

City of Mississauga Department Comments

Date Finalized: 2023-08-30	File(s): A284.23
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2023-09-07 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 addition proposing:

1. A front yard setback of 0.30m (approx. 0.98ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 5.00m (approx. 16.40ft) in this instance; and,
2. A front porch encroachment of 4.29m (approx. 14.07ft) whereas By-law 0225-2007, as amended, permits a maximum front porch encroachment of 1.80m (approx. 5.91ft) in this instance.

Background

Property Address: 47 John Street S

Mississauga Official Plan

Character Area: Port Credit Neighbourhood (West)
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R15-1- Residential

Other Applications: None

Site and Area Context

The subject property is located within the Old Port Credit Heritage Conservation District and Port Credit Neighbourhood Character Area, south of Lakeshore Road West and Front Street South. The immediate neighbourhood consists of a mix of newer and older one and two storey detached dwellings with mature vegetation. The subject property contains an existing one-storey detached dwelling with limited vegetation in the front yard.

The applicant is proposing to replace an existing front porch, requiring variances for front yard setback and front porch encroachment.



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 site is located within the Port Credit Neighbourhood (West) Character Area, and is designated Residential Low Density I by the Mississauga Official Plan (MOP). The Residential Low Density I designation permits detached dwellings; semi-detached dwellings and duplex dwellings. 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.

Variance #1 pertains to a reduction in the front yard setback and variance #2 pertains to front porch encroachment. 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 intent of regulating a porch encroachment is to ensure that an appropriate buffer between the porch and lot lines is maintained. The applicant is proposing to replace the existing porch with a new portico. However, it appears that the variance requested may be incorrect, with the new proposed porch encroachment appearing to be 4.7m(15.41ft) instead of 4.29m(14.07ft) as requested. Staff reached out to the applicant for confirmation but have not received a clarification.

Notwithstanding the above, Planning staff are of the opinion that the proposed porch is similar to the existing porch, with no new massing being introduced. Staff note that the subject property has a shallow depth with a wide frontage, which results in a front yard area and setback deficiencies. Staff further note that the proposal has obtained approval from the Heritage Advisory Committee (HAC).

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, Planner in Training

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed addition will be addressed by our Development Construction Section through the future Building Permit process.



Comments Prepared by: John Salvino, 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: Brooke Herczeg, Zoning Examiner

Appendix 3- Region of Peel

We have no comments or objections.

Comments Prepared by: Ayooluwa Ayoola, Junior Planner