

City of Mississauga Department Comments

Date Finalized: 2022-11-16	File(s): A485.22
To: Committee of Adjustment	Ward: 5
From: Committee of Adjustment Coordinator	Meeting date:2022-11-24 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 a lot coverage of 36.53% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30% in this instance.

Background

Property Address: 3043 Coral Dr

Mississauga Official Plan

Character Area: Malton Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R4 - Residential

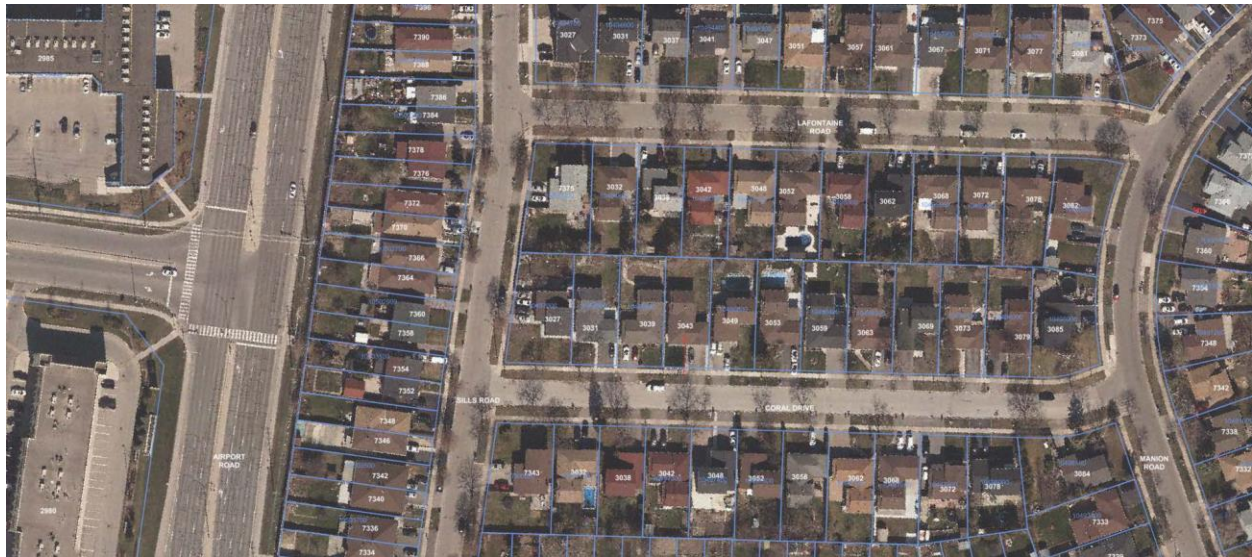
Other Applications: PREAPP 21-10021

Site and Area Context

The subject property is located south-east of the Airport Road and Thamesgate Drive intersection in the Malton neighbourhood. It has a lot area of +/- 557.09m² (5,996.47ft²), a lot frontage of +/- 15.24m (50ft), and currently contains a single storey detached dwelling with minimal vegetation and landscaping elements in both the front and rear yards. The surrounding

neighbourhood consists of a mix of both detached and semi-detached dwellings, and employment and commercial uses on the west side of Airport Road.

The applicant is proposing a new two-storey detached dwelling requiring a variance for lot coverage.



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.

Arising from public input expressed through the 'My Malton' Community Visioning exercise undertaken in 2015, the City completed the Malton Infill Housing Study. This study resulted in Council's adoption of zoning regulations principally aimed at regulating the massing of dwellings in a manner that is sensitive to the surrounding context. The intent of the policies are to limit the

overall massing of these dwellings and maintain compatibility between the existing and planned character of the neighbourhood.

Staff have reviewed the submitted drawings and have concerns surrounding the massing of the proposed dwelling and the proposed lot coverage. Furthermore certain dimensions on the submitted elevations appear to be inconsistent, and based on the statistics listed on the Site Plan drawing a gross floor area variance will also be required.

Given the above, Planning staff recommend that the application be deferred in order to allow the applicant to redesign the dwelling and confirm the accuracy of the variances.

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 21-10021. Based on review of the information currently available in this permit application, we advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

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 - TRCA

This letter acknowledges receipt of the above applications, received on November 2, 2022. Toronto and Region Conservation Authority (TRCA) staff have reviewed the applications as per the "Living City Policies for Planning and Development within the Watersheds of the TRCA" (LCP). The policies of this document outline the requirements needed to implement the natural hazard policies of the PPS; Ontario Regulation 166/06, *Development, Interference with Wetlands and Alterations to Shorelines and Watercourses*; and the Memorandums of Understanding (MOU) with our municipal partners (City and Region) which request technical environmental advice.

Purpose of the Application

The purpose of Minor Variance Application A485.22 is to allow the construction of a new dwelling proposing a lot coverage of 36.53% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30% in this instance. It is our understanding that the above variances are required to facilitate the replacement of the existing one-storey house with gross floor area of 156.63 sq.m. at the subject property with a two-storey house with a gross floor area of 357.34 sq.m. consisting of a second unit dwelling in the finished basement and a 37.38 sq.m. underground car garage.

Recommendation On the basis of the comments noted below, TRCA staff have **requested a deferral** to the approval of Minor Variance Application A485.22.

Ontario Regulation 166/06

The subject property is located within TRCA's Regulated Area of the Mimico Creek Watershed. Specifically, the subject land is located downstream of a flood spill area of the Regulatory Flood Plain associated with a tributary of Mimico Creek. As such, a TRCA permit pursuant to Ontario Regulation 166/06 will be required for any development or site alteration within the Regulated Area on the property.

Application Specific Comments Based on our latest preliminary 2D modeling results, it appears that a portion of the front yard of the subject property is located within the Regulatory flood plain. The Regional water surface elevation and the flood velocity at the property would be **171.04 m (+/-)** and **0.6 m/s (+/-)** respectively.

Based on this preliminary modeling and potential hazard, we have concerns that the proposed rear grade driveway would further exacerbate the flood risk to the foundation by allowing the flood plain along Coral Drive to extend into the proposed basement and cannot be supported. Please provide an elevation drawing showing the height of all openings in *mas*/ as it is not clear whether all aspects of the proposed development are located above this hazard.

Further, as per The Living City Policy 8.4.13., please note that a future proposal for a second unit dwelling in the basement is **not permitted** as there is no safe access for emergency or private vehicles out of or into the neighbourhood during a regulatory flood event. As such, a future proposal for a second unit dwelling would not be supported as it represents an increase in risk to life and property. The proposed basement plans will need to be revised to remove its function as a separate unit.

While TRCA staff have no objection to the specific requested variances, we will require revisions to the design to address the above requirements. As such, we request deferral of Minor Variance A485.22 until these items can be adequately addressed.

Fees

Please be advised that this application is subject to a **\$660.00** review fee as per our current Fee Schedule. Please note that payments can be made by:

a. Credit Card: Please contact the undersigned for online payments and/or if you require an invoice.

b. Cheque: Please reference TRCA file no. CFN 66441.28 on the cheque being mailed to: Toronto and Region Conservation Authority c/o Marina Janakovic, Planner I 101 Exchange Avenue, Vaughan, ON L4K 5R6 RE: Planning Fee for TRCA file no. CFN 66441.28

Conclusion

Note that the above comments are being provided based on current policy and legislation which are subject to change from time to time. Future applications will be reviewed in accordance with the policies in effect at the time of review.

We thank you for the opportunity to comment. Should you have any additional questions or comments, please do not hesitate to contact the undersigned.

Comments Prepared by: Marina Janakovic, Planner I

Appendix 4- Region of Peel

Servicing: 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 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca.

- 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 siteplanservicing@peelregion.ca.

Comments Prepared by: Patrycia Menko, Junior Planner