

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2024-11-21	File(s): B69.24
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:11/28/2024 1:00:00 PM

Consolidated Recommendation

The City has no objections to the consent application.

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 15.54m (50.98ft) and an area of approximately 575.11sq.m (6,190.43sq.ft).

Recommended Conditions and/or Terms

- Appendix A – Conditions of Provisional Consent

Background

Property Address: 2240 Dixie Rd

Mississauga Official Plan

Character Area: Lakeview Neighborhood
Designation: Residential Low Density I

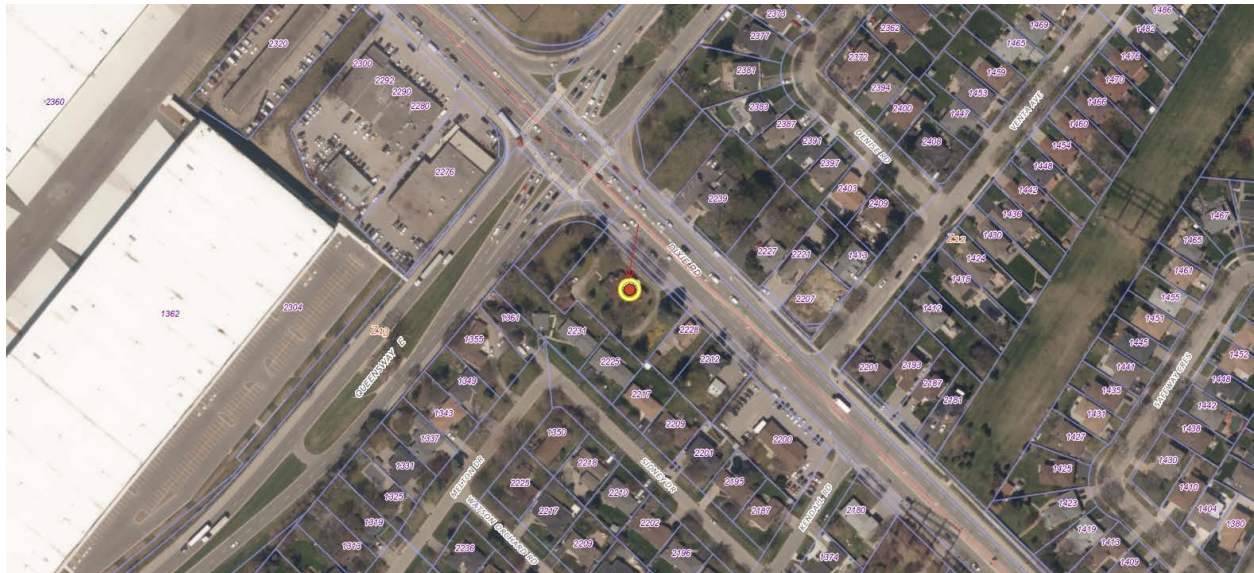
Zoning By-law 0225-2007

Zoning: R3-75 - Residential

Site and Area Context

The subject property is a corner lot, located within the Lakeview Neighbourhood Character Area, southwest of the Dixie Road and Queensway East intersection. The immediate area is primarily residential south of Queensway East, consisting of lots with one and two storey detached dwellings and mature vegetation. The neighbourhood consists of a mix of frontages ranging from approximately 17m(55ft) to 30m(98ft). The subject property currently contains a one storey dwelling with mature vegetation surrounding the property.

The applicant is proposing to sever the lot for the purpose of creating two new parcels to facilitate detached dwellings.



Comments

Planning

Provincial Matters

The Provincial Policy Statement 2024 (PPS 2024) promotes efficient development and land use, directing the focus towards intensification and redevelopment. The proposal is consistent with the general directive in provincial policy.

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.

Staff comments concerning the application are as follows:

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, to preserve the character of lands designated Residential Low Density I and Residential Low Density II, 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.

Staff are satisfied that 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 area contains an eclectic mix of lot frontages and lot fabrics ranging from approximately 17m(55ft) to 30m(98ft). Staff note that both the proposed and existing lots meet the zoning by-law requirements for lot areas and frontages.

Staff are of the opinion that the proposed lots can accommodate detached dwellings in keeping with the character of the neighbourhood. Further, staff are satisfied that the proposed parcels do not pose adverse impacts to the surrounding area.

Based on the preceding information, staff are of the opinion that the consent application conforms to Section 51(24) of the Planning Act, more specifically that the lots conform to the official plan and the size of the lots are compatible within the immediate neighbourhood.

Notwithstanding the above, staff note the existing dwelling is listed on the Heritage Register. Listed heritage properties have been identified because they have cultural heritage value or interest, thereby requiring a Heritage Impact Assessment. Further, the Region of Peel requires land dedication for road widening and has concerns regarding access configuration, location and type. Planning staff have received confirmation from both the departments that they are supportive of the proposal with these concerns being tied to the conditions of provisional consent.

As such, staff have no objection to the proposed severance.

Comments Prepared by: Shivani Chopra, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

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 will be required to prepare an Overall Grading and Drainage Plan which contains sufficient details to ensure grading compatibility with the adjacent lands 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 the Corporate Services Department, Information Technology Division, Digital Workflows, Business Intelligence & Visualization Technologies Section, GIS Data Management 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

For further information regarding the above noted comments, please contact John Salvino at (905) 615-3200 ext. 5183 or john.salvino@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

All matters pertaining to arranging access to the site from Dixie Road will be under the direction of The Region of Peel.

4. Storm Sewer Outlet

All matters pertaining to arranging a Storm connection to the site from Dixie Road will be under the direction of The Region of Peel.

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

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







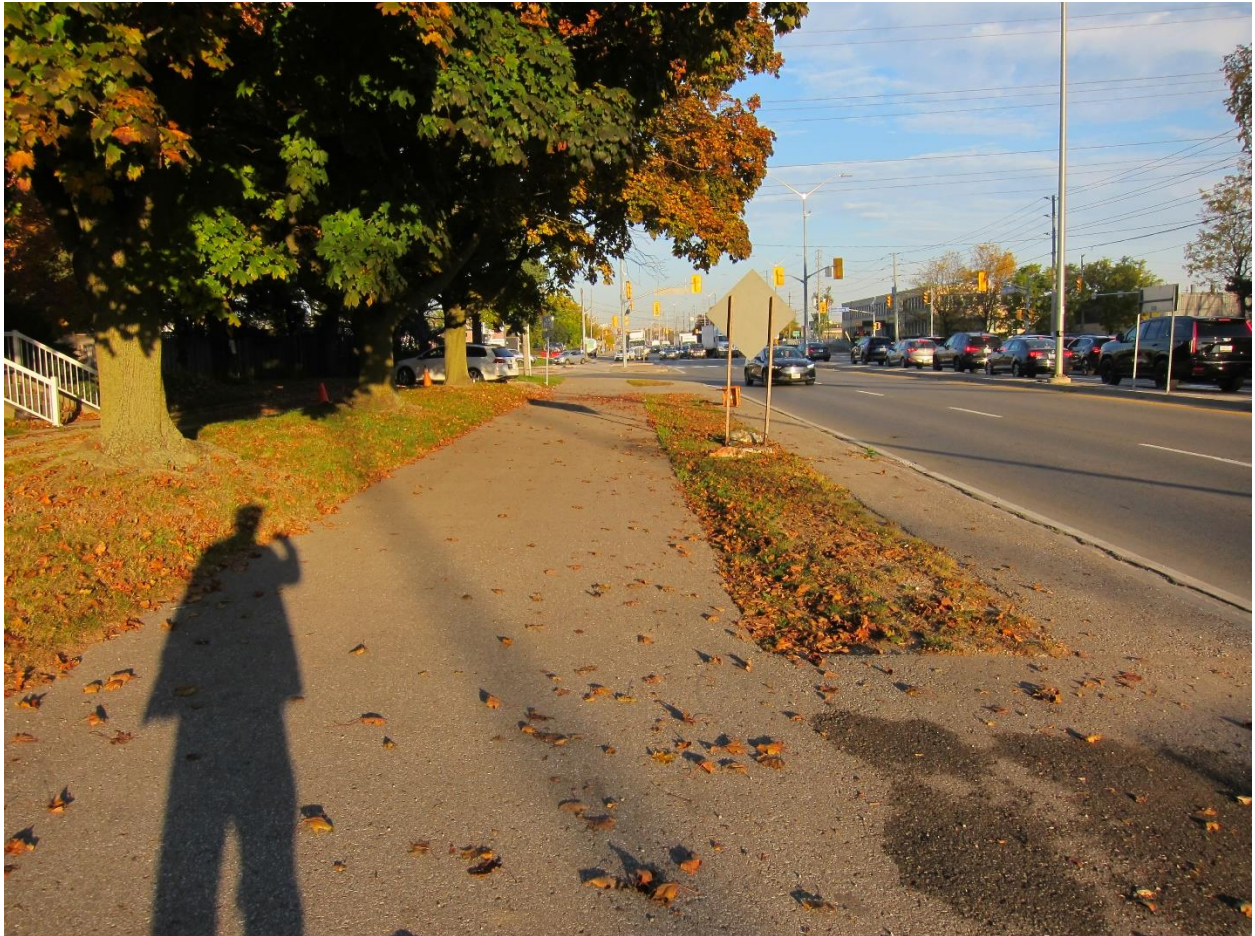














Appendix 2 – Zoning Comments

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: Crystal Abainza, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

Forestry Comments

The Forestry Section of the Community Services Department has reviewed the above noted consent application and advises as follows:

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.

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 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

A Heritage Impact Assessment is required to ensure that the proposed alteration does not negatively impact the heritage resource. The terms of reference are available at https://www7.mississauga.ca/documents/culture/heritage/HeritageImpactAssessment_TermsOfReference2017.pdf. More comments may be forthcoming once the Heritage Impact Assessment is accepted.

Comments Prepared by: Andrew Douglas, Heritage Analyst

Appendix 5 – Region of Peel Comments**B-24-069M - 2240 Dixie Rd – CB – Our file: D-00402630W**

Purpose: The applicant requests to sever to create a new lot.

- The Region will require the gratuitous dedication of lands to meet the Official Plan requirement of a 54 metre mid-block Right of Way along Dixie Road (Regional Road 4) 27 metres from the centreline of the road allowance, within 245 metres of an intersection to protect for the provision of but not limited to: utilities, sidewalks, multiuse pathways and transit bay/shelters;
- The Region will require the gratuitous dedication of a 0.3 metre reserve along the frontage of Dixie Road behind the property line, lifted over any approved access.
- The applicant shall gratuitously dedicate these lands to the Region, free and clear of all encumbrances, and shall provide the Region with the necessary title documents and reference plan(s) to confirm the Region's right-of-way. All costs associated with land transfer are the responsibility of the applicant.
- The Region is not in support of two accesses to the site, access consolidation will be required. Access configuration, location and type will have to be reviewed with the Region.

Should the committee see merit in this consent application, we request the following be included in the conditions of approval:

Condition

- Satisfactory arrangement shall be made between the owner and the Region regarding land dedication and access configuration.

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.
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 November 13, 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 November 13, 2024.
6. 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 November 13, 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.

