

# City of Mississauga Department Comments

Date Finalized: 2024-03-13	File(s): A114.24
To: Committee of Adjustment	Ward: 11
From: Committee of Adjustment Coordinator	Meeting date:2024-03-21 1:00:00 PM

## Consolidated Recommendation

The City has no objections to the application, subject to the condition. The applicant may wish to defer the application to ensure that all required variances have been accurately identified.

## Application Details

The applicant requests the Committee to approve a minor variance to allow an accessory structure proposing an area of 17.26sq m (approx. 185.79sq ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure area of 10.00sq m (approx. 107.64sq ft) in this instance.

## Recommended Conditions and Terms

Should the Committee see merit in the application, staff recommend that the structure be equipped with an eaves trough and the downspout be installed in accordance with T&W's comments contained in Appendix 1.

## Background

**Property Address:** 13 Arch Road

### Mississauga Official Plan

Character Area: Streetsville Neighbourhood  
Designation: Residential Low Density I

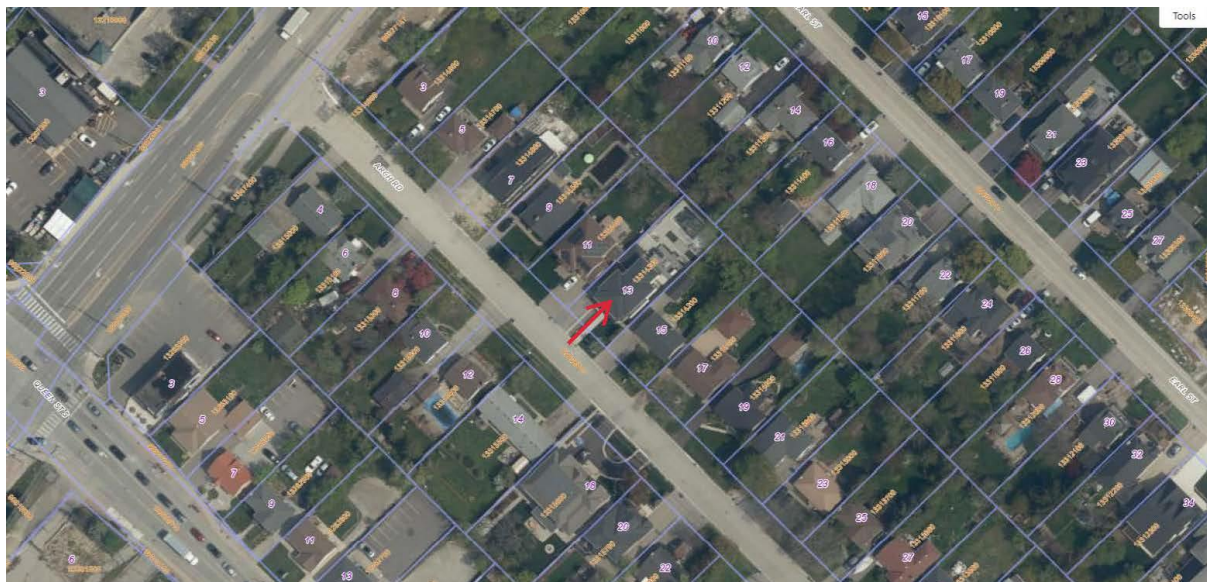
### Zoning By-law 0225-2007

**Zoning:** R3-69-Residential

**Other Applications: None****Site and Area Context**

The subject property is located south-east of the Britannia Road West and Queen Street South intersection in the Streetsville neighbourhood. It currently contains a single storey detached dwelling with a detached garage. Limited landscaping and vegetative elements are present in both the front and rear yards. The property has a lot frontage of +/- 15.24m (50ft) and a lot area of +/- 690.27m<sup>2</sup> (7,450.13ft<sup>2</sup>), which is characteristic of the surrounding area. The surrounding area context is predominantly residential, consisting mostly of detached dwellings, however commercial and industrial uses are present along both Britannia Road West and Queen Street South.

The applicant is proposing to legalize an existing accessory structure requiring a variance for accessory structure 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 Streetsville Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). Section 9 of 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. Staff are therefore of the opinion that the proposal maintains the general intent and purpose of the official plan.

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

The sole variance relates to an increase in accessory structure area. While the proposed accessory structure is notably larger than a single accessory structure permitted on this property, staff note that three legally sized accessory structures placed side by side in the same location on the property would have a similar massing impact as the proposal. No additional variances for height or setbacks have been requested further mitigating any potential impact. Staff are of the opinion that the proposed structure remains accessory to the principle use on the lands and are satisfied that any massing impacts on abutting properties are minor in nature. Staff are satisfied the proposal 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?**

Staff are of the opinion that the proposed accessory structure will not have significant impacts on the neighbouring properties and represent appropriate development of the subject lands. As such, the variances are minor in nature and result in orderly development of the subject property.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

Enclosed for Committees easy reference are photos depicting the accessory structure. This department would recommend that the structure be equipped with an eave trough and the downspout be directed such that it does not impede on the abutting property.









Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

## **Appendix 2 – Zoning Comments**

We note that a Building Permit is required. In the absence of a Building Permit we are unable to confirm the accuracy of the information provided, or determine whether additional variance(s) may be required. It should be noted that a zoning review has NOT been completed.

The applicant is advised that should they choose to proceed without zoning verification, a full zoning review may result in further variances being required in the future.

Comments Prepared by: Minan Song, Planner in Training

## **Appendix 3- Metrolinx**

### **A114.24 - 13 Arch Road**

Metrolinx is in receipt of the Minor Variance application for 13 Arch Rd to facilitate the construction of an accessory structure (cabana). Metrolinx's comments on the subject application are noted below:

- The subject property is located within 300m of the CP Galt Subdivision which carries Metrolinx's Milton GO Train service.

Advisory Comments:

- The Proponent is advised of 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 Faroque, Project Analyst

**Appendix 4- Region of Peel**

We have no comments or objections.

Comments Prepared by: Ayooluwa Ayoola, Planner