

# City of Mississauga Department Comments

Date Finalized: 2022-04-20	File(s): A217.22 Ward 8
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-04-28 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. 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 the construction of an addition proposing:

1. A lot coverage of 32% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30% in this instance;
2. A balcony with an area of 40sq.m (approx. 431sq.ft) on top of the garage whereas By-law 0225-2007, as amended, permits a maximum balcony area of 10sq.m (approx. 108sq.ft) on top of a garage in this instance; and,
3. An interior side yard setback of 2.21m (approx. 7.25ft) to the balcony whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 2.41m (approx. 7.91ft) in this instance.

## Background

**Property Address:** 4070 Summit Crt

### Mississauga Official Plan

Character Area: Erin Mills Neighbourhood  
Designation: Residential Low Density I

### Zoning By-law 0225-2007

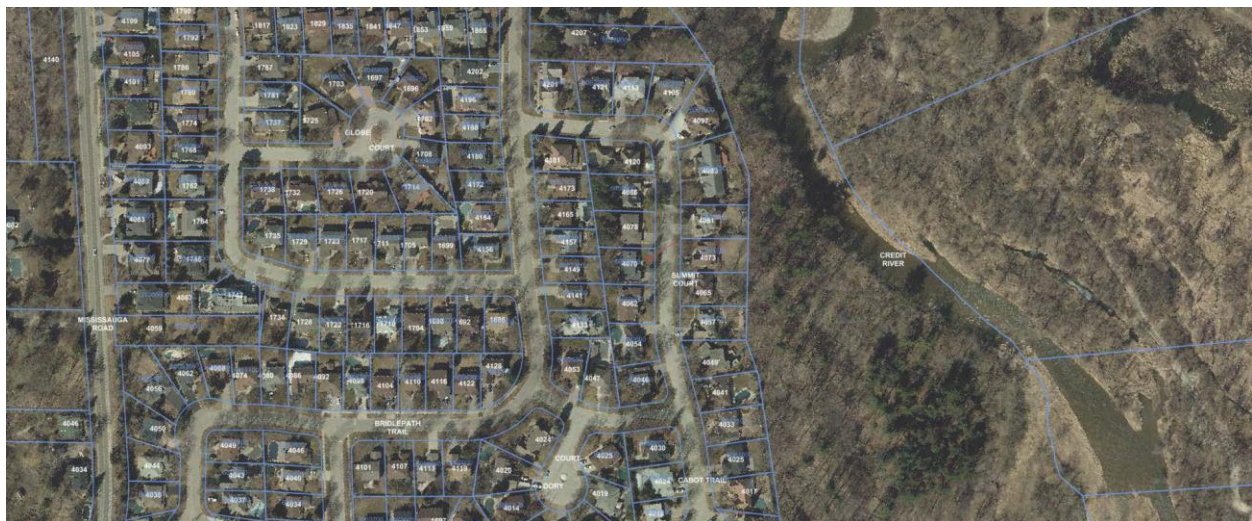
**Zoning:** R2 - Residential

**Other Applications:** Building Permit under file BP 9ALT 21-9054

### Site and Area Context

The subject property is located within the Erin Mills Neighbourhood Character Area, southeast of Mississauga Road and Highway 403. The immediate area consists of two-storey single detached dwellings on large lots with significant mature vegetation in both the front and rear yards. The subject property contains a two-storey detached dwelling with mature vegetation in the front yard.

The application proposes an addition to the existing detached dwelling requiring variances for lot coverage, balcony area and an interior side 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 are as follows:

The subject property is located in the Erin Mills Neighbourhood Character Area and is designated Residential Low Density I on Schedule 10 of the Mississauga Official Plan (MOP). The Residential Low Density I designation permits detached dwellings.

Variance #1 proposes a lot coverage of 32% where a maximum of 30% is permitted. The intent of the zoning regulation is to ensure that there isn't an overdevelopment of the lots. In this instance, the dwelling's footprint would maintain a lot coverage of approximately 28%, which is less than the maximum permitted under the by-law. The remaining lot coverage is attributable to eave overhang and the proposed balcony, which do not add significant massing.

Variance #2 proposes an increased balcony area. Variance #3 proposes a reduced interior side yard setback to the balcony. The intent of the zoning regulation is to ensure balconies do not present any privacy or overlook related concerns. Staff note that the balcony is existing and is sufficiently setback from the abutting property to the south.

It is staff's opinion that the proposed addition is sympathetic to the surrounding area and does not impact the neighbouring properties. Through a detailed review of the application, staff is 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: Connor DiPietro, Committee of Adjustment Planner

## 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 Building Permit BP 9ALT-21/9054.







Comments Prepared by: John Salvino, Development Engineering Technologist

## Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit under file BP 9ALT 21-9054. Based on review of the information currently available in this permit application, we advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

Please note that comments reflect those provided through the above permit application submitted on 12/21/2022 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: Jeanine Benitez, Zoning Examiner