

City of Mississauga Department Comments

Date Finalized: 2022-08-24	File(s): B49.22
To: Committee of Adjustment	Ward: 7
From: Committee of Adjustment Coordinator	Meeting date:2022-08-24 1:00:00 PM

Consolidated Recommendation

The City has no objections to the requested consent.

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 59.34m (approx. 194.69ft) and an area of 4304.00sq m (approx. 46,327.87sq ft).

Recommended Conditions and/or Terms of consent

- Appendix A – Conditions of Provisional Consent

Background

Property Address: 473 and 505 Hensall Circle

Mississauga Official Plan

Character Area: Cooksville Neighbourhood
Designation: Mixed Use

Zoning By-law 0225-2007

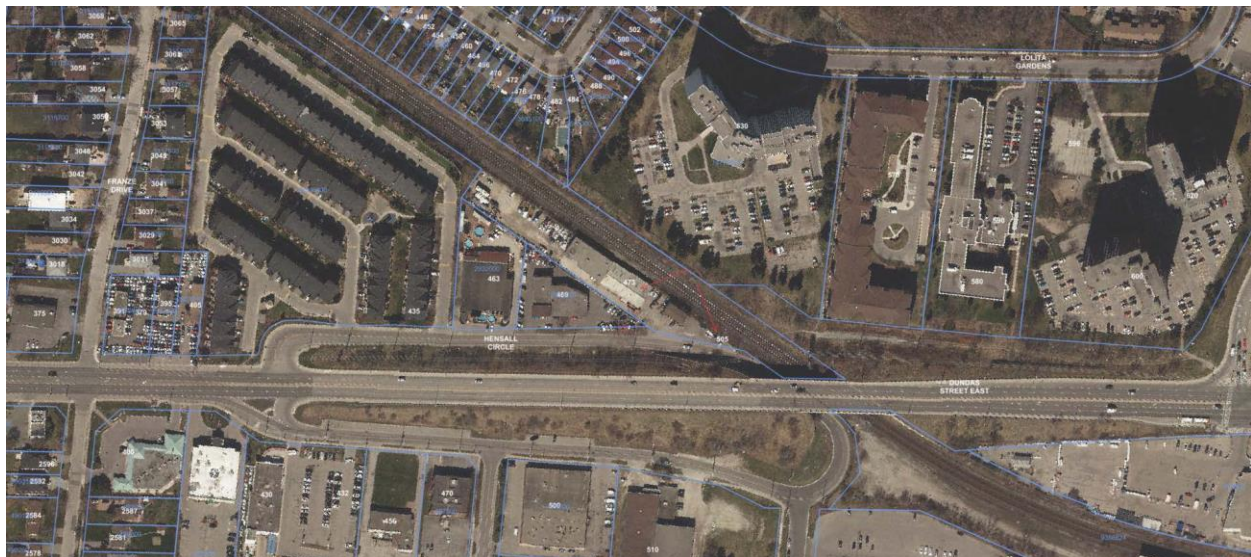
Zoning: C3-12 - Mixed Use

Other Applications: OZ/OPA 18-15

Site and Area Context

The subject property is located north-west of the Dundas Street bridge over the Canadian Pacific Railway tracks in the Cooksville neighbourhood. The property currently contains two single-storey structures and railway tracks that are used as part of the Milton GO Train line. The surrounding area includes a variety of uses, including various residential built forms and industrial uses on lots of varying sizes.

The applicant is proposing to sever the two structures and associated parking from the existing train tracks.



Comments

Planning

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.

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 applications for consent request are as follows:

The subject property is located in the Cooksville Neighbourhood Character Area and is designated Mixed Use in Schedule 10 of the Mississauga Official Plan (MOP). The Mixed Use designation permits a variety of commercial and employment uses. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions, the surrounding context, and the landscape of the character area.

Staff are satisfied that the application is consistent with the official plan as the severed and retained lands will continue to operate as they do currently. Furthermore staff have no concerns with the severance regarding the criteria set out in Section 51(24) of the Planning Act as the site is appropriately serviced and is suitable for the planned use of the property. Staff are therefore of the opinion that the application conforms to Section 51(24) of the Planning Act.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This Department has no objections to the applicant's request where intent is to create a new lot being created from the Canadian Pacific Railway lands. We note that the lands being severed currently contain two structures and associated parking which have existed for years and are totally independent from the railway lands.

In view of the above, we have no objections to the request provided that the applicant is satisfied that there are no existing underground services which would require private servicing easements. Should it be determined that any services encroach into the limits of the property being severed, then the owner would have the option of abandoning that service(s) and arranging for the construction of a new service(s) in an alternate location, or alternatively, provide a private easement.

Comments Prepared by: Tony Iacobucci, 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.

Given the property is subject to site plan control, should the application be approved, Community Services provides the following notes:

1. Tree preservation hoarding and securities may be required as part of the site plan control process.
2. Payment for street tree fees and charges may be required as part of the site plan control 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 – Region of Peel

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: 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' expense. For more information, please contact Servicing Connections at 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

Comments Prepared by: Iwona Frandsen, 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, 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, Transportation and Works Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated 2022-08-24 1:00:00 PM.
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 2022-08-24 1:00:00 PM.
6. 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 18, 2022.