

City of Mississauga Department Comments

Date Finalized: 2021-12-01	File(s): A545.21 Ward 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-12-09 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a new dwelling proposing:

1. A height measured to the highest ridge (sloped roof) of 9.34m (approx. 30.64ft) whereas By-law 0225-2007, as amended, permits a maximum height measured to the highest ridge (sloped roof) of 9.00m (approx. 29.53ft) in this instance; and
2. A height of eaves of 6.83m (approx. 22.41ft) measured from average grade to lower edge of eaves whereas By-law 0225-2007, as amended, permits a maximum height of eaves of 6.40m (approx. 21.00ft) measured from average grade to lower edge of eaves in this instance.

Background

Property Address: 14 Old Princess Street

Mississauga Official Plan

Character Area: Malton Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

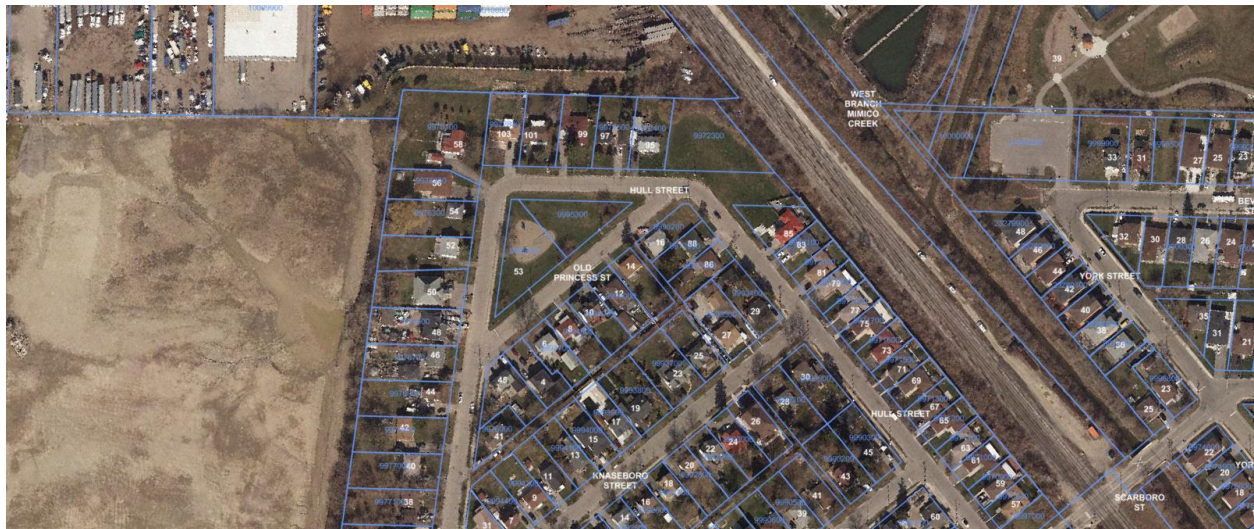
Zoning: R3-69 - Residential

Other Applications: PREAPP 21-5461

Site and Area Context

The subject property is located north-west of the Derry Road East and Airport Road intersection in Old Malton Village. It currently contains a single storey detached dwelling with limited landscaping and vegetation in both the front and rear yards. The property has a lot frontage of +/- 15.24m (50ft) and a lot area of 594.51m² (6,399.25ft²) which is characteristic of the area. The surrounding context consists exclusively of detached dwellings, however industrial lands are present farther to the north-west and vacant airport lands to the south-west.

The applicant is proposing to construct a new dwelling on the subject property requiring variances for height to the highest ridge and height to the eaves.



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 of the four tests to this minor variance request are as follows:

Does the proposal maintain the general intent and purpose of the Official Plan?

The subject property is located in the Malton Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached dwellings, semi-detached dwellings, and duplex uses. Section 9

of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions, the surrounding context, and the landscape of the character area. The proposal is a detached dwelling which is permitted under the Official Plan and it is consistent with the surrounding context. Staff are therefore satisfied that the general intent and purpose of the Official Plan is maintained.

Does the proposal maintain the general intent and purpose of the Zoning By-law?

Both requested variances relate to the height of the structure. The first request is to permit an increase in height to the highest ridge, and the second request is to permit an increase in height to the eaves. The intent of restricting height to the highest ridge and eaves is to lessen the visual massing of dwelling while lowering the overall pitch of the roof and bringing the edge of the roof closer to the ground. This keeps the overall height of the dwelling within human scale. Staff are satisfied that the proposed increases in height are appropriate for the subject property and note that, for portions of the property, the Average Grade is below the finished grade which further mitigates any potential impacts from the increased height. It is the opinion of Planning staff that the application maintains the general intent and purpose of the Zoning By-law.

Is the proposal desirable for the appropriate development of the subject lands and minor in nature?

Staff are satisfied that the application is minor in nature and that any potential impacts on abutting properties, as a result of the increased height, are mitigated due to the grading of the subject property. The proposal of a new detached dwelling represents appropriate development of the subject lands.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed new dwelling will be addressed through the Building Permit process.



Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit under file PREAPP 21-5461. Based on review of the information currently available in this permit application, the variances, as requested are correct.

Please note that comments reflect those provided through the above permit application and should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the application file noted above, these comments may no longer be valid. Any changes and/or updates to information and/or drawings

must be submitted, as per standard resubmission procedures, separately through the application process in order to receive updated comments.

Comments Prepared by: Alana Zheng, Zoning Examiner