

January 17, 2021

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BY EMAIL: sean.kenny@mississauga.ca

Mr. Sean Kenney
Committee of Adjustment
City of Mississauga
300 City Centre Drive, 2nd Floor
Mississauga, ON L5B 3C1

Dear Mr. Kenney:

**Re: Committee of Adjustment Consent Application B 5/22
Committee of Adjustment Minor Variance Application A 48/22 & 49/22
5040 & 5060 Spectrum Way
City of Mississauga
1232429 B.C Ltd. (Agent: Weston Consulting c/o Kevin Bechard)**

This letter acknowledges receipt of the above noted application circulated by the City of Mississauga. The materials were received by Toronto and Region Conservation Authority (TRCA) on December 22, 2021. TRCA staff has 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, 2020*; 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 related to provincial plans.

Purpose of the Application

The purpose of Consent Application B 5/22 is to request the approval of the Committee to sever a parcel of land for the creation of a new lot and easements on the subject property. The parcel has a frontage of approximately 107.523m (approx. 352.766ft) and an area of approximately 20,206sq.m (approx. 217,495.57sq.ft).

The purpose of Minor Variance Applications A 48/22 & A 49/22 is to approve a minor variance on the subject property, being the retained lands of application B5/22, proposing:

1. A landscape buffer of 3.0m (approx. 9.8ft) whereas By-law 0225-2007, as amended, requires a minimum landscape buffer of 4.5m (approx. 14.76ft) in this instance; and,
2. To permit a parking lot as a standalone use in an E1-19 Zone (Employment) whereas By-law 0225- 2007, as amended, does not permit a parking lot as a standalone use in an E1-19 Zone (Employment) in this instance.

It is our understanding that the requested consent and variances are required to facilitate the creation of a new lot for future office development. It is also our understanding that there is no new development being proposed at this time on the new lot.

Background

It is our understanding that TRCA staff previously reviewed a Site Plan Application SP 01/220 W5 at the subject property. Owing to the age of the original file and the off-site storage of historic review materials, a full history could not be reviewed. However, it is our understanding that this application proposed keeping the development under a single lot with a single owner.

Ontario Regulation 166/06

The subject property is located within TRCA's Regulated Area of the Etobicoke Creek Watershed. Specifically, the subject land is located adjacent to a valley corridor associated with the Etobicoke Creek and a portion of the valley slope extends onto the back of the subject property. As such, a TRCA permit pursuant to Ontario Regulation 166/06 will be required for any development or site alteration within the Regulated Area on the property.

Application Specific Comments

It is our understanding that the limits of development were identified during the review of Site Plan Application SP 01/220 W5, providing 10 m. setback from the Long-Term Stable Top of Slope (LSTOS) of the valley corridor determined through the appropriate technical studies at that time.

Based on our review of the materials submitted in this application, it appears that the proposed severance is bisecting the Natural System as per TRCA's Living City Policy 7.3.1, which states that the Natural System is comprised of water resources, Natural Features and Areas, Natural Hazards, and any associated potential natural cover and/or buffers. In addition, considering that the limits of development were identified approximately 21 years ago, TRCA staff require that the limits of development be updated. A constraint map indicating all current Natural Features and Areas, Natural Hazards, and any associated potential natural cover and/or buffers is required to identify the limits of development.

Please advise the applicant to contact the undersigned to confirm the appropriate limits of development at the subject property. Please note that TRCA staff require the Natural System be maintained within one lot and does not support the fragmentation of buffers between multiple owners. Alternatively, staff recommend the Natural System be conveyed into public ownership once the limits are reconfirmed.

Recommendation

On the basis of the comments noted below, TRCA staff recommend **deferral** of Consent Application B 5/22 and Minor Variance Application A 48/22 & A 49/22 in order to provide the applicant a chance to adjust their proposal to conform with TRCA's policies. Should the Committee not grant deferral of the application at the January 27, 2022 hearing, TRCA staff recommend denial of the application at this time.

Fees

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 \$1,470 (Consent– Minor).

We thank the applicant for submitting \$1,400 of the review fee and we note that \$70 of the required fee is still outstanding. Please advise the applicant to forward the remainder of the fee to this office as soon as possible.

We trust these comments are of assistance. Should you have any questions, please contact me at 416-661-6600 extension 5657 or at Lina.alhabash@trca.ca.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Lina', with a stylized flourish extending from the end.

Lina Alhabash

Planner I

Development Planning and Permits | Development and Engineering Services

LA/as