

City of Mississauga Department Comments

Date Finalized: 2023-04-19	File(s): A92.23
To: Committee of Adjustment	Ward: 3
From: Committee of Adjustment Coordinator	Meeting date:2023-04-27 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a front porch cover proposing a front yard setback to the porch cover of 4.35m (approx. 14.27ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 5.90m (approx. 19.36ft) in this instance.

Background

Property Address: 4270 Preston Trail

Mississauga Official Plan

Character Area: Rathwood Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R3- Residential

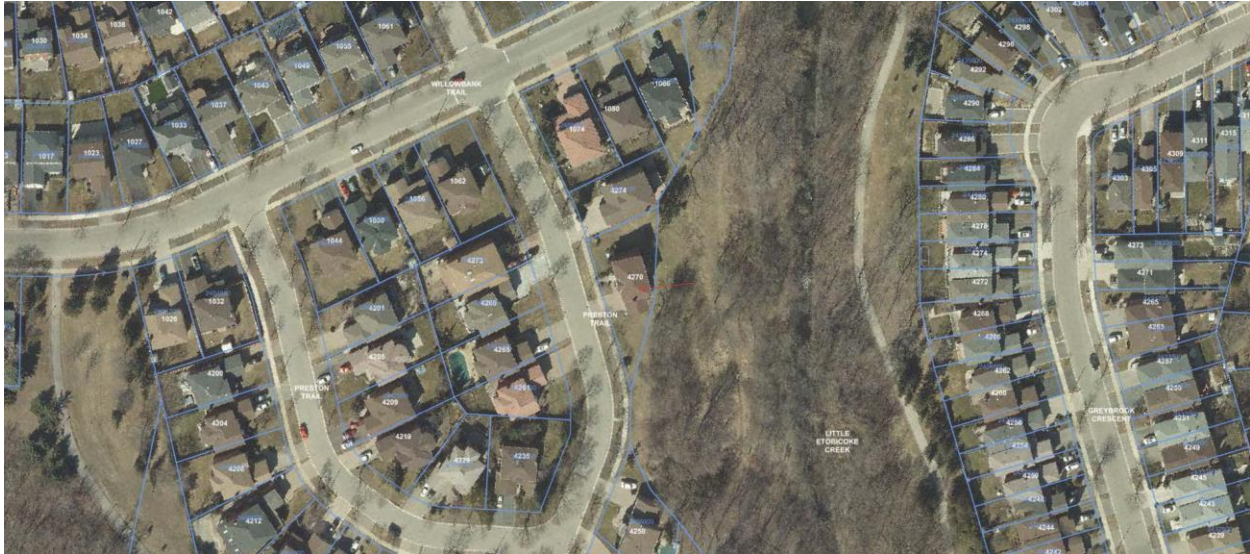
Other Applications: BP 22-4726

Site and Area Context

The subject property is located south-east of the Eastgate Parkway and Tomken Road intersection in the Rathwood neighbourhood. It currently contains a two-storey detached dwelling with an attached garage. Limited landscaping and vegetative elements are present on

the subject property, however the property backs onto green space associated with the Etobicoke Creek which contains significant mature vegetation. The lot is irregularly shaped with a significant frontage along Preston Trail. The surrounding area context is predominantly residential, consisting of a mix of detached and semi-detached dwellings on lots of varying sizes.

The applicant is proposing a front covered porch requiring a variance for front yard setback.



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 Rathwood 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. The proposed porch cover maintains the residential character of the dwelling and will have no negative impacts to the streetscape. Staff are therefore satisfied that the general intent and purpose of the official plan are maintained.

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

The intent of a front yard setback is to ensure that a consistent character is maintained along the streetscape and that a sufficient front yard space is incorporated into the design of neighbourhoods. The subject property is irregularly shaped with a shallow depth, a wide frontage, and an angled rear property line. This pushes the house forward on the site. The proposed patio cover is appropriately sized and does not create a significant impact to the streetscape. Furthermore the proposal maintains ample soft landscaping in the front yard and maintains an appropriate setback given site conditions. Staff are therefore satisfied that the general intent and purpose of the zoning by-law are maintained.

Is the proposal desirable for the appropriate development of the subject lands and minor in nature?

Planning staff are of the opinion that any negative impacts to abutting properties or the streetscape will be minor in nature. Furthermore the proposal represents appropriate development of the subject property.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that we have no drainage related concerns with the proposed front porch cover.

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 9ALT 22-4726. Based on review of the information currently available in this 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: Andrea Patsalides, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

The Park Planning Section of the Community Services Department has no objections to the above noted minor variance application and advises as follows:

The lands adjacent to the property are owned by the City of Mississauga, identified as Applewood Hills (P-049), classified as a Significant Natural Area within the City's Natural Heritage System, and zoned G1. Section 6.3.24 of the Mississauga Official Plan states that the Natural Heritage System will be protected, enhanced, restored and expanded through the following measures:

- a) ensuring that development in or adjacent to the Natural Heritage System protects and maintains the natural heritage features and their ecological functions through such means as tree preservation, appropriate location of building envelopes, grading, landscaping...;

Should the application be approved, Community Services provides the following notes:

1. Construction access from the adjacent park/greenlands is not permitted.

2. If access is required to City owned lands, a Consent to Enter Agreement/Park Access Permit will be required.
3. Stockpiling of construction materials and encroachment in the adjacent park/greenlands is not permitted.

Should further information be required, please contact Nicholas Rocchetti, Park Planning Assistant, Community Services Department at 905-615-3200 ext. 4659 or via email Nicholas.Rocchetti@mississauga.ca.

Comments Prepared by: Nicholas Rocchetti, Park Planning Assistant

Appendix 4 - TRCA

This email is to provide TRCA Clearance for the minor variance assigned city file no. A92.23 at 4270 Preston Trail, Mississauga, since the proposed works were already approved under the TRCA permit no. C-221300.

Comments Prepared by: Marina Janakovic, Planner 1

Appendix 5- Region of Peel Comments

Minor Variance Application: A-92/23 – 4270 Preston Trail

Development Planning: Patrycia Menko (905) 791-7800 x3114

Comment:

- Please be advised that the subject property is located within the limits of the regulated area of the Toronto and Region Conservation Authority (TRA). Regional Planning staff therefore, request that the Committee and City staff consider comments from the TRCA and incorporate their conditions of approval appropriately.

Comments Prepared by: Patrycia Menko, Junior Planner