

City of Mississauga Department Comments

Date Finalized: 2023-02-01	File(s): B87.22 A733.22
To: Committee of Adjustment	Ward: 11
From: Committee of Adjustment Coordinator	Meeting date:2023-02-09 1:00:00 PM

Consolidated Recommendation

The City has no objections to the consent and minor variance applications. The applicant may wish to defer the application to ensure the accuracy of the requested variance and that additional variances are not required.

Application Details

B87/22

The applicant requests the Consent of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of 34.00m (approx. 111.55ft) and an area of approximately 2000 sq m (approx. 21527.82sq ft).

A733/22

The applicant requests a minor variance for the severed lands of B87/22 proposing:

1. An existing garage/workshop with an area of 109.00sq m (approx. ft) whereas By-law 0225-2007, as amended, does not permit the structure in this instance.

Recommended Conditions and/or Terms of consent

- Appendix A – Conditions of Provisional Consent
- The variance application approved under File(s) A733/22 must be finalized

Recommended Conditions and/or Terms of minor variance

- Variance(s) approved under file(s) A733/22 shall lapse if the consent application under file B87/22 is not finalized within the time prescribed by legislation.

Background

Property Address: 7060 Old Mill Lane

Mississauga Official Plan

Character Area: Meadowvale Village Neighbourhood
Designation: Parkway Belt West

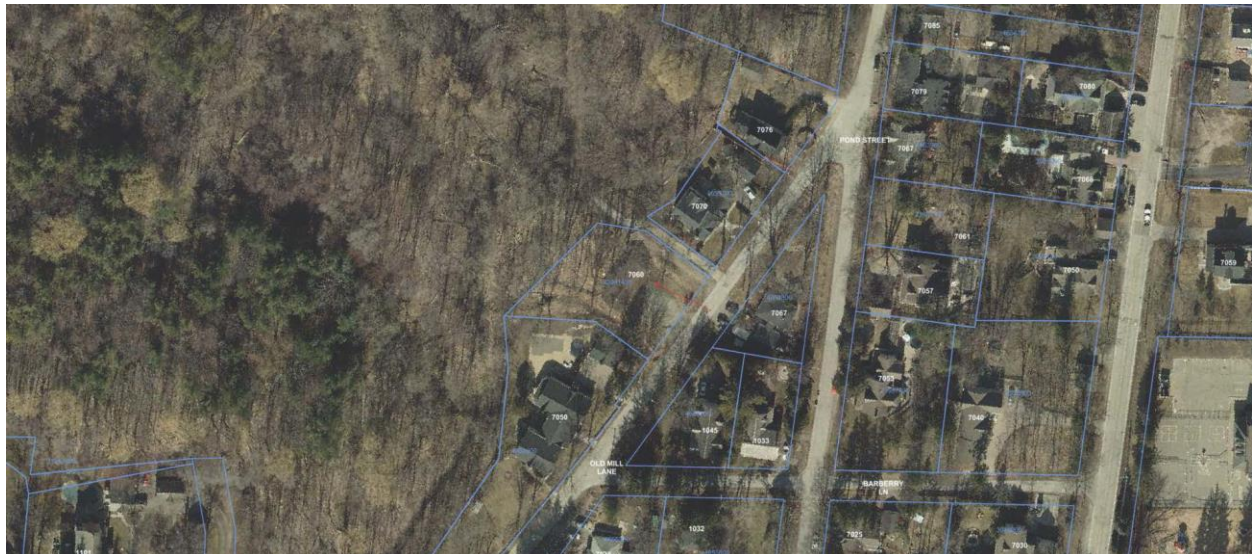
Zoning By-law 0225-2007

Zoning: PB1-12 - Parkway Belt

Other Applications:**Site and Area Context**

The subject property is located north-west of the Second Line West and Old Derry Road intersection in the Meadowvale Village neighbourhood. It currently contains the head offices of the Credit Valley Conservation Authority and Meadowvale Conservation Area. Significant mature vegetation is present throughout the property, which also contains part of the Credit River. The conservation area is surrounded by a mix of residential uses and vacant lands.

The applicant is proposing to sever a lot for residential purposes fronting onto Old Mill Lane. A variance is requested for the severed lands to allow the existing garage to remain.



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.

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*.

Staff comments concerning the applications for consent and minor variance are as follows:

The applicant is proposing to sever a residential lot from the larger Meadowvale Conservation Area lands. The proposed severed lands would have a lot frontage of approximately 34m (111.5ft) on Old Mill Lane and a lot area of approximately 2,000m² (21.528ft²).

The subject property is located in the Meadowvale Village Neighbourhood Character Area and is designated Parkway Belt West in Schedule 10 of the Mississauga Official Plan. Under the Parkway Belt West Plan the site is designated Complementary Use Area, which permits residential uses and infilling existing settlements. Furthermore the lands proposed to be severed were subject to a rezoning under file OZ 18-4, which was approved and is currently in force, to allow a residential use on the parcel.

Staff are satisfied that the application is consistent with the official plan as the proposed severed lands would provide an adequately sized lot for the intended use without impacting the conservation area. Impacts to the surrounding area will be mitigated as the severed property would maintain an appropriate lot area and frontage given the context of Old Mill Lane. Furthermore staff have no concerns with the proposed 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.

The applicant has further applied for a minor variance on the severed lands, under file A733/22, to permit the existing garage to remain on the subject property. The variance is triggered by the

severance as the garage is not a permitted stand alone use. The proposed variance will not have any impacts to the streetscape or character of Old Mill Lane as there will be no changes to the existing condition until such a time as the property is redeveloped into a dwelling, however staff would recommend a temporary approval of 2 years to ensure the garage's eventual demolition or redevelopment.

Given the above staff are therefore satisfied that the minor variance application is minor in nature and will not negatively impact the future development of the subject property.

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 new lot which will contain the existing garage/workshop. We note that Transportation and Works Department requirements for this property were provided through Rezoning Application OZ-18/004.

This Department has no objections, comments or requirements with respect to C.A. 'A' 724/22.

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: Brooke Herczeg, 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.

The lands to the rear of the property are owned by the Credit Valley Conservation Authority, leased by the City of Mississauga, identified as Meadowvale Conservation Area (P-328) and classified as Significant Natural Area within the City's Natural Heritage System and zoned PB1. Section 6.3.24 of the Mississauga Official Plan states that the Natural Heritage System will be protected, enhanced, restored and expanded through the following measures:

- a) ensuring that development in or adjacent to the Natural Heritage System protects and maintains the natural heritage features and their ecological

- functions through such means as tree preservation, appropriate location of building envelopes, grading, landscaping...;
- b) placing those areas identified for protection, enhancement, restoration and expansion in public ownership, where feasible.

Should the application be approved, Community Services wishes to impose the following conditions:

1. An Environmental Impact Study (EIS) is to be submitted for review and approval. A checklist can be provided for reference upon request.
2. The applicant shall provide a cash contribution of \$1,932.27 for the planting of three (3) street trees on Old Mill Lane. 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. 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 Nicholas Rocchetti regarding the Covid-19 interim payment 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

Consent Application: B-87/22, 7060 Old Mill Lane

Servicing: Camila Marczuk (905) 791-7800 x8230

Comments:

- Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. 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 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca.
- Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Site Servicing approvals are required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca

Development Planning: Patrycia Menko (905) 791-7800 x3114**Comments:**

- The subject land is located in the regulated area of the Credit Valley Conservation (CVC) Authority. We therefore request that the City of Mississauga Committee of Adjustment and staff consider comments from the CVC Authority and incorporate their requirements appropriately. Final approval of this application requires all environmental concerns to be addressed to the satisfaction of the CVC Authority.

Minor Variance Application: A-733/22, 7060 Old Mill LaneDevelopment Planning: Patrycia Menko (905) 791-7800 x3114**Comments:**

- The subject land is located in the regulated area of the Credit Valley Conservation (CVC) Authority. We therefore request that the City of Mississauga Committee of Adjustment and staff consider comments from the CVC Authority and incorporate their requirements appropriately. Final approval of this application requires all environmental concerns to be addressed to the satisfaction of the CVC Authority.

Comments Prepared by: Patrycia Menko – Junior Planner, Planning and Development Services

Appendix 5 – Credit Valley Conservation

Re: CVC File No. A 22/733 B 22/087

Municipality File No. A 733/22 B 087/22

Credit Valley Conservation

1255 Old Derry Rd

City of Mississauga

Credit Valley Conservation (CVC) staff have reviewed the subject application and offer comments based on the following roles and responsibilities:

1. Delegated Responsibilities – providing comments representing the provincial interest regarding natural hazards (except forest fires) as identified in Section 3.1 of the Provincial Policy Statement (2020);
2. Regulatory Responsibilities – providing comments to ensure the coordination of requirements under the Conservation Authorities Act Section 28 regulation, to eliminate unnecessary delay or duplication in process;
3. Source Protection Agency – providing advisory comments to assist with the implementation of the CTC Source Protection Plan under the Clean Water Act, as applicable.

SITE CHARACTERISTICS:

Based on our mapping, the subject property is located within floodplain and slope hazard associated with Credit River. It is the policy of CVC and the Province of Ontario to conserve and protect the significant physical, hydrological and biological features associated with the

functions of the above noted characteristics and to recommend that no development be permitted which would adversely affect the natural features or ecological functions of these areas.

ONTARIO REGULATION 160/06:

The property is subject to the Development, Interference with Wetlands, and Alterations to Shorelines & Watercourses Regulation (Ontario Regulation 160/06). This regulation prohibits altering a watercourse, wetland or shoreline and prohibits development in areas adjacent to the Lake Ontario shoreline, river and stream valleys, hazardous lands and wetlands, without the prior written approval of CVC (i.e. the issuance of a permit).

Proposal:

The property owner of 7060 Old Mill Lane, zoned PB1-12 - Parkway Belt, has applied for Consent under Section 53 of the Planning Act. B87/22 The applicant requests the Consent of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of 34.00m (approx. 111.55ft) and an area of approximately 2000 sq m (approx. 21527.82sq ft). A733/22 The applicant requests a minor variance for the severed lands of B87/22 proposing: 1. An existing garage/workshop with an area of 109.00sq m (approx. ft) whereas By-law 0225-2007, as amended, does not permit the structure in this instance.

Comments:

CVC staff have reviewed the provided information and recognizing this consent application proposes to reinstate a former existing lot, have no concerns with the requested consent as well as the minor variance. As such, CVC staff have no objection to the approval of the minor variance and consent by the Committee at this time.

Please note a CVC permit may be required for future development on the severed lands.

Comments Prepared by: Beata Pakulski – Junior Planner, Planning and Development Services

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" 733/22)
4. A letter shall be received from the City of Mississauga, Park Planning, Community Services Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated February 1, 2023.