

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-04-28 To: Committee of Adjustment From: Committee of Adjustment Coordinator	File(s): B29.21 A167.21 A168.21 Ward: 7
	Meeting date: 2021-05-06 1:00 PM

Consolidated Recommendation

The City has no objections to the requested consent and associated minor variance applications.

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 15.25m (50.03ft) and an area of approximately 812.50sq.m (8,745.68sq.ft).

A minor variance is requested for the Severed lands (file A167/21) proposing a lot frontage of 15.25m (approx. 50.03ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 22.50m (approx. 73.82ft) in this instance.

A minor variance is requested for the Retained lands (file A168/21) proposing a lot frontage of 15.25m (approx. 50.03ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 22.50m (approx. 73.82ft) in this instance.

Recommended Conditions and/or Terms of consent

- Appendix A – Conditions of Provisional Consent
- The variance application approved under File(s) A167/21 & A168/21 must be finalized

Recommended Conditions and/or Terms of minor variance

- Variance(s) approved under file(s) A167/21 & A168/21 shall lapse if the consent application under file B29.21 is not finalized within the time prescribed by legislation.

Background

Property Address: 2552 Glengarry Road

Mississauga Official Plan

Character Area: Erindale Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R1-9 (Residential)

Other Applications:

Pre-Application: 19-7765

Site and Area Context

The subject lands are located south-west of the Dundas Street West and Erindale Station Road intersection within the Erindale Neighbourhood Character Area. The property currently houses a single-storey detached dwelling. The immediate neighbourhood consists entirely of detached dwellings, with a diverse lot fabric that is reflective of an area in transition. There are however, a handful of properties, such as the subject lands, that are comprised of larger residences situated on generous parcels (+/-30m in frontage). These lots are contrasted against the more prevalent, recently constructed replacement dwellings which are located on more modestly sized lots (+/- 15m in frontage), found both directly across the street and to the south.

The applicant is proposing to sever the subject lands for the purpose of developing two new detached dwellings requiring variances for lot frontage.



Comments

Planning

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. Approval of applications must meet the requirements set out under 45(1) and/or 45(2) (a) or (b) in the *Planning Act*.

Staff comments concerning the application are as follows:

The subject application was previously approved by the Committee of Adjustment on December 5th, 2019 under files 'B' 75/19, 'A' 463/19 and 'A' 464/19. Since the previous approval, the proposed lot frontages remain the same. As such, previous staff comments remain applicable and are within *Appendix 8* of this report.

Conclusion

The Planning and Building Department has no objection to the requested consent and associated minor variance applications.

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Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

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Appendices

Appendix 1 – Transportation and Works Comments

As Committee is aware this proposal is identical to a previous Consent 'B' 75/19 which was approved. We are noting that the Transportation and Works Department issued its clearance memo to the Committee of Adjustment on March 8, 2021 indicating that our conditions/requirements were satisfied.

Through the previous Consent 'B' 75/19 the applicant provided a satisfactory Overall Grading and Drainage Plan, the requested road widening on Glengarry Road and satisfied the municipal address requirement. In view of the above we have no objections or requirements with regards to the proposal.

We note that we have no objections or requirements for this property as they have been addressed under the previous Consent Application 'B' 75/19.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit application under file PREAPP 19-7765. Based on review of the information currently available for this building permit, the variances, as requested are correct.

Our comments are based on the plans received by Zoning staff on 2019-09-06 for the above captioned building permit application. Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the site plan approval process, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedure, separately through the site plan approval process in order to receive updated comments.

Comments Prepared by: A. McCormack

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 include the following notes:

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1. Community Services Staff are in receipt of tree protection securities provided through a previous Consent to Sever Application (B.75/19) for the preservation of public street trees.
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.

Comments Prepared by: Jim Greenfield, Park Planner

Appendix 5 – Region of Peel Comments

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

We have no comments or objections to the following applications:

Minor Variance Applications: A-167/21, A-168/21.

Comments Prepared by: Diana Guida, Junior Planner

Appendix 7 – Bell Canada

Subsequent to review of the severance at 2552 GLENGARRY 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 8 – Development and Design Division – Previous planning staff comments

The subject lands associated with application 'B' 75/19 are located south-west of the Dundas Street West and Erindale Station Road intersection, and currently house a single-storey detached dwelling. The immediate neighbourhood consists entirely of detached dwellings, with a diverse

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lot fabric that is reflective of an area in transition – with a handful of properties, such as the subject lands, comprised of larger residences situated on generous parcels (+/-30m in frontage); contrasted against the more prevalent recently constructed replacement dwellings which are located on more modestly sized lots (+/- 15m in frontage), found both directly across the street and to the south.

The Applicant is proposing to sever the subject lands; creating two properties with frontages of 15.25m, in a similar fashion to the adjacent lots located on Glengarry Road. Both resultant properties require variances as it pertains to deficiencies in associative lot frontages.

Planning Staff note, a similar proposal for 2512 Glengarry Road ('B' 48/19) was recently brought before the Committee on August 22nd, 2019, requesting lots of 15.24m, in this instance. At this time, Staff had no objection to the requested relief; with Committee subsequently granting approval to both the consent and minor variance applications.

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

The site is situated within the Erindale Neighbourhood Character Area, and designated Residential Low Density I and Greenlands by the Mississauga Official Plan (MOP). The Residential Low Density I designation permits detached dwellings; semi-detached dwellings; and, duplex dwellings.

Chapter 5 of MOP, states that when new development occurs within Neighbourhoods, such construction should be sensitive to the existing and planned character area. It is the opinion of Planning Staff that the lot sizes proposed are both consistent and compatible to the character area – specifically the properties directly south of the subject lands, which the proposed lots transition into; as well as the smaller lots located directly across the street. To this end, the Applicant's proposal has sufficient regard for the existing lot fabric and is reflective of the contemporary proprieties found within the immediate area. Therefore, it is the opinion of Planning Staff that the general intent and purpose of the Official Plan is maintained.

As per Zoning By-law 0225-2007, the subject property is zoned R1-9 (Residential). Pursuant to Table 4.2.1 (R1 to R5 Permitted Uses and Zone Regulations), the Zoning By-law requires a minimum lot frontage of 22.5m; whereas, the Applicant is proposing lots with frontages of 15.25m, in this instance. Planning Staff note, the enactment of R1-9 (Residential) in this instance is to reflect the larger sized lots that have historically been found upon the western side of Glengarry Road. The combination of recent severances, and the enactment of the R3 zone directly across the street, has resulted in this area's lot fabric transiting to more moderately sized parcels. Despite the proposed deficiency, the severed and retained lots preserve the established lot fabric found within the immediate area as well as the planned neighbourhood context evident by the R3 zone directly across the street. It is the opinion of Planning Staff that the general intent and purpose of the Zoning By-law is maintained.

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Based on the preceding information, the Planning and Building Department is of the opinion that the application has due regard or the criteria in Section 51(24) of the Planning Act. The Planning and Building Department has no objection to the application; however, the applicant may choose to defer the application in order to verify that the requested variances are correct.

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 (A167-168.21).