

City of Mississauga Department Comments

Date Finalized: 2024-04-17	File(s): A174.24 Ward: 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-04-25 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 a dwelling proposing:

1. A detached garage whereas By-law 0225-2007, as amended, does not permit such a use in this instance;
2. A shed whereas By-law 0225-2007, as amended, does not permit such a use in this instance;
3. An aisle width of 4.94m (approx. 16.21ft) whereas By-law 0225-2007, as amended, requires a minimum aisle width of 7.00m (approx. 22.97ft) in this instance; and,
4. An aisle width of 6.22m (approx. 20.41ft) whereas By-law 0225-2007, as amended, requires a minimum aisle width of 7.00m (approx. 22.97ft) in this instance.

Background

Property Address: 31 Thomas Street

Mississauga Official Plan

Character Area: **Streetsville Community Node**
Designation: **Mixed Use**

Zoning By-law 0225-2007

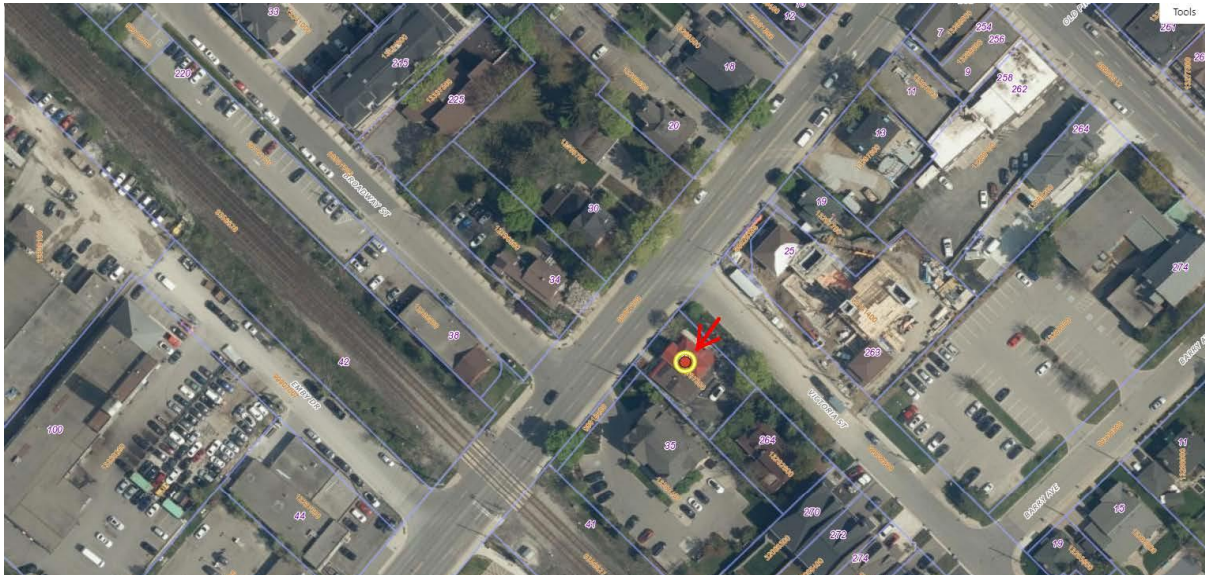
Zoning: **C4-39- Commercial**

Other Applications: Building Permit application BP 9NEW 24-26

Site and Area Context

The subject property is located within the Streetsville Community Node Character Area, southwest of Queen Street South and Thomas Street intersection. The immediate neighbourhood consists of an eclectic mix of residential and commercial uses. The subject property contains an existing two-storey detached residential dwelling with a beauty salon on the main floor with limited vegetation in the front yard.

The applicant is proposing to construct a shed and legalize a detached garage requiring variances for parking aisle width and to permit a detached garage and shed on the property.



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 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 Mixed Use designation permits a variety of uses, including residential and personal service establishment. The property is zoned C4-39 – Commercial. Despite the designation and zoning, the property contains a detached dwelling which is legal non-conforming.

Variations #1 and #2 request a detached garage and shed on the subject property whereas they are not permitted. The detached garage is to facilitate a covered parking space on the subject property. The structures meet the area and height requirements and there are no variations requested for lot coverage or setbacks. Staff are satisfied that the structures are appropriate for the subject property.

Variations #3 and #4 request a reduction in the parking aisle width. The intent of the zoning by-law is to ensure there is adequate space for vehicle passage within a parking area. Staff are of the opinion that the reduction in the parking aisle width poses no impact on the functioning of the vehicle passageway and that the necessary maneuverability can be maintained within the proposed parking aisle width. Further, Transportation and Works staff have not identified any concerns with the variations.

Through a detailed review of the application, staff are of the opinion that the application is appropriate to be handled through the minor variance process. Further, the application raises no concerns of a planning nature.

Comments Prepared by: Shivani Chopra, Planning Associate

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed are a number of photos depicting the subject property. The existing topography of the subject lands is such that the grades in the area of the detached garage under construction and proposed shed are at a lower elevation and some drainage is directed to the abutting property. We acknowledge that the existing drainage pattern has existed for years, however any attempt to re-direct some of the drainage from the driveway area to the front towards Victoria Street would help alleviate some of the drainage being directed to the abutting property to the rear. We are noting this for information purposes and have no objections to the request.









Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Division is processing Building Permit application BP 9NEW 24-26. Based on the review of the information available in this application, the requested variances are correct.

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: Gary Gagnier, Zoning Examiner

Appendix 3 – Metrolinx

Metrolinx is in receipt of the Minor Variance application for 31 Thomas St, to facilitate the construction of a detached garage and shed, accessory to the existing dwelling/salon building. 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:

- As the requested variances have minimal impact on Metrolinx property (i.e., Milton Corridor), Metrolinx has no objections to the specified variances should the committee grant approval.
- 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.

Should you have any questions or concerns, please do not hesitate to contact me.

Comments Prepared by: Farah Faroque, Project Analyst – Third Party Projects Review

Appendix 4 – Region of Peel

We have no comments or objections.

Comments Prepared by: Ayooluwa Ayoola, Planner