

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-01-06	File(s): A417.20 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: January 14, 2021

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 an enlarged rear balcony on the subject property proposing:

1. A balcony projection of 4.06m (approx. 13.32ft) whereas By-law 0225-2007, as amended, permits a maximum balcony projection of 1.00m (approx. 3.28ft) in this instance; and
2. The area below the balcony to be considered as landscaped area whereas By-law 0225-2007, as amended, does not allow the area below the balcony to be considered as landscaped area in this instance.

Background

Property Address: 1060 Walden Circle, Unit 26

Mississauga Official Plan

Character Area: Clarkson Village Community Node
Designation: Residential Medium Density

Zoning By-law 0225-2007

Zoning: RM4 (Residential)

Other Applications

Building Permit: 20-2774

Site and Area Context

The subject property is located within the Clarkson Village Community Node Character Area, northwest of Clarkson Road North and Lakeshore Road West. The subject site is located within an existing townhouse complex and also contains high-rise apartment buildings. The area is comprised of mature vegetation and includes Sheridan Creek Trail, an environmental feature identified as a Significant Natural Area. The application proposes a balcony in the rear yard requiring a variance for balcony projection and for lands below the balcony to contribute to the landscaped area requirement.



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:

Through a detailed review of the application, staff is 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.

Conclusion

The Planning and Building Department 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.

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This Department has no objections, comments or requirements with respect to C.A. 'A' 417/20.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit application under file BP 9ALT 20-2774. Based on review of the information currently available for this building permit, the variances, as requested are correct.

Our comments are based on the plans received by Zoning staff on 08/18/2020 for the above captioned building permit application. Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the site plan approval process, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedure, separately through the site plan approval process in order to receive updated comments.

Comments Prepared by: Adam McCormack – Zoning Plans Examiner

Appendix 5 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the January 14th, 2021 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Minor Variance Applications: A-395/20, A-408/20, A-410/20, A-411/20, A-412/20, A-417/20, A-418/20, A-2/21, A-4/21, A-6/21.

Comments Prepared by: Diana Guida, Junior Planner

Appendix 7 – Trans-Northern Pipelines Inc

Thank you for providing Trans-Northern with the Committee of Adjustment Notice for January 14, 2021 which includes details for the proposed development at 4358 Shelby Cres (to allow for property development including structural change and driveway) and 1060 Walden Cir (to allow for a balcony projection beyond the allowable permit limit). Trans-Northern currently operates a high-pressure petroleum products transmission pipeline within a 60 foot right of way on the

property Northwest and adjacent to the proposed development relating to 4358 Shelby Cres and 1060 Walden Cir Mississauga.

TNPI has no concerns with the developments proposed as they are beyond the Prescribed Area of the pipeline (30m) Trans-Northern and do not contain multi-unit dwellings. However please note that TNPI will need to be contacted through the One call provider to obtain firm clearance to ensure the construction and activities related are beyond our permit issue area. Please note, any development plans within the right-of-way will require a Crossing permit and any developments within the Prescribed Area (30m on either side of the pipeline) will require a permit which can be requested by following the steps described near the end of this response.

Please note that, Trans-Northern is regulated by the Canada Energy Regulator. Section 335 (1) and (2) of the Canadian Energy Regulator Act, provides that:

- *It is prohibited for any person to construct a facility across, on, along or under a pipeline or engage in an activity that causes a ground disturbance within the prescribed area unless the construction or activity is authorized or required by the orders made under subsection (3) or (4) or regulations made under subsections (5) or (6) and done in accordance with them.*

- **Prohibition — vehicles and mobile equipment**

It is prohibited for any person to operate a vehicle or mobile equipment across a pipeline unless

- *(a) that operation is authorized or required by orders made under subsection (3) or (4) or regulations made under subsections (5) or (6) and done in accordance with them; or*
- *(b) the vehicle or equipment is operated within the travelled portion of a highway or public road.*

Additionally, should the applicant propose to cross the pipeline with a vehicle or construct a facility across, on, along or under the pipeline, the applicant would be required to contact Trans-Northern prior to commencement of their work to receive the required authorization. This process can be initiated through Ontario One Call (1-800-400-2255). A representative from Trans-Northern will attend on site mark the pipeline location, confirm safe work practices, and advise of any permit requirements.

Should the applicant require further information on the technical requirements related to ground disturbance or crossing of the pipeline, they may contact Cliff Lee, Crossing Coordinator via email at : crossingrequestseast@tnpi.ca.

As always, Trans-Northern appreciates being circulated Committee of Adjustment Notices for proposed activities within 200 m of our assets.

Comments Prepared by: Michelle Gruszecki, Property & Right of Way Administrator