

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-04-17	File(s): B5.25
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 4/24/2025 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 51(24) of the Planning Act.

Application Details

The applicant requests the consent of the Committee to sever a parcel of land to create a new lot. The parcel of land has a frontage of approximately 31.73m (approx. 104.10ft) and an area of approximately 212.00sq m (approx. 2,281.95sq ft).

Recommended Conditions and/or Terms

- Appendix A – Conditions of Provisional Consent
- "[Enter terms and conditions here]"

Background

Property Address: 1356 Oak Lane

Mississauga Official Plan

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

Zoning By-law 0225-2007

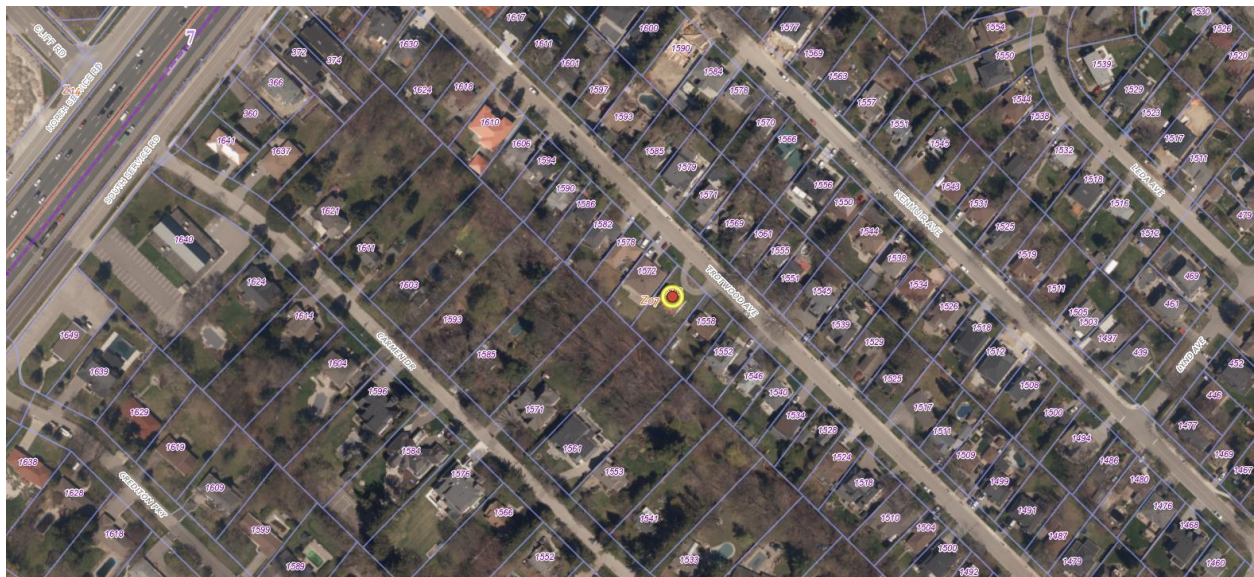
Zoning: R2-5-Residential

Other Applications: None

Site and Area Context

The subject property is located south-east of the Indian Road and Lorne Park Road intersection in the Lorne Park neighbourhood. It has an approximate lot frontage of 63.46m (208.20ft) and an approximate lot area of +/- 7,909.12m² (85,133ft²), which is larger than most lots in the surrounding context. The property fronts onto Oak Lane, a dead-end private laneway servicing 6 lots off of Indian Road. Significant mature vegetation is present throughout the property. The surrounding area context is predominantly residential, consisting of detached dwellings on lots of varying sizes.

The applicant is proposing to sever the existing lot into two parcels for the purpose of constructing a detached dwelling on each of the lots.



Comments

Planning

Provincial Matters

The Provincial Policy Statement 2024 (PPS 2024) promotes efficient development and land use, directing the focus towards intensification and redevelopment. The proposal is consistent with the general directive in provincial policy.

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:

The subject property is located in the Clarkson – Lorne Park Neighbourhood Character Area and is designated Residential Low Density I and Greenlands in Schedule 10 of the Mississauga Official Plan (MOP). The Residential Low Density I designation permits only detached dwellings in this instance.

Staff note the subject property was approved for an identical severance by the Committee of Adjustment on October 27, 2022, under file B60.22. Approval of the original consent under file B60.22 lapsed, as the conditions of provisional approval were not fulfilled within the legislated two-year period. As such approval of new application is required to sever the property into two new parcels.

Planning staff were supportive of application at the time, and the current application proposes similar lot lines to facilitate the severance. As such, staff has no objection to the application, subject to conditions of provisional consent.

Through a detailed review of the application and the previous staff report, staff are of the opinion that the application is appropriate to be handled through the consent and 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

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. 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

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. Storm Outlet

The applicant is advised that there is no storm sewer available in front of this site (ditches only), so a sump pump will be required to discharge the weeping tile. The applicant is encouraged to design the basement elevation to be 1.0 metre above the storm sewer obvert on the street to eliminate the need for a sump pump.

Please note that in cases of a high groundwater table where a sump pump could run continuously if a sump pump was implemented, the applicants should consider raising the basement elevation to be at least 1.0 metre above the groundwater level. It is the owner's responsibility to satisfy themselves with these conditions as the City has no obligation to address any concerns with the operating conditions of private sump pump systems.

4. CVC Approval

The severed and retained lands are located within the CVC's regulated floodplain area of the Lornewood Creek watershed, and as such CVC approval will be required.

G. Russell
Supervisor, Development Engineering South
905-615-3200, ext. 5833

Comments Prepared by: Geoff Russell, Supervisor, Development Engineering - South















Appendix 2 – Zoning Comments

Zoning has no objection to the Consent application provided that the severed and retained lands comply with the provisions of Zoning By-law 0225-2007, as amended, with respect to, among other things, minimum lot frontage, minimum lot area, setbacks to the existing building(s), on site parking, etc., or alternatively, that any minor variance(s) is approved, final and binding and/or the demolition of any existing building(s) is complete.

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: Ladan Javanbakht-Samani, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

Park Planning Comments

The Parks, Forestry and Environment Division of the Community Services Department has reviewed the consent application and advises as follows:

The lands to the rear of the property are classified as Significant Natural Area within the City's Natural Heritage System and zoned R2-5. 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:

- a) 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...;
- b) placing those areas identified for protection, enhancement, restoration and expansion in public ownership, where feasible.

Should the application be approved, the Parks, Forestry and Environment Division wishes to impose the following conditions:

1. All lands below the greatest environmental constraint of the property (top-of-bank, long-term stable slope, or natural features), including an associated 10 meter vegetated buffer, shall be gratuitously dedicated to the City for conservation purposes. The Community Services Department acknowledges that a 5 meter buffer was accepted through previous consent application "B" 60/22. Placing the natural hazard lands into public ownership will contribute to the protection and enhancement of the Natural Heritage System.
2. An Environmental Impact Study (EIS) prepared by Sumac Environmental Consulting Ltd. (dated March 25, 2022) has been previously submitted under consent application "B" 60/20. Staff have noted that an updated EIS is required in response to submitted comments. An updated EIS and/or response letter regarding Staff comments from October 2023 is to be submitted for review and approval.
3. Submit a draft Reference Plan identifying the lands to be dedicated to the City.
4. Submit a Site Servicing Plan and Grading plan that is to the satisfaction of the Community Services Department.
5. Submit a Tree Preservation and Inventory Plan that is to the satisfaction of the Community Services Department.

6. Submit a Landscape Plan for the Top of Bank buffer area that is to the satisfaction of the Community Services Department.
7. Prior to the Greenlands dedication, the applicant is to provide written confirmation that the Transportation and Works Department has received and approved a Phase 1 and Phase 2 (if required) Environmental Site Assessment Report (ESA), together with a Record of Site Condition (RSC) for these dedicated lands. Both set of documents are to be prepared, signed, dated and sealed by a Professional Engineer.
8. A 1.5 metre high, black vinyl chain-link fence shall be built to current municipal standards. The fencing is to be located 0.15 metres inside the lands to be dedicated to the City.
9. The applicant shall provide fencing securities in the amount of \$10,000.00. The fencing will be erected and maintained to the satisfaction of the Community Services Department – Parks & Culture Planning Section. Gates will not be permitted in the fence.
10. Securities in the amount of \$15,000.00 are to be provided to ensure the required clean-up and the preservation and protection of the adjacent city-owned lands to the satisfaction of the Community Services Department—Parks & Culture Planning Section.

In addition, Community Services notes the following:

1. Construction access from the adjacent park/greenlands is not permitted.
2. If access is required to City owned lands, a Consent to Enter Agreement/Park Access Permit will be required.
3. Stockpiling of construction materials and encroachment in the adjacent park/greenlands is not permitted.
4. Payment for fees and securities 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 made payable to “The Corporation of the City of Mississauga”. A Submission of Fees and Securities form is required to process payment. Please contact Nicholas Rocchetti to request a Submission of Fees and Securities form and any other inquiries regarding the payment process.
5. 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 Nicholas Rocchetti, Planner – Park Planning, Community Services Department at 905-615-3200 ext. 4659 or via email nicholas.rocchetti@mississauga.ca.

City Department and Agency Comments	File:B5.25	2025/04/17	15
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Comments Prepared by: Nicholas Rocchetti, Planner

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.

An 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.

Comments Prepared by: Jamie Meston, Landscape Technician

Appendix 4 – Heritage

The property has archaeological potential due to its proximity to a present or past watercourse or known archaeological resource. Due to the archaeological potential, an archaeological assessment must be completed. The applicant should contact the Ministry of Citizenship and Multiculturalism to determine if an archaeological assessment has been completed for this property. If an assessment has already been completed, please provide Heritage Planning with a letter from the Ministry confirming all archaeological resource concerns have met licensing and resource conservation requirements for the property. If an assessment has not been completed a licenced archaeologist with experience in (heritage resource management) must be retained by the property owner in order to meet the requirements of the Ministry.

Comments Prepared by: Andrew Douglas, Heritage Analyst

Appendix 5 – Region of Peel Comments

Development Engineering: Wendy Jawdek (wendy.jawdek@peelregion.ca)|(905) 791-7800 x6019

Comments:

The severed site will not have frontage to existing municipal sanitary sewer.

- There is a Regional water easement that fronts the subject property and a sanitary easement in the rear of the subject property. Please be advised that unauthorized encroachments on Regional easements will not be permitted. Certain restrictions apply with respect to Regional easements as per the documents registered on title.
- 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.
- 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 at (905) 791-7800 x7973 or by email at servicingconnections@peelregion.ca.

Conditions:

- Arrangements satisfactory to the Region of Peel, Public Works shall be made with respect to the location of existing and installation of new services and/or possible required private and or municipal service easements.

Comments Prepared by: Petrele Francois, Junior Planner

Appendix 6- Credit Valley Conservation Comments

Credit Valley Conservation (CVC) staff have reviewed the subject application and offer comments based on the following roles and responsibilities:

1. Delegated Responsibilities providing comments representing the provincial interest regarding natural hazards (except forest fires) as identified in Section 5.1 and 5.2 of the Provincial Planning Statement (2024);
2. Regulatory Responsibilities providing comments to ensure the coordination of requirements under the Conservation Authorities Act Section 28 regulation, to eliminate unnecessary delay or duplication in process.
3. Source Protection Agency providing advisory comments to assist with the implementation of the CTC Source Protection Plan under the Clean Water Act, as applicable.

CVC REGULATED AREA

Based on our mapping, the subject property is regulated due to the valley slope associated with Lornewood Creek. As such, the property is subject to the Prohibited Activities, Exemptions, and Permits Regulation (Ontario Regulation 41/24). This regulation prohibits

altering a watercourse, wetland or shoreline and prohibits development in areas adjacent to the Lake Ontario shoreline, river and stream valleys, hazardous lands and wetlands, without the prior written approval of CVC (i.e. the issuance of a permit).

PROPOSAL:

It is our understanding that 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 31.73m (approx. 104.10ft) and an area of 2126 sq m (22,884.07 sq ft).

COMMENTS:

Previously, the same severance application (Municipal File No. B60.22) was brought forward and conditionally approved by the Committee of Adjustments. CVC staff have been working with the agent to address concerns regarding the slope hazard (valley lands) associated with Lornewood Creek.

Through this process delineation of the limits of the hazards and associated buffer have been determined resulting in a suitable envelope on the retained parcel (see image below).

Furthermore, it is our understanding that there have been discussions regarding dedication of the hazardous land and associated buffer (5m) on the proposed severed lot to the City of Mississauga. CVC staff recommend that the lands be placed in public ownership for long-term protection and maintenance.

The applicant should note that, in accordance with CVC policies, development setbacks require 10m from the staked Top of Bank for habitable structures and 6m for accessory structures (as shown in the image below). Given these constraints, there appears to be limited space for future accessory structures (e.g., pools, decks, or sheds) at the rear of the property. Please be advised that due to these site limitations, CVC staff may not support any additional development, including accessory structures or landscaping works in this area.

Please also be advised that a CVC permit will be required for development proposed on both the retained and severed parcels.

CONCLUSION:

Based on the above, CVC staff has **no objection** to the approval of the requested severance application by the Committee.

It should be noted that the CVC review fee of \$1,228 has not been submitted. Please contact the undersigned to submit payment at your earliest convenience.

I trust that these comments are sufficient. Please do not hesitate to contact the undersigned at stuti.bhatt@cvc.ca or 905-670-1615 (ext. 3500) should you have any further questions. Please circulate CVC on any future correspondence or applications regarding this site.

Comments Prepared by: Stuti Bhatt, 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. ("A" /23)
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 April 17, 2025.
5. A letter shall be received from the City of Mississauga, Park Planning, Community Services Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated April 17, 2025.
6. A letter shall be received from the City of Mississauga, Culture Division, Community Services Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated April 17, 2025.
7. A letter shall be received from the Region of Peel, Development Services/Public Works, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated April 17, 2025.
8. A letter shall be received from the Credit Valley Conservation indicating that satisfactory arrangements have been made with respect to payment of the "Review Fee", and their comments dated April 17, 2025.

NOTE:

Subsection 50(3) and/or 50(5) of the Planning Act, shall apply to any subsequent conveyance or transaction that is subject to this consent and the Secretary-Treasurer's Certificate shall contain reference to this stipulation.