

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-01-09	File(s): B73.24 A568.24
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:1/16/2025 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, as amended, meets the requirements of Section 45 (1) and Section 50(3) of the Planning Act. The applicant may wish to defer the application to ensure that all required variances have been accurately identified.

Application Details

B73/24

The applicant requests the Consent of the Committee to sever a parcel of land for the purposes of a lot addition. The parcel of land has an area of approximately 95.00sq. m (approx. 1022.58sq ft) and a depth of approximately 4.60m (approx. 15.09ft). The new parcel will be added to the property to the south known as 455 Meadow Wood Road.

A568/24

The applicant requests the Committee to approve a minor variance to allow an accessory structure proposing;

1. An accessory structure area of 41.06sq m (approx. 441.97sq ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure area of 20.00sq m (approx. 215.27sq ft) in this instance;
2. A total accessory structure area of 66.88sq m (approx. 719.90sq ft) whereas By-law 0225-2007, as amended, permits a maximum total accessory structure area of 60.00sq m (approx. 645.84sq ft) in this instance.

Amendments

While Planning staff are not in a position to provide a Zoning review, staff note the following variance may be required:

3. An accessory structure height of 3.56m (11.67ft) whereas 3.5m (11.48ft) is permitted.

Recommended Conditions and/or Terms of consent

- Appendix A – Conditions of Provisional Consent
- The variance application approved under File(s) A568.24 must be finalized

Recommended Conditions and/or Terms of minor variance

- Variance(s) approved under file(s) A568.24 shall lapse if the consent application under file B73.24 is not finalized within the time prescribed by legislation.

Background

Property Address: 455 Meadow Wood Rd & 474 Bob O Link Rd

Mississauga Official Plan

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

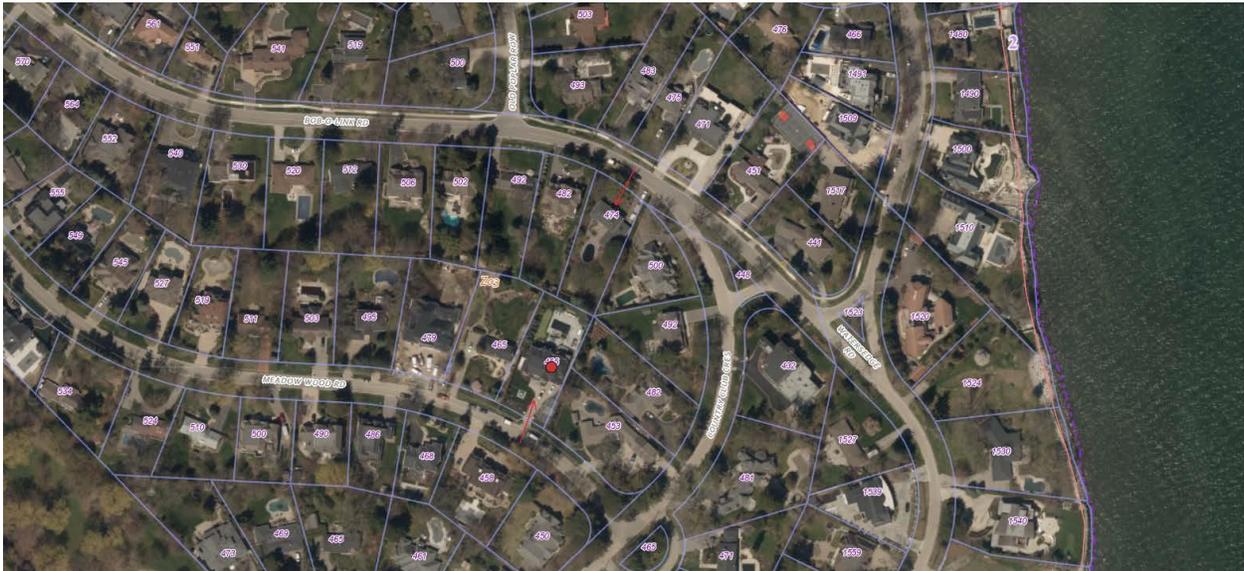
Zoning By-law 0225-2007

Zoning: R2-5 - Residential

Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, southeast of Clarkson Road South and Orr Road. The immediate area consists of detached dwellings on large lots with mature vegetation. The subject property contains a two-storey detached dwelling with vegetation in the front, side, and rear yards.

The applicant is proposing a lot line adjustment to accommodate a one-storey accessory structure requiring a variance for accessory structure area and combined accessory structure area.



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.

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*.

Staff comments concerning the applications for consent and the minor variance request are as follows:

The subject property is designated Residential Low Density I 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 severed parcel from 474 Bob-O-Link Road would be added to the property immediately to the south, known as 455 Meadow Wood Road. The applicant is proposing a consent application for lot line adjustment to accommodate an accessory structure

(golf simulator) on the subject property. Staff are satisfied that the consent is only to facilitate a lot line adjustment in this case. Staff are of the opinion that the conveyance of land does not cause any lot area or frontage deficiency for the retained lands and maintains appropriate lot shape. Planning staff have no concerns with the proposed consent.

The proposal requires variances for accessory structure area and combined accessory structure area. While Planning staff are not in a position to provide a Zoning review, staff note a variance for accessory structure height is also required. The intent of the zoning by-law provisions regarding accessory structures is to ensure that the structures are proportional to the lot and dwelling and are clearly accessory, while not presenting any massing or overlook concerns to neighbouring lots.

The existing dwelling is 8.4 times the size of the proposed accessory structure. The combined lot coverage of all accessory structures on the property is limited to 3.32%. Staff are satisfied that the proposed structure is clearly proportional and accessory to the lot and primary dwelling. It is appropriately located on the site and appropriately sized for the lot.

Planning staff are of the opinion that the proposed structure represents appropriate development of the subject property. Further, staff are of the opinion that the proposed height represents an exceedingly small deviation of 0.06m or 0.19 foot and are satisfied that the increase is negligible.

Staff are satisfied that the variances are minor in nature and will not create any additional impacts to abutting properties when compared to as of right permissions.

It is staff's opinion that the consent and associated minor variances are sympathetic to the surrounding area and do not impact the neighbouring properties. Through a detailed review of the application, staff are of the opinion that the applications are appropriate to be handled through the consent and minor variance process. Further, the applications raise no concerns of a planning nature.

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' 73/24.

This Department has no objections to the applicant's request to attach the severed parcel of land to the property immediately to the south known as 455 Meadow Wood Road.

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.

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

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

Forestry Comments

The Forestry Section of the Community Services Department has reviewed the above noted consent and minor variance 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 – Region of Peel 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.

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. (A568.24)

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.