

# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2020-10-28	File(s): B52/20 Ward: 8
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2020-11-05

## Consolidated Recommendation

The City has no objections to the requested consent application. The applicant may choose to defer the application to verify the lot frontage and area.

## Application Details

The applicants request the approval of the Committee to sever a parcel of land for the creation of a new lot. The parcel has a frontage of approximately 27.86m (91.40ft) and an area of approximately 1,615.6sq.m (17,390.2sq.ft).

### Recommended Conditions and/or Terms

- Appendix A – Conditions of Provisional Consent

## Background

**Property Address:** 4005 Woodchuck Lane

### Mississauga Official Plan

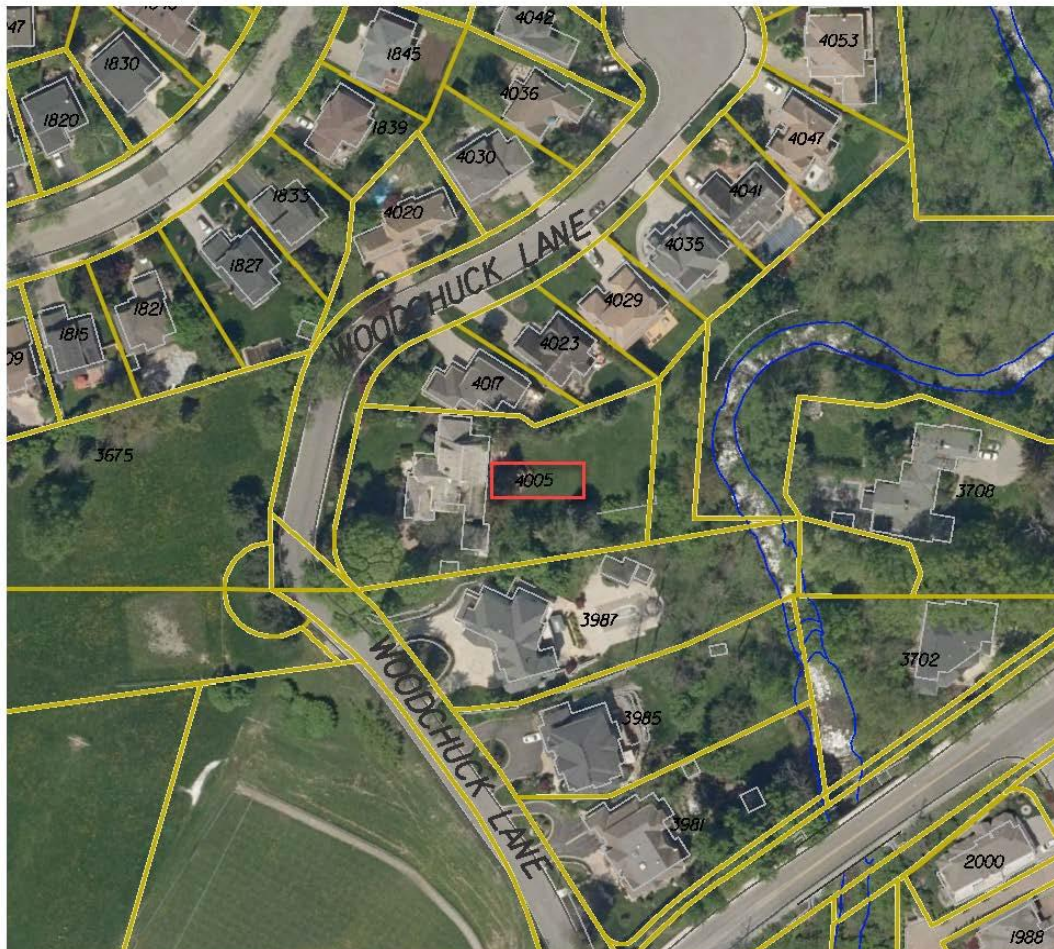
Character Area: Erin Mills Neighbourhood  
Designation: Residential Low Density I

### Zoning By-law 0225-2007

**Zoning:** G1, R2 (Greenlands, Residential)

### Site and Area Context

The subject property is located within the Erin Mills Neighbourhood Character Area, north of Burnhamthorpe Road West and Mississauga Road. The neighbourhood is predominantly residential consisting of large lots containing one and two storey detached dwellings with mature vegetation. The residential neighbourhood consists of lot frontages ranging from approximately 18 m to 40 m. The subject property contains an existing two storey dwelling with mature vegetation throughout the lot.



## 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.

Staff comments concerning the application are as follows:

### **Provincial Matters**

The Provincial Policy Statement 2014 (PPS 2014) and Growth Plan for the Greater Golden Horseshoe promote efficient development and land use, directing the focus towards intensification and redevelopment. The proposal is consistent with the general directive in provincial policy.

Staff comments concerning the application are as follows:

The application proposes to sever the existing lot for the purpose of creating two new parcels for the purpose of developing two detached dwellings. It should be noted that the rear portion of the lot is zoned G1 (Greenlands) which is to be excluded from the calculation of lot area as this portion of the lot cannot be developed. The retained and severed parcels propose lot frontages of approximately 27.88 m and lot areas of approximately 1000 m<sup>2</sup> excluding the G1 zone. The zoning by-law requires a lot frontage of 18 m and lot area of 695 m<sup>2</sup>.

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. Furthermore, as per Section 5.3.5 (Neighbourhoods) neighbourhoods are not meant to remain static, however, when new development occurs, it should be sensitive to the neighbourhoods existing and planned character. The proposed lots maintain the existing neighbourhood lot pattern as the residential lots vary in size on Woodchuck Lane. Furthermore, the proposed lot frontages and areas exceed zoning by-law requirements which are meant to guide development and ensure new lots are appropriately sized. The proposed severance represents sensitive intensification that is compatible with the neighbourhood and will not cause any significant adverse impact to the existing and planned character of the community.

Staff is of the opinion that the application conforms to Section 51(24) of the *Planning Act*, more specifically that the application conforms to the official plan and that the proposed size of lots are appropriate and fit within the context of the neighbourhood.

## Conclusion

The Planning and Building Department has no objections to the requested consent application. The applicant may choose to defer the application to verify the lot frontage and area.

Comments Prepared by: Lucas Petricca, 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. Concept Site Plan and Certification

The applicant is to provide a concept Site Plan prepared by an engineer indicating the locations of the proposed driveways. Further, a Traffic Consultant is to provide a memo stamped and signed by a P. Eng. stating that the proposed driveways will have no conflicts relating to site lines.

For further information please contact Daphne Chen at (905) 615-3200 ext. 8915 or

[daphne.chen@mississauga.ca](mailto:daphne.chen@mississauga.ca)

##### 3. Municipal Address Requirement

Prior to the issuance of final consent, satisfactory arrangements are to be made with Corporate Services Department, Information Technology Division, Digital Services & Mobility Section, Geospatial Solutions 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](mailto: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](mailto: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

We advise the applicant that all costs incurred in providing any new driveway entrance(s) to the subject lands or any modifications/reinstatement required, would be at cost to the owner. We are also noting that should any utilities need to be relocated, all costs incurred will also be to the owner.

4. Storm Sewer Outlet

The storm sewer outlet for this property is the existing 250mm Dia. Storm sewer located on Woodchuck Lane. Please note that a rear lot catch basin may be required. Where existing sewer capacity exists, applicants are encouraged to design the basement elevation to be at least 1.0 meter above the elevation of the on-street storm sewer obvert to eliminate the need for a sump pump. In situations where a sump pump is required and where a high groundwater table may exist, the sump pump may run continuously. The applicants are encouraged to design the weeping tile elevation to be at least 1.0 meter above the seasonal groundwater elevation. The owner is advised that the City has no obligations to address any concerns related to the operation of private sump pump systems.

5. CVC Approval

The applicant is advised that these lands are situated within CVC regulated area. Credit Valley Conservation approval will be required.

Comments Prepared by: David Martin, Supervisor Development Engineering

**Appendix 2 – Zoning Comments**

The Zoning Division is not in receipt of any permit applications. A full zoning review has not been conducted and as such, we cannot confirm if there are any deficiencies to the zoning by-law.

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: Brian Bonner, Zoning Examiner

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

The Park Planning Section of the Community Services Department has reviewed the consent application and advises as follows:

1. The applicant shall provide a cash contribution of \$1,768.32 for planting of three (3) street trees on Woodchuck Lane. 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, Community Services notes the following:

- Tree preservation hoarding and securities may be required as part of the site plan control process.
- Payment for street tree fees and 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 payable to the City of Mississauga. Please contact Jim Greenfield regarding the Covid-19 interim payment process.
- 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 Jim Greenfield, Park Planner, Community Services Department at 905-615-3200 ext. 8538 or via email [jim.greenfield@mississauga.ca](mailto:jim.greenfield@mississauga.ca).

Comments Prepared by: Jim Greenfield, Park Planner

### **Appendix 5 – Region of Peel Comments**

Development Engineering: Camila Marczuk (905) 791-7800 x8230

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. 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 call our Site Servicing Technicians at 905.791.7800 x7973 or by email at [siteplanservicing@peelregion.ca](mailto:siteplanservicing@peelregion.ca)

Development Planning: Diana Guida (905) 791-7800 x8243

Please be advised that a portion of the subject property is located within an area the Regional Official Plan (ROP) designates as a Core Area - Woodland and a Core Area - Valley Corridor of the Greenlands System in Peel, under Policy 2.3.2. The subject property is also located within the limits of the regulated area of the Credit Valley Conservation (CVC).

Within the above-mentioned designations, ROP policies seek to protect environmental resources. The Region relies on the environmental expertise of the CVC for the review of applications located within or adjacent to Core Areas of the Greenlands Systems in Peel and their potential impacts on the natural environment. Regional Planning staff therefore, request that the Committee and city staff consider comments from the CVC and incorporate their conditions of approval appropriately.

Comments Prepared by: Diana Guida, 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 October 28, 2020.
5. A letter shall be received from the City of Mississauga, Community Services Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated October 28, 2020.