

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-06-16	File(s): A244.21 Ward: 8
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2021-06-24 3:00 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 construct a pool proposing a rear yard measured to a pool of 1.75m (approx. 5.74ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard measured to a pool of 5.0m (approx. 16.40ft) in this instance.

Amendments

Staff recommends that the variance be amended as follows:

The applicant requests the Committee to approve a minor variance to construct a pool proposing a rear yard measured to a pool of 1.72m (approx. 5.64ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard measured from a G1 Zone to a pool of 5.0m (approx. 16.40ft) in this instance.

Background

Property Address: 3073 Folkway Drive

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: R3 - Residential

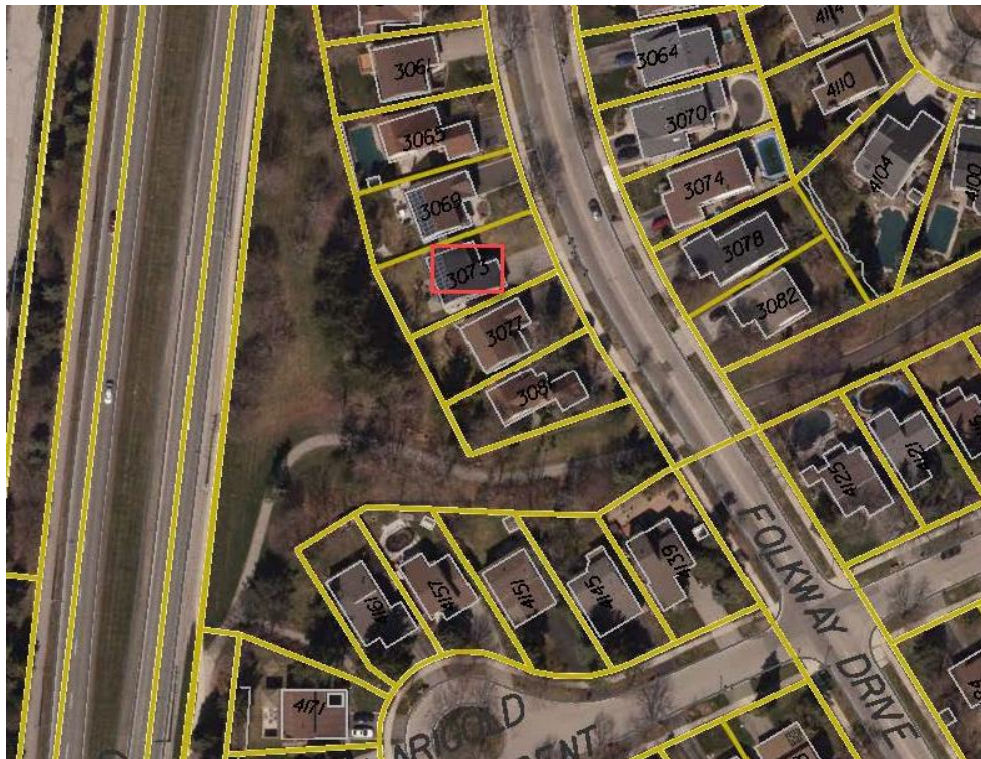
Other Applications

Pool Permit: 21-135

Site and Area Context

The subject property is located within the Erin Mills Neighbourhood Character Area, northeast of Winston Churchill Boulevard and Burnhamthorpe Road West. The neighbourhood is entirely residential, consisting of two storey detached dwellings with mature vegetation. The subject property contains an existing two storey dwelling and abuts Glen Erin Trail at the rear of the lot, a City owned park that is currently zoned G1 (Greenlands).

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



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 which 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 minor variance 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

We have no objections to the applicant's request. We note that the proposed retaining wall at the rear of the property that is greater than 0.60m in height may require certifications through the permitting process.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Pool Enclosure Permit under file POOL 21-135. Based on review of the information currently available in this permit application, we advise that the variances should be amended as follows:

1. The applicant requests the Committee to approve a minor variance to construct a pool proposing a rear yard measured to a pool of 1.72m (approx. 5.64ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard measured from a G1 Zone to a pool of 5.0m (approx. 16.40ft) in this instance.

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: Brandon Eidner, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

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

1. The lands to the rear of the subject property are owned by the City of Mississauga, known as Glen Erin Trail (P-079).
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 submission of a pool permit will be required and may be subject to hoarding and securities.

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