



November 1, 2023

City of Brampton, Committee of Adjustment
City Clerk's Office
Brampton City Hall
2 Wellington Street West
Brampton, ON L6Y 4R2

Attention: Secretary-Treasurer

**Re: City File No. B-2023-0026 & A-2023-0305
CVC File No. B 23/026 & A 23/305
Sean Lall, Kekuli Ranatunga, Michael Lall, Zarena Lall, Vivake Lall
85 Victoria Street
Part of Lot 14, Concession 3 WHS
City of Brampton**

Credit Valley Conservation (CVC) staff have reviewed the subject application and offer comments based on the following roles and responsibilities:

1. Delegated Responsibilities – providing comments representing the provincial interest regarding natural hazards (except forest fires) as identified in Section 3.1 of the *Provincial Policy Statement (2020)*;
2. Regulatory Responsibilities – providing comments to ensure the coordination of requirements under the *Conservation Authorities Act Section 28 regulation*, to eliminate unnecessary delay or duplication in process;
3. Source Protection Agency – providing advisory comments to assist with the implementation of the CTC Source Protection Plan under the *Clean Water Act*, as applicable.

CVC REGULATED AREA:

Based on CVC mapping, the subject property at 85 Victoria Street is within the Credit River valley and is entirely within the floodplain and partially within the erosion hazard of the Credit River. As such, the property is subject to CVC's Ontario Regulation 160/06: Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses. This regulation prohibits altering a watercourse, wetland or shoreline and prohibits development in areas adjacent to the Lake Ontario shoreline, river and stream valleys, hazardous lands and wetlands, without the prior written approval of CVC (i.e. the issuance of a permit).

PROPOSAL:

It is our understanding that the applicant has applied for the following applications pertaining to the subject site:

1. Application B23/026 - The applicant requests the approval of Committee to sever a 1000 sq metre portion of land for the creation of a new lot.
2. Application A23/305 - The applicant requests the approval of Committee for a minor variance for lot width, depth and area for the severed portion of lands.

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COMMENTS:

Based on available information, the floodplain elevation applicable to the property has been determined to be 173.10 metres with a corresponding velocity of 0.53 m/s. Based on information available in our office, the entire property is within the floodplain with the majority of the site subject to approximately 2 metres of flooding during a Regulatory Storm Event.

CVC policy does not support the creation of new lots that extend into, or fragment ownership of hazardous land, in consideration of the long-term management concerns related to risks to life and property. The proposed severance would fragment the Credit River floodplain. As the entire property is within the floodplain, there is no area outside of the natural hazard for the creation of a new lot.

In accordance with the Provincial Policy Statement (2020), Section 3.1.1b directs development (including but not limited to the creation of a new lot) to areas outside of hazardous lands adjacent to rivers which are impacted by flooding hazards and/or erosion hazards. Section 3.1.2d of the Provincial Policy Statement (2020) states that development shall not be permitted within a floodway.

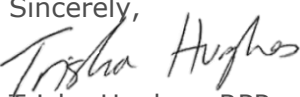
Further to the above, safe access must be available. Based on information available, the existing access to Victoria Street and Church Street is located within the Regulatory Floodplain with depths of approximately 2 metres during a Regulatory Flood Event. CVC staff do not support new lot creation unless safe access can be achieved in accordance with CVC's Watershed Planning and Regulation Policies (Section 7.5), and as stated in the Provincial Policy Statement (2020) Section 3.1.2c. Based on the depths of flooding, our safe access criteria cannot be met.

As noted above, a CVC permit would be required prior to any new development proposed within the regulated area. CVC policy does not support construction of a new house in depths of flooding greater than 0.8 metres. As such, CVC would not be able to support a new house on the proposed lot to be severed.

Conclusion

As noted above, the current proposal does not meet Provincial or CVC policy due to the flood hazard on the property. CVC staff are not able to clear our interests for the current proposal to sever the property to create a new residential lot within the flood hazard, and without safe access. Further, our policies would not support a permit application for a new house on the proposed severed lot due to the depths of flooding. As such, CVC staff **do not** recommend approval of this application.

We trust that these comments are sufficient. If you have any questions or concerns, please do not hesitate to contact the undersigned at 905-670-1615 (x 325).

Sincerely,

Trisha Hughes, RPP
Acting Senior Planner

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cc: François Hémon-Morneau, City of Brampton
Sara Feshangchi, Region of Peel
Sean Lall, Kekuli Ranatunga, Michael Lall, Zarena Lall, Vivake Lall (owners)
Don Arthur (agent)