

City of Mississauga Department Comments

Date Finalized: 2024-01-04 To: Committee of Adjustment From: Committee of Adjustment Coordinator	File(s): B59.23 A484.23 A485.23 Ward: 6
	Meeting date:2024-01-11 1:00:00 PM

Consolidated Recommendation

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

Application Details

B59/23

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 approximately 14.48m (approx. 47.51ft) and an area of approximately 698.68sq m (7520.53sq ft).

A484/23

The applicant requests a minor variance for the severed lands of B59/23 proposing:

1. A lot frontage of 14.48m (approx. 47.51ft) whereas By-law 0225-2007, as amended, permits a maximum lot frontage of 15.00m (approx. 49.21ft) in this instance.

A485/23

The applicant requests a minor variance for the retained lands of B59/23 proposing:

1. A lot frontage of 14.48m (approx. 47.51ft) whereas By-law 0225-2007, as amended, permits a maximum lot frontage of 15.00m (approx. 49.21ft) in this instance.

Recommended Conditions and/or Terms of consent

- Appendix A – Conditions of Provisional Consent
- The variance application approved under File(s) A484.23 and A485.23 must be finalized

Recommended Conditions and/or Terms of minor variance

- Variance(s) approved under file(s) A484.23 and A485.23 shall lapse if the consent application under file B59.23 A484.23 A485.23 is not finalized within the time prescribed by legislation.

Background

Property Address: 1711 Carolyn Road

Mississauga Official Plan

Character Area: East Credit 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 south-west of the Bristol Road West and Creditview Road intersection in the East Credit Neighbourhood Character Area. It is an interior lot containing a one-storey dwelling with a detached garage in the front yard. The subject property has an approximate lot frontage of +/- 28.96m (95.01ft) and a lot area of +/- 1,396.91m² (15,032.98ft²). Mature vegetation exists along the property frontage with limited landscaping elements being present. The surrounding context is exclusively residential, consisting of detached dwellings on lots of varying sizes.

The applicant proposes a severance of the existing lot to create two new residential lots, requiring a variance for frontage.



Comments

Planning

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*.

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.

Staff comments concerning the applications for consent and the four tests to the minor variance request are as follows:

The subject property is located in the East Credit Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). Section 9 of the MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with 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 lots and retained lands would be adequately sized lots for residential dwellings. The proposed lot sizes are appropriate given the mix of property sizes along Carolyn Road and will not negatively impact the character of the street or the area's lot fabric. Furthermore, staff have no concerns with the severances 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.

In addition to the consent applications, the applicant has submitted two minor variance applications, under files A484.23 and A485.23, requesting reductions to the lot frontage for both the severed and retained lots. The intent of the lot frontage provision in the zoning by-law is to ensure that new lots are appropriately sized and fit within the context of the surrounding area.

Planning staff are satisfied that the lot fits appropriately into the character of the surrounding area and are complementary to the existing lot fabric.

Given the above, Planning staff are satisfied that the minor variance applications maintain the general intent and purpose of both the official plan and zoning by-law, are minor in nature and represent appropriate development of the subject property. As such, Planning staff have no objections the associated consent and minor variance applications.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We note that any Transportation and Works Department concerns/requirements for this property will be addressed under Consent Application 'B' 59/23.

Comments Prepared by: Joe Alava, T&W Development Engineering

Should Committee see merit in the applicant's request we are providing the following conditions/requirements for Committee's consideration:

A. Items Required Prior to the Issuance of Final Consent

1. Overall Site Plan/Grading and Drainage Plan

The applicant's consulting engineer will be required to prepare an Overall Site Plan which is to include Grading and Drainage information. Sufficient details are to be shown to ensure grading compatibility with the adjacent lands and submit the grading and drainage proposal to this department for review/approval. Upon the review of the Site Plan/Overall Grading and Drainage Plan it may be determined that catch basins may be required and satisfactory arrangements will have to be made for the construction of any required catch basins.

2. Municipal Address Requirement

Prior to the issuance of final consent, satisfactory arrangements are to be made with Corporate Services Department, Information Technology Division, Digital Services & Mobility Section, Geospatial Solutions Group for the creation of new municipal addresses for the severed and retained lands. For further information, please contact Susie Tasca at (905) 615-3200 ext. 3088 or susie.tasca@mississauga.ca.

For further information regarding the above noted comments, please contact Tony Iacobucci at (905) 615-3200 ext. 5129 or tony.iacobucci@mississauga.ca

B. GENERAL INFORMATION

1. Lot Grading and Drainage

We advise the applicant that issuance of any building permits for the new dwelling(s) will be subject to the owner submitting a certified lot grading and drainage plan to this Department for review/approval. The grading and drainage plan is to contain sufficient detail to ensure grading compatibility with the adjacent properties. In addition, the owner will be required to submit the applicable lot grading and municipal services protection deposits.

2. Servicing

All costs incurred in providing any service laterals will be the responsibility of the owner. The owner will also be responsible for all costs incurred for the required road reinstatement (if required). If the service connections are to be installed by a private contractor retained by the owner, issuance of an open cut permit will be subject to the owner depositing adequate securities with the City to guarantee proper road reinstatement.

3. Access

The applicant will be required to apply for Access Modification Permits prior to Site Plan Approval and/or Building Permit Issuance. We advise the applicant that all costs incurred in providing any new driveway entrance(s) to the subject lands or any modifications/reinstatement required, would be at cost to the owner. Driveway accesses shall maintain a 1.5m setback from aboveground features such as utilities and trees. We are also noting that should any utilities need to be relocated, all costs incurred will also be to the owner.

4. Storm Sewer Outlet

The storm sewer outlet for this site is the existing 450mm storm sewer on Carolyn Road. The applicant is encouraged to design the basement elevation 1 metre above the obvert of the storm sewer on the street to eliminate the need for a sump pump.

Please note that in cases of a high groundwater table where a sump pump could run continuously if a sump pump was implemented, the applicants should consider raising the basement elevation to be at least 1.0 meter above the groundwater level. It is the owner's responsibility to satisfy themselves with these conditions as the City has no obligation to address any concerns with the operating conditions of private sump pump systems. For further information please contact Samer Elhallak at (905) 615-3200 ext. 3192.

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: Minan Song, Planner in Training

Appendix 3 – Parks, Forestry & Environment

The Parks and Culture Planning Section of the Community Services Department has reviewed the above noted consent application and has no objections and advises as follows:

City of Mississauga Forestry Staff have attended the site and identified the following City owned trees within the municipal boulevard on Carolyn Road:

- Eastern White Cedar (34 cm DBH) – Good Condition – \$2,600.00
- White Spruce (30 cm DBH) - Good Condition - \$2000.00

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

1. The applicant shall provide tree protection securities in the amount of \$4,600.00 for the preservation of the municipal trees.

In addition, Community Services notes the following:

1. The applicant shall provide framed tree hoarding at the dripline of the above noted trees prior to any construction to the satisfaction of City of Mississauga Forestry Staff. Please call Matthew McMullen at 905-615-3200 ext. 3508 or Mike Newbold at 905-615-3200 ext. 8280 to arrange a hoarding inspection.
2. Payment for street tree fees and other 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 made payable to “The Corporation of the City of Mississauga”. A Submission of Fees and Securities form is required to process payment. Please contact Nicholas Rocchetti to request a Submission of Fees and Securities form and any other inquiries regarding the payment 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 Nicholas Rocchetti, Planner-in-Training – Park Assets, Community Services Department at 905-615-3200 ext. 4659 or via email Nicholas.Rocchetti@mississauga.ca.

Comments Prepared by: Nicholas Rocchetti, Planner-In-Training

Appendix 4 – Heritage

The property has archaeological potential due to its proximity to a present or past watercourse or known archaeological resource. The applicant should contact the Ministry of Citizenship and Multiculturalism to determine the archaeological concerns related to the application. A letter from the Ministry of Citizenship and Multiculturalism confirming that all archaeological resource concerns have met licensing and resource conservation requirements for the property must be submitted to Heritage Planning.

Comments Prepared by: Andrew Douglas, Heritage Analyst

Appendix 5- Region of Peel

Minor Variance: A-23-484M, A-23-485M, B-23-059M / 1711 Carolyn Road

Development Engineering: Brian Melnyk (905)-791-7800 x3602

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.
- 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: Ayooluwa Ayoola, 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. ("A" A484-A485/23)
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 January 4, 2024.
5. 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 January 4, 2024.
6. A letter shall be received from the City of Mississauga, Culture Division, Community Services Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated January 4, 2024.