

# City of Mississauga Department Comments

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| Date Finalized: 2022-11-02                | File(s): A484.22                      |
| To: Committee of Adjustment               | Ward: 5                               |
| From: Committee of Adjustment Coordinator | Meeting date:2022-11-10<br>1:00:00 PM |

## Consolidated Recommendation

The City recommends that the application be deferred.

## Application Details

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

1. An interior side yard setback to the east of 1.00m (approx. 3.28ft) whereas By-law 0225-2007, as amended, requires an interior side yard setback to the east of 1.81m (approx. 5.94ft) in this instance; and,
2. An interior side yard setback to the west of 1.23m (approx. 4.04ft) whereas By-law 0225-2007, as amended, requires an interior side yard setback to the west of 1.81m (approx. 5.94ft) in this instance.

## Background

**Property Address:** 58 Hull St

### Mississauga Official Plan

Character Area: Malton Neighbourhood  
Designation: Residential Low Density I

### Zoning By-law 0225-2007

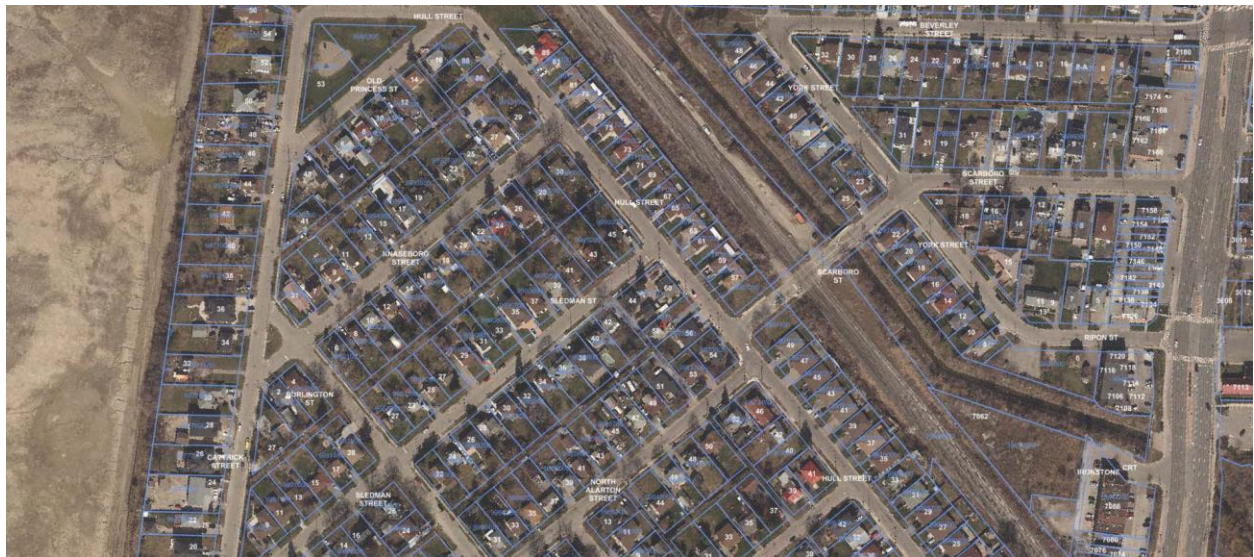
**Zoning:** R3-69 - Residential

**Other Applications:**

**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 +/- 763.0m<sup>2</sup> (8,212.9ft<sup>2</sup>) 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 requesting variances for side yard setbacks.



## 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:

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. The designation permits detached, semi-detached and duplex dwellings. Section 9 of the 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 applicant has requested two variances, both relating to proposed reductions in side yard setbacks. While Planning staff are not in a position to complete a comprehensive zoning review, upon review of the application it appears that the proposed dwelling will require further variances for height, gross floor area, and lot coverage that have not been requested. Staff further note that these additional variances may not be supportable by staff.

Planning staff therefore recommend that the application be deferred.

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 application under file PREAPP 22-1724. Based on review of the information currently available in this permit application, the variances, as requested are correct.

However, we also advise that more information is required in order to determine whether additional variance(s) will be required.

Please note that comments reflect those provided through the above permit application submitted on 04/25/2022 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: Jeanine Benitez, Zoning Examiner

### Appendix 3 – Metrolinx

Metrolinx is in receipt of the minor variance application for 58 Hull St to facilitate the construction of a new two-storey 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 [Derek.Brunelle@metrolinx.com](mailto:Derek.Brunelle@metrolinx.com) with questions and to initiate the registration process.

Comments Prepared by: Farah Faroque, Intern, Third Party Projects Review

### Appendix 4 – Region of Peel

Development Engineering: Camila Marczuk (905) 791-7800 x8230

**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](mailto: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](mailto:siteplanservicing@peelregion.ca)

Development Planning: Patrycia Menko (905) 791-7800 x3114

**Comment:** Please be advised that the subject property is located within the limits of the regulated area of the Toronto & Region Conservation Authority (TRCA). Regional Planning Staff, therefore, request that the Committee and City staff consider comments from the TRCA and incorporate their conditions of approval appropriately.

Comments Prepared by: Patrycia Menko, Junior Planner