

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2020-11-04	File(s): B53/20 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2020-11-12

Consolidated Recommendation

The City has no objections to the requested consent application.

Application Details

The applicant requests the approval of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 22.5m (73.82ft) and an area of approximately 711.9sq.m (7,662.8sq.ft).

Recommended Conditions and/or Terms

- Appendix A – Conditions of Provisional Consent

Background

Property Address: 1190 Lorne Park Road

Mississauga Official Plan

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

Zoning By-law 0225-2007

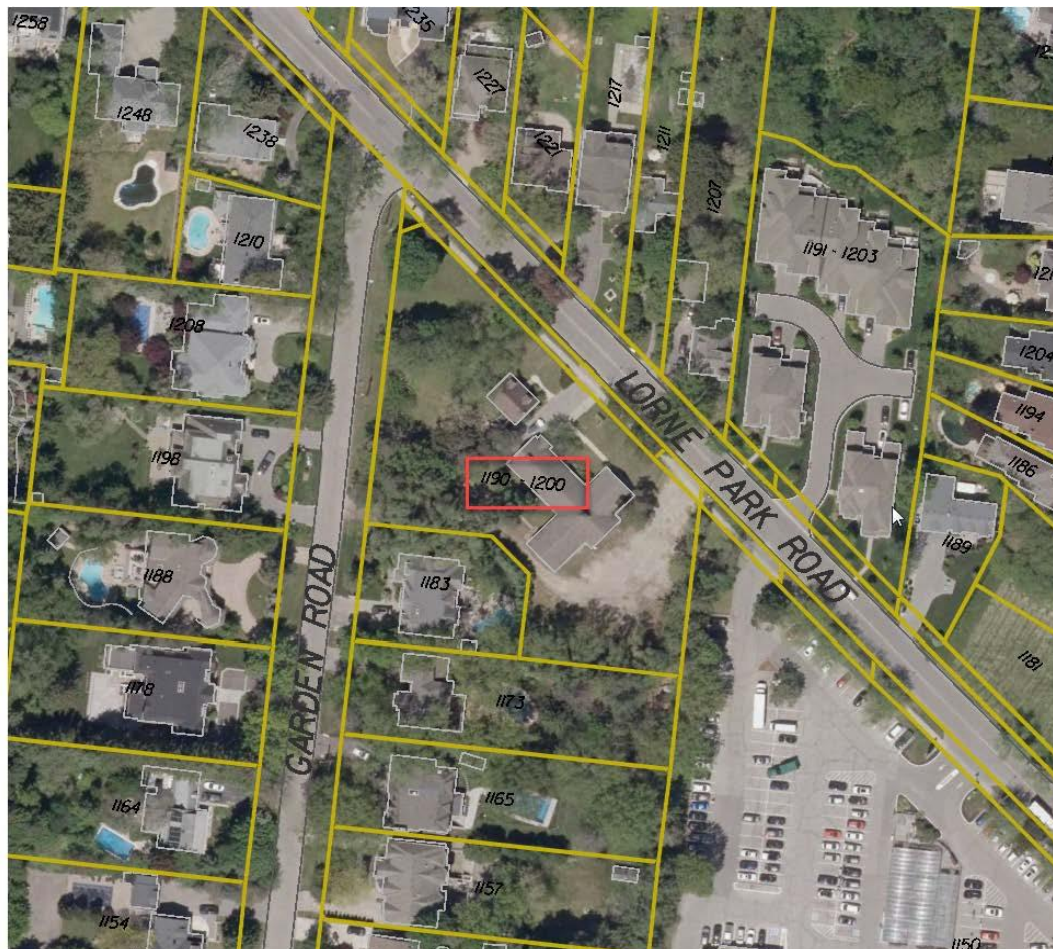
Zoning: R2-4, RM4-77 (Residential)

Other Applications:

Demolition Permit: 20-3062 & 20-3095

Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, northwest of Lorne Park Road and the railway corridor. The immediate area is predominantly residential, consisting mostly of one and two storey detached dwellings. Immediately south of the subject property are townhouse dwellings and a commercial plaza. There are two active demolition permit applications on the subject property to demolish the existing church and detached dwelling. A rezoning application was approved by the Local Planning Appeal Tribunal (LPAT) to permit semi-detached and townhouse dwellings on the larger lot fronting Lorne Park Road while the lots fronting onto Garden Road will contain three detached dwellings.



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 subject property previously received approval from the Committee of Adjustment on June 21st, 2018 for the subdivision of three lots fronting onto Garden Road and one larger lot fronting onto Lorne Park Road. The Planning and Building Department also had no objections to the requested consent applications. Through discussions with the applicant's agent, the middle lot, outlined as Part 3 in the consent application could not satisfy conditions and demolish the existing dwelling within the required timeframe. The northerly and southerly lot received final approval with certificates being issued for the properties. The subject application is to re-establish the previously approved lot fronting onto Garden Road. As there have been no changes to the proposed lot from what was previously approved, staff is of the opinion that the application conforms to Section 51(24) of the *Planning Act*.

Conclusion

The Planning and Building Department has no objections to the requested consent application.

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We note for the Committee's information that the City has processed a rezoning application under file OZ 16/014 for the residual lands of the subject application. We also note that the subject lands were previously dealt with through Consent Applications 'B' 38-40/18 where matters pertaining to grading, drainage, acoustical requirements and site servicing were reviewed and addressed satisfactorily. We further advise that it is our understanding that the subject lands did not finalize the previous consent application due to the timing of the removal of the existing dwelling on site. Any future matters pertaining to site specific requirements for the subject application can be addressed through the future Site Plan application. These requirements may or may not require the need for a Site Plan Agreement should matters in the previously registered Development Agreement not apply to the subject application.

Should Committee see merit in the applicant's request we have **no comments, conditions or objection** to the subject application. We provide the following general requirements for the applicant's information:

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.

For further information regarding the above noted comments, please contact John Salvino at (905) 615-3200 ext. 5183 or john.salvino@mississauga.ca

Comments Prepared by: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

This Division does not have any concerns should the lots maintain by-law requirements.

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: Marco Palerma, 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 \$2,357.76 for planting of four (4) street trees on Lorne Park Road and garden road. 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

Appendix 5 – Region of Peel Comments

Development Engineering: Iwona Frandsen (905)-791-7800, ext.7920

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. 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 call our Site Servicing Technicians at 905.791.7800 x7973 (siteplanservicing@peelregion.ca). Regional Site Servicing approvals are required prior to the local municipality issuing building permit.

Comments Prepared by: Diana Guida, Junior Planner

Appendix 7 – Bell Canada

Subsequent to review of the severance at 1190 LORNE PARK RD, Bell Canada's engineering department have determined that there are no concerns or issues with the proposed application.

Comments Prepared by: Carrie Gordon, External Liaison

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 November 4, 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 November 4, 2020.