

# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-09-01	File(s): B49.21 Ward 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-09-09 1:00:00 PM

## Consolidated Recommendation

The City recommends that the Committee have regard for all comments and evidence provided by the Applicant and area residents when assessing if the application meets the requirements of Section 50(3) of the Planning Act.

## Application Details

The applicant requests the Consent of the Committee for the purpose of creating an easement. The easement is for the benefit of the property directly to the east 3126 Merritt Avenue.

### Recommended Conditions and/or Terms of consent

- Appendix A – Conditions of Provisional Consent

## Background

**Property Address:** 3122 Merritt Avenue

### Mississauga Official Plan

Character Area: Malton Neighbourhood  
Designation: Residential Low Density II

### Zoning By-law 0225-2007

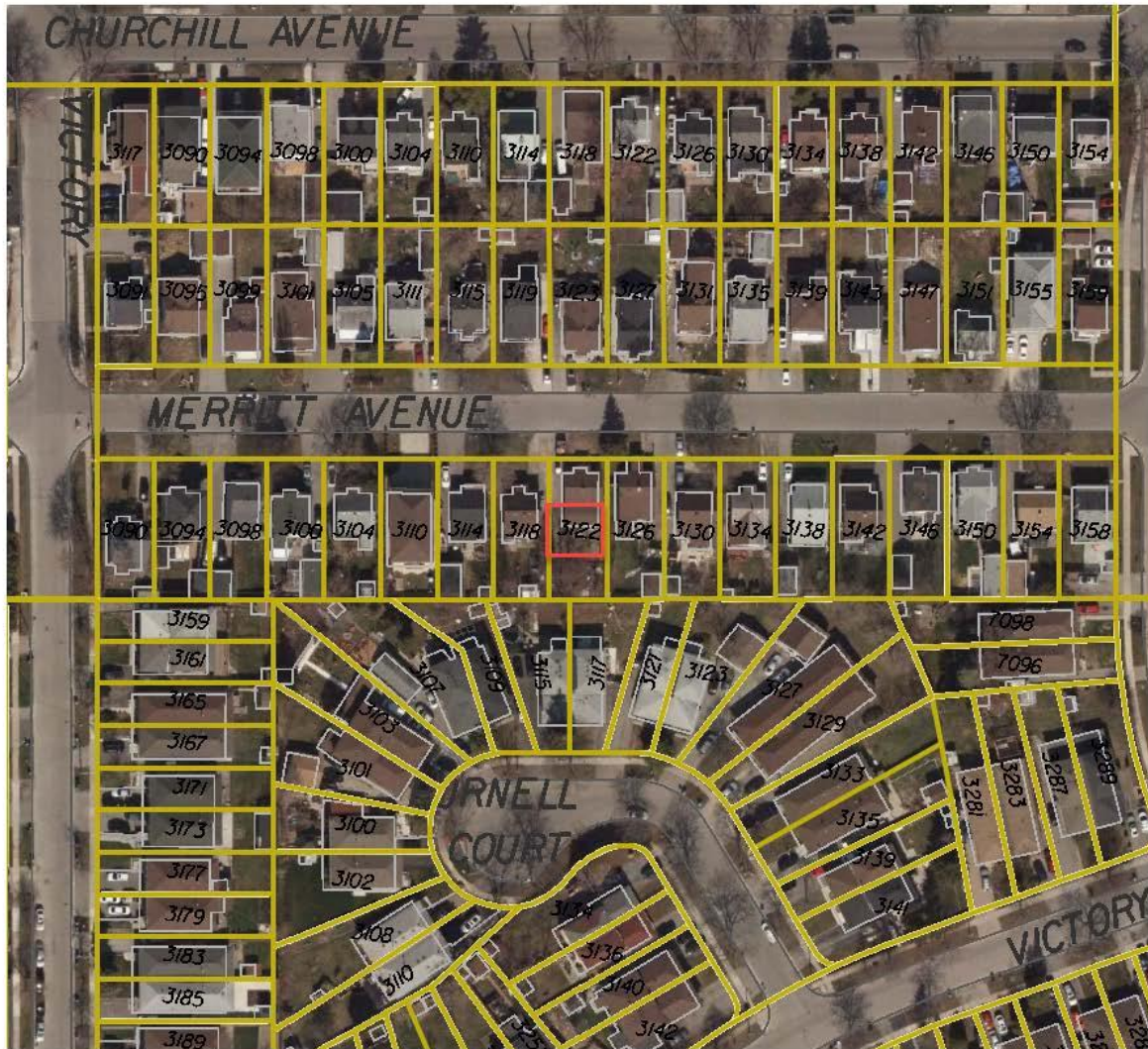
**Zoning:** R4-1 - Residential

**Other Applications:** BP 9NEW 21-6212, PREAPP 20-2278

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**Site and Area Context**

The subject property is located north-east of the Derry Road East and Airport Road intersection in the Malton Neighbourhood. The area contains a mix of semi-detached and detached dwellings, with the subject property containing a detached dwelling. The property has a lot frontage of +/- 12.19m and a shared driveway, which is a common feature of the area.



## 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.

#### Provincial Matters

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.

#### Planning Analysis

Staff comments concerning the application are as follows:

The applicant is proposing a new easement due to accommodate the extension of water and sanitary service laterals and access to the subject properties. Through a detailed review, Staff is of the opinion that the application is appropriate to be handled through the consent process. Further, the application raises no concerns of a planning nature.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

This department has no comments, objections or requirements for the applicant's request to create a sanitary sewer and water main easement in favor of the abutting property (3126 Merritt Avenue). We note that the sanitary sewer and water main easement would be under the jurisdiction of the Region of Peel as they are responsible for those services.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

### Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit application under file BP 9NEW 21-6212. Based on review of the information currently available for this building permit, Zoning has no comment or concern related to the requested easement.

Comments Prepared by: A. McCormack, Zoning Examiner

### Appendix 3 – Region of Peel Comments

**Condition:** Arrangements satisfactory to the Region of Peel, Public Works shall be made with respect to the location of existing and installation of new services and/or possible required private service easements.

Comments Prepared by: Camila Marczuk, Development Engineering

**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.
4. A letter shall be received from the Region of Peel, Development Services/Public Works, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated August 26, 2021.