

# City of Mississauga

## Memorandum:

### City Department and Agency Comments

|   |                            |
|---|----------------------------|
| Date Finalized: 2021-03-31                | File(s): B17.21<br>Ward: 2 |
| To: Committee of Adjustment               |                            |
| From: Committee of Adjustment Coordinator | Meeting date:2021-04-08    |

## Consolidated Recommendation

The City has no objections to the requested consent and associated minor variance applications. The applicant may choose to defer the applications to verify the requested variances.

## Application Details

The applicant requests the approval of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 17.27m (56.66ft) and an area of approximately 1,312.0sq.m (14,122.3sq.ft).

A minor variance is requested for the Severed lands (A97/21) proposing a lot frontage of 17.27m (approx. 56.66ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 18.00m (approx. 59.06ft) in this instance.

A minor variance is requested for the Retained lands (A98/21) proposing a lot frontage of 17.27m (approx. 56.66ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 18.00m (approx. 59.06ft) in this instance.

### Recommended Conditions and/or Terms of consent

- Appendix A – Conditions of Provisional Consent
- The variance application approved under File(s) A97.21 & A98.21 must be finalized

### Recommended Conditions and/or Terms of minor variance

- Variance(s) approved under file(s) A97.21 & A98.21 shall lapse if the consent application under file B17.21 is not finalized within the time prescribed by legislation.

## Background

**Property Address:** 960 Meadow Wood Road

**Mississauga Official Plan**

Character Area: Clarkson-Lorne Park Neighbourhood  
Designation: Residential Low Density I

**Zoning By-law 0225-2007**

**Zoning:** R2-1 (Residential)

**Site and Area Context**

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, south of Lakeshore Road West and Meadow Wood Road. The neighbourhood south of Lakeshore Road West is primarily residential, consisting of large lots with one and two storey detached dwellings and significant mature vegetation. Immediately north of the subject property is an institutional use known as Peel Montessori School. The lot frontages within the neighbourhood range from approximately 17 m to 30 m and greater. The subject property contains an existing two storey detached dwelling with mature vegetation throughout the lot.

The applicant is proposing to sever the lot for the purpose of creating two new parcels to develop detached dwellings. As a result, variances for lot frontage are required.



## Planning Act

Section 45 of the *Planning Act* provides the Committee of Adjustment with the authority to grant relief from the requirements of a municipal zoning by-law. In evaluating such requests, the Committee needs to be satisfied that the proposal meets the four tests set out in the *Planning Act*.

The Provincial Policy Statement 2014 (PPS 2014) and Growth Plan for the Greater Golden Horseshoe promote efficient development and land use, directing the focus towards intensification and redevelopment. The proposal is consistent with the general directive in provincial policy.

Staff comments concerning the applications for consent and the four tests to the minor variance request are as follows:

The severed and retained parcels propose lot frontages 17.27 m and lot areas of approximately 1,312 m<sup>2</sup>. The zoning by-law requires lot frontages of 18 m and lot areas of 695 m<sup>2</sup>.

The subject property is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP) which permits, detached, semi-detached and duplex dwellings. As per Section 16.1.2.1, to preserve the character of lands designated Residential Low Density I and Residential Low Density II, the minimum frontage and area of new lots will be evaluated in the context of the existing lot pattern in the surrounding area. Additionally, Section 5.3.5 (Neighbourhoods) states that neighbourhoods are not meant to remain static, however, when new development occurs, it should be sensitive to the neighbourhoods existing and planned character. Recognizing that intensification does not have to mirror existing development, the proposed severance is sensitive to the existing and planned character of the neighbourhood and will not result in significant adverse impacts to the community. The immediate neighbourhood contains lots that have a similar frontages to the subject application and do not result in a negative impact to the established community. The proposed severance represents sensitive intensification that is compatible with the existing and planned character of the neighbourhood.

Staff is of the opinion that the application conforms to Section 51(24) of the *Planning Act*, more specifically that the application conforms to the official plan and the lot sizes are suitable for the purpose of developing two detached dwellings.

### **Does the proposal maintain the general intent and purpose of the Zoning By-law?**

The intent of the zoning by-law is to ensure that new lots are appropriately sized and fit within the area context. The surrounding area contains a number of lots with similar frontages which do not destabilize the existing and planned area context. The proposed lot frontages are consistent with these lots and have a similar impact to what the zoning by-law planned. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

### **Is the proposal desirable for the appropriate development of the subject lands and minor in nature?**

The intent of the application is to create two lots for the purpose of developing detached dwellings, maintaining the existing low rise context of the neighbourhood. The proposed lots maintain the general context of the surrounding area and will not result in any significant adverse impacts to the existing and planned character of the community. The application represents the efficient use of land by promoting sensitive intensification that is compatible within the neighbourhood. Staff is of the opinion that the applications represent orderly development of the lands and are minor in nature.

## **Conclusion**

The Planning and Building Department has no objections to the requested consent and associated minor variance applications. The applicant may choose to defer the applications to verify the requested variances.

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

Should Committee see merit in the applicant's request we are providing the following conditions/requirements for Committee's consideration:

#### A. Items Required Prior to the Issuance of Final Consent

##### 1. Overall Grading and Drainage Plan

The applicant's consulting engineer will be required to prepare an Overall Grading and Drainage Plan which contains sufficient details to ensure grading compatibility with the adjacent lands and submit the grading and drainage proposal to this department for review/approval.

Upon the review of an Overall Grading and Drainage Plan it may be determined that a catch basin may be required and satisfactory arrangements will have to be made for the construction of any required catch basin.

##### 2. Overall Site Servicing Plan

We request that the applicant submit a Site Servicing Plan prepared by a Consulting Engineer for this department's review/approval. The Site Servicing Plan is to confirm that all the necessary municipal services can be provided for the dwellings to be constructed on the subject lands.

##### 3. Municipal Address Requirement

Prior to the issuance of final consent, satisfactory arrangements are to be made with Corporate Services Department, Information Technology Division, Digital Services & Mobility Section, Geospatial Solutions Group for the creation of new municipal addresses for the severed and retained lands. For further information, please contact Susie Tasca at (905) 615-3200 ext. 3088 or [susie.tasca@mississauga.ca](mailto:susie.tasca@mississauga.ca).

For further information regarding the above noted comments, please contact John Salvino at (905) 615-3200 ext. 5183 or [john.salvino@mississauga.ca](mailto:john.salvino@mississauga.ca)

#### B. GENERAL INFORMATION

##### 1. Lot Grading and Drainage

We advise the applicant that issuance of any building permits for the new dwelling(s) will be subject to the owner submitting a certified lot grading and drainage plan to this Department for review/approval. The grading and drainage plan is to contain sufficient detail to ensure grading compatibility with the adjacent properties. In addition, the owner will be required to submit the applicable lot grading and municipal services protection deposits.

2. Servicing

All costs incurred in providing any service laterals will be the responsibility of the owner. The owner will also be responsible for all costs incurred for the required road reinstatement (if required). If the service connections are to be installed by a private contractor retained by the owner, issuance of an open cut permit will be subject to the owner depositing adequate securities with the City to guarantee proper road reinstatement.

3. Access

The applicant will be required to apply for Access Modification Permits prior to Site Plan Approval and/or Building Permit Issuance.

We advise the applicant that all costs incurred in providing any new driveway entrances to the subject lands or any modifications/reinstatement required (including the existing driveway), would be at cost to the owner. We are also noting that should any utilities need to be relocated, all costs incurred will also be to the owner. Driveway accesses shall maintain a 1.5m setback from aboveground features such as utilities and trees.

4. Storm Sewer Outlet

The applicant is advised that there is no storm sewer system available in front of the proposed lot on Meadow Wood Road. In this regard, we advise that all dwellings to be constructed on the subject lands will require a sump pump to discharge the weeping tile to grade. In situations where a sump pump is required and where a high groundwater table may exist, the sump pump may run continuously. The applicants are encouraged to design the weeping tile elevation to be at least 1.0 meter above the seasonal groundwater elevation. The owner is advised that the City has no obligations to address any concerns related to the operation of private sump pump systems.

We are noting that any Transportation and Works Department concerns/requirements for this property will be addressed under Consent Application 'B' 17/21.

Comments Prepared by: John Salvino, Development Engineering Technologist

**Appendix 3 – Parks, Forestry & Environment**

The Park Planning Section of the Community Services Department has reviewed the consent application and advises as follows.

Should the application be approved, Community Services wishes to note the following:

1. The applicant shall provide tree protection securities for public and private trees as part of a future site plan control application.
2. Prior to the issuance of building permits, cash-in-lieu for park or other public recreational purposes is required pursuant to Section 42 of the Planning Act (R.S.O. 1990, C.P. 13, as amended) and in accordance with the City's policies and by-laws.

Should further information be required, please contact Jim Greenfield, Park Planner, Community Services Department at 905-615-3200 ext. 8538 or via email [jim.greenfield@mississauga.ca](mailto:jim.greenfield@mississauga.ca).

Comments Prepared by: Jim Greenfield, Park Planner

#### **Appendix 4 – Heritage**

The property has archaeological potential due to its proximity to a present or past watercourse or known archaeological resource. The proponent shall carry out an archaeological assessment of the subject property and mitigate, through preservation or resource removal and documenting, adverse impacts to any significant archaeological resources found. No grading or other soil disturbances shall take place on the subject property prior to the approval authority and the Ministry of Heritage, Sport, Tourism, and Culture Industries confirming that all archaeological resource concerns have met licensing and resource conservation requirements. Letters to this effect from said Ministry corresponding to each archaeological assessment report and activity are required to be submitted to the Culture Division for review. This should be a condition of approval if the proposal is approved.

Comments Prepared by: P. Wubbenhorst, Heritage Planner

#### **Appendix 5 – Region of Peel Comments**

Consent Application: B-17/21

Development Engineering: Camila Marczuk (905) 791-7800 x8230

Please note that severing the lands may adversely affect the existing location of the water and sanitary sewer services, if any exist. The result of this may require the applicant to install new water / sanitary servicing connections to either the severed or retained lands in compliance with the Ontario Building Code. The applicant may require the creation of private water / sanitary sewer servicing easements. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information,



---

please call our Site Servicing Technicians at 905.791.7800 x7973 or by email at [siteplanservicing@peelregion.ca](mailto:siteplanservicing@peelregion.ca)

For location of existing water and sanitary sewer Infrastructure please contact Records at 905-791-7800 extension 7882 or by e-mail at [PWServiceRequests@peelregion.ca](mailto:PWServiceRequests@peelregion.ca)

Comments Prepared by: Diana Guida, Junior Planner

### **Appendix 7 – Bell Canada**

Subsequent to review of the severance at 960 MEADOW WOOD RD, Bell Canada's engineering department have determined that there are no concerns or issues with the application.

Comments Prepared by: Carrie Gordon, External Liaison

**Appendix A – Conditions of Provisional Consent**

**SHOULD THE COMMITTEE GRANT A PROVISIONAL CONSENT, THE FOLLOWING IS A LIST OF THE RECOMMENDED CONDITIONS TO BE ATTACHED TO THE DECISION AND THESE CONDITIONS MAY BE REVISED BY THE COMMITTEE AT THE PUBLIC MEETING.**

1. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and; the required number of prints of the resultant deposited reference plan(s) shall be received.
2. An application amendment letter shall be received from the applicant or authorized agent confirming that the conveyed land shall be together with and/or subject to services easement(s) and/or right(s)-of-way, if necessary, in a location and width as determined by the Secretary-Treasurer based on written advice from the agencies having jurisdiction for any service or right for which the easement or right-of-way is required; alternatively, a letter shall be received from the applicant or authorized agent confirming that no services easement(s) and/or right(s)-of-way, are necessary.
3. A letter shall be received from the City of Mississauga, Manager of Zoning Plan Examination, indicating that the conveyed land and retained lands comply with the provisions of the Zoning By-law, or alternatively; that any variances are approved by the appropriate authorities and that such approval is final and binding (A97.21 & A98.21).
4. A letter shall be received from the City of Mississauga, Transportation and Works Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated March 31, 2021.
5. A letter shall be received from the City of Mississauga, Community Services Department, Culture Division, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated March 31, 2021.