

# City of Mississauga Department Comments

Date Finalized: 2024-03-01 To: Committee of Adjustment From: Committee of Adjustment Coordinator	File(s): B19.24 A101.24 A102.24 Ward: 7
	Meeting date:2024-03-07 1:00:00 PM

## Consolidated Recommendation

The City recommends the application be deferred to submit the required documentation.

## Application Details

### B19/24

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 7.87m (approx. 25.82ft) and an area of approximately 1465.20sq m (15,771.28 ft).

### A101/24

The applicant requests a minor variance for the severed lands of B19/24 proposing:

1. A lot frontage of 7.87m (approx. 25.82ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 22.50m (approx. 73.82ft) in this instance;
2. A hammerhead driveway on a lot having a lot frontage less than 15.00m (approx. 49.21ft) whereas By-law 0225-2007, as amended, does not permit this in this instance;
3. A hammerhead driveway size of 3.00m x 4.57m (approx. 9.84ft x 15.00ft) whereas By-law 0225-2007, as amended, permits a maximum hammerhead driveway size of 2.60m x 3.00m (approx. 8.53ft x 9.84ft) in this instance; and,
4. A walkway attachment width to the driveway of 2.79m (approx. 9.15ft) whereas By-law 0225-2007, as amended, permits a maximum walkway attachment width to a driveway of 1.50m (approx. 4.92ft) in this instance.

### A102/24

The applicant requests a minor variance for the retained lands of B19/24 proposing:

1. A lot frontage of 9.97m (approx. 32.71ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 22.50m (approx. 73.82ft) in this instance;
2. A hammerhead driveway on a lot having a lot frontage less than 15.00m (approx. 49.21ft) whereas By-law 0225-2007, as amended, does not permit this in this instance;
3. A hammerhead driveway size of 3.00m x 4.57m (approx. 9.84ft x 15.00ft) whereas By-law 0225-2007, as amended, permits a maximum hammerhead driveway size of 2.60m x 3.00m (approx. 8.53ft x 9.84ft) in this instance; and,

4. A walkway attachment width to the driveway of 2.79m (approx. 9.15ft) whereas By-law 0225-2007, as amended, permits a maximum walkway attachment width to a driveway of 1.50m (approx. 4.92ft) in this instance.

#### **Recommended Conditions and/or Terms of consent**

- Appendix A – Conditions of Provisional Consent
- The variance application approved under File(s) A101.24 & A102.24 must be finalized

#### **Recommended Conditions and/or Terms of minor variance**

- Variance(s) approved under file(s) A101.24 & A102.24 shall lapse if the consent application under file B19.24 A101.24 A102.24 is not finalized within the time prescribed by legislation.

## **Background**

**Property Address:** 2572 Sharon Crescent

#### **Mississauga Official Plan**

**Character Area:** Erindale Neighbourhood  
**Designation:** Residential Low Density I

#### **Zoning By-law 0225-2007**

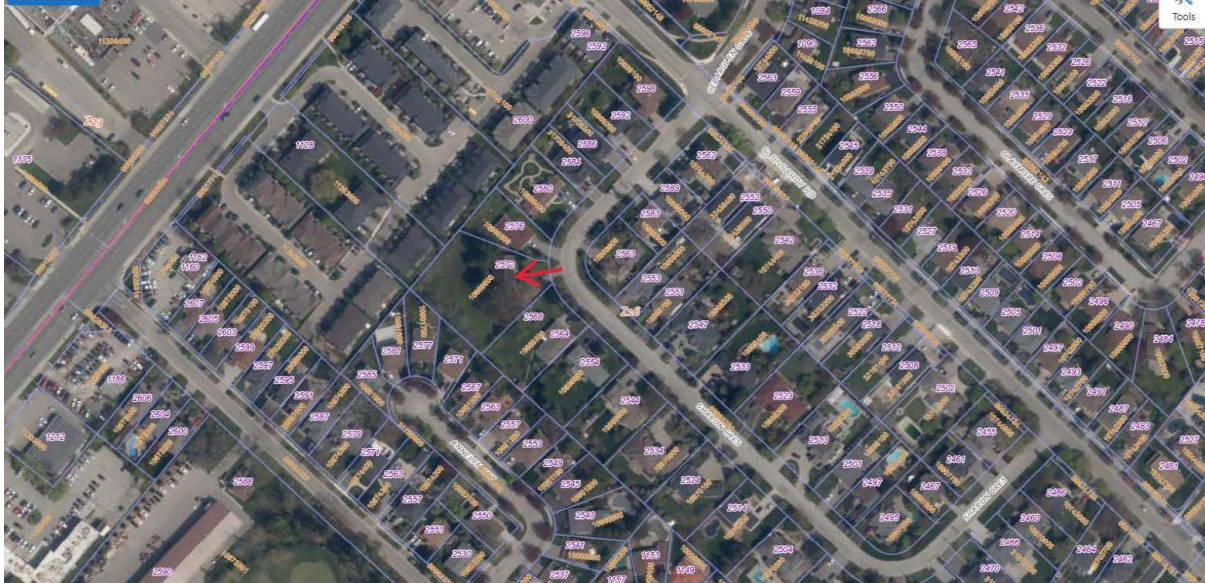
**Zoning:** R1-9- Residential

#### **Other Applications:**

#### **Site and Area Context**

The subject property is south-west of the Dundas Street West and Glengarry Road intersection in the Erindale 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 area of +/- 0.29ha (0.73ac). Mature Vegetation exists along the property boundaries 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 in order to create two new residential lots requiring variances for lot frontage, hammerhead driveway size and a walkway attachment width.



## 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 Erindale Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP).

Heritage has identified the requirement of an archaeological assessment due to the subject property being within 300m (984.25ft) of a past or present watercourse. This requirement is legislated by the Ontario Heritage Act. Staff recommend the application be deferred to allow the applicant time to complete and submit the required archaeological assessment.

Prepared by: Daniel Grdasic, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

We note that Transportation and Works Department requirements for this property will be addressed under Consent Application 'B' 19.24.





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 Grading and Drainage Plan

The applicant's Consulting Engineer, Skira & Associates Ltd has provided a Site Grading and Servicing Plan (DWG No: C101) which contains sufficient details to ensure grading compatibility with the adjacent lands. Acknowledging that from our

preliminary review of this Grading Plan we are satisfied with the proposal, we are keeping this condition in the event that any revisions may be required to the depicted proposed access which proposes a shared driveway within the municipal boulevard area.

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](mailto:susie.tasca@mississauga.ca).

3. Shared Access Driveway/Requirement for Hammerhead Driveway

The subject property is very unique in that the lots are very large, however because they are pie shaped lots there is very limited frontage for two lots fronting onto Sharon Crescent.

The Site Grading and Servicing Plan (DWG No: C101) prepared by Skira & Associates Ltd depicts a shared driveway within the municipal boulevard fronting onto Sharon Crescent. The submitted Plan also proposes hammerhead driveways which would help alleviate some concerns with vehicles backing out onto Sharon Crescent. In addition to the proposed hammerhead driveways depicted on the plan, the applicant has applied for variances (File 'A' 101 & 102/24) which would permit the construction of hammerhead driveways on these lands.

Our traffic section has indicated some concerns with regards to the proposed driveways not meeting the separation requirements as outlined in the TAC Geometric Design Guide for Canadian Roads (GDGCR) which requires a minimum

1 metre separation between residential driveways. Traffic has also indicated that the proposed driveway configuration may lead to overlapping between the severed and retained lots potentially restricting vehicle movements due to insufficient driveway width at the street line.

In view of the above, having regard for this very unique scenario where there is very large lot, a restricted frontage area, proposed hammerhead driveways and our traffic concerns we would suggest that a condition of approval be that assurances or mechanism be in place to ensure that the severed lots will be constructed with hammerhead driveways (as proposed) which would alleviate any access related concerns. In this regard adequate sight visibility and vehicle manoeuvrability for any vehicles entering and exiting the driveway can be provided.

For further information regarding the above noted comments, please contact Tony Iacobucci at (905) 615-3200 ext. 5129 or [tony.iacobucci@mississauga.ca](mailto: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 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 375mm and 450mm storm sewer on Sharon Crescent. 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 Walter Copping at (905) 615-3200 ext. 5831.

Comments Prepared by: Tony Iacobucci, Development Engineering

## 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.

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 consent application and advises as follows:

1. No public trees shall be injured or removed. If public tree removal is required, a permit must be issued as per By-law 0020-2022.
2. No private trees shall be injured or removed. If a private tree with a diameter of 15 centimetres or greater on private property is to be injured or destroyed, a permit must be issued as per By-law 0021-2022.
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](mailto: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. Due to the archaeological potential, an archaeological assessment must be completed. The applicant should contact the Ministry of Citizenship and Multiculturalism to determine if an archaeological assessment has been completed for this property. If an assessment has already been completed, please provide Heritage Planning with a letter from the Ministry confirming all archaeological resource concerns have met licensing and resource conservation requirements for the property. If an assessment has not been completed a licenced archaeologist with experience in (heritage resource management) must be retained by the property owner in order to meet the requirements of the Ministry.

Comments Prepared by: Andrew Douglas, Heritage Analyst

## Appendix 5 – Region of Peel

**Minor Variance/Consent: A-24-101M, A-24-102M, B-24-019M, 2572 Sharon Crescent**  
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](mailto: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](mailto: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](mailto:siteplanservicing@peelregion.ca).

Comments Prepared by: Ayooluwa Ayoola, 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

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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" /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 \_\_\_\_\_, 2023.
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 \_\_\_\_\_, 2023.
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 \_\_\_\_\_, 2023.
7. A letter shall be received from the Region of Peel, Development Services/Public Works, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated \_\_\_\_\_, 2023.
8. A letter shall be received from Metrolinx indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated \_\_\_\_\_, 2023.
9. A letter shall be received from the Credit Valley Conservation indicating that satisfactory arrangements have been made with respect to payment of the "Review Fee", and their comments dated \_\_\_\_\_, 2023.