

# City of Mississauga Department Comments

Date Finalized: 2024-08-07 To: Committee of Adjustment From: Committee of Adjustment Coordinator	File(s): B35.24 A246.24 A247.24 Ward: 2
	Meeting date:2024-08-15 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 meets the requirements of Section 45(1) of the Planning Act. 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

### B35/24

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 22.340m (approx. 73.298ft) and an area of approximately 882.19m (approx. 9495.89sq ft).

### A246/24

The applicant requests a minor variance for the severed lands of B35/24 proposing a lot frontage of 22.340m (approx. 73.298ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 30.00m (approx. 98.43ft) in this instance.

### A247/24

The applicant requests a minor variance for the retained lands of B35/24 proposing:

1. A lot frontage of 22.86m (approx. 73.41ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 30.00m (approx. 98.43ft) in this instance;
2. A combined side yard width of 4.83m (approx. 15.84ft) whereas By-law 0225-2007, as amended, requires a minimum combined side yard width of 6.17m (approx. 20.25ft) in this instance;
3. A lot coverage of 25.16% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25.00% in this instance; and,
4. A side yard setback of 2.42m (approx. 7.93ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 4.20m (approx. 13.78ft) in this instance.

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

- Appendix A – Conditions of Provisional Consent
- The variance application approved under File(s) "[Enter file #]" must be finalized
- "[Enter terms and conditions here]"

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

- Variance(s) approved under file(s) "[Enter file #]" shall lapse if the consent application under file B35.24 A246.24 A247.24 is not finalized within the time prescribed by legislation.
- "[Enter terms and conditions here]"

**Background**

**Property Address: 393 Country Club Cres**

**Mississauga Official Plan**

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

**Zoning By-law 0225-2007**

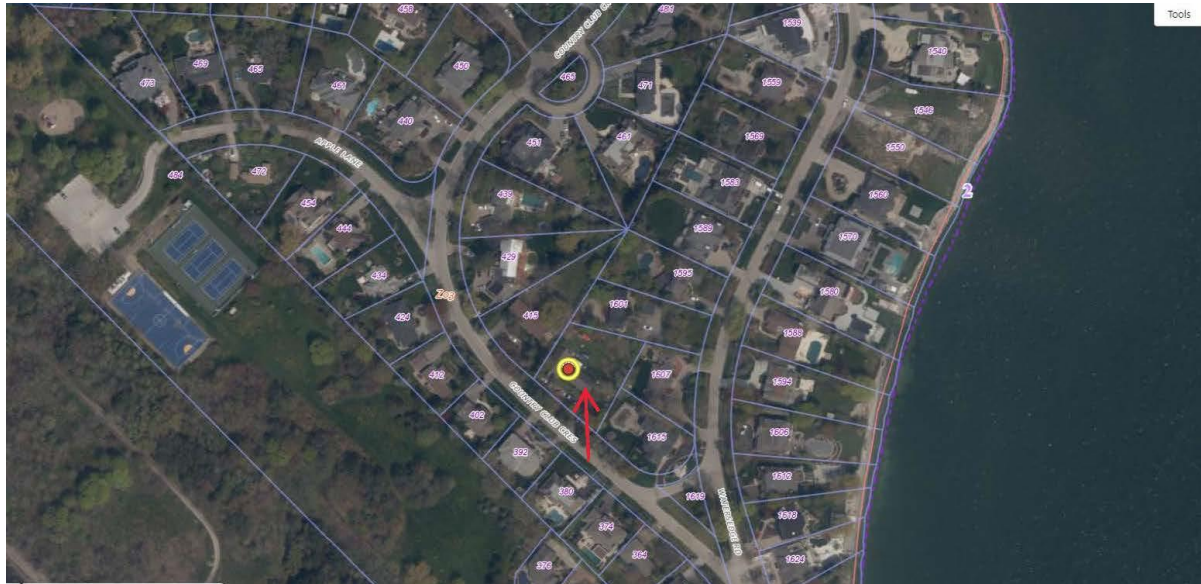
**Zoning: R1-2-Residential**

**Other Applications: None**

**Site and Area Context**

The subject property is located within the Clarkson-Lorne Park Neighbourhood, southeast of the Southdown Road and Lakeshore Road West intersection. The immediate neighbourhood is entirely residential consisting of one and two-storey detached dwellings on lots with mature vegetation in both the front and rear yards. The subject property is currently under demolition and contains mature vegetation throughout.

The applicant is proposing to sever the subject property in order to create two new parcels for the purpose of developing detached dwellings. Variances are required for reduced frontages, setbacks and increased lot coverage.



## 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 minor variance request are as follows:

The application was deferred on May 30, 2024, to allow the applicant an opportunity to submit elevations for the proposed dwellings and confirm the frontage of the proposed lots. Staff had recommended support of the application at the time. The lot frontage has been revised from

22.86m (75ft) to 22.34m (approx. 73.298ft) for the severed lot, which is a minor deviation from the original calculation in staff's opinion. No other changes have been made to the application at this time. Staff have reviewed the revised drawings and have no additional concerns.

As such, staff position remains the same and staff have no concerns with the consent and minor variance applications.

Comments Prepared by: Shivani Chopra, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

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

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

3. Access Revisions

The proposed southern lot driveway access may lead to traffic safety and/or operational concerns (such as sight distances, site obstructions etc.) due to the driveway having a horizontal curvature/change in alignment internal to the site.

The site plan is to be revised to straighten the alignment of the residential driveway to the municipal right-of-way. Should this not be feasible to position the residential driveway in such a way, the applicant shall be required to provide technical justification providing a site access review by a qualified traffic consultant in the form of a Traffic Memo/Brief, including a sightline analysis and recommendations for works required to facilitate a safe access.

For further clarification please contact Yousef Hereich at x8363.

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

The applicant is advised that there is no storm sewer system available in front of the proposed lots on Country Club Crescent. In this regard, we advise that all dwellings to be constructed on the both the severed and retained lands will require a sump pump to discharge the weeping tile to grade. It is the full responsibility of the applicant to advise any prospective purchasers of the properties of this requirement.

For further information regarding the above noted comments, please contact John Salvino at (905) 615-3200 ext. 5129 or [john.salvino@mississauga.ca](mailto: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 & 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](mailto:Nicholas.Rocchetti@mississauga.ca).

Comments Prepared by: Nicholas Rocchetti, Planner in Training

### Forestry

The Forestry Section of the Community Services Department has reviewed the consent application 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 393 Country Club Cres:

- Crab Apple (26 cm DBH) – Good Condition – \$1,300.00
- Norway Maple (19 cm DBH) - Good Condition - \$900.00
- Norway Maple (19 cm DBH) - Good Condition - \$900.00
- Austrian Pine (67 cm DBH) – Good Condition - \$8,000.00

- Austrian Pine (51 cm DBH) – Good Condition - \$4,700.00
- Norway Maple (22 cm DBH) – Good Condition - \$1,100.00
- Colorado Spruce (36 cm DBH) – Good Condition - \$2,900.00
- White Pine (39 cm DBH) – Good Condition - \$3,400.00
- White Pine (47 cm DBH) – Good Condition - \$4,800.00

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 \$28,000.00 for the preservation of the municipal trees.

In addition, Community Services notes the following:

1. No public trees shall be injured or removed. If public tree injury or 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.
4. 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 Jamie Meston to request a Submission of Fees and Securities form and any other inquiries regarding the payment process.

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 Jamie Meston, Landscape Architect Assistant, Forestry Section, Community Services Department at 905-615-3200 ext. 4264 or via email [jamie.meston@mississauga.ca](mailto:jamie.meston@mississauga.ca).

Comments Prepared by: Jamie Meston, Landscape Architect Assistant



**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**

Please apply our previous comments.

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" 246-247/24)
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 August 8<sup>th</sup>, 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 August 8<sup>th</sup>, 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 August 8<sup>th</sup>, 2023.