

# City of Mississauga Department Comments

Date Finalized: 2022-04-20	File(s): B33.22 Ward 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-04-28 1:00:00 PM

## Consolidated Recommendation

The City recommends that the applications be deferred.

## Application Details

B33/22:

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 26.36m (86.48ft) and an area of approximately 751sq.m (8,084sq.ft).

A207/22:

The applicant requests the Committee to approve a minor variance on the subject property, being the retained lands of application B32/22, proposing a lot frontage of 28.48m (approx. 93.44ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 30.00m (approx. 98.43ft) in this instance.

A208/22:

The applicant requests the Committee to approve a minor variance on the subject property, being the severed lands of application B32/22, proposing a lot frontage of 26.36m (approx. 86.48ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 30.00m (approx. 98.43ft) in this instance.

## Recommended Conditions and/or Terms of consent

- Appendix A – Conditions of Provisional Consent
- The variance application approved under Files A207.22 and A208.22 must be finalized

## Recommended Conditions and/or Terms of minor variance

- Variances approved under files A207.22 and A208.22 shall lapse if the consent application under file B33.22 is not finalized within the time prescribed by legislation.

## Background

**Property Address:** 224 Pinewood Tr

### Mississauga Official Plan

Character Area: Mineola Neighbourhood  
Designation: Residential Low Density I

### Zoning By-law 0225-2007

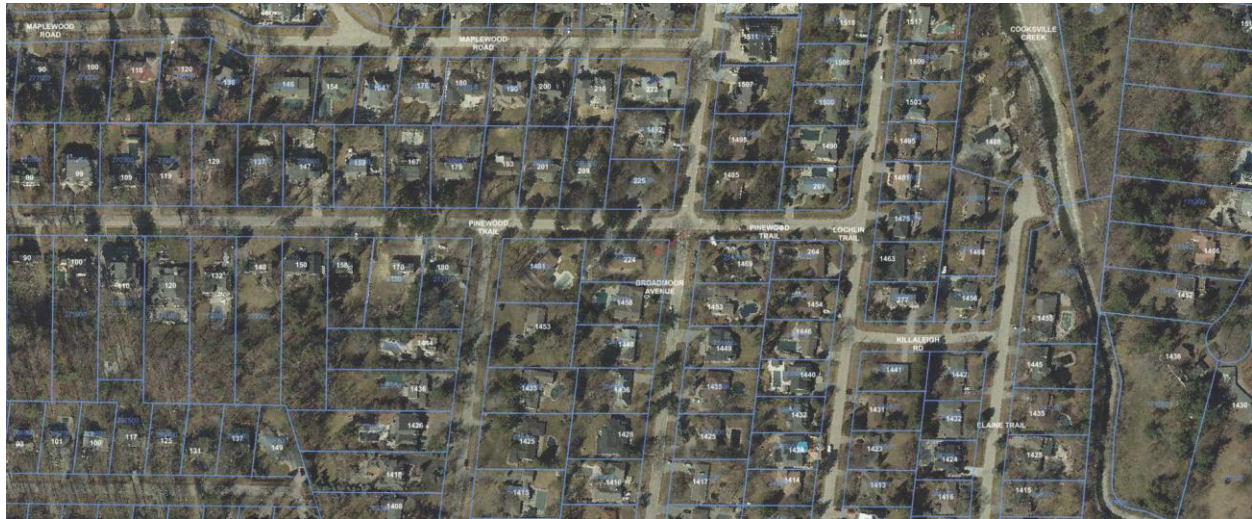
**Zoning:** R1-2 - Residential

**Other Applications:** none

### Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, on the southeast quadrant of Pinewood Trail and Broadmoor Avenue. The immediate neighbourhood is entirely residential and consists primarily of one and two storey-detached dwellings on large lots with significant mature vegetation in the front yards. Lot frontages for single detached dwellings in the area generally range between approximately 24m (79ft) and 43m (141ft). The subject property contains an existing one and a half storey dwelling with mature vegetation in the front yard.

The applicant is proposing to sever the subject property into two residential lots requiring variances related to lot frontage.



## 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.

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*.

#### Provincial Matters

The Provincial Policy Statement 2020 (PPS 2020) 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 are as follows:

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.

Comments received from Transportation and Works staff require the applicant to provide a dedication for a sight triangle. This dedication may impact the frontages and sizes of the proposed lots. Staff also notes it appears that the applicant may require additional variances for

the lot areas. Staff recommend that the application be deferred to allow the applicant an opportunity to discuss the dedication with Transportation and Works staff and to confirm if additional variances are required.

Comments Prepared by: Connor DiPietro, 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 Plan

We request that the applicant submit a Site Plan showing the proposed access points to ensure that sufficient corner clearance and sight lines are not obstructed at the intersection.

For further clarification on this matter please contact Kate Vassilyev at (905) 615-3200 ext. 8171.

##### 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).

##### 4. Dedication of Sight Triangle

The Owner will be required to gratuitously dedicate a 7.5m by 7.5m sight triangle at the corner of Pinewood Trail and Broadmoor Avenue to the City of Mississauga as identified in the Official Plan. The applicant's surveyor is to prepare and submit two draft reference plans (detailing the required lands) to this section for review and approval. Following this approval, the applicant's surveyor should deposit the accepted draft reference plan and forward a copy of the registered plan to the City's Legal Services Section to finalize the process. This condition will be cleared

upon receipt of confirmation from Legal Services identifying that the transfer has taken place and associated fees have been paid.

The dimensions related to right-of-way widths and required lands are to be verified by the City's O.L.S., Al Jeraj at 905-615-3200 ext. 8171.

This condition will be cleared upon receipt of confirmation from Legal Services identifying that the transfer has taken place and associated fees have been paid.

Should the applicant require more information with regards to the above, please contact Kate Vassilyev from our Traffic Section at 905 615-3200 ext. 8171 or [kate.vassilyev@mississauga.ca](mailto:kate.vassilyev@mississauga.ca).

#### 5. Environmental Site Assessment (ESA)

In regards to Condition A.4., the applicant will be required to deed gratuitously to the City a sight triangle. The lands will be in a condition acceptable to the City in its sole and unfettered discretion that such land is environmentally suitable for the proposed use, as determined by the City, and shall be certified as such by a Qualified Person, as defined in Ontario Regulation 153/04 (as amended). A Phase One Environmental Site Assessment (ESA) must be prepared for lands to be dedicated to the City. The report must:

- specifically reference the lands to be dedicated to the City;
- the boundaries of conveyance lands must be overlaid on top of a legal survey to scale in order to represent the legal boundaries of these lands;
- be completed in accordance with O. Reg. 153/04 ;
- be signed and dated by a Qualified Person (as defined by section 5 and 6 under O. Reg. 153/04, as applicable);
- be accompanied by a letter signed by the author of the report or a Principal of the Consulting Firm, which allows the City of Mississauga to make reliance on the findings and conclusions presented in the reports to the same extent as to the property owner. The wording of the reliance must meet the City's sole and unfettered satisfaction. The template is provided on the City's website under Terms of Reference:  
<http://www.mississauga.ca/portal/residents/terms-of-reference>

Should additional clarification be required with regard to the Environmental Site Assessment (ESA), please contact Jessica Yong, Environmental Technologist at 905 615-3200 ext. 3174 or [Jessica.yong@mississauga.ca](mailto:Jessica.yong@mississauga.ca) should you require further information.

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

We advise the applicant that all costs incurred in providing any new driveway entrance(s) to the subject lands or any modifications/reinstatement required, 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.

4. Storm Sewer Outlet

The storm sewer outlet for this site is the existing 300mm storm sewer on Pinewood Trail. The applicant is encouraged to design the basement elevation 1 metre above the obvert of the storm sewer on the street to eliminate the need for a sump pump.

Please note that in cases of a high groundwater table where a sump pump could run continuously if a sump pump was implemented, the applicants should consider raising the basement elevation to be at least 1.0 metre above the groundwater level. It is the owner's responsibility to satisfy themselves with these conditions as the City has no obligation to address any concerns with the operating conditions 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' 33/22.

Comments Prepared by: John Salvino, Development Engineering Technologist

**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 \$625.33 for planting of one (1) street tree on Pinewood Trail. 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. Tree preservation securities and hoarding will be required as a condition of site plan approval for street trees located within the Municipal Boulevard.
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](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 applicant should contact the Ministry of Heritage, Sport, Tourism and Culture Industries to determine the archaeological concerns related to the application. A letter from the Ministry of Tourism, Culture and Sport confirming that all archaeological resource concerns have met licensing and resource conservation requirements for the property must be submitted to Heritage Planning.

Comments Prepared by: Andrew Douglas, Heritage Analyst

#### **Appendix 5 – Region of Peel**

##### **Consent Application: B-033/22**

The applicant shall verify the location of the existing service connections to the retained and severed parcels to determine if a private servicing easement is required. Please contact Records at [PWServiceRequests@peelregion.ca](mailto:PWServiceRequests@peelregion.ca). In addition, requests for underground locates can be made at <https://www.ontarioonecall.ca/portal/>

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 contact Servicing Connections [at siteplanservicing@peelregion.ca](mailto:siteplanservicing@peelregion.ca).

Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Region of Peel Site Servicing connection approvals are required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections at [siteplanservicing@peelregion.ca](mailto:siteplanservicing@peelregion.ca)

The applicant shall verify the location of the existing service connections to the retained and severed parcels to determine if a private servicing easement is required. Please contact Records at [PWServiceRequests@peelregion.ca](mailto:PWServiceRequests@peelregion.ca). In addition, requests for underground locates can be made at <https://www.ontarioonecall.ca/portal/>

Comments Prepared by: Camila Marczuk

**Appendix 5 – Bell Canada**

Subject: Application for Consent – Severance

224 PINWOOD TR, Mississauga

CofA File: B-33/22

Bell File: 905-22-130

Subsequent to review of the Severance Application by our local Engineering Department, it has been identified that Bell Canada will require a transfer of easement over these lands to protect existing aerial facilities, supply service to the properties, and to maintain service in the area. According to our records, Bell's aerial cable runs along the southwest property boundary as identified in the sketch provided.

Bell Canada would like to confirm that a blanket easement over the lands or a 3.0m wide corridor to be measured 1.5m on either side of the aerial cable, then to extend from any existing pole to a minimum of 1.0m past any existing anchor installation to be measured 0.5m on either side of the guy, as can be accommodated, would satisfy our needs.

Since the easement is necessary in order to provide and maintain service to this area, all costs associated with this transaction is the responsibility of the landowner. Compensation should be set to the nominal amount of \$2.00 for the acquisition of these rights. Additionally, Bell Canada requires separate, registered postponements for any mortgages and certification of title.

We hope this proposal meets with your approval and request a copy of the Committee of Adjustments decision. We look forward to the owners' Solicitor contacting us with a draft reference plan and accompanying Easement In Preparation and LTTS documents for our approval prior to registration, along with an Acknowledgement and Direction for our execution.

If you have any questions or concerns, please feel free to contact me.

Comments Prepared by: Carrie Gordon, Right of Way Associate



**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. ("A" 207/22 & "A" 208/22)
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 2022-04-20.
5. A letter shall be received from the City of Mississauga, Community Services Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated 2022-04-20.
6. A letter shall be received from the City of Mississauga, Culture Division, Community Services Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated 2022-04-20.
7. 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 April 14, 2022.
8. A letter shall be received from the Bell Canada indicating that satisfactory arrangements have been made with respect to their comments dated March 25, 2022.