

# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2025-01-17	File(s): A580.24
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:1/23/2025 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 meets the requirements of Section 45(1) of the Planning Act. The applicant may wish to defer the application to ensure that all required variances have been accurately identified.

## Application Details

The applicant requests the Committee to approve a minor variance to allow for a new dwelling proposing:

1. A gross floor area (infill residential) of 927.9sq m (approx. 9,987.8sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area (infill residential) of 747.11sq m (approx. 8,041.83sq ft) in this instance;
2. A garage area of 112.70sq m (approx. 1213.10sq ft) whereas By-law 0225-2007, as amended, permits a maximum garage area of 75.00sq m (approx. 807.30sq ft) in this instance;
3. A flat roof height of 11.29m (approx. 37.04ft) whereas By-law 0225-2007, as amended, permits a maximum flat roof height of 7.50m (approx. 24.61ft) in this instance; and,
4. A front yard setback to the portion of the basement under the front porch of 6.98m (approx. 22.90ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 9.00m (approx. 29.53ft) in this instance.

## Background

**Property Address: 893 Longfellow Ave**

**Mississauga Official Plan**

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

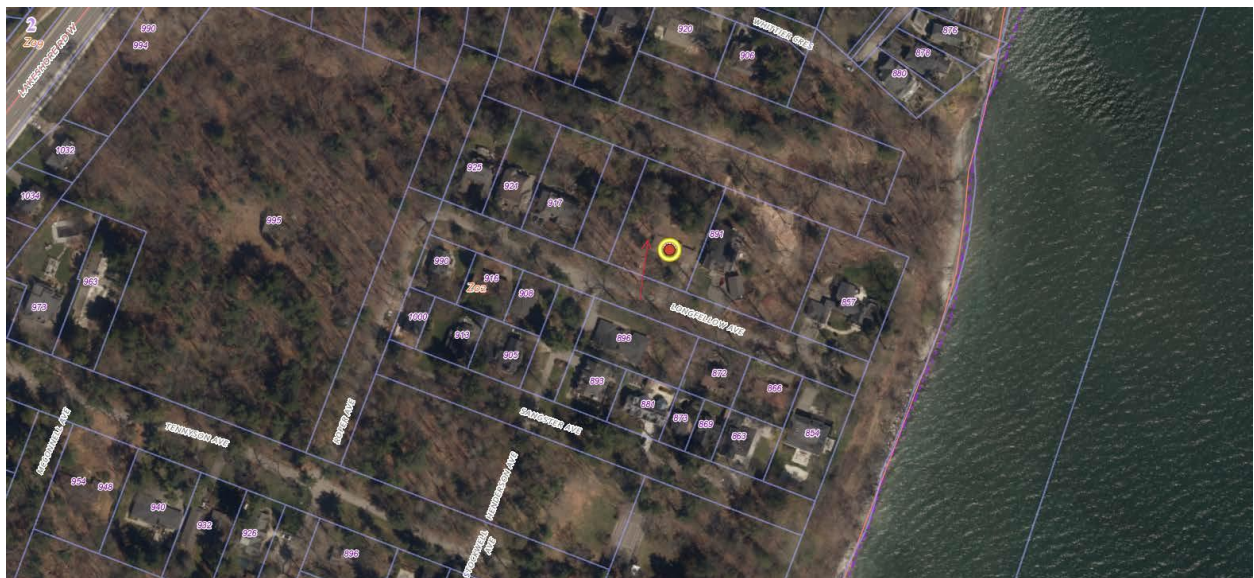
### Zoning By-law 0225-2007

**Zoning: R2-5 - Residential**  
**Other Applications: Building Permit application BP 9NEW 24-3100**

### Site and Area Context

The subject property is located south-east of the Lakeshore Road West and Lorne Park Road intersection in the Lorne Park Estates. Currently the property contains a single storey detached dwelling with significant mature vegetation located in the rear yard. It has a lot area of +/- 2,787m<sup>2</sup> (30,000ft<sup>2</sup>) and is one of the largest residential lots in the surrounding area. The immediate neighbourhood is entirely residential, consisting of one and two-storey dwellings with mature vegetation on lots of varying sizes.

The applicant is proposing to construct a new dwelling requiring variances related to gross floor area, garage area, front yard setback and flat roof height.



## Comments

### Planning

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 subject property is designated Residential Low Density I and Greenlands in Schedule 10 of the Mississauga Official Plan (MOP). The Residential Low-Density I designation permits detached, semi-detached and duplex dwellings.

Staff note that the subject property was previously before the Committee of Adjustment on November 30, 2023, under file A451.23 seeking similar variances for the construction of a new dwelling. Staff had recommended support of the application, and the application was approved by the Committee.

The current application does not present any significant changes to the previously approved application. Staff are of the opinion that the variances being requested were identified through the building permit process and are technical in nature.

With respect to Variances #1 and #2, staff note the previous application approved a gross floor area (GFA) of 825.58m<sup>2</sup> (approx. 8886.47ft<sup>2</sup>) and the current application proposes a GFA of 927.9m<sup>2</sup> (approx. 9,987.8ft<sup>2</sup>). Staff are of the opinion that the increase in GFA from the previous approval does not create undue massing impacts. A garage area of 104.69m<sup>2</sup> (approx. 1126.87ft<sup>2</sup>) was approved, while the current application proposes 112.70m<sup>2</sup> (approx. 1213.10ft<sup>2</sup>). Staff are of the opinion that the increase is negligible and does not present any concerns. Further, staff note the increase in the area can be attributed to the additional residential unit on the second storey of the garage.

Variances #3 and #4 pertain to height and front porch setback in the basement. Identical variances for height and front porch setback were approved in the previous application. A roof redesign required to address the previous application approved by the Committee. The height variance is technical in nature as the roof calculation determines the roof to be flat, instead of sloped. Staff are satisfied that the roof appears sloped from the streetscape. No other changes are proposed.

Given the above, Planning 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: Shivani Chopra, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

The applicant is proposing to construct a dwelling on lands that are regulated by The Credit Valley Conservation Authority. We advise that all approvals for the proposal are to come from the CVC.

We note that any Transportation and Works Department concerns/requirements for the proposed dwelling will be addressed by our Development Construction Section through Building Permit BP 9NEW-24/3100.

Comments Prepared by: John Salvino, Development Engineering Technologist







## Appendix 2 – Zoning Comments

The Building Department is processing a Building Permit application BP 9NEW 24-3100. Based on review of the information available in this application, we advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

Please note that comments reflect those provided through the above application. These comments may no longer be valid should there be changes contained within this Committee of Adjustment application that have not been submitted and reviewed through the application noted above. The applicant must submit any changes and/or updates to information and/or drawings separately through the above application in order to receive updated comments.

Comments Prepared by: Gary Gagnier, Zoning Examiner

## **Appendix 3 – Parks, Forestry & Environment**

### Forestry Comments

The Forestry Section of the Community Services Department has reviewed the above noted 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](mailto:jamie.meston@mississauga.ca).

Comments Prepared by: Jamie Meston, Landscape Technician

## **Appendix 4 – Region of Peel Comments**

- This site does not have frontage to existing municipal sanitary sewer.
- 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](mailto:siteplanservicing@peelregion.ca).
- Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at [siteplanservicing@peelregion.ca](mailto:siteplanservicing@peelregion.ca).
- Please be advised that part of the subject lands is located within 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 5 - Conservation Authority Comments**

Based on the review of the information provided, CVC has no objection to the approval of proposed minor variances at this time. CVC staff has reviewed the proposed development as part of permit application FF 23/075.

Please be advised, should the previously approved plans change, or works be undertaken beyond the permit timeframe, please contact CVC to confirm requirements.

The applicant is to note that CVC has not received payment of the review fee of \$478 for this Minor Variance/Consent application. The applicant should forward this directly to CVC at the earliest convenience.

Comments Prepared by: Stuti Bhatt, Junior Planner

### **Appendix 6 – Enbridge**

#### **Assessment & Requirements**

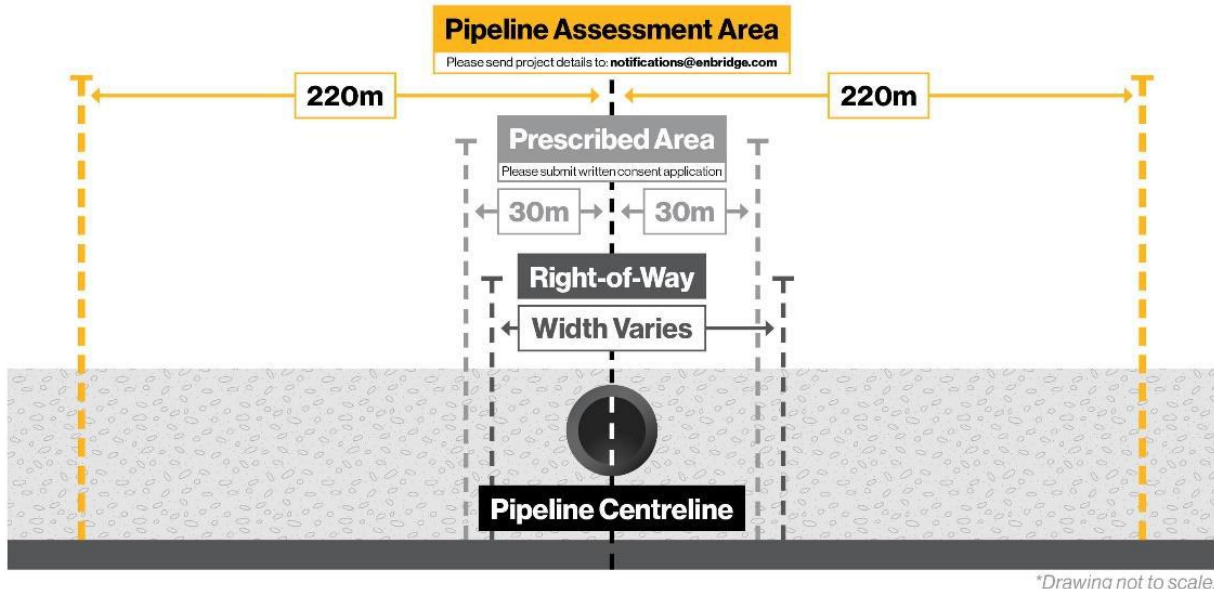
Based on a review of the project materials provided the application intersects the **Pipeline Assessment Area** as illustrated in **Attachment 01 | Approximate Location of Pipeline Infrastructure**, therefore, the requirements detailed below and within **Attachment 02 | Enbridge Development Requirements** must be adhered to for this proposed project and any future activities within proximity to the pipeline. The landowner/developer shall ensure that all contractors and subcontractors are aware of and comply with the requirements set out in this letter. Amendments to this application or subsequent applications should be sent to [notifications@enbridge.com](mailto:notifications@enbridge.com).

#### **Areas of Interest**

The following diagram illustrates the areas of interest to which the following requirements apply. Please refer to Attachment 1 to see the approximate location of these areas of interest as it relates to your project area. Please note the location of the pipeline illustrated in Attachment 1 is approximate and should be verified onsite through a Locate Request.



## Areas of Interest



*\*Drawing not to scale.*

- A **Right-of-Way (ROW) or Easement** is a strip of land where property rights have been acquired for pipeline systems by the pipeline company. It is a surveyed area of a specific width which grants legal rights of access to operate and maintain the infrastructure within it. The width of the Right-of-Way varies for each pipeline and property. This can be referenced on the parcel's land title, a legal survey, and/or in the easement agreement.
- The **Prescribed Area** is an area of 30 m (100 ft) perpendicularly on each side from the centreline of a pipeline. Excavation or ground disturbance within this zone requires written consent from the pipeline company pursuant to the Canadian Energy Regulator Pipeline Damage Prevention Regulations (Authorizations). Depending on the pipeline location and regulator this may also be known as a “controlled area” or “safety zone”.
- The **Pipeline Assessment Area** identifies lands on either side of a pipeline in which new development must be monitored by the pipeline operator. The requirement for and scope of this monitoring is governed by the Canada Energy Regulator (CER) and CSA Z662:19.

### Requirements

- 1) **Obtain a Locate Request:** To identify the precise alignment of the pipeline on the subject lands, a Locate Request must be made prior to any ground disturbance taking place.
- 2) **No development is permitted within the Enbridge right-of-way** without Enbridge's written consent and without the presence of an Enbridge representative on site.
- 3) **Written Consent from Enbridge is required for ground disturbance within 30m perpendicularly on each side from the centreline of the pipeline known as the “Prescribed Area”.** For more information about when written consent is required and how to submit an application, please see **Attachment 03 | Enbridge Pipeline Crossing**

## **Guidelines.**

4) **Written Consent from Enbridge is required for all above and below ground crossings of the pipeline.** For more information about when written consent is required and how to submit an application, please see **Attachment 03 | Enbridge Pipeline Crossing Guidelines.**

The written authorization request must include:

a. Drawings with cross sections of the proposed roads and verification of the depth of cover from both sides of the road.

b. Drawings should include any new utilities that will cross the right-of-way.

5) **Road Crossings:** Where future development such as a roadway or a parking area is proposed within the pipeline right-of-way, Enbridge may be required to carry out pipeline inspection and recoating of the existing pipeline(s) prior to the start of the development. The costs of Enbridge's design, inspection, recoating work and any other pipeline alteration as a result of the crossing will be borne by the Developer.

6) **Subdivision lot lines should not divide the pipeline right-of-way.** Wherever possible, subdivision boundaries should follow the right-of-way. If this is not possible specific language must be included in the offers of sale or lease. Please see **Attachment 02** for details.

7) **Development setbacks** from pipelines and rights-of-way are recommended in support of damage prevention and to allow both pipeline operators and developers buffer lands for operations and maintenance purposes.

8) **Landscaping** shall not take place on Enbridge's pipeline right-of-way without Enbridge's prior written consent and where consent is granted such landscaping must be performed in accordance with Enbridge's Pipeline Crossing Guidelines. Please see **Attachment 02** for details.

9) **Pathways** shall not be installed on Enbridge's pipeline right-of-way without Enbridge's prior written consent and where consent is granted pathways must be designed in accordance with Enbridge's requirements. Please see **Attachment 02** for details.

10) **Fencing** should be installed along the identified open space easement. Please see **Attachment 02** for details

11) **Written consent** must be obtained from Enbridge for ongoing activities such as mowing or maintenance of the pipeline right-of-way on public lands.

12) **Notifications of additional development for Class monitoring:** As per Federal and Provincial Regulatory Requirements and Standards, pipeline operators are required to monitor all new development in the vicinity of their pipelines that results in an increase in population or employment. Therefore, please keep us informed of any additional development being proposed within the Pipeline Assessment Area indicated in **Attachment 01 | Approximate Location of Pipeline Infrastructure.** The pipeline assessment area GIS data can be provided to the municipality upon request to [notifications@enbridge.com](mailto:notifications@enbridge.com).

The above requirements are those identified as relevant based on the application materials provided. Additional details on these requirements and other general development requirements

are included in **Attachment 02 | Enbridge Development Requirements**. For additional resources on safe development in proximity of Enbridge's pipeline network please view Enbridge's Public Awareness Brochures or visit the Land Use Planning and Development website.

Comments Prepared by:      Zane Davey, Community Planner II