

# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2025-01-17	File(s): A594.24
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.

## Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a new house proposing a gross floor area of 489.30sq m (approx. 5266.83sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 414.27sq m (approx. 4459.20sq ft) in this instance.

## Background

**Property Address: 846 Chaucer Ave**

### Mississauga Official Plan

Character Area: Clarkson-Lorne Park Neighbourhood  
Designation: Greenlands

### Zoning By-law 0225-2007

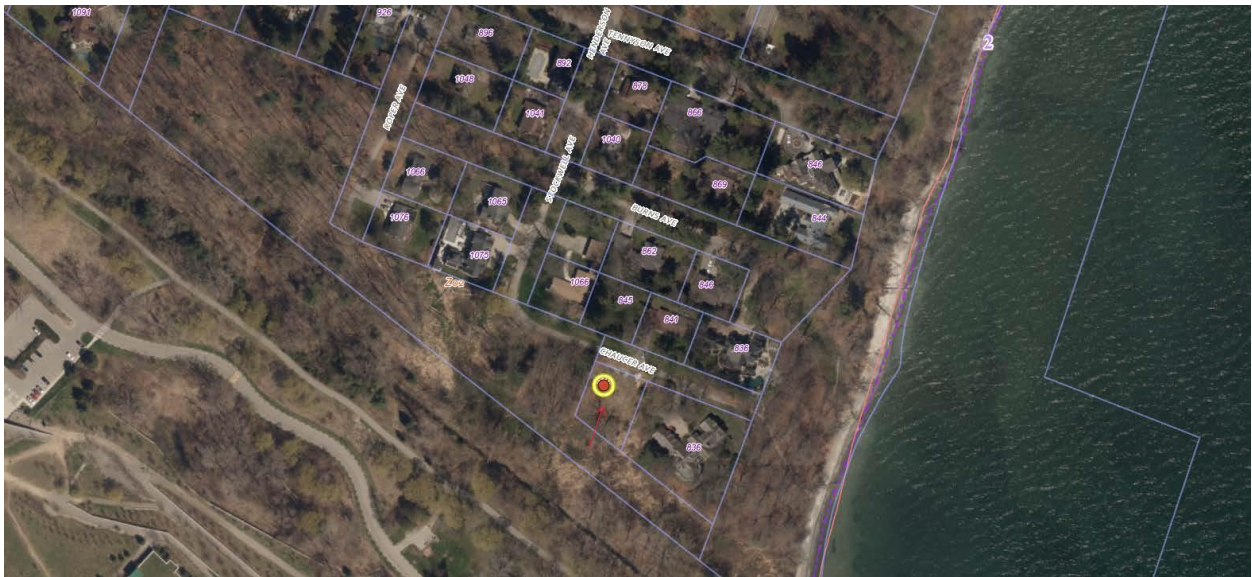
**Zoning: R2-5 - Residential**

**Other Applications: Building Permit application 23-8995**

## Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, southwest of the Lakeshore Road West and Lorne Park Road intersection. The immediate neighbourhood is entirely residential, consisting of large one and two storey detached dwellings with significant mature vegetation.

The subject property is currently vacant. The application proposes a new one storey dwelling requiring a variance related to gross floor area.



## 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 Greenlands in Schedule 10 of the Mississauga Official Plan. The Greenlands designation only permits development for existing lots of record. The intent of the Greenlands designation is to protect any natural feature and hazards on a site. The City relies on the Credit Valley Conservation (CVC) Authority's expertise in these matters. In this instance, CVC has indicated they have no objections to the application. As such, staff are satisfied that the intent of the Greenlands designation is maintained in protecting any natural features and hazards on site. Further, staff are satisfied that the dwelling will not negatively impact the streetscape character of the immediate neighbourhood.

Staff note the subject site was before the Committee of Adjustment under applications A692.22 on January 19, 2023, and A327/20 on October 22, 2020. Both the applications were supported by staff and approved by the Committee.

The current application seeks a sole variance for gross floor area (GFA). Staff note that there are no revisions to the design and plans approved under file A692.22. Due to the positioning of the dwelling and the significant drop in the grade towards the rear, the dwelling's basement is now considered a lower storey. This has resulted in a change in the GFA calculations, to include the lower storey. No other changes are proposed.

Staff note the increase in GFA is consistent with new dwellings in the area. No variance is required for overall or eave height, therefore limiting any further impact. Staff are therefore satisfied that the dwelling maintains an appropriate scale and does not present massing concerns.

Staff are of the opinion that the proposal represents appropriate development of the subject property and that the dwelling is in line with surrounding redevelopment with minimal impacts on abutting properties or the streetscape.

Through a detailed review of the application, 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

We are noting for Committee's information 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-23/8995.

Comments Prepared by: John Salvino, Development Engineering Technologist







## **Appendix 2 – Zoning Comments**

The Building Division is processing Building Permit application 23-8995. Based on the review of the information available in this application, the requested variance is correct.

Our comments may no longer be valid should there be changes in the Committee of Adjustment application that have yet to be submitted and reviewed through the Building Division application. To receive updated comments, the applicant must submit any changes to information or drawings separately through the above application.

Comments Prepared by: Minan Song, 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:

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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 Permit 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/>.

Please note a Tree Permit Application may prompt a site visit, an Environmental Impact Study (EIS) or additional studies/plans as required by Forestry.

Please be advised the subject property is directly adjacent to and overlaps with several components of the City's Natural Heritage System (NHS), specifically *CL16 Significant Natural Area* (including *Significant Woodland*, *Significant Wildlife Habitat*, *Significant Valleyland* associated with *Birchwood Creek*, *Fish Habitat* and *Significant Wetlands*), and the *Lorne Park Estates Residential Woodland* (also known as site CL17), encompasses the remainder of the property. Section 6.3.24 of the Mississauga Official Plan states that the Natural Heritage System will be protected, enhanced, restored and expanded through the following measures:

- Ensuring that development in or adjacent to the Natural Heritage System protects and maintains the natural heritage features and their ecological functions through such means as tree preservation, appropriate location of building envelopes, grading, landscaping...;

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 partially 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 information provided, CVC has no objection to the approval of the proposed minor variance. CVC staff have reviewed the proposed work as part of permit application FF 23/020.

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).

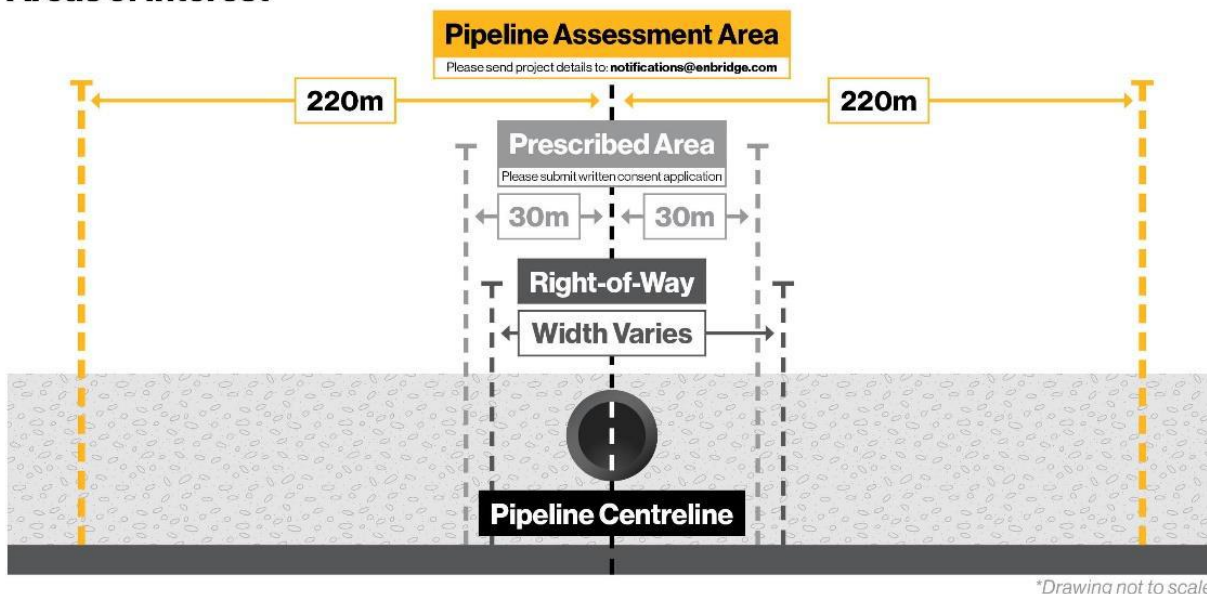
### Areas of Interest



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.

#### PLANNING IN PROXIMITY OF PIPELINES

### Areas of Interest



- 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).