

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-04-03	File(s): A68.25
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:4/10/2025 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application, subject to the amendment.

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 peak of the roof of 9.46m (approx. 31.04ft) whereas By-law 0225-2007, as amended, permits a maximum height to peak of the roof of 9.00m (approx. 29.53ft) in this instance;
2. A height to the underside of eaves of 6.71m (approx. 22.01ft) whereas By-law 0225-2007, as amended, permits a maximum height to the underside of eaves of 6.40m (approx. 21.00ft) in this instance;
3. A lot coverage of 32.90% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% in this instance; and
4. A gross floor area – infill residential of 331.01sq m (approx. 3,562.96sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area – infill residential of 296.96sq m (approx. 3,196.45sq ft) in this instance.

Amendments

The Building Department is processing Building Permit application 25-5801. Based on review of the information available in this application, we advise that following amendment is required for item number four:

4. A gross floor area – infill residential of 353.00sq m (approx. 3,799.66sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area – infill residential of 296.96sq m (approx. 3,196.45sq ft) in this instance.

Background

Property Address: 43 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: BP 25-5801

Site and Area Context

The property is located in the Malton Neighbourhood, north-west of the Derry Road East and Airport Road intersection. It 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 +/- 599.80m² (6,456.19ft²) and a lot frontage of approximately +/- 15.36m (50.39ft). The surrounding neighbourhood consists of single storey, detached homes with minimal landscape and vegetative elements within both the front and rear yards.

The Applicant is proposing a new two-storey detached dwelling, requiring variances related to dwelling height, eaves height, lot coverage and gross floor area.



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 both the existing and planned character 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 dwelling. 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. Variance 2 requests a 0.31m (1.01ft) increase in eave height and

will not have a significant impact on the massing of the dwelling. Staff note that the height proposed are consistent with others in the neighbourhood and accommodates a sloped roof that reflects the character of the area.

Variance 3 requests an increase in lot coverage. The intent in restricting lot coverage is to ensure that there isn't an overdevelopment of the lot which would impact the streetscape as well as abutting properties. Staff are satisfied that the 2.9% increase in lot coverage is negligible, does not represent an overdevelopment of the subject property and is generally in line with both original and newer dwellings in the area.

Variance 4 requests an increase in gross floor area. The intent in restricting gross floor area is to maintain compatibility between existing and new dwellings in order to ensure the existing and planned character of a neighbourhood is preserved. The proposal represents a more moderate increase to the permissions of the by-law, is in line with new builds in the surrounding area and will not create a significant massing impact above the as of right permissions of the property. 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.

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: Sara Ukaj, Planning Associate

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the new dwelling will be addressed through the Building Permit Process (BP 9NEW 25-5801).





Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

The Building Department is processing Building Permit application 25-5801. Based on review of the information available in this application, we advise that following amendment is required for item number four:

4. A gross floor area – infill residential of 353.00sq m (approx. 3,799.66sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area – infill residential of 296.96sq m (approx. 3,196.45sq ft) in this instance.

Our comments may no longer be valid should there be changes in the Committee of Adjustment application that have yet to be submitted and reviewed through the Building Division application. To receive updated comments, the applicant must submit any changes to information or drawings separately through the above application.

Comments Prepared by: Andrea Patsalides, Planner Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

Forestry Comments

The Forestry Section of the Community Services Department has reviewed the above noted minor variance application and advises as follows:

1. No public trees shall be injured or removed. If public tree injury or removal is required, a permit must be issued as per By-law 0020-2022.
2. No private trees shall be injured or removed. If a private tree with a diameter of 15 centimetres or greater on private property is to be injured or destroyed, a permit must be issued as per By-law 0021-2022.
3. Please note if a tree is identified as a shared tree with the adjacent property owner, and the applicant intends to apply for a Tree Removal Permit, written consent must be obtained by both parties.

An Application to Permit the Injury or Destruction of Trees on Public and Private Property can be found at <https://www.mississauga.ca/publication/application-to-permit-the-injury-or-destruction-of-trees-on-public-and-private-property/>.

Additionally, Forestry notes that the layout and construction works affiliated with the proposed asphalt driveway on North Alarton St. will result in the removal of a City owned tree. Care should be taken to protect the below noted tree as best as possible:

- Flowering Crab Apple: 44cm DBH, good-fair condition, minimum Tree Protection Zone (TPZ) 2.6m, located along the northern edge of the proposed driveway.

If necessary, Tree Protection Hoarding for City trees shall be installed as per By-law 0020-2022. Any public tree injuries and/or removals need to apply for Tree Application Permits as noted in Item 1. As per this By-law, no person shall perform any work within a TPZ without a valid permit.

For privately owned trees to be protected, and where necessary, Tree Protection Hoarding shall be installed as per By-law 0021-2022. Any private tree injuries and/or removals (for trees 15cm DBH or greater) need to apply for Tree Application Permits as noted in Item 2.

Should further information be required, please contact Jamie Meston, Landscape Technician, Forestry Section, Community Services Department at 905-615-3200 ext. 4264 or via email jamie.meston@mississauga.ca.

Comments Prepared by: Jamie Meston, Landscape Technician

Appendix 4 – Region of Peel Comments

Development Engineering: Sabrina Martins (sabrina.martins@peelregion.ca) | (905) 791- 7800 x3094

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. Regional Site Servicing Connection approvals may be required prior to the local municipality issuing full building permit. 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 servicingconnections@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 servicingconnections@peelregion.ca.
- All unutilized water and sanitary services shall be abandoned in accordance with Region of Peel design criteria. For more information, please contact Servicing Connections at (905) 791-7800 x7973 or by email at servicingconnections@peelregion.ca.

Comments Prepared by: Petrele Francois, Junior Planner

Appendix 5 – Metrolinx

- The subject property is located within 300m of the Metrolinx Weston Subdivision, which carries Metrolinx's Kitchener GO Train service.

GO/HEAVY-RAIL – CONDITIONS OF APPROVAL

- 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 jenna.auger@metrolinx.com with questions and to initiate the registration process. (It should be noted that the registration process can take up to 6 weeks).
- The Proponent shall provide confirmation to Metrolinx, that the following warning clause has been inserted into all Development Agreements, Offers to Purchase, and Agreements of Purchase and Sale or Lease of each unit:
 - **Warning:** Metrolinx and its assigns and successors in interest operate commuter transit service within 300 metres from the subject land. In addition to the current use of these lands, there may be alterations to or expansions of the rail and other facilities on

such lands in the future including the possibility that Metrolinx or any railway entering into an agreement with Metrolinx or any railway assigns or successors as aforesaid may expand their operations, which expansion may affect the environment of the occupants in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual units. Metrolinx will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under these lands.

Should you have any questions or concerns, please contact jenna.auger@metrolinx.com.

Comments Prepared by: Jenna Auger, Third Party Project Review