

November 6, 2023

CFN 68434.09

By email: coa@brampton.ca; clara.vani@brampton.ca

Clara Vani
Legislative Coordinator & Secretary-Treasurer Committee of Adjustment
Committee of Adjustment
2 Wellington Street West
Brampton, ON L6Y 4R2

Dear Clara Vani,

**Re: Minor Variance Application and City File No. A-2023-0244
2 Bramkay Street
City of Brampton, Region of Peel
Owner: 2 Bramkay St. Holdings ULC
Agent: The Biglieri Group Ltd. c/o Mallory Nieves**

This letter acknowledges receipt of the subject application, received on November 1, 2023. Toronto and Region Conservation Authority (TRCA) staff have reviewed the application 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.

Application Background

On October 18, 2023, TRCA staff provided comments on the first circulation of the minor variance assigned city file number A-2023-0244 at the subject property to permit a front yard setback of 18.21m whereas the bylaw requires a minimum front yard setback of 21m and to provide 296 parking spaces

whereas the bylaw requires a minimum of 404 parking spaces. It was our understanding that the requested variances were required to facilitate building addition.

Per this previous letter, TRCA's staff had no objection to the first circulation of the Minor Variance Application assigned City File No. A-2023-0244 subject to the following condition:

- 1) That the applicant provides the required \$1,250.00 planning review fee.

Purpose of the Application

The proposed variance looks to reduce the amount of open landscaped space to 29 percent which is required within the exterior side yard located south of this area whereas the minimum landscaped open space is 50 percent of the required exterior side yard width. The variance is required to use the area previously covered by the second access point driveway for a larger parking area and move the current second access point to the Bramkay cul-de-sac, which reduces the landscaped open space percentage. It is our understanding that the variance is required to maintain a sufficient landscaped strip adjacent to the existing parking area and to the area of parking to be constructed as part of the proposed addition.

TRCA staff understand that allowing a reduced percentage of landscaped open space within the exterior side yard is not required for stormwater management. In addition, it is our understanding that the majority of the landscaping condition along the exterior side yard within the northern portion of the site will be maintained with the existing 3 metre landscape strip.

Recommendation.

TRCA's staff have no objection to the approval of Minor Variance Application assigned City File No. A-2023-0244 subject to the following condition:

- 1) That the applicant provides the required \$1,250.00 planning review fee.

A TRCA permit pursuant to Ontario Regulation 166/06 may be required for any future works on the subject property.

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 small portion of the subject property is located within TRCA's Regulated Area of the Mimico Creek Watershed. 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.

Application Specific Comments

Based on our review of the second circulation of Minor Variance assigned city file number **A-2023-0244**, the proposed parking development will not be located within TRCA's regulated portion of the site. TRCA staff have no concerns with the requested variance. Please note that all future development proposals on the property should be circulated to TRCA for our review and approval prior to any works taking place.

Fee

This application is subject to a \$1,250.00 (Variance – Institutional – Minor) review fee. The applicant is responsible for fee payment and should forward the application fee to this office as soon as possible.

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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