

Decision of the Mississauga Committee of Adjustment under
Section 53 of The Planning Act R.S.O. 1990, C.P.13, as amended.
Application for the property located at **4005 Woodchuck Lane**.
Date of Hearing on Thursday November 5, 2020
Date Decision Signed by the Committee November 12, 2020

The hearing commenced at approximately 1:00p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 1:02p.m.

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).

B. Oughtred, agent, attended and presented evidence and comment in support of the application.

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated October 28, 2020)
- City of Mississauga, Transportation and Works Department (dated October 28, 2020)
- City of Mississauga, Community Services Department, Park Planning (dated October 28, 2020)
- Region of Peel (dated October 28, 2020)
- Credit Valley Conservation (dated November 5, 2020)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

- Correspondence was received from one area resident expressing concerns for the subject application.

Three area residents appeared before the Committee and expressed concerns for the application. Concerns included what types of houses would be built on the subject property and tree preservation.

Committee asked questions of the agent who appeared before the Committee.

The applicant agreed with the conditions requested by city and agency staff.

DECISION

Committee has taken into consideration, on balance, any and all submissions made before its decision including one written submission, three oral submissions.

The Committee, having considered all relevant materials including: information provided by the applicant, plans submitted, and staff and agency comments, is satisfied that a plan of subdivision is not necessary for the proper and orderly development of the municipality.

The Committee, having regard to those matters under subsection 51(24) of the Planning Act R.S.O. 1990, c. P.13., as amended, resolves to grant provisional consent subject to the conditions of Appendix A being fulfilled.

Accordingly, the Committee resolves to authorize and grant the request.

MOVED BY: D. Kennedy CARRIED

The Decision of the Committee is:

APPLICATION APPROVED ON CONDITIONS AS STATED IN APPENDIX A:

To sever a parcel of land for the creation of a new lot. The parcel has a frontage of approximately 27.86m and an area of approximately 1,615.6sq.m.

Committee Decision dated at the City of Mississauga on November 12, 2020

| | |
|-------------------------------------|-----------------------------------|
| <u>"S. PATRIZIO"</u> S. PATRIZIO | <u>"D. GEORGE"</u> D. GEORGE |
| <u>"W. SHAHRUKH"</u> W. SHAHRUKH | <u>"D. KENNEDY"</u> D. KENNEDY |
| <u>"J. PAGE"</u> J. PAGE (CHAIR) | <u>"J. KWAST"</u> J. KWAST |
| <u>"D. COOK"</u> D. COOK | |

I certify this is copy of the decision of the Committee's decision given on November 12, 2020

"S. KENNEY"

SEAN KENNEY - SECRETARY-
TREASURER

For a signed copy of this document
please call 905-615-3200 ext. 2408
or email

Committee.Adjustment@mississauga.ca

A copy of Section 53 of the Planning Act, as amended, is attached.

Date of Mailing: November 13, 2020

This decision is subject to appeal to the Local Planning Appeal Tribunal by filing with the Secretary-Treasurer of the Committee of Adjustment a written notification, giving reasons for the appeal, accompanied with the prescribed fee on or before **December 3, 2020**

NOTES:

The decision to give provisional consent shall be deemed to be refused if the conditions of provisional consent, have not been fulfilled on or before November 13, 2021

See "SUMMARY OF APPEAL PROCEDURES" and "FULFILLING CONDITIONS & CERTIFICATE ISSUANCE" attached.

Appendix A – Conditions of Provisional Consent

Appendix B – City and Agency comments that relate to items on Appendix A

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.

Appendix B – City and Agency comments that relate to items on Appendix A

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

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

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

Appendix B – City and Agency comments that relate to items on Appendix A

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 B – City and Agency comments that relate to items on Appendix A

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.

Comments Prepared by: Jim Greenfield, Park Planner