

City of Mississauga Department Comments

Date Finalized: 2024-10-16	File(s): B62.24 A457.24 A66.23 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-10-24 3:30:00 PM

Consolidated Recommendation

The City recommends that the severance and the associated minor variance applications be refused.

Application Details

B62/24

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 13.25m (approx. 43.47ft) and an area of approximately 529.60sq. m (approx. 5700.61sq ft).

A457/24

The applicant requests the Committee to approve a minor variance on the severed lands proposing:

1. A lot area of 529.60sq m (approx. 5700.61sq ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 550.00sq m (approx. 5920.20sq ft) in this instance;
2. A lot frontage of 13.25m (approx. 43.47ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m (approx. 49.22ft) in this instance;
3. A side yard setback of 0.91m (approx. 2.99ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.20m (approx. 3.94ft) in this instance;
4. A side yard setback to the second storey of 0.86m (approx. 2.82ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback to the second storey of 1.81m (approx. 5.94ft) in this instance;
5. A combined side yard width of 1.78m (approx. 5.84ft) whereas By-law 0225-2007, as amended, requires a minimum combined side yard width of 3.60m (approx. 11.81ft) in this instance;
6. A garage projection of 1.98m (approx. 6.50ft) whereas By-law 0225-2007, as amended, permits a maximum garage projection of 0.00m (approx. 0.00ft) in this instance;
7. A front yard setback to the second storey of 6.92m (approx. 22.70ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback to the second storey of 7.50m

(approx. 24.61ft) in this instance;

8. A setback to a railway of 16.16m (approx. 53.02ft) whereas By-law 0225-2007, as amended, requires a minimum setback to a railway of 30.00m (approx. 98.43ft) in this instance.

A66/23

The applicant requests the Committee to approve a minor variance on the retained lands proposing:

1. A lot area of 529.00sq m (approx. 5698.61sq ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 550.00sq m (approx. 5920.20sq ft) in this instance;
2. A lot frontage of 13.25m (approx. 43.47ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m (approx. 49.22ft) in this instance;
3. A side yard setback of 0.91m (approx. 2.99ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.20m (approx. 3.94ft) in this instance;
4. A side yard setback to the second storey of 0.87m (approx. 2.92ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback to the second storey of 1.81m (approx. 5.94ft) in this instance;
5. A combined side yard width of 1.78m (approx. 5.84ft) whereas By-law 0225-2007, as amended, requires a minimum combined side yard width of 3.60m (approx. 11.81ft) in this instance;
6. A garage projection of 1.98m (approx. 6.50ft) whereas By-law 0225-2007, as amended, permits a maximum garage projection of 0.00m (approx. 0.00ft) in this instance;
7. A front yard setback to the second storey of 6.10m (approx. 20.01ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback to the second storey of 7.50m (approx. 24.61ft) in this instance;
8. A front yard setback of 6.61m (approx. 21.69ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback to the second storey of 7.50m (approx. 24.61ft) in this instance;
9. A setback to a railway of 17.34m (approx. 57.10ft) whereas By-law 0225-2007, as amended, requires a minimum setback to a railway of 30.00m (approx. 98.43ft) in this instance.

Recommended Conditions and/or Terms

- Appendix A – Conditions of Provisional Consent

Background

Property Address: 430 Marf Ave

Mississauga Official Plan

Character Area: Mineola Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

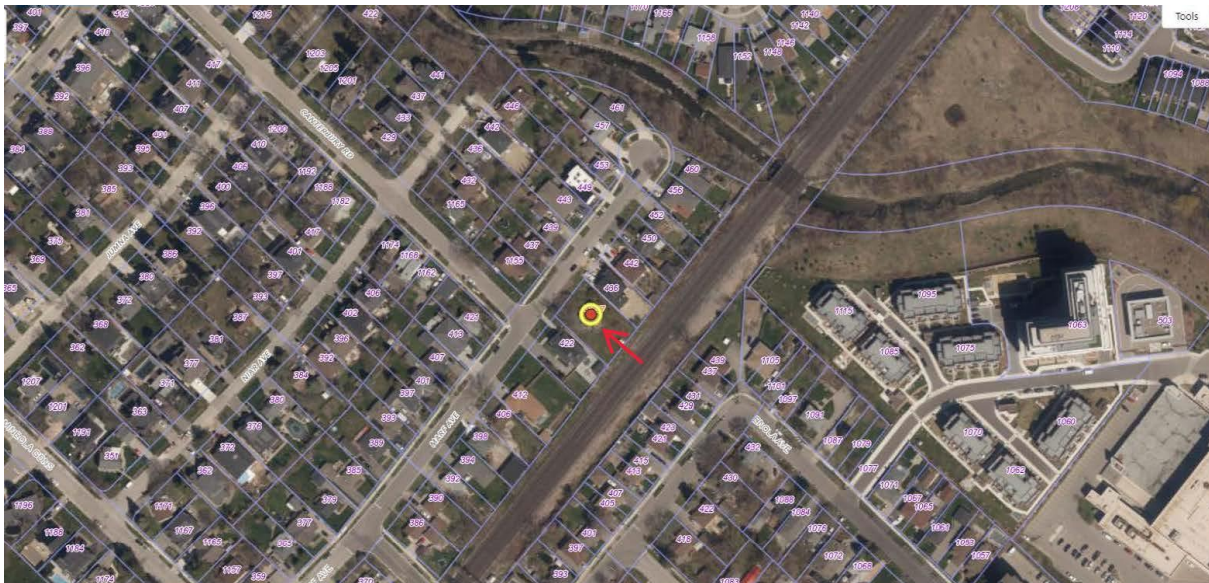
Zoning: R3-1 - Residential

Other Applications: None

Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, southeast of the Atwater Avenue and Canterbury Road intersection. Directly abutting the property to the south is a Metrolinx Rail Corridor. The immediate area consists of a mix of older and newer one and two-storey detached dwellings with mature vegetation throughout the properties. The subject property contains an existing one-storey detached dwelling with mature vegetation in the front yard.

The applicant is proposing to sever the lot into two parcels to facilitate two new two-storey detached dwellings requiring variances related to lot area, lot frontage, setbacks and garage projection for both the severed and retained lots.



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. 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 Provincial Policy Statement 2020 (PPS 2020) promotes efficient development and land use patterns, directing intensification and redevelopment towards areas that can take advantage of existing amenities and infrastructure. The PPS accompanies this direction by outlining policies that emphasizes the need to avoid development within the floodplains. It further discourages site alterations to lands within flood hazard.

Section 51(24)(h) of the Planning Act states that proposals shall have regard for the conservation of natural resources and flood control. Staff note a significant portion of the subject property is within the flood hazard associated with Cooksville Creek. The Credit Valley Conservation Authority (CVC) and PPS do not support the creation of new lots that extend into, or fragments ownership of hazardous land, in consideration of the long-term management concerns related to risks to life and property. Further, CVC policy does not support increasing the number of dwelling units within the flood hazard.

The Mississauga Official Plan policies regarding site alterations within the flood hazard lands state that the Natural Hazard Lands are generally unsafe, and development and site alteration will generally not be permitted due to the naturally occurring processes of erosion and flooding associated with river and stream corridors. The official plan also notes that development and site alteration is generally prohibited on lands subject to flooding. Further, any site access for development adjacent to or within the flood plain will be subject to appropriate conservation authority policies and the policies of the City.

Additionally, staff note that access to the proposed lot goes through the floodplain which is a concern. Staff is of the opinion that this is not appropriate development. Lastly, Transportation and Works staff have concerns regarding the feasibility of the proposal.

Based on the preceding information, staff are of the opinion that the application does not meet the intent of the official plan and zoning by-law, nor is it minor or appropriate development. Moreover, the application does not conform to Section 51(24) of the Planning Act. As such, staff recommend the consent and associated minor variance applications be refused.

Comments Prepared by: Shivani Chopra, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting that any Transportation and Works Department concerns/requirements for this property will be addressed under Consent Application 'B' 62/24.

Through our initial review of this application, we anticipate some issues/concerns which may have a significant impact on the feasibility of the proposed severance. Further review and analysis is required to be undertaken to ensure that the proposed outdoor living area (OLA) and building design for the 2 lots can be adequately mitigated to Ministry of the Environment, Conservation and Parks (MECP) requirements for noise and vibration emanating from railway activities adjacent to the site. Until a detailed noise and vibration study is submitted for review, this Department cannot support the application in its current form. We note that this section of the Metrolinx railway corridor has significant railway traffic volumes and noise levels emanating from the railway traffic as has been exhibited in other noise and vibration studies along this railway corridor.

For the applicant's information, an OLA is identified in the Environmental Noise Guidelines (Publication NPC-300) of the MECP. A minimum area of 56.00m² (602.79sq.ft.) is required for single family dwellings to be protected.

In addition, under Section 6.10.4.1 of Mississauga Official Plan, states that every effort should be made to achieve the sound level limits specified by the applicable Provincial Government environmental noise guideline for an outdoor living area (55dBA or less). Only in cases where the required noise attenuation measures are not feasible for technical, economic, aesthetic or administrative reasons would excess noise above the limit (55 dBA) be acceptable, with a warning clause to prospective purchasers, consistent with the applicable Provincial Government environmental noise guideline. In these situations, any excess noise above the limit will not be acceptable if it exceeds 60 dBA.

In view of the above noted concerns, we strongly request that this application be deferred to provide the applicant an opportunity to provide the required noise and vibration impact study to determine the feasibility of the proposed severance.

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.

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: Emily Majeed, Planner-in-Training

Appendix 3 – Parks, Forestry & Environment

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 – Park Planning, Community Services Department at 905-615-3200 ext. 4659 or via email nicholas.rocchetti@mississauga.ca.

Comments Prepared by: Nicholas Rocchetti, Planner

The Forestry Section of the Community Services Department has reviewed the above noted consent application. Should the application be approved, Forestry wishes to impose the following conditions:

1. The applicant shall provide a cash contribution of \$1,699.82 for the planting of two (2) street trees on Marf Avenue. This figure is subject to the most recent Fees and Charges By-law at the time of payment and is therefore subject to change.

In addition, Forestry 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. The applicant shall provide framed tree hoarding at the dripline of the above noted trees prior to any construction to the satisfaction of City of Mississauga Forestry Staff. Please

call Matthew McMullen at 905-615-3200 ext. 3508 or Mike Newbold at 905-615-3200 ext. 8280 to arrange a hoarding inspection.

5. 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.

An 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 Technician, Forestry Section, Community Services Department at 905-615-3200 ext. 4264 or via email jamie.meston@mississauga.ca.

Comments Prepared by: Jamie Meston, Landscape Technician

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 and Minor Variance applications for 430 Marf Ave, to facilitate the severance of the lands for the creation of a new lot and to facilitate the construction of a new two-storey dwelling on both the lands severed and retained with a minimum proposed setback to the Metrolinx Rail corridor of approximately 16.2m. All as circulated on September 27, 2024, and to be heard at Public Hearing on October 24, 2024, at 3:30 PM. Metrolinx's comments on the subject application are noted below:

- The subject property is located adjacent to Metrolinx Oakville Subdivision which carries Metrolinx's Lakeshore West GO Train service.

GO/HEAVY-RAIL – CONDITIONS OF APPROVAL

General Comments:

Please note that Metrolinx is a stakeholder that has provided comments on the related Site Plan application of this site (SPI 22 - 116 W1). Any comments/requirements previously provided by Metrolinx/our Technical Advisor would still be applicable.

Noise and Vibration Comments:

- Metrolinx is in receipt of the Environmental Noise & Vibration Impact Study prepared by Vintec Acoustics dated September 8, 2023. Metrolinx provides the following comments:
 - It is understood that Metrolinx Rail Data was obtained through correspondence from June 23, 2023, and reflected in *Table B1: Summary of Metrolinx (Oakville Subdivision) volumes*. We note the rail data has been accurately reflected in the report. No further comments in this regard.
 - We note that in *Appendix A Summary Tables, Table 1a*, a 2% growth rate may have been applied to the Metrolinx rail data. Please be advised that the provided data has already been forecast to a 10-year projection so typically a growth factor should not be applied. It's unclear based on the sample calculations, if the growth rate was applied, however, we leave it to the discretion of the Noise Consultant whether the report should be revised.
 - We note per *Section 3.2* that vibration measurements exceeded 0.14mm/s RMS and the Consultant has recommended a foundation wall isolation concept to address this occasional excess above the limit. We note that any vibration mitigation implemented should be on the Proponent's property and not on Metrolinx owned lands.
 - We note that the Noise Consultant has recommended noise control measures, including specific building façade constructions, building orientation, preferred floor plan etc., and warning clauses to achieve MECP noise guidelines. Metrolinx will require that recommendations made by the Noise Consultant are adhered to.
 - We note that the Metrolinx warning clause has been included in Appendix D of the report. No further comments in this regard.

Rail Safety Comments:

- Metrolinx's Adjacent Development Guidelines requires residential development to be set back a minimum of 30 metres from railway corridors. In instances where this is not feasible or practical, often the case with infill development, the development footprint of the new residential building should not be closer to the railway corridor than the existing development footprint. I note that both proposed two-storey developments are located ~16.2 metres from the railway corridor and is closer to the rail corridor than the existing structure. Metrolinx will require the Owner enter into an Infill Adjacent Development Agreement with Metrolinx to acknowledge that the development setback does not meet the required

distance, and that the Owner absolves Metrolinx of all liability in the event of a train derailment. More information on the Agreement below.

- Metrolinx's Adjacent Development Guidelines requires residential development include a safety barrier (e.g. earthen berm) to protect the development in the event of a train derailment. In instances where a safety barrier is not feasible or practical, often the case with infill development, Metrolinx requires the Owner enter into an Infill Adjacent Development Agreement with Metrolinx to acknowledge that the development does not include the requisite safety barrier, and that the Owner absolves Metrolinx of all liability in the event of a train derailment. More information on the Agreement below.
- Metrolinx would like to note that additional drainage from the proposed development is not permitted onto Metrolinx-owned lands, without prior approval from Metrolinx and our Technical Advisor.

Agreements:

- The Owner will be required to enter into an Infill Adjacent Development Agreement with Metrolinx to satisfy Metrolinx's concerns. The Owner may contact Farah.Faroque@metrolinx.com to obtain a copy of the draft agreement for review and signature.
- Per Section 3.9 of the Federation of Canadian Municipalities and Railway Association of

Canada's Guidelines for New Development in Proximity to Railway Operations, the Owner shall grant Metrolinx an environmental easement for operational emissions, which is to be registered on title for all residential uses within 300 metres of the rail right-of-way. A copy of the form of easement is attached for the applicant's information. The applicant may contact Farah.Faroque@metrolinx.com to begin the registration process, or with any questions. (It should be noted that the registration process can take up to 6 weeks).

- The Proponent shall provide confirmation to Metrolinx, that the following warning clause has been inserted into all Development Agreements, Offers to Purchase, and Agreements of Purchase and Sale or Lease of each dwelling unit within 300 metres of the Railway Corridor:
 - **Warning:** The Applicant is advised that the subject land is located within Metrolinx's 300 metres railway corridor zone of influence and as such is advised that Metrolinx and its assigns and successors in interest has or have a right-of-way within 300 metres from the subject land. The Applicant is further advised that 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 property is regulated due to flood hazard associated with Cooksville creek. As such, the property 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:

It is our understanding that the applicant is requesting the Committee to approve the following:

B62/24: 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 13.25m (approx. 43.47ft) and an area of approximately 529.60sq. m (approx. 5700.61sq ft).

A457/24: The applicant requests the Committee to approve a minor variance on the severed lands proposing:

1. A lot area of 529.60sq m (approx. 5700.61sq ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 550.00sq m (approx. 5920.20sq ft) in this instance;
2. A lot frontage of 13.25m (approx. 43.47ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m (approx. 49.22ft) in this instance;
3. A side yard setback of 0.91m (approx. 2.99ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.20m (approx. 3.94ft) in this instance;
4. A side yard setback to the second storey of 0.86m (approx. 2.82ft) whereas By-law 0225-2007, as amended, requires a minimum side

yard setback to the second storey of 1.81m (approx. 5.94ft) in this instance;

5. A combined side yard width of 1.78m (approx. 5.84ft) whereas By-law 0225-2007, as amended, requires a minimum combined side yard width of 3.60m (approx. 11.81ft) in this instance;
6. A garage projection of 1.98m (approx. 6.50ft) whereas By-law 0225-2007, as amended, permits a maximum garage projection of 0.00m (approx. 0.00ft) in this instance;
7. A front yard setback to the second storey of 6.92m (approx. 22.70ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback to the second storey of 7.50m (approx. 24.61ft) in this instance;
8. A setback to a railway of 16.16m (approx. 53.02ft) whereas By-law 0225-2007, as amended, requires a minimum setback to a railway of 30.00m (approx. 98.43ft) in this instance.

A66/23: The applicant requests the Committee to approve a minor variance or the retained lands proposing:

1. A lot area of 529.00sq m (approx. 5698.61sq ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 550.00sq m (approx. 5920.20sq ft) in this instance;
2. A lot frontage of 13.25m (approx. 43.47ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m (approx. 49.22ft) in this instance;
3. A side yard setback of 0.91m (approx. 2.99ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.20m (approx. 3.94ft) in this instance;
4. A side yard setback to the second storey of 0.87m (approx. 2.92ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback to the second storey of 1.81m (approx. 5.94ft) in this instance;
5. A combined side yard width of 1.78m (approx. 5.84ft) whereas By-law 0225-2007, as amended, requires a minimum combined side yard width of 3.60m (approx. 11.81ft) in this instance;
6. A garage projection of 1.98m (approx. 6.50ft) whereas By-law 0225-2007, as amended, permits a maximum garage projection of 0.00m (approx. 0.00ft) in this instance;
7. A front yard setback to the second storey of 6.10m (approx. 20.01ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback to the second storey of 7.50m (approx. 24.61ft) in this instance;

8. A front yard setback of 6.61m (approx. 21.69ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback to the second storey of 7.50m (approx. 24.61ft) in this instance;
9. A setback to a railway of 17.34m (approx. 57.10ft) whereas By-law 0225-2007, as amended, requires a minimum setback to a railway of 30.00m (approx. 98.43ft) in this instance.

COMMENTS:**B24/62**

Based on review of information available, a portion of the subject property is within the flood hazard associated with Cooksville Creek. CVC and Provincial policy do not support the creation of a new lot that extends into, or fragments ownership of hazardous land, in consideration of the long-term management concerns related to risks to life and property. Based on the site plan prepared by Huis Design Studio, the proposed severance results in fragmentation of the flood hazard, which is not supported by CVC policies.

Further, it would need to be demonstrated that there is a sufficient building envelope on the proposed lot to be created and the proposed lot to be retained to incorporate all necessary infrastructure (e.g., dwelling, driveway, accessory structures, septic, etc.) outside the flood hazard. Based on the site plan prepared by Huis Design Studio, the proposed new dwelling identified as 430A Marf Avenue is within the floodplain, and the proposed new dwelling identified as 430B Marf Avenue is immediately adjacent to the floodplain. CVC policy does not support increasing the number of dwelling units within the flood hazard, as it would be an increase in risk to life and property.

A24/457

Based on the review of the information provided, CVC staff have concerns with the proposed minor variances as the proposed new dwelling at 430A Marf Avenue is within the floodplain associated with Cooksville Creek. Furthermore, CVC staff typically recommend a 10m buffer from the hazard to the proposed new lot line and/or development. Based on the site plan submitted, the proposed house on both lots appear to be touching the floodplain with no or limited buffer, which is a concern for new lot creation. In addition, it has not been demonstrated that the proposed lot for 430A Marf Avenue meets the safe access criteria, as per section 7.5 of CVC's watershed Planning and Regulation Policies.

Comments Prepared by: Stuti Bhat, Junior Planner

Appendix 7 – Region of Peel**Applications: B-24-062M, A-23-066M, A-24-457M / 430 Marf Avenue**

Development Engineering: Wendy Jawdek (wendy.jawdek@peelregion.ca)(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.
- 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.
- Installation of and alterations to property line water valves and chambers and sanitary/storm sewer maintenance holes require inspection by Region of Peel inspectors to confirm if these works are completed in accordance with Region of Peel Design Criteria, Standards, and Specifications.
- 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.

Note: Petrele Francois (petrele.francois@peelregion.ca)(905) 791-7800 x3356

- Please be advised that the subject lands are located within a floodplain and the regulated area of the Credit Valley Conservation Authority (CVC). We request that City staff consider comments from the CVC and incorporate their conditions of approval appropriately.

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" 457/24, "A" 66/23)
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 Oct 16, 2024.
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 Oct 16, 2024.
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 Oct 16, 2024.
7. A letter shall be received from Metrolinx indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated Oct 9, 2024.
8. A letter shall be received from the Credit Valley Conservation indicating that satisfactory arrangements have been made with respect to their comments dated Oct 11, 2024.

NOTE:

Subsection 50(3) and/or 50(5) of the Planning Act, shall apply to any subsequent conveyance or transaction that is subject to this consent and the Secretary-Treasurer's Certificate shall contain reference to this stipulation.