

December 6, 2021

CFN 64188.15

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 Minor Variance Application A 572/21
5 Scarboro Street
City of Mississauga
Adil Shaikh**

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 November 11, 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 Minor Variance Application A 572/21 is to allow the development of a new dwelling proposing:

1. A lot coverage of 41.1% (approx. 240.13 sq.m. Or 2,584.74 sq.ft.) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30% (approx. 263.32 sq.m. or 2,834.35 sq.ft.) in this instance;
2. A gross floor area of 446.46 sq.m. (approx. 4,805.66 sq.ft.) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 259.00 sq.m. (approx. 2,787.85 sq.ft.) in this instance.

It is our understanding that the requested variances are required to facilitate the replacement of a 140.13 sq.m. 2-storey single family dwelling at the subject property.

Ontario Regulation 166/06

The subject property is located within TRCA's Regulated Area of the Mimico Creek Watershed. Specifically, a portion of the subject land is located within 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 review, a portion of the subject property is located within the Regulatory flood plain. The Regional water surface elevation and the velocity at the subject property are 167.59 m and 0.52 m/s respectively.

It is unclear whether the existing house is located within the Regulatory flood plain. Additionally, it appears that the proposed works, including the proposed house, are located within the Regulatory flood plain. A topographic survey is required to confirm whether the existing house is subject to flooding. Should it be confirmed that the existing house is located within the Regulatory Flood Plain, the proposed dwelling must conform to TRCA's Living City Policy 8.5.1 for a replacement dwelling within the flood hazard.

If it is demonstrated that the existing building is located outside of the Regulatory flood plain, we will require the new dwelling to also be located outside of the Regulatory flood plain, and to maintain the existing setback from the Regulatory Flood plain, as a minimum.

Please advise the applicant to submit a TRCA permit application for the proposed replacement dwelling (Application for Development, Interference with Wetlands & Alterations to Shorelines and Watercourses – Ontario Regulation 166/06) and the associated review fee of \$920 (Works on Private Residential Property – Standard).

Recommendation

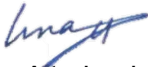
On the basis of the comments noted below, TRCA staff recommend **deferral** of Minor Variance Application A 572/21 in order to provide an opportunity for the applicant to provide TRCA staff with the above required information and revisions. Should the Committee not grant deferral of the application at the December 16, 2021 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 \$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

Development Planning and Permits | Development and Engineering Services
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