

City of Mississauga Department Comments

Date Finalized: 2022-12-07	File(s): B81.22 Ward: 6
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-12-15 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 approval of the Committee to sever a parcel of land for the creation of a private access easement. The parcel of land has a frontage of approximately 9.74m (approx. 31.96ft) and an area of approximately 0.10 hectares (10,454.40sq ft).

Recommended Conditions and/or Terms of consent

- Appendix A – Conditions of Provisional Consent

Background

Property Address: 5900 Mavis Rd

Mississauga Official Plan

Character Area: East Credit Neighbourhood
Designation: Mixed Use

Zoning By-law 0225-2007

Zoning: C3-11 Commercial

Other Applications: None

Site and Area Context

The subject property is located on the north-west corner of Mavis Road and Plymouth Drive, in an area known as Heartland Town Centre. It currently contains two single storey commercial buildings and an associated surface parking lot. The surrounding area context is primarily commercial, consisting of low rise single and multi-tenant commercial buildings on large lots with associated surface parking lots.

The applicant has applied for the consent of the Committee to create an access easement to the benefit of an abutting property.



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 application for consent request are as follows:

The applicant is proposing a new easement to accommodate vehicular access across the subject property for the benefit of an abutting property fronting Britannia Road West. 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 objections to the applicant's request for the creation of a private access easement. Based on the September 27, 2022 letter submitted from Orlando Corporation, it is our understanding that Orlando Corporation had a temporary Licence Agreement with the lands identified as 810 Britannia Road (Peel Standard Condominium Corp 778) for access and now they would like to formalize the private access easement in favour of PSCC 778.

In view of the above, we have no objections or requirements with regards to the establishment of a private access easement which has been described as Part 1 on Plan 43R-32989.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

Zoning has 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. 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 Nicholas Rocchetti, Park Planning Assistant, Community Services Department at 905-615-3200 ext. 4659 or via email Nicholas.Rocchetti@mississauga.ca.

Comments Prepared by: Nicholas Rocchetti, Park Planning Assistant

Appendix 4 – Region of Peel

We have no comments or objections.

Comments Prepared by: Patrycia Menko, 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.