

City of Mississauga Department Comments

Date Finalized: 2022-07-20	File(s): A335.22
To: Committee of Adjustment	Ward: 5
From: Committee of Adjustment Coordinator	Meeting date:2022-07-28 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 to eaves of 6.6m (approx. 21.7ft) whereas By-law 0225-2007, as amended, permits a maximum height to eaves of 6.4m (approx. 21.0ft) in this instance;
2. A height to ridge of 9.25m (approx. 30.35ft) whereas By-law 0225-2007, as amended, permits a maximum height to ridge of 9.00m (approx. 29.53ft) in this instance; and,
3. A gross floor area of 364.05sq.m (approx. 3,918.60sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 302.60sq.m (approx. 3,257.16sq.ft) in this instance.

Background

Property Address: 48 North Alarton St

Mississauga Official Plan

Character Area: Malton Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

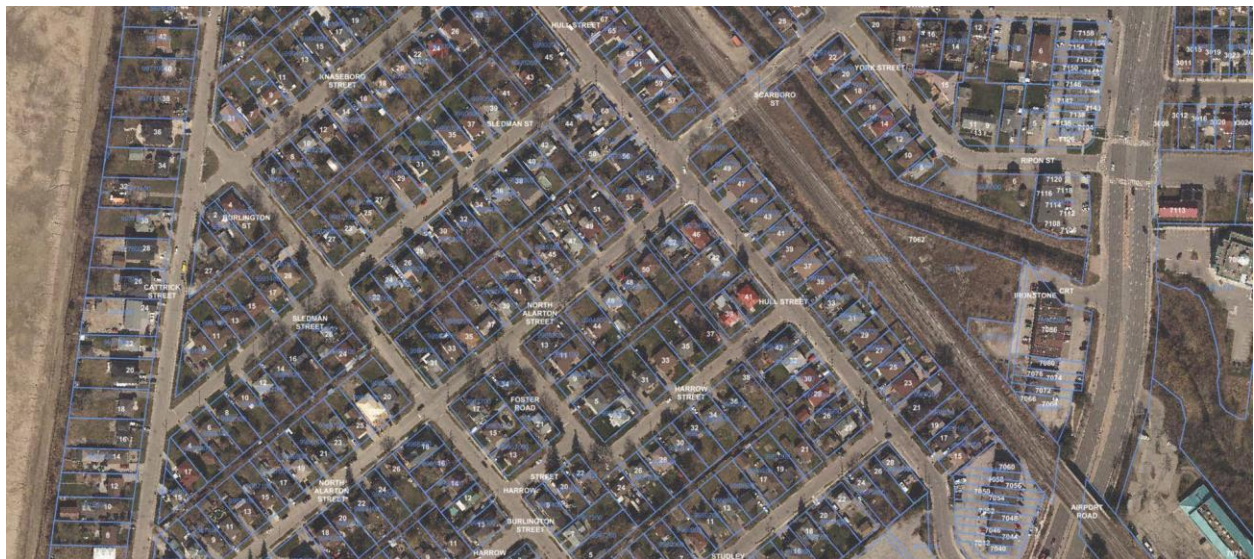
Zoning: R3-69 - Residential

Other Applications: PREAPP 22-1178

Site and Area Context

The property is located north-west of the Derry Road East and Airport Road intersection and currently houses a single storey, detached dwelling with minimal vegetation and landscaping elements within the front and rear yards. The subject property is an interior parcel with a lot area of approximately +/- 763.0m² (8,212.9ft²) and a lot frontage of approximately +/- 19.58m (64.24ft). Contextually, the surrounding neighbourhood consists of modest, single storey, detached homes with minimal landscape and vegetative elements within both the front and rear yards. The surrounding properties possess lot frontages of +/- 16.0m (52.5ft).

The applicant is proposing a new two storey dwelling, requiring variances related to gross floor area, building height and eave height.



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). The designation permits detached, semi-detached and duplex dwellings. Section 9 of the MOP

promotes development with appropriate urban form and site design, requiring that such development is compatible with: the existing site conditions, the surrounding context, and the landscape of the character area. Staff are satisfied that the proposal appropriately balances the existing and planned characters of the surrounding area and are of the opinion that the application maintains the general intent and purpose of the official plan.

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

Variances 1 & 2 relate to the height of the eaves and the overall height of the structure. The intent of restricting height to the eaves and overall height is to lessen the visual massing of the dwelling by bringing the edge of the roof closer to the ground. This keeps the height of the dwelling within human scale. The proposal requests a minor increase in eave height that does not have a significant impact on the massing of the dwelling. Furthermore staff note that the requested height variance is only for a portion of the sloped roof and keeps the massing within an appropriate scale.

Variance 3 requests an increase in gross floor area. The intent in restricting gross floor area is to maintain compatibility between existing and new dwellings by ensuring the existing and planned character of the neighbourhood is preserved. While the proposal represents an increase to the permissions of the by-law, staff are satisfied that the revised proposal appropriately balances the existing built form and character of the neighbourhood with the planned character envisioned by the Malton Infill Housing Study. The design of the proposed dwelling utilizes a broken up front wall which limits the visual impact of the massing, while maintaining appropriate front and rear yard setbacks.

Given the above, 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?

Upon review of the application staff are satisfied that the proposal represents appropriate development of the subject lands. The variances, both individually and cumulatively, are minor in nature and will not create any undue impacts to adjoining properties or the planned or existing character of the area.

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 Preliminary Zoning Review under file PREAPP 22-1178. 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

Appendix 3 – Metrolinx

Metrolinx is in receipt of the minor variance application for 48 North Alarton Street to facilitate the construction of a new single-family dwelling. Metrolinx's comments on the subject application are noted below:

- The subject property is located within 300 meters of Metrolinx's Weston Subdivision which carries Metrolinx's Kitchener GO Train service.
- As per section 3.9 of the Federation of Canadian Municipalities and Railway Association of Canada's Guidelines for New Development in Proximity to Railway Operations, the Owner shall grant Metrolinx an environmental easement for operational emissions. The environmental easement provides clear notification to those who may acquire an interest in the subject property and reduces the potential for future land use conflicts. The environmental easement shall be registered on title of the subject property. A copy of the form of easement is included for the Owner's information. The applicant may contact Harrison.Rong@Metrolinx.com with questions and to initiate the registration process.

Comments Prepared by: Harrison Rong, Project Coordinator

Appendix 4 – Region of Peel

Development Engineering: Alexandra Maria (905) 791-7800 x7991

Comments: 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 contact Servicing Connections at siteplanservicing@peelregion.ca

All unutilized water and sanitary services shall be disconnected and/or abandoned in accordance with Region of Peel standards and specifications. For more information, please contact Servicing Connections at siteplanservicing@peelregion.ca

Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Region of Peel Site Servicing connection approvals are required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections at siteplanservicing@peelregion.ca

Comments Prepared by: Joseph Filice, Junior Planner