

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-05-05	File(s): A172.21 Ward: 8
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-05-13 1:00 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 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 the construction of an inground pool proposing 1.52m (approx. 4.99ft) from a G1 Zone (Greenlands) whereas By-law 0225-2007, as amended, requires a minimum setback to a G1 Zone of 5.00m (approx. 16.40ft) in this instance.

Background

Property Address: 4152 Stonemason Crescent

Mississauga Official Plan

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

Zoning By-law 0225-2007

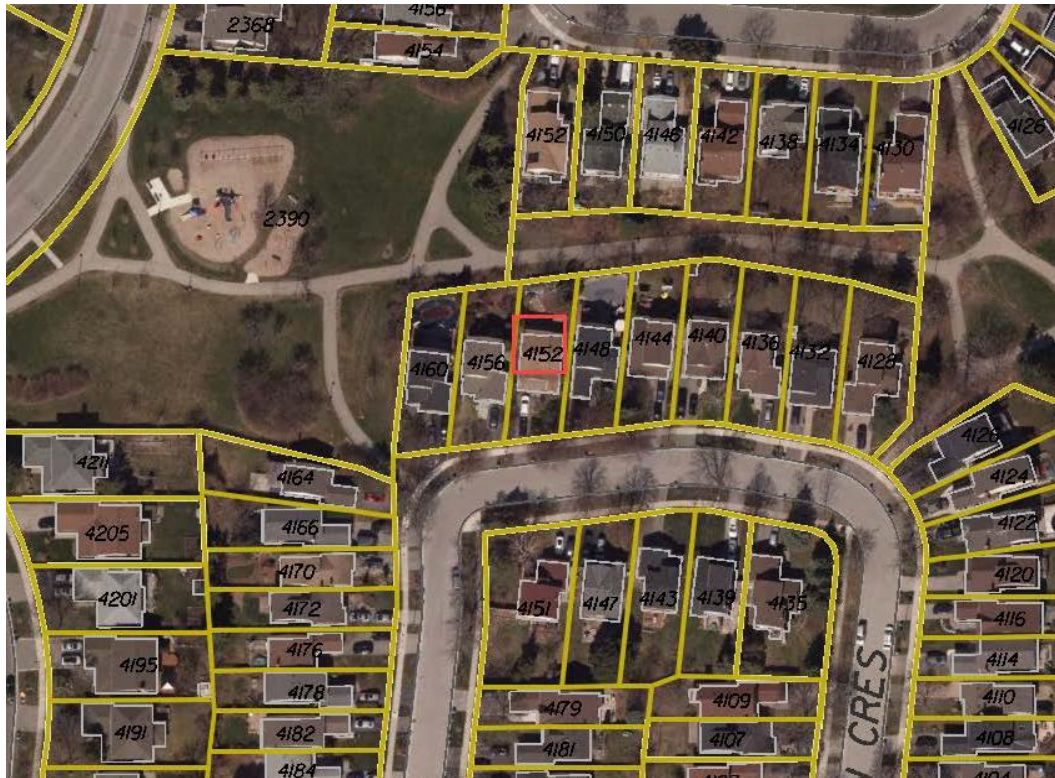
Zoning: R4 - Residential

Site and Area Context

The subject property is located within the Erin Mills Neighbourhood Character Area, southeast of Erin Mills Parkway and Folkway Drive. The neighbourhood is entirely residential, consisting of

two storey detached dwellings with mature vegetation. The subject property contains an existing two storey dwelling which abuts City owned parkland to the rear known as Trapper's Green which is also zoned G1 (Greenlands).

The applicant is proposing to construct a pool requiring a deficient setback measured to a G1 zone.



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 abuts a G1 zone that is not considered a natural area. The proposed setback is measured to the narrowest point of the pool in relation to the rear lot line. At the widest point, the pool maintains a setback of 3.54 m. Staff is of the opinion that the application is appropriate to be handled through the Committee of Adjustment process and raises no concerns of a planning nature in this instance.

Conclusion

The Planning and Building Department recommends that the Committee have regard for all comments and evidence provided by the applicant and area residents when assessing if the application meets the requirements of Section 45 (1) of the Planning Act.

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committee's information are photos of the area where the pool is proposed and also of the G1 Zone lands in behind the property where there is an existing pathway leading to/from the Park.







Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is not in receipt of any permit applications at this time and the applicant is advised that a zoning review has not been completed. We are unable to confirm the accuracy of the requested variance(s) or determine whether additional variance(s) may be required.

The applicant is advised that a completed zoning review may identify additional instances of zoning non-compliance. The applicant may consider applying for a preliminary zoning review application and submit working drawings for a detailed zoning review to be completed. A minimum of 6-8 weeks will be required to process a preliminary zoning review application depending on the complexity of the proposal and the detail of the information submitted.

Comments Prepared by: Brandon Eidner, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

The Park Planning Section of the Community Services Department has reviewed the above noted minor variance application and has no objections with the proposed pool installation adjacent to City owned Parkland:

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

1. Trapper's Green (Park #175) is adjacent to the subject property.
2. Construction access from the park is not permitted.
3. Stockpiling of construction materials and encroachment in the adjacent park is not permitted.
4. The applicant will be required to submit a pool permit for review by City Staff. Tree preservation hoarding and securities may be required as part of the application process.

Should further information be required, please contact Jim Greenfield, Park Planner, Community Services Department at 905-615-3200 ext. 8538 or via email jim.greenfield@mississauga.ca.

Comments Prepared by: Jim Greenfield, Park Planner

Appendix 5 – Region of Peel Comments

We have no comments or objections.

Comments Prepared by: Diana Guida, Junior Planner