

March 23, 2022

CFN 66441.12

BY EMAIL: Debbie.Sheffield@mississauga.ca

Ms. Debbie Sheffield
Committee of Adjustment
City of Mississauga
300 City Centre Drive, 2nd Floor
Mississauga, ON L5B 3C1

Dear Ms. Sheffield:

**Re: Committee of Adjustment Minor Variance Application A 163/22
7420 Moodie Court
City of Mississauga
Sahai Sharad and Reena Sahai. (Agent: Valiuddin Mohammed)**

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 February 22, 2022. 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 Minor Variance Application A 163/22 is to allow the construction of a below grade entrance proposing an exterior side yard setback of 5.38m (approx. 17.65ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 6.00m (approx. 19.69ft) in this instance.

It is our understanding that the requested variance is required to facilitate the development of a second dwelling unit in the basement of the existing house.

Background

It is our understanding that staff were notified of Minor Variance Application A230/21 which was scheduled for Committee of Adjustment Hearing on June 24, 2021. TRCA staff noted that the property was located outside of TRCA's Regulated Area based on flood modelling information available at the time. It is our understanding that Minor Variance Application A302/21 proposed the construction of a below grade entrance and was approved by the Committee of Adjustment.

Ontario Regulation 166/06

The subject property is located within TRCA's Regulated Area of the Mimico Creek Watershed. Specifically, the subject land is located downstream of a flood spill area of the Regulatory Flood Plain associated with a tributary of the Mimico Creek. 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

Based on our updated preliminary 2D modeling results, it appears that a small portion of the subject property is located within the flood spill area of the Regulatory Flood Plain. The Water Surface Elevation and velocity is 170.18 masl and 0.2 m/s respectively.

Based on our review, it appears that the existing house and the proposed below grade entrance are located outside of the flood hazard. As such, TRCA staff have no concerns with the proposed below grade entrance and the second dwelling unit in the basement of the existing house.

Please advise the applicant to submit a TRCA permit application for the proposed development (Application for Development, Interference with Wetlands & Alterations to Shorelines and Watercourses – Ontario Regulation 166/06) and the associated review fee of \$495 (Works on Private Residential Property – Minor).

Should the applicant disagree with this preliminary 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 for of TRCA's flood modelling.

Recommendation

On the basis of the comments noted above, TRCA staff support **conditional approval** of Minor Variance Application A 163/22, subject to the following conditions:

1. The applicant acquires a TRCA permit pursuant to Ontario Regulation 166/06 for the proposed work;
2. The applicant submits a \$610 review fee to this office.

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 \$610 (Variance Residential– Minor). The applicant is responsible for fee payment and should forward the application 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,



Lina Alhabash
Planner I

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