

City of Mississauga Department Comments

Date Finalized: 2023-04-05	File(s): A57.23 Ward: 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2023-04-13 1:00:00 PM

Consolidated Recommendation

The City recommends that the Committee have regard for all comments and evidence provided by the applicant and area residents when assessing if the application meets the requirements of Section 45 (1) of the Planning Act.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a detached garage proposing a detached garage accessory to an existing legal non-complying detached dwelling within a C4 Zone whereas By-law 0225-2007, as amended, does not permit this use in a C4 Zone in this instance.

Background

Property Address: 19 Thomas St

Mississauga Official Plan

Character Area: Streetsville Community Node
Designation: Mixed Use

Zoning By-law 0225-2007

Zoning: C4 - Commercial

Other Applications: BP 9NEW 22-4624

Site and Area Context

The subject property is located on the south side of Thomas Street, west of the Queen Street South intersection. It currently contains a two-storey detached dwelling and has a lot area of +/- 396.97m² (4,272.95ft²). Limited landscaping and vegetative elements are present in both the front and rear yards. The surrounding area context contains a mix of residential, commercial and institutional uses with varying built forms and lot sizes.

The applicant is proposing to construct a detached garage, requiring a variance to permit a detached garage.



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 Streetsville Community Node Character Area and is designated Mixed Use in Schedule 10 of the Mississauga Official Plan (MOP). The property is zoned C4 – Mainstreet Commercial. Despite the designation and zoning, the property contains a detached dwelling that has existed on the property since at least 1960.

The properties at 19 Thomas Street and 25 Thomas Street previously shared a detached garage in the rear yard. 25 Thomas Street is currently undergoing redevelopment in conjunction with 263 Victoria Street, and as such the detached garage was demolished. The applicant at 19 Thomas Street is seeking permission to reconstruct their portion of the detached garage independent of 25 Thomas Street. Staff are of the opinion that the application is appropriate to

be handled through the minor variance process and that the application raises no concerns of a planning nature.

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 detached garage will be addressed through the Building Permit Process. From our site inspection of the property we note that we do not foresee any drainage related concerns.



Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit application under file BP 9NEW 22-4624. 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: Gary Gagnier; Zoning Examiner

Appendix 3- Region of Peel

We have no comments or objections.

Comments Prepared by: Patrycia Menko, Junior Planner

Appendix 4- Metrolinx

19 Thomas St

Metrolinx is in receipt of the minor variance application for 19 Thomas St to facilitate the construction of a new detached garage. Metrolinx's comments on the subject application are noted below:

- The subject property is located within 300 meters of Canadian Pacific Railway's (CP Rail) Galt Subdivision which carries Metrolinx's Milton GO Train service.
- The proponent is advised the following:

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.

Comments Prepared by: Farah Farroque, Intern