

City of Mississauga Department Comments

Date Finalized: 2024-05-08	File(s): B33.24 A200.24 A201.24 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-05-16 1:00:00 PM

Consolidated Recommendation

The City has no objections to the requested consent and associated minor variance applications. The applicant may choose to defer the applications to verify the requested variances.

Application Details

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 17.27m (56.66ft) and an area of approximately 1,312sq.m (14,122sq.ft).

The applicant requests a minor variance for the severed lands of application B33/24 proposing a lot frontage of 17.27m (approx. 56.66ft) whereas By-law 0225-2007, as amended requires a minimum lot frontage of 18.00m (approx. 59.06ft) in this instance.

The applicant requests a minor variance for the retained lands of application B33/24 proposing a lot frontage of 17.27m (approx. 56.66ft) whereas By-law 0225-2007, as amended requires a minimum lot frontage of 18.00m (approx. 59.06ft) in this instance.

Recommended Conditions and/or Terms of consent

- Appendix A – Conditions of Provisional Consent
- The variance application approved under File(s) A200.24 and A201.24 must be finalized

Recommended Conditions and/or Terms of minor variance

- Variance(s) approved under file(s) A200.24 and A201.24 shall lapse if the consent application under file B33.24 is not finalized within the time prescribed by legislation.

Background

Property Address: 960 Meadow Wood Rd

Mississauga Official Plan

Character Area: Clarkson-Lorne Park Neighbourhood

Designation: Residential Low Density I

Zoning By-law 0225-2007

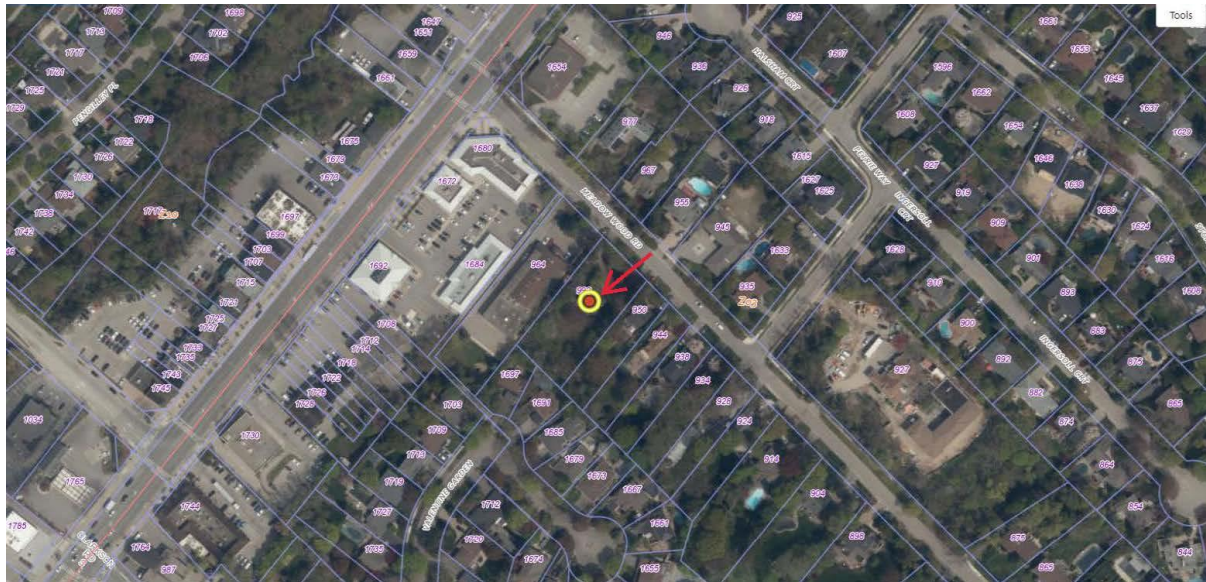
Zoning: R2-1 - Residential

Other Applications: B17.21, A97.21 and A98.21 (Prev. Approved)

Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, south of Lakeshore Road West and Meadow Wood Road. The neighbourhood south of Lakeshore Road West is primarily residential, consisting of large lots with one and two storey detached dwellings and significant mature vegetation. Immediately north of the subject property is an institutional use known as Peel Montessori School. Lot frontages within the neighbourhood range from approximately 17m to 30m (55.77ft to 98.43ft) and greater. The subject property contains an existing two storey detached dwelling with mature vegetation throughout the lot.

The applicant is proposing to sever the lot for the purpose of creating two new parcels to develop detached dwellings. As a result, variances for lot frontage are required.



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 Committee approved applications B17.21, A97.21 and A98.21 on April 8, 2021. Planning staff was supportive of the applicant's proposal. Approval of the 2021 applications lapsed, as conditions of approval were not satisfied within the legislated period. As such, the applicant has submitted the same proposal under applications B33.24, A200.24 and A201.24.

Does the proposal maintain the general intent and purpose of the Official Plan?

The severed and retained parcels propose lot frontages of 17.27m (56.66ft) and lot areas of approximately 1,312 m² (14,122ft²). The zoning by-law requires lot frontages of 18m (59.06ft) and lot areas of 695m² (7480.92ft²)

The subject property is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP) which permits, detached, semi-detached and duplex dwellings. As per Section 16.1.2.1, the minimum frontage and area of new lots will be evaluated in the context of the existing lot pattern in the surrounding area. Additionally, Section 5.3.5 (Neighbourhoods) states that neighbourhoods are not meant to remain static, however, when new development occurs, it should be sensitive to the neighbourhoods existing and planned character. Recognizing that intensification does not have to mirror existing development, the proposed severance is sensitive to the existing and planned character of the neighbourhood and will not result in significant adverse impacts to the community. The immediate neighbourhood contains lots with similar frontages and would not result in negative impacts to the established neighbourhood character. The proposed severance represents sensitive intensification that is compatible with the existing and planned character of the neighbourhood.

Staff are of the opinion that the application conforms to Section 51(24) of the *Planning Act*, more specifically that the application conforms to the official plan and the lot sizes are suitable for the purpose of developing two detached dwellings.

Does the proposal maintain the general intent and purpose of the Zoning By-law?

The intent of the zoning by-law is to ensure that new lots are appropriately sized and fit within the area context. The surrounding area contains a number of lots with similar frontages which do not destabilize the existing and planned area context. The proposed lot frontages are consistent with these lots and are generally consistent with the minimum lot requirements. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Is the proposal desirable for the appropriate development of the subject lands and minor in nature?

The intent of the application is to create two lots for the purpose of developing detached dwellings, maintaining the existing low-rise context of the neighbourhood. The proposed lots maintain the general context of the surrounding area and will not result in any significant adverse impacts to the existing and planned character of the community. The application represents an efficient use of land by promoting sensitive intensification that is compatible within the neighbourhood. Staff is of the opinion that the applications represent orderly development of the lands and are minor in nature.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We have reviewed the information submitted with this application and have no concern.

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/Servicing Plan

The applicant's consulting engineer will be required to prepare an Overall Grading and Drainage Plan which contains sufficient details to ensure grading compatibility with the adjacent lands and confirm that all the necessary municipal services can be provided and submit the grading and drainage proposal to this department for review/approval.

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

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

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. 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

Based on the information available, both the retained and severed parcels drain to the existing Meadow Wood Rd. storm sewer. 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 regarding the above noted comments, please contact John Salvino at (905) 615-3200 ext. 5129 or john.salvino@mississauga.ca

G. Russell
Supervisor, Development Engineering South
905-615-3200, ext. 5833

Comments Prepared by: Geoff Russell, Supervisor, Development Engineering - South

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, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

Park Planning

The Parks and Culture Planning Section of the Community Services Department has reviewed the consent application and notes the following:

1. 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

Forestry

The Forestry Section of the Community Services Department has no objections to the above noted 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. Please note if a tree is identified as a shared tree with the adjacent property owner, and the applicant intends to apply for a Tree Removal Permit, written consent must be obtained by both parties.

A Tree Removal Application to Permit the Injury or Destruction of Trees on Public and Private Property can be found at <https://www.mississauga.ca/publication/application-to-permit-the-injury-or-destruction-of-trees-on-public-and-private-property/>.

Should further information be required, please contact Rita Di Michele, By-law Inspector, Community Services Department at 905-615-3200 ext. 5872 or via email rita.dimichele@mississauga.ca.

Comments Prepared by: Rita Di Michele, By-law Inspector

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

Related Applications: B-24-033M; A-24-200M; A-24-201M / 960 Meadow Wood 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.
- The applicant shall verify the location of the existing service connections to the subject site and the contractor shall locate all existing utilities in the field. Requests for underground locates can be made at <https://www.ontarioonecall.ca/portal/>
- For location of existing water and sanitary sewer Infrastructure please contact Records by e-mail at PWServiceRequests@peelregion.ca.
- 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 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 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 by email at siteplanservicing@peelregion.ca.

Comments Prepared by: Petrele Francois, 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" 200-201/24)
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 May 8, 2024.
5. 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 May 8, 2024.