

City of Mississauga Department Comments

Date Finalized: 2023-04-19	File(s): A97.23 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2023-04-27 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 45 (1) of the Planning Act. 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

The applicant requests the Committee to approve a minor variance to allow construction of a new dwelling proposing:

1. A lot coverage of 36.86% (285.05sq m (approx. 2777.95sq ft)) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35% (245.03sq m (approx. 2637.48sq ft)) in this instance;
2. An eaves height of 6.91m (approx. 22.67ft) whereas By-law 0225-2007, as amended, permits a maximum eaves height of 6.40m (approx. 21.00ft) in this instance; and,
3. A dwelling unit depth of 20.38m (approx. 66.86ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling unit depth of 20.00m (approx. 65.62ft) in this instance.

Background

Property Address: 2152 Wedgewood Rd

Mississauga Official Plan

Character Area: Lakeview Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R3-75 - Residential

Other Applications: BP 9NEW 22-5178

Site and Area Context

The subject property is located within the Lakeview Neighbourhood, south east of the Queenway East and Cawthra Road intersection. The immediate neighbourhood is entirely residential consisting of one and two-storey detached dwellings on lots with mature vegetation in both the front and rear yards. The subject property contains a one-storey detached dwelling with vegetation in the front yard.

The applicant is proposing a new two-storey dwelling requiring variances for lot coverage, eave height and dwelling unit depth.



Comments

Planning

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. Approval of applications must meet the requirements set out under 45(1) and/or 45(2) (a) or (b) in the *Planning Act*.

Staff comments concerning the application are as follows:

The site is located within the Lakeview Character Area, and is designated Residential Low Density I by the Mississauga Official Plan (MOP). The Residential Low Density I designation permits detached dwellings; semi-detached dwellings and duplex dwellings.

Planning staff have no immediate concerns with the requested variances. Variances #1-3 contain values that represent minor deviations from the existing regulations. Furthermore, the proposed

dwelling contains staggered walls and clearly defined architectural features that will break up the first and second storeys. Lastly, Planning staff, through discussions with Zoning staff, are of the opinion that variance #3 has been miscalculated and may not be required.

It is staff's opinion that the proposed dwelling is sympathetic to the surrounding area and does not impact the neighbouring properties. Through a detailed review of the application, staff is of the opinion that the application is appropriate to be handled through the minor variance process. Further, the application raises no concerns of a planning nature.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed dwelling are being addressed by our Development Construction Section through the Building Permit process, File BP 9NEW-23/5714.



Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing an application under file BP 9NEW 22-5178. Based on review of the information currently available in this application, the variances, as requested are correct.

Please note that comments reflect those provided through the above permit application and should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the application file noted above, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedures, separately through the application process in order to receive updated comments.

Comments Prepared by: Gary Gagnier; Zoning Examiner

Appendix 3 – Trans-Northern Comments

Thank you for providing Trans-Northern Pipeline Inc. (TNPI) with Committee of Adjustment agenda for the proposed minor variance application for the development of a new dwelling. TNPI currently operates a high-pressure petroleum products transmission pipeline within a 60 foot right of way (ROW) on the adjacent property traveling Northwest to the Southeast to the proposed development relating to 2152 Wedgewood Rd, Mississauga.

Please note the following in relation to the proposed development:

- Structures must remain outside of the ROW and are requested to be setback 10 m from the ROW
- Parcel lots must remain outside of the ROW and are requested to be setback 10 m from the ROW
- Fencing on the side adjacent to the ROW must be Chain-link style
- Shed, garage and fencing must be set-back 10 m from the ROW (not an inclusive list)
- Pool, Spa etc., either in ground or above ground, must be set-back 10 m from the ROW

Please note, any development plans within the right-of-way will require a permit which can be requested by following the steps described near the end of this response. This includes works that are for salvage (ie. Removing existing shed).

Please note that, Trans-Northern is regulated by the Canada Energy Regulator. Section 335 (1) and (2) of the Canadian Energy Regulator Act, provides that:

- *It is prohibited for any person to construct a facility across, on, along or under a pipeline or engage in an activity that causes a ground disturbance within the prescribed area unless the construction or activity is authorized or required by the orders made under subsection (3) or (4) or regulations made under subsections (5) or (6) and done in accordance with them.*
- **Prohibition — vehicles and mobile equipment** o (a) *that operation is authorized or required by orders made under subsection (3) or (4) or regulations made under subsections (5) or (6) and done in accordance with them; or*

It is prohibited for any person to operate a vehicle or mobile equipment across a pipeline unless

- **(a)** that operation is authorized or required by orders made under subsection (3) or (4) or regulations made under subsections (5) or (6) and done in accordance with them; or
- **(b)** the vehicle or equipment is operated within the travelled portion of a highway or public road.

If there is to be development within the 30 metres prescribed area additional steps will be required to ensure any clearances or permitting are in place prior to activities. Additionally, should the applicant propose to cross the pipeline with a vehicle or construct a facility across, on, along or under the pipeline, the applicant would be required to contact TNPI prior to commencement of their work to receive the required authorization. This process can be initiated through Ontario One Call (1-800-400-2255). A representative from TNPI will attend on site mark the pipeline location, confirm safe work practices, and advise of any permit requirements.

Should the applicant require further information on the technical requirements related to ground disturbance or crossing of the pipeline, they may contact Sandrine Exibard-Edgar, Team Lead, Property Administrator via email at : crossingrequestseast@tnpi.ca.

As always, Trans-Northern Pipeline Inc. appreciates being circulated development applications.

Comments Prepared by: Michelle Gruszecki, Property and Right of Way Administrator

Appendix 4 – Region of Peel Comments

Minor Variance Application: A-97/23 – 2152 Wedgewood Road

Development Engineering: 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.
- All unutilized water and sanitary services shall be abandoned in accordance with Region of Peel design specifications. 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.

Comments Prepared by: Patrycia Menko, Junior Planner