

City of Mississauga Department Comments

Date Finalized: 2024-01-04	File(s): A10.24
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2024-01-11 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 wish to defer the application to ensure that all required variances have been accurately identified.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of an accessory structure proposing:

1. An accessory structure area of 33.50sq m (approx. 360.59sq ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure area of 20.00sq m (approx. 215.28sq ft) in this instance; and,
2. An accessory structure height of 3.66m (approx. 12.01ft) whereas By-law 0225-2007, as amended permits a maximum accessory structure height of 3.50m (approx. 11.49ft) in this instance.

Condition

That the proposed accessory structure be equipped with an eaves trough and down spout directed in such a manner to not impact any adjacent lands.

Background

Property Address: 665 Meadow Wood Road

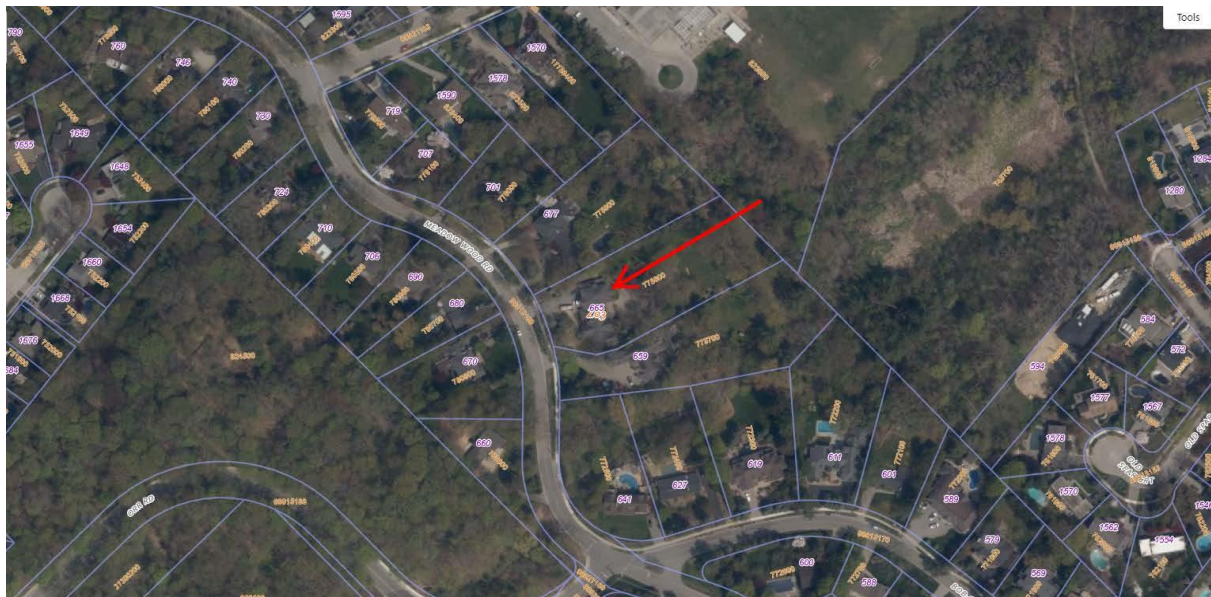
Mississauga Official Plan

Character Area: Clarkson-Lorne Park Neighbourhood
Designation: **Greenlands; Residential Low Density I**

Zoning By-law 0225-2007**Zoning: R1-2- Residential****Other Applications: None****Site and Area Context**

The subject property is located within the Clarkson – Lorne Park Neighbourhood Character Area, southeast of the Clarkson Road North and Lakeshore Road West intersection. The immediate area consists of one and two-storey single detached dwellings on large lots with significant mature vegetation in both the front and rear yards. The subject property contains a two-storey detached dwelling with mature vegetation throughout the property.

The application proposes a new accessory structure requiring variances for height and area.

**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 located in the Clarkson-Lorne Park Neighbourhood Character Area and is designated Residential Low Density I and Greenlands in Schedule 10 of the Mississauga Official Plan (MOP).

The applicant's proposal is for an accessory structure. Planning staff have no concerns regarding the proposal, as the property is permitted a combined accessory structure area of 60m² (645.835ft²). The proposed accessory structure area of 33.50m² (360.59ft²) is well below the maximum combined area permitted, and the applicant is proposing the removal of all three existing accessory structures. As such, with no additional accessory structures proposed, the proposed accessory structure area is within the overall intent of the total accessory area permitted.

Staff are also of the opinion that the requested height variance represents a minor increase over the maximum height permitted. No variances for setbacks are required, which can have the effect of exacerbating a structure's massing.

Through a detailed review of the application, staff are 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

Enclosed are pictures of the area where the structure is proposed. We have no objection provided that the structure be equipped with an eaves trough and down spout directed in such a manner to not impact any adjacent lands.







Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

We note that a Building Permit is required. In the absence of a Building Permit 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.

Comments Prepared by: Minan Song, Planner in Training

Appendix 3- Region of Peel

Minor Variance: A-24-010M / 665 Meadow Wood Road

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

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.

Planning: Ayooluwa Ayoola (905) 791-7800 x8787

Comments:

- The subject land is in the regulated area of the Credit Valley Conservation Authority (CVC). We rely on the environmental expertise of the CVC for the review of development applications located within or adjacent to the regulated area in Peel and the impact of natural hazards on proposed development. We therefore request that the City staff consider comments from the CVC and incorporate their requirements appropriately. Final approval of this application requires all environmental concerns to be addressed to the satisfaction of the CVC.
- The subject land is located within a Core Area of the Greenlands System in Peel as identified under policy **2.14.5** of the Regional Official Plan. Development and site alteration are prohibited in Core Areas of the Greenlands System (ROP 2.14.15), which is subject to policy 2.14.16. The applicant must ensure Core Areas are not damaged or destroyed. If the Core Area is intentionally damaged or destroyed, the Region or City will require replacement or restoration of the ecological features, functions and/or landforms as a condition of development approval (ROP 2.14. 17).

Comments Prepared by: Ayooluwa Ayoola, Junior Planner

Appendix 4 – Enbridge

RE: Minor Variance – 665 Meadow Wood Road

Your File #: A10.24

Our Reference #: ENB_R231215-005ON

Thank you for sending Enbridge notice of this project. B&A is the land use planning consultant for Enbridge's Liquids Pipeline network across Canada. On behalf of Enbridge, we work with municipalities and stakeholders regarding planning and development in proximity to their pipeline infrastructure to ensure that it occurs in a safe and successful manner.

We request that this response package is provided in full to the landowner / applicant as it contains useful and important information, including certain requirements that must be followed,

in respect of development in proximity of pipelines.

Description of Application

We understand that this application is regarding a request for Minor Variance to accommodate the development of a structure beyond the allowable dimensions for the RM1-2- Residential land use district.

As demonstrated in **Attachment 01 | Approximate Location of Pipeline Infrastructure** the proposed Minor Variance is for a property adjacent to Enbridge pipeline infrastructure.

Assessment & Requirements

Based on a review of the project materials provided the proposed Minor Variance intersects the adjacent pipeline corridor's prescribed area (the area 30 metres to either side of the pipeline centreline) at its southeast corner. However, this is a very minor intersection of approximately 20 square metres, and it is unlikely the construction is taking place in this area. Therefore, **Enbridge has expressed no objections to this project as proposed.**

Although Enbridge has expressed no objections to the proposed Minor Variance at this time, the pipeline is located directly south of the subject parcel, and some features of the proposal may have impacts on the pipeline infrastructure. If any ground disturbances are intended to take place within the prescribed area as shown in **Attachment 01**, now or in the future, written permissions from Enbridge will need to be secured.

Therefore, the following requirements, and those detailed within **Attachment 02 | Enbridge Development Requirements** must be adhered to for all future development. The landowner/developer shall ensure that all contractors and subcontractors are aware of and comply with the requirements set out in this letter.

Requirements

- 1) **Obtain a Locate Request:** To identify the precise alignment of the pipeline on the subject lands, a Locate Request must be made prior to any ground disturbance taking place.
- 2) **No development is permitted within the Enbridge right-of-way** without Enbridge's written consent and without the presence of an Enbridge representative on site.
- 3) **Written Consent from Enbridge is required for ground disturbance within 30m perpendicularly on each side from the centreline of the pipeline known as the "Prescribed Area".** For more information about when written consent is required and how to submit an application, please see **Attachment 03 | Enbridge Pipeline Crossing Guidelines.**
- 4) **Written Consent from Enbridge is required for all above and below ground crossings of the pipeline.** For more information about when written consent is required and how to submit an application, please see **Attachment 03 | Enbridge Pipeline Crossing Guidelines.**

The written authorization request must include:

- a. Drawings with cross sections of the proposed roads and verification of the depth of cover from both sides of the road.
- b. Drawings should include any new utilities that will cross the right-of-way.
- 5) **Road Crossings:** Where future development such as a roadway or a parking area is proposed within the pipeline right-of-way, Enbridge may be required to carry out pipeline inspection and recoating of the existing pipeline(s) prior to the start of the development. The costs of Enbridge's design, inspection, recoating work and any other pipeline alteration as a result of the crossing will be borne by the Developer.
- 6) **Subdivision lot lines should not divide the pipeline right-of-way.** Wherever possible, subdivision boundaries should follow the right-of-way. If this is not possible specific language must be included in the offers of sale or lease. Please see **Attachment 02** for details.
- 7) **Development setbacks** from pipelines and rights-of-way are recommended in support of damage prevention and to allow both pipeline operators and developers buffer lands for operations and maintenance purposes.
- 8) **Landscaping** shall not take place on Enbridge's pipeline right-of-way without Enbridge's prior written consent and where consent is granted such landscaping must be performed in accordance with Enbridge's Pipeline Crossing Guidelines. Please see **Attachment 02** for details.
- 9) **Pathways** shall not be installed on Enbridge's pipeline right-of-way without Enbridge's prior written consent and where consent is granted pathways must be designed in accordance with Enbridge's requirements. Please see **Attachment 02** for details.
- 10) **Fencing** should be installed along the identified open space easement. Please see **Attachment 02** for details
- 11) **Written consent** must be obtained from Enbridge for ongoing activities such as mowing or maintenance of the pipeline right-of-way on public lands.
- 12) **Notifications of additional development for Class monitoring:** As per Federal and Provincial Regulatory Requirements and Standards, pipeline operators are required to monitor all new development in the vicinity of their pipelines that results in an increase in population or employment. Therefore, please keep us informed of any additional development being proposed within the Pipeline Assessment Area indicated in **Attachment 01 | Approximate Location of Pipeline Infrastructure**. The pipeline assessment area GIS data can be provided to the municipality upon request to notifications@enbridge.com.

The above requirements are those identified as relevant based on the application materials provided. Additional detail on these requirements and other general development requirements are included in **Attachment 02 | Enbridge Development Requirements**. For additional resources on safe development in proximity of Enbridge's pipeline network please view Enbridge's Public Awareness Brochures or visit the Land Use Planning and Development website.

Please continue to keep us informed about the outcome of the project and any future policy,

land use, subdivision, and development activities in proximity to Enbridge's pipelines and facilities. All future project notifications should be sent to notifications@Enbridge.com, while questions about the details of this letter may be sent to the contact listed below. Thanks again for providing us with the opportunity to provide comments on this project and we look forward to working with you in the future.

Comments Prepared by: Kevin Bailey, Community Planner