

City of Mississauga Department Comments

Date Finalized: 2024-07-03	File(s): A265.24
To: Committee of Adjustment	Ward: 11
From: Committee of Adjustment Coordinator	Meeting date:2024-07-11 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, as requested, 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 an alteration proposing a gross floor area of 380.40sq m (approx. 4094.63sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 350.98sq m (approx. 3777.95sq ft) in this instance.

Background

Property Address: 77 Thomas Street

Mississauga Official Plan

Character Area: Streetsville Neighborhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

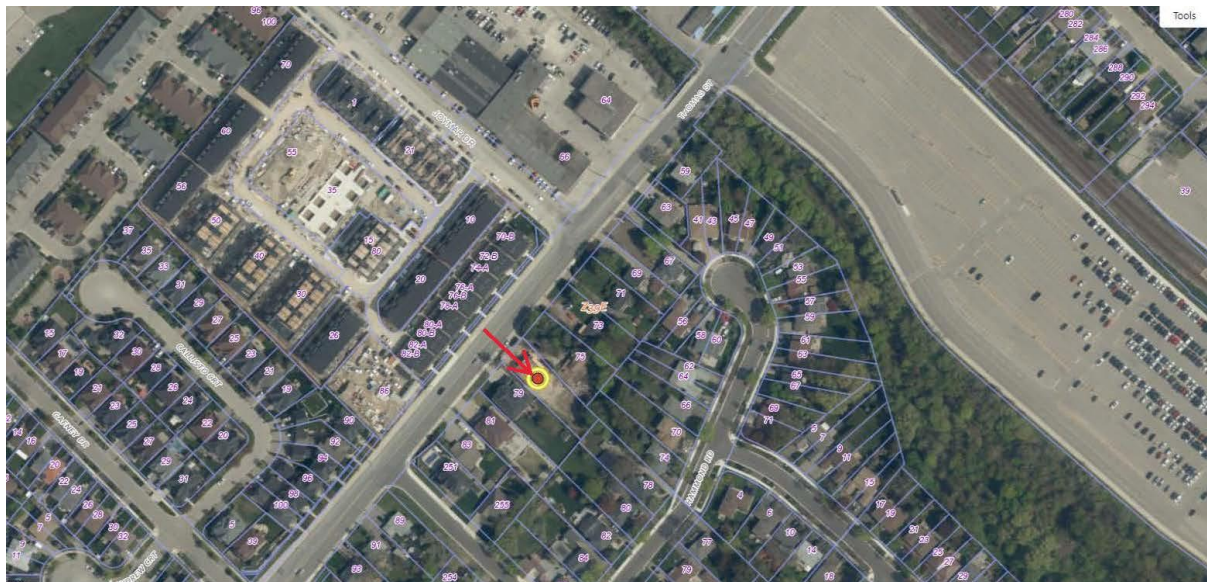
Zoning: R3-69-Residential

Other Applications: Building Permit BP 9ALT 24-1153

Site and Area Context

The subject property is located on the south side of Thomas Street, west of the intersection with Joymar Drive. It has a lot frontage of +/-18.12m (59.45ft) and a lot area of +/- 1,004.9m² (10,816.65ft²). The site contains a two-storey detached dwelling with limited landscaping and vegetation elements. The surrounding area context is primarily residential, consisting of detached, semi-detached, and townhouse dwellings, however an industrial site is also present to the east.

The applicant is proposing interior alterations to the dwelling requiring a variance for gross floor area (GFA).



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 Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits only detached dwellings in this instance. 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 satisfied that the proposed built form is compatible with existing site conditions and the surrounding context.

Staff note that this property was subject to a previous application (A50.23) which was approved by the Committee of Adjustment on April 20, 2023, for a variance pertaining to an increase in the gross floor area. The application requested a GFA increase from the permissible 350.98m² (approx. 3777.92ft²) to 360.82m² (approx. 3883.83 ft²). Planning staff had no objections to the application at the time.

The current application requires a sole variance seeking an increase in the GFA to 380.40m² (4094.63sq ft²), 19.58m² (210.76ft²) more than previously approved. The intent in restricting gross floor area is to maintain compatibility between existing and new dwellings and ensure the existing and planned character of a neighbourhood is preserved. Planning staff are of the opinion that the proposed increase is minor in nature and will not negatively impact the planned or existing character of the area. Further, the dwelling meets the zoning regulations for dwelling height and lot coverage. Staff are therefore satisfied that the dwelling maintains an appropriate scale and are of the opinion that the general intent and purpose of the zoning by-law are maintained.

Staff are of the opinion that the proposal represents appropriate development of the subject property and that the dwelling is in line with surrounding redevelopment with minimal impacts on abutting properties or the streetscape.

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

This department has no objections to the applicant's request.



Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

The Building Division is processing Building Permit BP 9ALT 24-1153. Based on the review of the information available in this application, the requested variance is 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 77 Thomas Street to allow an alteration proposing a gross floor area of 380.40sq m whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 350.98sq m as circulated on June 11th, 2024, and to be heard at Public Hearing on July 11th, 2024, at 1:00 PM. 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.

GO/HEAVY-RAIL – 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.

Should you have any questions or concerns, please contact Farah.Faroque@metrolinx.com.

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

Appendix 4 – CVC

Credit Valley Conservation (CVC) staff have reviewed the subject application and offer comments based on the following roles and responsibilities:

1. Delegated Responsibilities – providing comments representing the provincial interest regarding natural hazards (except forest fires) as identified in Section 3.1 of the Provincial Policy Statement (2020);
2. Regulatory Responsibilities – providing comments to ensure the coordination of requirements under the *Conservation Authorities Act* Section 28 regulation, to eliminate unnecessary delay or duplication in process;
3. Source Protection Agency – providing advisory comments to assist with the implementation of the CTC Source Protection Plan under the *Clean Water Act*, as applicable.

CVC REGULATED AREA

Based on our mapping, the subject property is regulated due flood hazard associated with Mullet creek. As such, the property is regulated by CVC and is subject to the Prohibited Activities, Exemptions, and Permits Regulation (Ontario Regulation 41/24). This regulation prohibits altering a watercourse, wetland or shoreline and prohibits development in areas adjacent to the Lake Ontario shoreline, river and stream valleys, hazardous lands and wetlands, without the prior written approval of CVC (i.e. the issuance of a permit).

PROPOSAL:

It is our understanding that the applicant is requesting the Committee to approve a minor variance to allow an alteration proposing a gross floor area of 380.40sq m (approx. 4094.63sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 350.98sq m (approx. 3777.95sq ft) in this instance.

COMMENTS:

Based on the review of the information provided, it is our understanding that the works proposed are limited to interior renovations and no new development is proposed in the exterior. As such, CVC has no concern with the approval of the minor variance at this time.

CVC has reviewed and approves the proposal as part of clearance SP24/Alam.

The applicant is to note that CVC has not received payment of the review fee of \$478 for this Minor Variance application. The applicant should forward this directly to CVC at the earliest convenience.

I trust that these comments are sufficient. Please do not hesitate to contact the undersigned at stuti.bhatt@cvc.ca or 905-670-1615 (ext. 350) should you have any further questions. Please circulate CVC on any future correspondence or applications regarding this site.

Comments Prepared by: Stuti Bhatt, Junior Planner

Appendix 5 – Region of Peel

Minor Variance: A-24-265M / 77 Thomas Street Planning: Petrele Francois (905) 791-7800 x3356 **Comments:**

- The subject land is located within the regulated area of the Credit Valley Conservation Authority (CVC). We rely on the environmental expertise of the CVC for the review of development applications located within or adjacent to the regulated area in Peel and the impact of natural hazards on proposed development. We therefore request that City staff consider comments from the CVC and incorporate their requirements appropriately. Final approval of this application requires all environmental concerns to be addressed to the satisfaction of the CVC.

Comments Prepared by: Petrele Francois, Junior Planner