

City of Mississauga Department Comments

Date Finalized: 2024-07-03	File(s): B38.24
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2024-07-11 3:30:00 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 51(24) of the Planning Act

Application Details

The applicant requests the approval of Committee to sever a parcel of land for the purposes of a lot addition. The parcel has a frontage of approximately 4.50m (approx. 14.76ft) and an area of approximately 0.31acres (approx. 13503.60sq ft). The new parcel will be added to the property immediately to the northwest known as 2645 Royal Windsor Drive.

Recommended Conditions and/or Terms of consent

- Appendix A – Conditions of Provisional Consent

Background

Property Address: 2605 Royal Windsor Dr

Mississauga Official Plan

Character Area: Southdown Employment Area
Designation: Business Employment

Zoning By-law 0225-2007

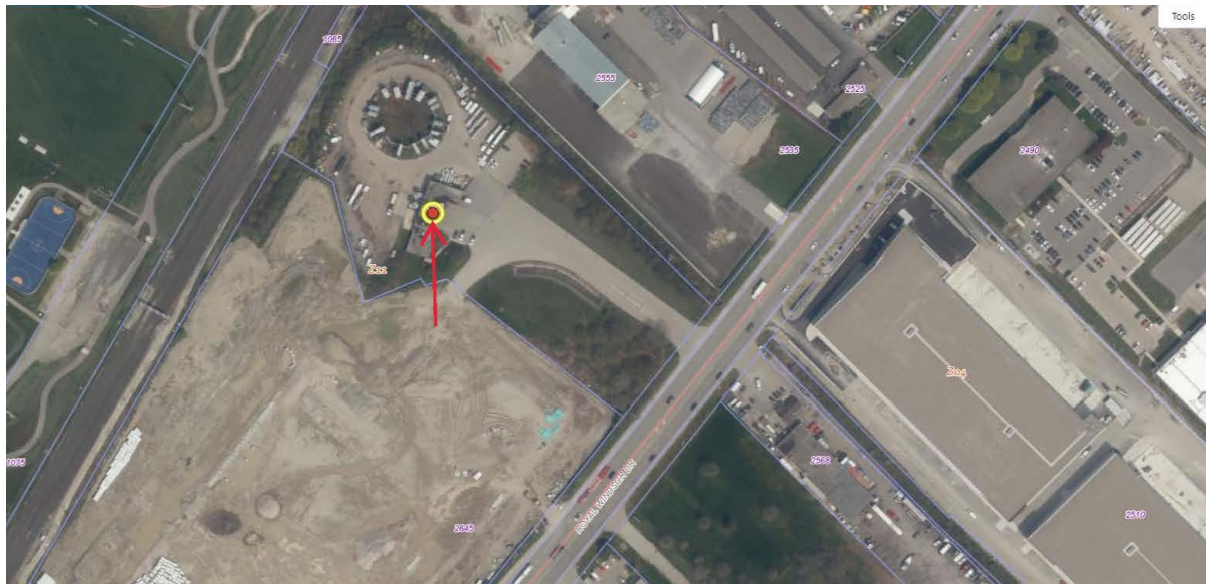
Zoning: E2-108- Employment

Other Applications: B39.24

Site and Area Context

The subject property is located within the Southdown Employment Area, east of the Royal Windsor Drive and Winston Churchill Boulevard intersection. The subject property abuts a Metrolinx rail corridor to the north and contains vegetation along the rear and side lot lines. The immediate area consists of a mix of commercial and industrial uses.

The applicant is proposing to sever a parcel of land for the purpose of a lot addition. The new parcel will be added to the property immediately to the northwest known as 2645 Royal Windsor Drive. This application was submitted in tandem with application B39.24.



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 application for consent are as follows:

The subject property is designated Business Employment on Schedule 10 of the Mississauga Official Plan (MOP). The applicant is proposing to sever a parcel of land for the purpose of a lot addition. The proposed severed parcel has a frontage of approximately 4.50m (14.76ft) and an area of approximately 0.31acres (13503.60ft²).

The severed parcel is being added to the property immediately to the west, known as 2645 Royal Windsor Drive. Planning staff have no concerns with the proposed consent. The lot additions will straighten the existing lot lines and create two lots (addition and retained) that are more appropriate shaped. There is no proposed development, change in use or operation being proposed at this time. Furthermore, the conveyance of land does not cause any lot area deficiency for the retained lands. 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

This Department has no objections to the applicant's request to attach the severed lands to the property immediately to the west known as 2645 Royal Windsor Drive.

We would recommend that the owner of the subject lands review their records and be satisfied that any underground services to either the severed or retained lands are located such that the services are confined within the limits of their own property. Should it be determined that there are any services which will conflict with the new property limits, the owner would have the option of abandoning that service(s) and arranging for the construction of a new service(s) in the proper location, or alternatively protect it by means of a private easement.

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: Brooke Herczeg, Zoning Examiner

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. 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. 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 – Metrolinx

Metrolinx is in receipt of the Consent application for 2605 Royal Windsor Dr and 2645 Royal Windsor Dr to facilitate a severance of both lands for a mutual land exchange consisting of:

- A lot Addition to permit transfer of a 0.31 acre parcel of land from 2605 Royal Windsor Drive to 2645 Royal Windsor Drive.
- A lot Addition to permit the transfer of a 0.18 acre parcel of land from 2645 Royal Windsor Drive to 2605 Royal Windsor Drive.

As circulated on Jun 11th, 2024 and to be heard at Public Hearing on July 11, 2024 at 3:30 PM. Metrolinx's comments on the subject application are noted below:

- The subject properties are located within 300m, adjacent to the Metrolinx Oakville Subdivision which carries Metrolinx's Lakeshore West GO Train service.

GO/HEAVY-RAIL – ADVISORY COMMENTS

- As the requested variance/consent is for a technical severance to provide a lot addition to adjacent lands and no new construction/development is proposed at this time, Metrolinx has no objections to the specified variances should the committee grant approval.

- Please keep Metrolinx engaged and circulate any subsequent development applications should the lands be considered for any future developments as there may be further requirements at that time.

- The Proponent is advised of the following:

- **Warning:** Metrolinx and its assigns and successors in interest has or have a right-of-way within 300 metres from the subject land. There may be alterations to or expansions of the rail or other transit facilities on such right-of-way in the future including the possibility that Metrolinx or any railway entering into an agreement with Metrolinx to use the right-of-way or their assigns or successors as aforesaid may expand or alter their operations, which expansion or alteration may affect the environment of the occupants in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual lots, blocks or units.

Should you have any questions or concerns, please contact farah.faroque@metrolinx.com.

Comments Prepared by: Farah Faroque, Project Analyst, Third Party Project Review

Appendix 6 – CVC

Credit Valley Conservation (CVC) staff have reviewed the subject application and offer comments based on the following roles and responsibilities:

1. Delegated Responsibilities – providing comments representing the provincial interest regarding natural hazards (except forest fires) as identified in Section 3.1 of the Provincial Policy Statement (2020);
2. Regulatory Responsibilities – providing comments to ensure the coordination of requirements under the *Conservation Authorities Act* Section 28 regulation, to eliminate unnecessary delay or duplication in process;
3. Source Protection Agency – providing advisory comments to assist with the implementation of the CTC Source Protection Plan under the *Clean Water Act*, as applicable.

CVC REGULATED AREA

Based on our mapping, the subject properties are regulated due to a watercourse (Avonhead Creek) traversing the properties. As such, the property is regulated by CVC and is subject to the Prohibited Activities, Exemptions, and Permits Regulation (Ontario Regulation 41/24). This regulation prohibits altering a watercourse, wetland or shoreline and prohibits development in areas adjacent to the Lake Ontario shoreline, river and stream valleys, hazardous lands and wetlands, without the prior written approval of CVC (i.e. the issuance of a permit).

PROPOSAL:**B24/038**

It is our understanding that the applicant is requesting the Committee to sever a parcel of land for the purposes of a lot addition. The parcel has a frontage of approximately 4.50m (approx. 14.76ft) and an area of approximately 0.31 acres (approx. 13503.60sq ft). The new parcel will be added to the property immediately to the northwest known as 2645 Royal Windsor Drive.

B24/039:

It is our understanding that the applicant is requesting the Committee to sever a parcel of land for the purposes of a lot addition. The parcel has a frontage of approximately 14.05m (approx. 46.10ft) and an area of approximately 0.18 acres (approx. 7840.80sq ft). The new parcel will be added to the property immediately to the northeast known as 2605 Royal Windsor Drive.

COMMENTS:

Based on the review of the information provided, CVC has no concern with the approval of the consent application at this time as no new development is being proposed at the subject properties and that the applications are for lot-line adjustment only.

Please be advised that a CVC permit will be required for any new development proposed on both properties.

The applicant is to note that CVC has not received payment of the review fee of \$1,228 for this Consent application. The applicant should forward this directly to CVC at the earliest convenience.

I trust that these comments are sufficient. Please do not hesitate to contact the undersigned at stuti.bhatt@cvc.ca or 905-670-1615 (ext. 350) should you have any further questions. Please circulate CVC on any future correspondence or applications regarding this site.

Comments Prepared by: Stuti Bhatt, Junior Planner

Appendix 7 – Region of Peel**Applications: B-24-038M / 2605 Royal Windsor Drive**

Development Engineering: Wendy Jawdek (905) 791-7800 x6019

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.

Planning: Petrele Francois (905) 791-7800 x3356

Comments:

- We acknowledge that the subject site is located within a Regional Employment Area, identified on Schedule E-4 of the Regional Official Plan (ROP) and within a Provincially Significant Employment Zone (F-12).

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" /23).
4. 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 July 3, 2024.