns with the proposed works, as submitted.

#### **Permitting:**

The proposed works are located within TRCA's Regulated Area. On this basis, a TRCA permit pursuant to Ontario Regulation 166/06, as amended is required from this Authority for the proposed shed. As of the date of this letter, TRCA has not received a permit application for the proposed works.

1. Please advise the applicant to submit a TRCA permit application (Application for Development, Interference with Wetlands & Alterations to Shorelines and Watercourses – Ontario Regulation 166/06) and the associated review fee of \$470 (Works on Private Residential Property – Minor).

#### **Fees**

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 \$585 review fees. However, please note that TRCA's review fees for minor variance applications is \$580 (2018 TRCA Planning Fees Schedule – Variance Minor). The extra amount can be refunded to the applicant or used towards the required permit.

#### **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

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Planning and Development  
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LA/as