

July 7, 2023

CFN 68434.04

**By email: Jeanie.Myers@Brampton.ca**

Jeanie Myers  
Committee of Adjustment  
2 Wellington Street West  
Brampton, ON L6Y 4R2

Dear Jeanie Myers,

**Re: Minor Variance Application and City File No. A-2023-0187**  
**10 Grafton Crescent**  
**City of Brampton, Region of Peel**  
**Owner: Sukhjot Matharu**

This letter acknowledges receipt of the subject application, received on July 5, 2023. Toronto and Region Conservation Authority (TRCA) staff have reviewed the application and the circulated materials listed in Appendix A to this letter in accordance with Ontario Regulation 686/21 and Ontario Regulation 166/06.

TRCA staff have reviewed the submission in accordance with Section 21.1(1) of the *Conservation Authorities Act*, which requires TRCA to provide programs and services related to the risk of natural hazards within its jurisdiction. The standards and requirements of such mandatory programs and services are listed under Ontario Regulation 686/21. Specifically, the regulation requires that TRCA must, acting on behalf of the Ministry of Natural Resources and Forestry (MNRF) or in its capacity as a public body under the *Planning Act*, ensure that decisions under the *Planning Act* are consistent with the natural hazard policies of the Provincial Policy Statement (PPS) and conform to any natural hazard policies in a provincial plan.

We have also reviewed the application in accordance with Ontario Regulation 166/06. TRCA must ensure that where development and/or site alteration is proposed within an area regulated by the Authority under Ontario Regulation 166/06, that it conforms to the applicable tests and associated policies (Section 8 of TRCA's The Living City Policies) for implementation of the regulation.

Please also note that updates to the *Conservation Authorities Act* and Ontario Regulation 596/22, which came into effect on January 1, 2023, prevent TRCA from providing municipal programs and services related to reviewing and commenting on a proposal under the *Planning Act*, such as those services previously provided under plan review Memorandum of Understanding (MOU) with an upper or lower tier municipality. In conformity with Ontario Regulation 686/21 and Ontario Regulation 596/22, TRCA's review does not include comments pertaining to matters (e.g. natural heritage) outside of our core planning mandate and regulatory authority.

**Purpose of the Application**

The purpose of Minor Variance Application assigned City File No. **A-2023-0187** is to allow a building height of 12.45m (40.85 ft) whereas the by-law permits a maximum building height of 10.6m (34.78 ft).

It is our understanding that the requested variance is required to facilitate the replacement of a (371.61

sq.m.) two story single family dwelling with a (1474.56 sq.m.) two story single family dwelling. The proposed works also include the development of driveway paving, pool and two attached garages in the rear yard. It is unclear if a septic system is being proposed.

### **Site Context**

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

Under the provisions of Section 28 of the Conservation Authorities Act, TRCA administers a Development, Interference with Wetlands and Alterations to Shorelines and Watercourses regulation (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 valley corridor associated with the Humber River. As such, a TRCA permit pursuant to Ontario Regulation 166/06 is required from this Authority prior to any development and/or site alteration taking place within TRCA's Regulated Area on the property. Based on our review, it appears that the proposed works are located outside of TRCA's Regulated Areas.

### **Application Specific Comments**

As noted above, 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 valley corridor associated with the Humber River. Based on our review, the proposed dwelling associated with this minor variance application is located outside of TRCA's regulated portion of the site and is therefore appropriately setback from the valley slope. As such, TRCA staff have no concerns with the requested variance.

It is noted that the plan provided in support of this application does not identify the location of a septic system on the site. The applicant is advised that if a septic system is required, it may be located within TRCA's regulated portion of the property. The applicant is asked to contact the undersigned regarding the above matter to determine if a TRCA permit is required for this portion of the works.

### **Fee**

TRCA staff thank the applicant for their prompt payment of the required planning review fee of \$660.00 received on July 7, 2023.

### **Recommendation**

TRCA's staff have **no objection** to support the approval of Variance Application assigned City File No. A-2023-0187. A TRCA permit pursuant to Ontario Regulation 166/06 may be required for any future works on the subject property. As such, TRCA should be contacted prior to start of any future works.

We thank you for the opportunity to comment. Should you have any additional questions or comments, please contact the undersigned.

Sincerely,



Marina Janakovic

Planner I

Development Planning and Permits | Development and Engineering Services

Toronto and Region Conservation Authority

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## **Appendix A**

- Drawing unnumbered, Site Plan, dated June 1, 2023, prepared by Jardin Design Group Inc., received by TRCA on July 5, 2023;
- Drawing no. 1, Schematic Elevations, dated June 1, 2023, prepared by Jardin Design Group Inc., received by TRCA on July 5, 2023.