

**Ontario Municipal Board**  
Commission des affaires municipales  
de l'Ontario



**ISSUE DATE:** March 08, 2018

**CASE NO(S):** PL161258

**PROCEEDING COMMENCED UNDER** subsection 51(39) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant:	3085 Queen Frederica Inc.
Subject:	Proposed Plan of Subdivision
Property Address/Description:	3085 Queen Frederica Drive
Municipality:	City of Mississauga
Municipal File No.:	CDM-M 05005
OMB Case No.:	PL161258
OMB File No.:	PL161258
OMB Case Name:	3085 Queen Frederica Inc. v. Mississauga (City)

**Heard:** February 27, 2018 in Mississauga, Ontario

**APPEARANCES:**

**Parties**

**Counsel**

3085 Queen Frederica Inc.

Nancy Smith

City of Mississauga

Lia Magi

Toronto and Region Conservation  
Authority

Tim Duncan

**MEMORANDUM OF ORAL DECISION DELIVERED BY JUSTIN DUNCAN ON  
FEBRUARY 27, 2018 AND ORDER OF THE BOARD**

---

## **BACKGROUND**

[1] This memorandum of oral decision follows a hearing of a proposed settlement of an appeal filed by 3085 Queen Frederica Inc. (“Appellant”) from the refusal by the City of Mississauga (“City”) of an application proposing the conversion of the existing 11-storey, 73-unit apartment building into a condominium at 3085 Queen Frederica Drive (“Subject Lands”).

[2] The Board held a pre-hearing conference (“PHC”) on August 21, 2017. The Toronto and Region Conservation Authority (“TRCA”) was added as a party to the appeal during the PHC. The main area of dispute between the parties related to ensuring public safety given that the Subject Lands are located within the flood plain of the Little Etobicoke Creek.

[3] In support of the settlement, the parties agreed upon Conditions of Draft Condominium Approval which was marked as Exhibit 3 and attached to this memorandum which are intended, among other things, to address safety concerns resulting from the potential for flooding of the Subject Lands.

[4] The Appellant’s Planner, Joseph Plutino, and the City’s Planner, Michael Hynes, were both qualified to provide expert planning evidence to the Board.

[5] Mr. Plutino prepared a planning justification report in support of the settlement and summarized the opinions contained therein. He explained that the existing building on the Subject Lands was developed in 1969 and that the proposal is to convert the apartments into condominium tenure. He explained that the Subject Lands are located in a fully developed area of the City, with high rises to the north and south, a commercial development to the east and block townhouses across the street to the west.

[6] Mr. Plutino reviewed the relevant planning legislation and policy context applicable in this context and opined that the proposal for conversion conforms to all

applicable law and policy. In particular, he explained that s. 9(3)(b) of the *Condominium Act* requires that the proposed conversion proceed by way of plan of subdivision and opined that the proposal has appropriate regard for the criteria set out in s. 51(24) of the *Planning Act* (“Act”) and has regard to matters of provincial interest set out in s. 2 of the Act.

[7] Next, Mr. Plutino opined that the proposal is consistent with the Provincial Policy Statement, 2014 (“PPS”). In particular, it was his opinion that the proposal meets PPS policies relating to building strong communities, promoting wise use and management of resources and the protection of public health and safety.

[8] Mr. Plutino also opined that the proposal conforms with or does not conflict with the policies of the Growth Plan for the Greater Golden Horseshoe (“Growth Plan”).

[9] Mr. Plutino further opined that the proposal conforms with the official plans of the Regional Municipality of Peel and the City. In particular, he directed the Board’s attention to policy 19.15.2 of the City’s Official Plan that permits conversions as proposed by the Appellant.

[10] Mr. Plutino explained that as the Subject Lands currently have 87 parking spaces, a variance will be required in order to comply with City’s Zoning By-law No. 0225-2007 standards which require that 102 parking spaces be provided. He opined that the building currently operates well with 87 parking spaces and explained that as a condition of approval (condition 26 in Exhibit 3), the Appellant will be required to apply for a variance. Mr. Plutino explained that but for the issue of parking, the site meets zoning standards.

[11] Finally, in reply to questions from the Board, Mr. Plutino opined that the conditions agreed upon by the parties adequately address flooding.

[12] Next, the Board heard from Mr. Hynes whose evidence focused largely on the flood plain issue. He explained that the City routinely refuses applications in flood

plains. He explained that in 2013 during a major storm event that every building flooded on Queen Frederica Drive given their proximity to Little Etobicoke Creek.

[13] Mr. Hynes explained that since the Appellant's application was refused by the City, several things have occurred. First, the City is preparing an environmental assessment entitled "Dundas Connects Masterplan" that is analyzing land use and transportation along the Dundas Street corridor between the Town of Oakville and the City of Toronto. He explained that the masterplan report will be finalized in March 2018 and as part of the masterplan, will be an analysis of how to manage the impacts of flooding. He explained that the information gleaned from the drafting of the report has resulted in the City and TRCA being satisfied that steps can be taken to ensure that risk due to flooding can be mitigated on the Subject Lands.

[14] Mr. Hynes opined that the conditions relating to flooding contained in Exhibit 3 will mitigate the risk of flooding to buildings and increase public safety in the event of flooding by requiring the installation of measures to protect openings in the building from flooding and to ensure that owners of condominium units are provided with a flooding manual, engage in evacuation drills and receive annual updates relating to flooding matters. He opined that the conditions overall are reasonable and appropriate to address flood risk in this particular area in accordance with s. 51(24) and (25) of the Act. He also explained that City Council has endorsed the conditions in Exhibit 3.

[15] Mr. Hynes otherwise concurred with the evidence of Mr. Plutino with regards to the applicable legislative and policy context.

[16] Finally, counsel for the TRCA, Tim Duncan, explained that TRCA staff had participated in developing the conditions contained in Exhibit 3 and that TRCA no longer has any objections to the application.

**ORDER**

[17] The Board, having considered the evidence provided by Mr. Plutino and Mr. Hynes, the submissions of counsel for the parties, and the material contained in the Board's file, including the municipal file provided to the Board, found that the appeal should be allowed and ordered that:

- a. Conditional Draft Plan of Condominium is approved as agreed upon by the parties and identified as Exhibit 3;
- b. The City shall have authority to clear conditions contained in the Conditional Draft Plan of Condominium and may administer final approval; and
- c. The Board may be spoken to with regards to the clearing of conditions if necessary.

*"Justin Duncan"*

JUSTIN DUNCAN  
MEMBER

If there is an attachment referred to in this document,  
please visit [www.elto.gov.on.ca](http://www.elto.gov.on.ca) to view the attachment in PDF format.

**Ontario Municipal Board**

A constituent tribunal of Environment and Land Tribunals Ontario  
Website: [www.elto.gov.on.ca](http://www.elto.gov.on.ca) Telephone: 416-212-6349 Toll Free: 1-866-448-2248

### **EXHIBIT 3**

The approval of the draft plan of condominium is subject to the following conditions. All required information and documentation is to be provided to the appropriate City Division. Confirmation that each condition has been satisfied will be provided by the appropriate City Division to the Development & Design Division, Planning & Building Department:

1. That the final plan conforms to the draft plan, prepared by Donald G. Chambers, Ontario Land Surveyor, and dated July 21, 2014 on the Owner's Certificate.
2. Confirmation from the Development Services Section, Planning and Building Department that it is in receipt of a Certificate of Publication from a construction trade newspaper indicating that the required notice under Section 33.1 of the *Construction Lien Act* has been published. The final condominium plans must be filed within 6 to 15 days (excluding holidays, Saturdays and Sundays) of the notice being published. Pursuant to the Act, the plans cannot be filed with the City within the first 5 days of the notice being published and if the plans are not submitted within 15 days of the notice being published, another notice must be published before the City can accept the final plans
3. Confirmation from the Tax Billing and Accounting Section, Revenue and Materiel Management Division, of the City Corporate Services Department that the following conditions have been fulfilled:
  - (a) All taxes due have been paid in full, and all local improvement charges apportioned to the property have been prepaid in full;
  - (b) A letter of credit has been submitted for the balance of taxes already levied but not yet due, and for the taxes to be levied on additional building assessment in an amount to be determined by the Tax Billing and Accounting Section, Revenue and Materiel Management Division, such letter of credit to be held until tax levies are paid in full.

The letter of credit will be reduced to the balance of taxes payable as payment is received.

4. Confirmation from the Building Division of the City Planning and Building Department that it has received certification from a qualified independent Professional Engineer that:
  - (a) site lighting complies with the City of Mississauga standards for servicing multi-family and condominium developments;
  - (b) storm and sanitary sewers comply with restrictions and condominium standards and that the systems are operational and free from restrictions and defects; and
  - (c) the general condition of the buildings and the building systems, including the structural, plumbing, HVAC, electrical, fire safety and building system components

of the building(s), were found to be in operating condition and capable of providing their intended functions.

5. Confirmation from the Building Division of the City Planning and Building Department that a satisfactory as-built building location survey has been received and approved.
6. Confirmation from the Development Services Section of the City Planning and Building Department that it is in receipt of confirmation from the property owner that the following clause is to be included in all Offers of Purchase and Sale and in the Condominium Declaration:

“Purchasers are hereby advised that the building located at 3085 Queen Frederica Drive Mississauga, to be registered pursuant to the *Condominium Act, 1998, S.O. 1998, c.19* (the Condominium) are not newly constructed and that the approval of the registration of the Condominium by the Corporation of the City of Mississauga does not constitute certification of the condition of such buildings and related common elements. Purchasers are hereby warned that there may be unforeseen maintenance issues and that Purchasers of units within the Condominium shall be responsible for the cost of any repairs in connection with all unforeseen maintenance issues.”

Further the property owner shall provide a copy of the entire purchase and sale agreement and the relevant excerpts from the Condominium Declaration to confirm that this requirement is contained in the documents. The property owner will also be required to provide a certificate stating that the submitted Purchase and Sale Agreement will be used in connection with the sale of all units within the proposed condominium.

7. Confirmation from the Development Services Section of the City Planning and Building Department that it is in receipt of a schedule indicating the municipal address (street name and number and unit/suite number) and legal description (unit and level number) for each unit within the plan of condominium.
8. Confirmation from the Development Services Section of the City Planning and Building Department that the following final plans of condominium have been submitted within 6 to 15 days (excluding holidays, Saturdays and Sundays) of the publishing of the notice required under Section 33.1 of the *Construction Lien Act*:
  - (a) the original;
  - (b) one translucent (mylar) duplicates;
  - (c) four white paper prints (Association of Ontario Land Surveyors' *Plan Submission Form* must be affixed to one copy).
9. Confirmation from the Development Services Section of the City Planning and Building Department that it is in receipt of two copies of a deposited reference plan for the subject property.

10. Prior to commencement of the remedial works the applicant will be required to provide the following:
- (a) A **Grading Deposit** in the amount of \$10,000 to ensure that the site is properly regraded to the satisfaction of Development Construction Section of the Transportation and Works Department. The owner is to submit payments/deposits directly to the Customer Service Counter at 3185 Mavis Road. Administration fees are subject to HST.
  - (b) A **Municipal Services Protection Deposit (MSPD)** in the amount of \$10,000 to ensure that the municipal frontage (public blvd and entrance) is maintained to municipal standards to the satisfaction of the Development Construction Section of the Transportation and Works Department. The owner is to submit payments/deposits directly to the Customer Service Counter at 3185 Mavis Road. Administration fees are subject to HST.
11. The Existing Pavement Condition Survey report dated June 2015 indicates that the pavement structure is deficient and recommends full re-construction in order to meet the City's minimum design standard for the pavement structure in a condominium development:
- Internal Roadway and Parking Areas: 250 mm Granular `B', 200 mm Granular `A', 65 mm HL8 Base Asphalt, 40 mm HL3 Top Asphalt
- Upon completion of the remedial works, the applicant's Geotechnical Consultant is to submit a **Pavement Construction Certificate** confirming that the 'as constructed' pavement structure conforms to this standard and in accordance with the recommendations of the approved Pavement Condition Survey report and appropriate OPS/City standards and specifications as applicable. No recycled asphalt is to be utilized in the top course of asphalt.
12. The owner shall contact the Development Construction Section of the Transportation and Works Department (905-615-3200 ext. 3240) for an **inspection** to review:
- (a) The existing private roads, parking areas, sidewalks, retaining structures, and appurtenant services and correct any reported deficiencies. All on site curbs, retaining structures and sidewalks which are spalled, cracked, displaced, uneven or broken will require replacement or repair to the satisfaction of the Transportation and Works Department.
  - (b) The rectification of any deficiencies to the municipal entrance and municipal boulevard fronting the site.
- Prior to the placement of the top course of asphalt and top concrete curb, the applicant is to contact Development Construction (905-615-3200 ext. 3240) to arrange for a further inspection of the completed on-site repairs and the restoration of boulevards and municipal works within the road allowance fronting on the subject property.
13. Prior to commencement of remediation works, the engineering consultant will be required to provide an existing/proposed **Site Grading Plan** for the entire site, including all soft-scape areas to ensure that positive drainage and vegetative cover is provided. The Site Grading Plan should



comply with any applicable requirements of the approved Flood Mitigation Plan required by Condition #22 and be approved by the TRCA.

Upon completion of the site remediation works, the engineering consultant will be required to submit a **Final Lot/Block Grading Certificate** certifying that the site grading conforms to the intent of original building and grading scheme, and that the proper positive drainage has been achieved in all areas in accordance with good engineering practices and industry standards. The Final Grading Certificate shall include confirmation of the structural adequacy of any retaining walls and/or fencing works associated with the condominium development. In the event that minimum grades are not achieved, in accordance with the plan, additional drains and connections will be required to achieve adequate drainage.

14. A **certified statement** signed and stamped by a Professional Engineer of the Province of Ontario stating that all services have been designed and constructed in accordance with the City of Mississauga Standards and Policies for Servicing of Condominium Developments. This shall include certification that all granular, asphalt and concrete materials utilized for the construction of the private roads, curbs, sidewalks, driveways and parking areas meet the applicable O.P.S./City standards and specifications. The certificate shall also include confirmation that the storm sewers have been properly flushed and are free and clear of debris and obstructions.
15. The applicant is advised that an **inspection fee** in accordance with the current Transportation and Works Fees and Charges By-law is required prior to Condominium Registration. Payment in the amount of \$1,500 plus HST will be required for this application. Please provide a certified cheque, bank draft or money order directly to the Transportation and Works Customer Service Counter at 3185 Mavis Road to ensure the payment is applied to the associated condition and to obtain a receipt.
16. The applicant's **engineer, surveyor and solicitor are to certify** that the necessary easements, rights-of-way and/or agreements for the use and maintenance of all internal services and access ways between the proposed condominium units are in place and where appropriate provide legal documentation confirming that the necessary servicing easements and/or access easements have been registered on title. Final clearance will be needed from the City's Legal Services with respect to any other legal documents that may be required.
17. The owner's solicitor is to contact Legal Services (905-615-3200 ext. 5413) to confirm the need for a **Municipal Obligations Agreement** that requires the resultant condominium corporation to assume and be responsible for the performance of all obligations, liabilities, covenants, releases and indemnities in favour of and benefitting the City under any municipal agreements, including but not limited to easements.
18. Confirmation from Legal Services that the Condominium Disclosure Statement and/or the Condominium Declaration for any part of the subject lands or any condominium unit, includes the

following clause(s):

- i) "Owners/Purchasers/Tenants are advised that all sanitary sewers, storm sewers, water mains, internal pavement, curbs, sidewalks, streetlights, and other site services and facilities situated within and serving the condominium development (Private Works and Services) are under the private ownership and responsibility of the condominium corporation and comprise part of the common elements. All costs and expenses associated with the construction, establishment, maintenance, repair and upkeep of such Private Works and Services are the responsibility of the Condominium Corporation and the unit owners."
  - ii) "Purchasers/tenants are advised that the Corporation of the City of Mississauga shall have no responsibility, liability or obligation whatsoever with respect to any use, operation, maintenance, upkeep, repair, replacement and alteration of the Private Works and Services and shall be and remain at all times under the separate ownership of the Condominium Corporation."
  - iii) "The City of Mississauga does not require off site snow removal. However, in the case of heavy snow falls, the limited snow storage space available on the property may make it necessary to truck snow off the site and the cost of the same will be included in the common expense fees."
19. Confirmation by the Fire Prevention Section of Mississauga Fire and Emergency Services, Community Services Department with respect to the following:
- (a) The municipal unit numbers and the site municipal address sign is to be installed prior to the release of the condominium for registration.
  - (b) A detail of the illustrated municipal address sign is to be submitted to Fire Prevention for review prior to installation.
  - (c) That the required signage in compliance with the provisions of By-law 265/91, being a By-law with respect to the numbering of buildings has been erected. The property owner is required to provide a permanent sign displaying the municipal address number of the complex and the range of unit numbers.
20. Confirmation from the Toronto Region Conservation Authority and the Building Division of the City Planning and Building Department that a **certified statement** prepared by a Professional Engineer providing the building is structurally able to withstand (existing and with flood-proofing) the flows and velocities (hydrostatic and hydro dynamic pressure) expected during a Regulatory Flood event has been received.
21. Confirmation from the Toronto Region Conservation Authority and the City's Office of Emergency Management, Mississauga Fire and Emergency Services Division that a satisfactory **Flood Mitigation Plan** substantially in accordance with Schedule "A" has been received and

approved.

22. Confirmation from the Toronto Region Conservation Authority, following an inspection, that the flood proofing measures required by the approved **Flood Mitigation Plan** have been implemented and/or constructed.
23. Confirmation from the Toronto Region Conservation Authority and the City's Office of Emergency Management, Mississauga Fire and Emergency Services Division that a satisfactory **Flood Response Plan** substantially in accordance with Schedule "B" has been received and approved.
24. Confirmation from Legal Services that the Condominium Disclosure Statement and/or the Condominium Declaration, as appropriate, for any part of the subject lands or any condominium unit includes the following clause(s):
  - i) "Owners/Purchasers/Tenants acknowledge that the property is located within a Regulatory Floodplain and hereby agree to indemnify, defend and save harmless The Corporation of the City of Mississauga, including its elected officials, councillors, officers, employees, agents and contractors, from any and all losses, damages, costs and expenses, arising in relation to any loss of, or damage to, property, or any losses, damages, costs and expenses in relation to any personal injury or death, or any other losses or damages or any and all claims, demands, suits, actions or causes of action for any losses or damages or costs and expenses, both direct and indirect, and such other costs and expenses, howsoever and whatsoever incurred, suffered or sustained by The Corporation of the City of Mississauga or any of its elected officials, councillors, officers, employees, agents and contractors, or which may be brought against it or them or for which it or they may become liable for or incur, as a result of, arising out of, or connected with any flooding. The indemnification, defence and save harmless undertaking extends, without limitation, to any and all losses, damages, costs and expenses, claims, demands, suits, actions or causes of action as a result of, arising out of, or connected with the implementation of the Flood Mitigation Plan and/or the Flood Response Plan. The indemnification, defence and save harmless undertaking shall be binding upon the Owner's/Purchaser's/Tenant's successors and assigns".
  - ii) "The owner further acknowledges and agrees that all future purchase and sale agreements and all future lease agreements in connection with the subject lands, or any lot, part lot or other segment of the subject lands or of any development constructed on the subject lands, shall contain notice of the Regulatory Floodplain and the constraints on development of these lands, as well as notice of the indemnification, defence and save harmless clause."
  - iii) "Owners/Purchasers/Tenants acknowledge that the implementation of the Flood Mitigation Plan and Flood Response Plan is intended to mitigate flooding impacts and improve public

safety during a flood, but in no way warrants or guarantees that no property damage or other harm will result to persons and/or property during a flooding event.”

- iv) “The Condominium Corporation shall at all times act in accordance with and fulfil all requirements of the Flood Mitigation Plan (“FMP”) for the subject lands, including without limitation maintaining the flood proofing infrastructure and equipment in a state of good repair.”
- v) “The Condominium Corporation shall at all times act in accordance with and fulfil all requirements of the Flood Response Plan (“FRP”) for the subject lands, including without limitation executing annual tests, drills and updates as required by its terms.”
- vi) “The Corporation of the City of Mississauga, including its elected officials, councillors, officers, employees, agents and contractors are in no way responsible for any acts or omissions taken by the Condominium Board with respect to fulfilling their obligations under the “FMP” and the “FRP” plans.”

- 25. Confirmation from the Toronto Region Conservation Authority that the Condominium Disclosure Statement and/or the Condominium Declaration, as appropriate, for any part of the subject lands or any condominium unit includes a satisfactory provision stating that in the event that any levies, fees or other charges for flood remediation and/or mitigation of the Little Etobicoke Creek are established by the City, the TRCA or other regulatory authority in connection with the “Dundas Connects” project and any associated or subsequent review of the Applewood Special Policy Area, those measures shall not be opposed in principle by the Condominium Corporation, the unit owners and/or tenants, as the case may be.
- 26. That prior to condominium registration, the applicant will obtain a minor variance from the Committee of Adjustment for a reduction of on-site parking from the required 102 parking spaces to the existing 87 parking spaces, as per the current Zoning By-law 0225-2007.
- 27. That prior to condominium registration, all other policies, procedures, requirements, by-laws, and standards of the appropriate agencies and the City of Mississauga, financial, technical, operational or otherwise, in relation to the development, construction, servicing, use and occupation of the condominium building(s) and facilities, including any requirements or conditions contained in any agreements between the applicant and the City of Mississauga, be satisfied and complied with by the applicant.
- 28. That prior to the signing of the final plan by the Commissioner, Planning and Building Department, the Commissioner is to be advised by the Development & Design Division that all the above-noted conditions have been carried out to the satisfaction of the appropriate agencies and the City of Mississauga.

**SCHEDULE 'A'**  
**Flood Mitigation Plan Framework**

Figure 1, attached to this Schedule, shows the predicted depth of flooding above the finished floor elevation at all openings to the building for the Regional (Hurricane Hazel) storm event. The proposed flood proofing measures at each opening are described below:

**Opening # 1 - Main building entrance:**

- The Regional storm flood depth at this opening is predicted to be approximately 0.8 m above the existing door sill.
- The proposed flood proofing measures include:
  - i) Either the main building entrance or the door opening from the lobby to the main building will be flood proofed by means of a metal frame and removable steel plates that can be inserted to create a water tight barrier, if structurally feasible and compliant with the Ontario Fire and Building Codes; or
  - ii) An Aqua Dam barrier, to be placed at the entrance and filled with water to create a sealed barrier in advance of predicted flooding. In order to minimize the time required to fill the dam, the infrastructure (tap and hose(s)) can be enhanced to increase flow capacity.
- The front façade of the lobby entrance will be repaired or reconstructed to withstand the forces from the maximum predicted 0.8 m of depth of floodwater.
- Procedures for storing and placing the plates and/or Aqua Dam will be included in the Flood Response Plan.

**Opening # 2 - Exterior doorway to ground floor unit at north-east corner of building:**

- The Regional storm flood depth at this opening is predicted to be approximately 0.7 m above the finished floor elevation.
- The existing privacy fence surrounding the outdoor patio area associated with this unit will be removed and replaced with a low retaining wall designed to withstand the predicted height and force of water during a Regional flood event.
- The retaining wall will be designed and constructed such that sand bags or other active flood proofing measures could be used to temporarily increase the height of the barrier if warranted during flood conditions.

**Opening # 3 - South-east building entrance:**

- The predicted Regional flood level is lower than the finished floor at this opening.
- No flood proofing measures are proposed for this entrance.

**Opening # 4 - Electrical room entrance on the south face of the building:**

- The predicted Regional flood level is lower than the finished floor at this opening. However, the electrical equipment is considered essential infrastructure for the building, and additional protection may be warranted.
- The electrical room will be inspected to determine if any equipment would be damaged by flood depths in excess of the Regional flood event.
- If equipment would be damaged by relatively shallow flooding in the electrical room (< 0.3 m), additional protection measures such as a semi-permanent flood barrier (i.e. always in place except when removed for electrical maintenance) on the inside face of the door will be implemented.

**Opening # 5 - South-west building entrance:**

- The Regional storm flood depth at this opening is predicted to be approximately 0.1 m above the finished floor elevation.
- A low concrete curb and minor grading is proposed to prevent floodwater from reaching this opening during a Regional flood event.

**Opening # 6 - Southern opening on west building face (boiler room):**

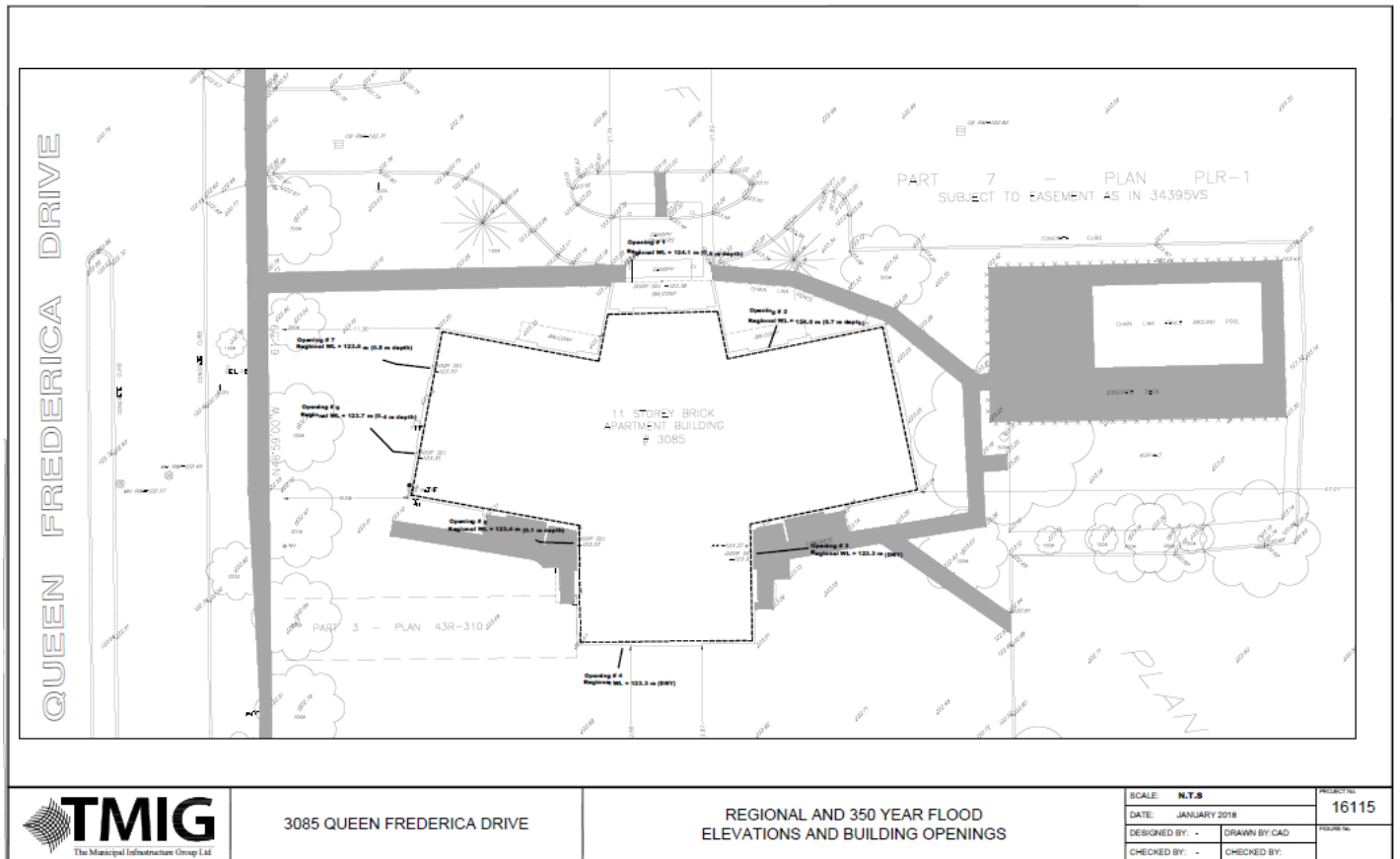
- The Regional storm flood depth at this opening is predicted to be approximately 0.4 m above the finished floor elevation.
- A small concrete enclosure with steps on either side is proposed to prevent floodwater from reaching this entrance while still providing pedestrian access.
- The boiler room and associated HVAC are considered essential infrastructure, and therefore additional flood protection may be warranted. Options include:
  - i) Constructing the concrete enclosure with some freeboard above the predicted maximum flood depth (i.e. to a height of 0.6 m above the finished floor elevation).
  - ii) Sealing/bricking over this entrance if not required, subject to Ontario Fire and Building Code requirements.
  - iii) Active flood proofing in the form of an Aqua Dam.
  - iv) A removable flood barrier to seal the access from the boiler room to the main building, provided that damages to the boiler room would be minimal in the event of a flood. This would be similar to the flood barrier on the doorway from the lobby to the main building described for Opening # 1.

**Opening # 7 - Northern opening on west building face (recreational room):**

- The Regional storm flood depth at this opening is predicted to be approximately 0.5 m above the finished floor elevation.
- The proposed flood proofing options include:
  - i) A small concrete enclosure with steps on either side is proposed to prevent floodwater from reaching this entrance while still providing pedestrian access.
  - ii) Sealing/bricking over this entrance if not required, subject to Ontario Fire and Building Code requirements.
  - iii) Active flood proofing in the form of Aqua Dam.
  - iv) A removable flood barrier to seal the access from the boiler room to the main building, provided that damages to the boiler room would be minimal in the event of a flood. This would be similar to the flood barrier on the doorway from the lobby to the main building described for Opening # 1.

In addition to the above flood protection measures to be implemented at each entrance, a pump should be maintained on-site to remove any water that may breach or exceed the flood proofing measures for any unforeseen reason.

**Figure 1 – Regional and 350 Year Flood Elevations and Building Openings**





**SCHEDULE 'B':**  
**Flood Response Plan Framework**

A **Flood Response Plan** will be prepared and maintained on site at all times, and reviewed and updated annually. The content of the Flood Response Plan is summarized below:

**1. Information on Flooding & Insurance**

- Flood depths and velocities for the 25 year through 100 year, 350 year and Regional storm events (to be provided by TRCA).
- Approximate lead times, from the onset of severe rainfall to flooding on Queen Frederica Drive from Little Etobicoke Creek (to be provided by TRCA)
- Resources and contact information for flood warning and flood preparedness (TRCA and City of Mississauga Office of Emergency Management, Environment Canada).
- Information regarding TRCA Flood Forecasting & Warning program and definitions for the different warning levels (Flood Warning, Flood Watch, Water Safety Statement).
- Information on the Condominium Board's Insurance and areas of coverage as well as the insurance responsibilities of owners and tenants (renters)
- Information on how to prevent further damage and documentation

**2. Building and Site Information**

- Description of all building openings vulnerable to flooding at different storm events.
- Structural assessment to confirm that the building can withstand the predicted maximum flood depths or the maximum flood stage (considering flood depths and velocities) for which the building will be stable.

**3. Roles & Responsibilities**

- Roles & responsibilities of all relevant parties (property management staff, board of directors, residents and any third parties).
- Information on when and how to alert residents of predicted or imminent flooding events. As the building does not have a verbal emergency communication system, it is expected that warning of imminent flood events will be delivered via a phone based mass-notification system. Advance notice in the form of Water Safety Statements and Flood Watches will be printed and posted in common areas and posted on a social media platform(s).
- Locations where barrier plates, Aqua Dams, sand bags, pumps and/or other temporary flood protection measures are stored and information on how and where to place and deploy them to protect flood vulnerable building openings.

#### **4. Evacuation**

- Guidance regarding if and when to evacuate residents in the event of a flood, maintenance of a list of vulnerable residents who may require evacuation in advance of a flood, and a list of ‘safe’ locations where residents can go prior to the onset of flooding.

#### **5. Flood Response Plan Distribution & Implementation**

- A brief document summarizing the risk of flooding and flood response plan shall be prepared and provided to all residents, and shall be included in an information package provided to future residents.
- Annual or more frequent testing and inspections shall be completed to verify that all messages from a reputable flood warning system are being received, that the resident notification systems are operational, and that all flood protection measures (such as barrier plates, Aqua Dams and/or sand bags) are secure, accessible and in good condition. If Aqua Dams are used, they should be tested (i.e. filled) annually.
- Documentation of the inspections shall be kept on file at the building and provided to the City of Mississauga and/or TRCA upon request.
- A log shall be kept on file at the building with details of each message received from a reputable flood warning system and the action taken.