

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-05-27	File(s): B35.21 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-06-03 3:00 PM

Consolidated Recommendation

The City recommends that the application be deferred.

Application Details

The applicant requests the approval of the Committee to change condition #4 of Provisional Consent approved under file B1/20. The parcel of land has a frontage of approximately 27.84m (91.34ft) and an area of approximately 1,126.00sq.m (12,120.16sq.ft).

Recommended Conditions and/or Terms of consent

- Appendix A – Conditions of Provisional Consent

Background

Property Address: 1597 Steveles Crescent

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, east of Lakeshore Road West and Clarkson Road North. The immediate neighbourhood is entirely residential consisting of lots greater than 18 m, and containing one and two storey detached dwellings with significant mature vegetation. The subject property contains a two storey detached dwelling with mature vegetation throughout the lot.

The applicant is proposing to change condition #4 of the provisional consent which relates to obtaining a letter from the Transportation and Works Department that addresses their concerns have been met.



Comments

Planning

Planning Act

Section 51 (24) of the *Planning Act* sets out the criteria for land division in the Province of Ontario. In evaluating such requests, the Committee needs to be satisfied that the proposal meets not only the criteria set out under Section 51(24), but also municipal requirements identify in local legislation.

Staff comments concerning the application are as follows:

The subject property previously received approval for a severance on August 11th, 2020 under application 'B' 01/20. The severed and retained lands remain unchanged, however, the

applicant has reapplied as they request to change condition #4 of provisional consent which stated that Transportation and Works Department comments must be addressed. The Transportation and Works Department previously required the following items prior to the issuance of final consent: grading and drainage plan, site servicing plan, conceptual site plan detailing the location of the driveways, land dedication required for the extension of Steveles Crescent, Environmental Site Assessment for the dedication of the road widening, a development agreement, acoustical report and a municipal address requirement. The application states that the request is to change condition #4 of provisional consent. A justification letter was not submitted with the application that states what part of the condition is requested to be changed.

Through discussions with the Transportation and Works Department, staff recommends that the application be deferred to allow the applicant to submit additional information as to what specific items outlined in condition #4 are proposed to be changed and what the revised proposal is.

Conclusion

The Planning and Building Department recommends that the application be deferred.

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This department does not support the requested change of condition proceeding at this time and request that the application **be deferred**. The nature of the request as identified in the notice is to request a change of condition to condition #4 of the Committee's decision dated August 18, 2020. We note for Committee's information that condition #4 relates to comments provided by this department which include eight (8) items that must be addressed prior to the issuance of our clearance for issuance of a certificate by the Secretary Treasurer. The applicant has not provided any information as to what they are requesting to change with respect to condition #4 or the eight (8) matters addressed in the items/conditions noted in our comments in Appendix B. As no description or specific requests of the requested changes have been submitted in the application form, this department is unable to address the request without the appropriate background information and justification from the applicant. In addition, there also seems to be a disconnect between the application form and the public notice as the application form which does not indicate any request for a change of conditions, yet the public notice does. This should be clarified and included in the application form to reflect an accurate request that staff can adequately review and provide comments.

It is our position that it is not appropriate to simply address the request before the Committee at a meeting without an opportunity for City staff to have a thorough review of the request prior to the meeting.

Comments Prepared by: Dave Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

We have no objection to the consent application provided that the severed and retained lands comply with the provisions of Zoning By-law 0225-2007, as amended, with respect to, among other things, minimum lot frontage, minimum lot area, setbacks to the existing building(s), on site parking, etc., or alternatively, that any minor variance(s) is approved, final and binding and/or the demolition of any existing building(s) is complete.

We further advise that the proposed lot frontage is to be calculated in accordance with the following definition;

The applicant is advised that Lot Frontage means the horizontal distance between the side lot lines and where these lines are not parallel means the distance between the side lot lines measured on a line parallel to and 7.5 m back from the front lot line.

Comments Prepared by: Brandon Eidner, Zoning Examiner

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 impose the following conditions:

1. The applicant shall provide a cash contribution of \$1,214.24 for planting of two (2) street tree on Steveles Crescent. This figure is subject to the most recent Fees and Charges By-law at the time of payment and is therefore subject to change.

In addition, Community Services notes the following:

1. Requirements for Municipal Boulevard tree protection securities and protective hoarding will be addressed during the Site Plan Process.
2. Payment for street tree fees and charges can be made at the Parks and Forestry customer service counter located at 950 Burnhamthorpe Road West in the form of a certified cheque, bank draft, or money order payable to the City of Mississauga. Please contact Jim Greenfield regarding the Covid-19 interim payment process.
3. 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 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.

Comments Prepared by: Andrew Douglas, Heritage Analyst

Appendix 5 – Region of Peel Comments

We have no comments or objections.

Comments Prepared by: Diana Guida, Junior Planner

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.
4. A letter shall be received from the City of Mississauga, Community Services Department, Park Planning Division, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated May 27, 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 May 27, 2021.