

# City of Mississauga Department Comments

Date Finalized: 2023-07-05	File(s): A202.23
To: Committee of Adjustment	Ward: 6
From: Committee of Adjustment Coordinator	Meeting date:2023-07-13 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 an addition proposing:

1. A lot coverage of 33.5% (290.90sq m (approx. 3131.22sq ft)) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30% (260.90sq m (approx. 2808.30sq ft)) in this instance;
2. An exterior side yard setback of 3.11m (approx. 10.20ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 7.50m (approx. 24.61ft) in this instance; and,
3. An eave overhang setback of 2.90m (approx. 9.51ft) whereas By-law 0225-2007, as amended, requires a minimum eave overhang setback of 7.50m (approx. 24.61ft) in this instance.

## Background

**Property Address:** 3366 Enniskillen Circle

### Mississauga Official Plan

Character Area: **Erindale NHD**  
Designation: **Residential Low Density I**

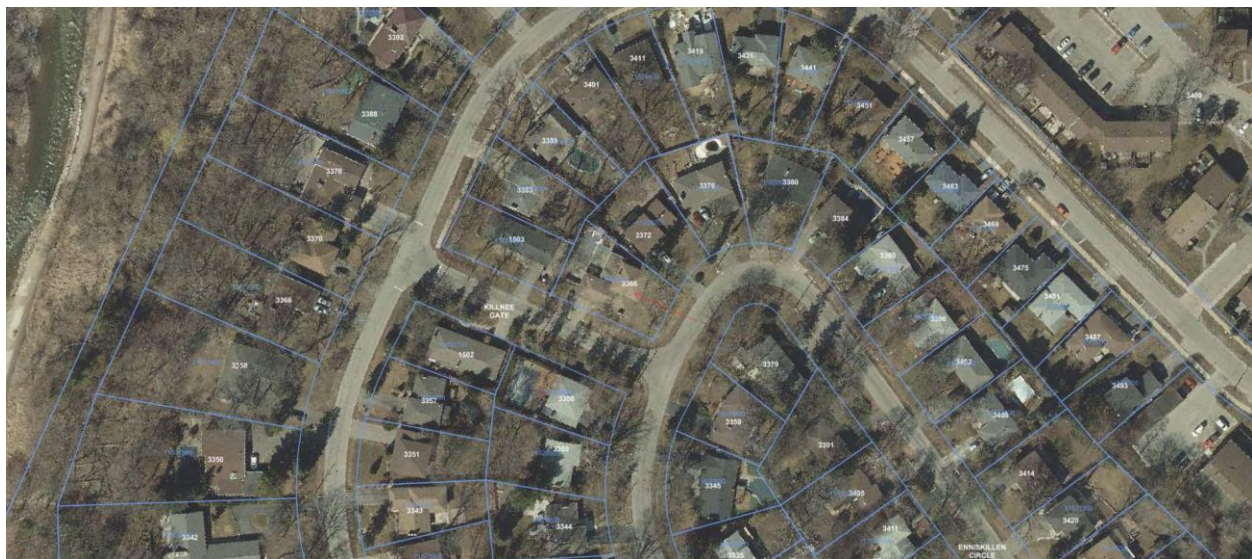
### Zoning By-law 0225-2007

**Zoning:** **R2- Residential**

**Other Applications: BP 9ALT 23-5711****Site and Area Context**

The subject property is located north-west of the Killkee Gate and Enniskillen Circle intersection in the Erindale neighbourhood. It currently contains one and a half storey detached dwelling with a detached garage. It has a lot area of +/- 865.35 m<sup>2</sup> (+/- 7,490.93ft<sup>2</sup>) with a lot frontage of +/- 18.30m (+/- 60.05ft), characteristic of lots along Enniskillen Circle. Mature vegetation is present on the subject property. The surrounding area context is predominantly residential, consisting mainly of detached dwellings on lots of varying sizes. The property is in close proximity to the Springfield Public School on the east side and Erindale Park on the west side.

The applicant is proposing to construct an addition on the subject property requiring variances for lot coverage and side yard setbacks to the dwelling and eaves.

**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 Erindale Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan. This designation permits detached dwellings. Section 9 of the 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. Planning staff are satisfied that the built form is appropriate for the subject property given the surrounding context and will not negatively impact the streetscape. Staff are therefore of the opinion that the application maintains the general intent and purpose of the official plan.

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

Variance 1 requests an increase in lot coverage. The intent in restricting lot coverage is to ensure that there isn't an overdevelopment of the lot and to limit massing impacts on abutting properties. Staff note that the minor increase in the proposed lot coverage would be attributable to the existing conditions on the subject property, being the existing dwelling, the pergola and shed. Staff are therefore satisfied that the proposal does not represent an overdevelopment of the subject property.

Variance 2 and 3 relate to reduced side yards. The intent of the side yard regulations are to ensure that: an adequate buffer exists between the massing of structures on abutting properties, appropriate drainage can be maintained and to ensure access to the rear yard remains unencumbered. The proposed side yard variances are for the existing setbacks in the southerly side yard on the property. The applicant is proposing to modify the existing breezeway into a mudroom which will not encroach any farther into the side yard than the existing structure. Staff are satisfied that maintaining the existing side yards provides an adequate buffer and permits continued access to the rear yard. Staff also note that no height variances are requested. Staff therefore are of the opinion that the variances meet the general intent and purpose of the zoning by-law.

Given the above Planning staff are of the opinion that the application maintains the general intent and purpose of the zoning by-law.

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

Staff are satisfied that the proposal represents appropriate development of the subject property and will not have significant impacts on abutting properties or the streetscape when compared to an as of right condition. The variances, in the opinion of staff, are minor in 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 Building Permit Process.







Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

## **Appendix 2 – Zoning Comments**

The Building Department is currently processing an application under file BP 9ALT 23-5711. 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: Gary Gagnier; Zoning Examiner

**Appendix 3 – Region of Peel**

We have no comments or objections.

Comments Prepared by:      Patrycia Menko, Junior Planner