

# City of Mississauga Department Comments

Date Finalized: 2024-01-17	File(s): A34.24
To: Committee of Adjustment	Ward: 8
From: Committee of Adjustment Coordinator	Meeting date:2024-01-25 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, as requested, meets the requirements of Section 45(1) of the Planning Act. The applicant may choose to defer the application to verify the accuracy of the requested variances and to determine if additional variances are required.

## Application Details

The applicant requests the Committee to approve a minor variance to allow an RV trailer to be parked in the driveway for more than 72 hours per month, whereas By-law 0225-2007, as amended, permits a RV trailer to be parked in the driveway a maximum of 72 hours per month in this instance.

## Background

**Property Address:** 3207 Council Ring Road

### Mississauga Official Plan

Character Area: Erin Mills Neighbourhood  
Designation: Residential Low Density I

### Zoning By-law 0225-2007

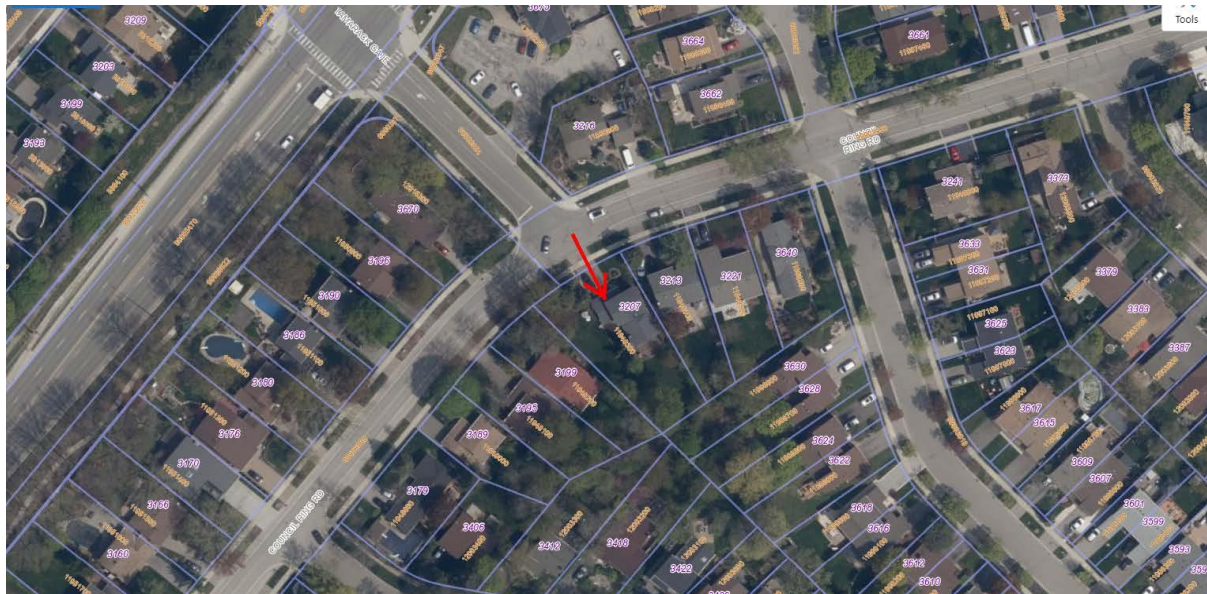
**Zoning:** R3 - Residential

**Other Applications:** None

### Site and Area Context

The subject property is located within the Erin Mills Neighbourhood Area, southeast of the Burnhamthorpe Road West and Winston Churchill Boulevard intersection. The immediate neighbourhood is residential consisting of a mix of one and two-storey detached dwellings on lots with mature vegetation in both the front and rear yards. The subject property contains a two-storey detached dwelling with mature vegetation in the front and rear yards.

The applicant is proposing the parking of a recreational vehicle on their residential lot requiring a variance related to permitted parking duration.



## 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 subject property is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan, which permits detached, semi-detached, duplex and triplex dwellings.

The applicant is requesting a minor variance to allow a recreational vehicle (RV) to be parked on the driveway of subject property for a duration exceeding 72 hours per month.

Planning staff has no concerns regarding the requested variance. The applicant is intending to park an RV on the driveway of the property only during the months of May, June, July, August and September. Furthermore, the RV does not create any parking deficiencies and does not

require variances for height or width which will have the effect of increasing its massing. Additionally, staff are of the opinion that the RV will not negatively impact adjacent properties or the streetscape, due to the presence of significant mature vegetation located on both the easterly and westerly lot lines. Lastly, the adjacent dwellings on the adjacent lots are oriented away from the subject property, further mitigating any impacts to neighbouring properties.

Through a detailed review of the application, staff are of the opinion that the proposed use is desirable and is appropriate to be handled through the minor variance process and that 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

Enclosed you will find a photo of the subject driveway. The trailer in question was not present at the time of the site inspection.



Comments Prepared by: John Salvino, Development Engineering Technologist

### Appendix 2 – Zoning Comments

In the absence of a Development application we are unable to confirm the accuracy of the information provided, or determine whether additional variance(s) may be required. It should be noted that a zoning review has NOT been completed. The applicant is advised that should they choose to proceed without zoning verification, a full zoning review may result in further variances being required in the future.

For scope of work that does not require Site Plan Approval/Building Permit/Zoning Certificate of Occupancy Permit, the applicant may consider applying for a Preliminary Zoning Review application. A detailed site plan drawing and architectural plans are required for a detailed zoning review to be completed. A minimum of 6-8 weeks is required depending on the complexity of the proposal and the quality of information submitted.

Comments Prepared by: Minan Song, Planner in Training

### **Appendix 3 – Region of Peel**

We have no comments or objections.

Comments Prepared by: Ayooluwa Ayoola, Junior Planner

### **Appendix 4- TransCanada Pipelines**

**RE:Minor Variance Application**  
**3207 Council Ring Road, Mississauga**  
**Jaroslav & Irena Ciechanowski**  
**Municipal File: A34/24**  
**MHBC File: PAR 50289**

MacNaughton Hermesen Britton Clarkson (MHBC) are the planning consultants for TransCanada PipeLines Limited (TCPL). This letter is in response to a notification and request for comments for the minor variance application outlined above. We understand that the purpose of the variance is to facilitate RV parking on the property identified as 3207 Council Ring Road in the City of Mississauga (the “Subject Lands”). TCPL has one (1) high-pressure natural gas pipeline contained within a right-of-way (“easement”) adjacent to the Subject Lands.

TCPL’s pipelines and related facilities are subject to the jurisdiction of the Canada Energy Regulator (CER) – formerly the National Energy Board (NEB). As such, certain activities must comply with the Canadian Energy Regulator Act (“Act”) and associated Regulations. The Act and the Regulations noted can be accessed from the CER’s website at [www.cer-rec.gc.ca](http://www.cer-rec.gc.ca). TCPL has no concerns with the variance, as the proposed parking space is more than 7 metres from the edge of TCPL’s right-of-way. We request that the following regulatory requirements be forwarded to the applicant for information:

1. Written consent from TCPL must be obtained before any of the following:
  - a. Constructing or installing a facility across, on, along or under a TCPL pipeline right-of-way (easement). A facility may include, but is not limited to: driveways, roads, access ramps, trails, pathways, utilities, berms, fences/fence posts;
  - b. Conducting ground disturbance (excavation or digging) on TCPL’s right-of-way or within 30 metres of the centreline of TCPL’s pipeline (the “Prescribed Area”);

- c. Driving a vehicle, mobile equipment or machinery across a TCPL right-of-way outside the travelled portion of a highway or public road;
- d. Using any explosives within 300 metres of TCPL's right-of-way; and
- e. Use of TCPL's Prescribed Area for storage purposes.

**How to apply for written consent:**

- ☐ Determine the location of your work relative to TCPL's facilities.
  - o When planning, and before any of the work or activities, listed above, can begin, a request for written consent must be submitted to TCPL through our online application form
  - o We no longer accept applications through email
  - o Location of the work is required, along with the proximity to TCPL's right-of-way
  - o This information can be obtained through survey plans, or through a locate request
- ☐ Make a locate request either online (ClickBeforeYouDig.com) or by calling your local One-Call Centre.
  - o The One-Call Centre will notify owners of buried utilities in your area, who will send representatives to mark these facilities with flags, paint or other marks, helping you avoid damaging them. Often written consent for minor activities can be obtained directly from a regional TCPL representative through a locate request.
- ☐ Apply for written consent using TCPL's online application form or call 1-877-872-5177.
- ☐ Application assessment and consent. Once your information has been assessed and potential impacts have been evaluated, TCPL may:
  - o Grant consent without any conditions
  - o Grant consent that requires certain conditions to be met to assure safety, or
  - o Not grant consent

2. No buildings or structures shall be installed anywhere on TCPL's right-of-way. Permanent buildings and structures are to be located a minimum of 7 metres from the edge of the right-of-way. Temporary or accessory buildings are to be located a minimum of 3 metres from the edge of the right-of-way.

3. A minimum setback of 7 metres from the nearest portion of a TCPL right-of-way shall also apply to any parking area or loading area, including any parking spaces, loading spaces, stacking spaces, bicycle parking spaces, and any associated drive aisle or driveway.

4. During any construction activities in proximity of the right-of-way, the owner must install and maintain temporary fencing along the limits of TCPL's right-of-way to prevent unauthorized access onto the pipeline right-of-way with heavy equipment. The fence must meet TCPL's specifications concerning type, height and location and must be maintained by the owner for the duration of construction.

5. Storage of materials and/or equipment on TCPL's right-of-way is not permitted.

6. Any landscaping of TCPL's right-of-way is to be approved in writing by TCPL and done in accordance with TCPL's Landscaping Guidelines:

- a. TCPL's Right-of-way is to be seeded with Canada #1 seed.
- b. Grantee shall ensure a 5 metre continuous access way is maintained over, through and within the right-of-way to facilitate access for future pipeline operation and maintenance activities.
- c. No portion of trees or shrubs at the time of maturity shall be permitted to encroach within 5 metres of the edge of the TCPL pipeline within the right-of-way.
- d. No trees or shrubs at the time of maturity that will reach a height greater than 4 metres shall be planted within the right-of-way.
- e. Tree roots must not interfere with the pipeline.
- f. A minimum of 5 metres between all groups of trees/shrubs will be established. A group is defined as 3-5 trees/shrubs.
- g. Irrigation systems are not permitted within TCPL's right-of-way.

7. If TCPL's pipelines suffer contact damage or other damage as a result of an Owner's operations, stop work immediately and notify TCPL at once.

8. The Owner shall ensure through all contracts entered into, that all contractors and subcontractors are aware of and observe the foregoing terms and conditions.

Enclosed is a copy of TC Energy's Work Safely Handbook for additional information on constructing near TCPL's pipelines. Additional information can be found on TC Energy's website.

Thank you for the opportunity to provide comments. Kindly forward a copy of Notice of Decision to [TCEnergy@mhbcplan.com](mailto:TCEnergy@mhbcplan.com). If you have any questions, please do not hesitate to contact our office.

Comments Prepared by: Kaitlin Webber, Planner (MHBC)