

November 6, 2023

CFN 68434.13

**By email: [coa@brampton.ca](mailto:coa@brampton.ca); [clara.vani@brampton.ca](mailto: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-2023-0312  
4 Cynthia Crescent  
City of Brampton, Region of Peel  
Owner: Sukhpreet Singh Bedi  
Agent: Huis Design Studio Ltd. c/o Shane Edwards and Kurtis Van Keulen**

This letter acknowledges receipt of the subject application, received on October 18, 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-2023-0312 is to permit:

- 1) an interior side yard setback of 2.27m to a proposed two storey dwelling whereas the by-law requires a minimum interior side yard setback of 7.50m;
- 2) a proposed detached dwelling having a building height of 14.0m whereas the by-law permits a maximum building height of 10.6m;
- 3) a garage door height of 3.05m whereas the by-law permits a maximum garage door height of 2.4m.

TRCA staff understand that the requested variances are required to facilitate a rear yard addition to the existing one storey dwelling (with a GFA of 405.78 sq.m.) which has an existing basement. Specifically, the rear yard addition is proposing a basement, ground floor and second floor area. In addition, the proposed works also include a ground floor covered front porch addition to the existing house.

The proposed works also include the development of an additional unit with a garage (east portion of the existing dwelling). The additional unit is accessible indoors to the existing house through the second floor only. The total GFA of the proposed two storey dwelling is 678.73 Sq.m. It is unclear if grading is being proposed.

TRCA staff understand the existing garage attached to the one story dwelling and the existing driveway are to remain.

### **Recommendation**

TRCA staff recommend deferral of Minor Variance Application assigned City File no. **A-2023-0312** to provide an opportunity for the applicant to revise the proposed works and address TRCA's staff concerns. Should the Committee not grant deferral of the application at the hearing, TRCA staff recommend denial of the application at this time.

Please advise the applicant to submit a TRCA permit application, easy to read drawings and the associated review fee of \$995.00 (Works on Private Residential Property – standard). Please include a grading plan in your permit application submission, if applicable.

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). The subject property is located within TRCA's Regulated Area of the Humber River Watershed. Specifically, the subject property is located adjacent to a valley corridor associated with the Humber River and a portion of the lot is located within the estimated Regional Storm flood plain. 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, the proposed rear yard addition, covered front porch and additional unit with a garage will be located within TRCA's Regulated portion of the site.

### **Application Specific Comments**

Based on our review, it appears that the existing house and the proposed rear yard addition, additional unit with a garage, and front covered porch, are located within the estimated Regulatory Flood Plain. The estimated Regulatory Flood Plain Elevation is 210.67 masl and 0.57 m/s at the subject property, which generally aligns with the south and south west lot lines closest to the house.

Should the applicant disagree with this preliminary flood plain analysis, the applicant may hire a consultant to determine the flooding extent of the spill using two-dimensional hydraulic model, otherwise the applicant is required to apply the preliminary result of TRCA's flood modelling.

The existing habitable ground floor area and the proposed habitable ground floor area (excluding garage and uncovered porch) is unclear.

In accordance with Section 8.5.1 Valley and Stream Corridors of the TRCA's Living City Policy, TRCA does not support an increase in the size and footprint of a replacement or reconstruction of an existing building or structure within the flood hazards where the addition is more than 50% of the original habitable ground floor area.

Additionally, TRCA requires that the addition does not include a basement, if one did not previously, and that replacements of an existing basement be no larger than the original. The proposed basement in the rear yard addition appears to be larger than the existing. Please note that increasing the number of dwelling units on the property within the flood hazard is not permitted.

Additionally, please note that TRCA requires that the proposed rear yard addition be properly flood proofed according to TRCA policies and standards, including any potential basement windows. Given the above, TRCA has concerns with the size of the rear yard addition and floodproofing of the proposed works in this minor variance application, as submitted. TRCA requests that the applicant contacts the undersigned to initiate discussions regarding TRCA's concerns.

### **Fee**

By copy of this letter, the applicant is advised that the TRCA has implemented a fee schedule for our planning application review services. This application is subject to a fee of \$660.00 (Minor Variance – Residential Minor). 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  
Telephone: (437) 880-2368  
Email: Marina.Janakovic@trca.ca

**Appendix A: Circulated Materials**

Sheet no. A101, Basement Floor Plan, undated, prepared by Huis Design Studio Ltd.

Sheet no. A102, Ground Floor Plan, undated, prepared by Huis Design Studio Ltd.

Sheet no. A103, Second Floor Plan, undated, prepared by Huis Design Studio Ltd.

Sheet no. A201, Front and Left Elevation, undated, prepared by Huis Design Studio Ltd.

Sheet no. A202, Rear and Right Elevation, undated, prepared by Huis Design Studio Ltd.

Sheet no. A203, Front Exterior Finishes, undated, prepared by Huis Design Studio Ltd.

Sheet no. A204, Back Exterior Finishes, undated, prepared by Huis Design Studio Ltd.

Sheet no. SP, Site Plan, undated, prepared by Huis Design Studio Ltd.

Sheet unnumbered, Survey, undated, prepared by Altimap Land Surveyors Inc.