

October 27, 2023

CFN 68439.17

**By email: [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca)**

Shelby Clements  
Committee of Adjustment  
300 City Centre Drive, 2<sup>nd</sup> Floor  
Mississauga, ON L5B 3C1

Dear Shelby Clements,

**Re: Minor Variance Application and City File No. A406.23  
1250 Mid-Way Boulevard  
City of Mississauga, Region of Peel  
Owner: 2321497 Ontario Inc.  
Agent: Harper Dell & Associates Inc. c/o Nicholas Dell**

This letter acknowledges receipt of the subject application, received on October 10, 2023. Toronto and Region Conservation Authority (TRCA) staff have reviewed the application and the circulated materials 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. A406.23 is to allow parking on the property proposing 62 parking spaces (including 45 tandem) whereas By-law 0225-2007, as amended, requires 93 parking spaces (including 47 tandem) in this instance.

It is our understanding that the requested variances are required to facilitate the introduction of the Bus Repair with Body Shop and Sales which causes a minor parking deficiency. In addition, it is our understanding that there is no exterior works being proposed at this time.

### **Recommendation**

TRCA's staff have **no objection** to the approval of Minor Variance Application assigned City File No. A406.23.

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 partially within TRCA's Regulated Area of the Etobicoke Creek Watershed. Specifically, the subject land is located partially within the Regulatory Flood Plain associated with a tributary of the Etobicoke Creek. As such, a TRCA permit pursuant to Ontario Regulation 166/06 is required from this Authority prior to the proposed development, site alteration or other development taking place on the Regulated Areas of the property.

### **Application Background**

In 2010, TRCA provided no objection to minor variance assigned city file no. A34/10 to permit fewer parking spaces for a Bus Repair Facility(only). However, with an introduction of "Bus Repair with Body Shop and Sales" this triggers a requirement for an increased parking deficiency from File A34/10.

### **Application Specific Comments**

Based on our review, the proposed change of use will be located within TRCA's regulated portion of the site. However, a TRCA permit is not required since there is no development per our Regulation taking place. TRCA staff have no concerns about the proposed variance, as currently submitted.

### **Fee**

TRCA staff thank the applicant for their prompt payment of the required planning review fee of \$1250.00 received on September 26, 2023.

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