

City Department and Agency Comments	File:A14/20	2020/06/19	1
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Date Finalized: 2020-06-19 To: Committee of Adjustment From: Committee of Adjustment Coordinator	File(s): A14/20 Ward: 9
	Meeting date: 2020-07-07

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 permit an inground swimming pool, proposing a rear yard set back to a G1 Zone of 1.54m (approx. 5.05ft); whereas, By-law 0225-2007, as amended, requires a minimum rear yard set back to a G1 Zone of 5.00m (approx. 16.40ft), in this instance.

Background

Property Address: 6181 Starfield Crescent

Mississauga Official Plan

Character Area: Meadowvale Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

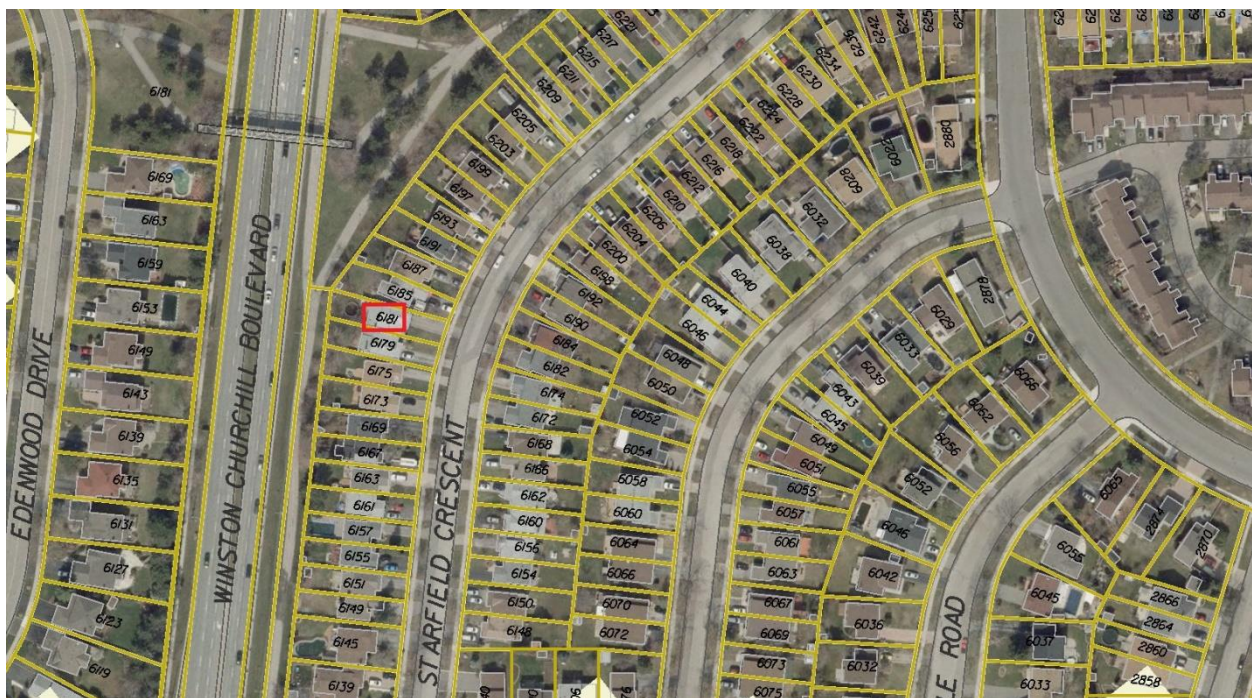
Zoning: RM1 (Residential)

Site and Area Context

The property is located north-east of the Britannia Road West and Winston Churchill Boulevard intersection, and houses a two-storey detached dwelling, with an attached two-car garage. The

subject lands are adjacent to a minor pathway / landscaped area to the rear. Planning Staff note the absence of a rear-yard neighbour, in this instance.

Contextually, the immediate area is comprised exclusively of detached dwellings of a shared architectural style. Planning Staff note the presence of townhome units further to the south; however, their lot configuration and orientation, coupled with intervening six-lane roadway (Britannia Road West), results in their presence not directly influencing the area context. The property in-question is an interior parcel, with a lot area of +/- 395m² and a lot frontage of +/- 9.6m.



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:

The Applicant is proposing to install an in-ground swimming pool within the rear yard of their property. As a result of both the proposed location of the pool, as well as the adjacent neighbouring G1 Zone, the Applicant is required to seek the above-noted relief from By-law 0225-2007, as amended. Generally, the intent in providing setbacks to Greenland Zones is to ensure that proposed development will not have any significant or lasting negative impacts on

any neighbouring environmentally sensitive features. Planning Staff note the absence of any environmentally sensitive features in this instance, with no Conservation Authority jurisdiction extending upon this site.

Through a detailed review, 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.

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: Roberto Vertolli, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This Department has no objections to the applicant's request for the reduction in a rear yard setback to a G1 Zone (abutting Lake Wabukayne Trail).

Comments Prepared by: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

The Building Department is currently processing a Pool Permit application under file 19-121. Based upon review of this application, this Department notes that the variance, as requested, is correct.

Comments Prepared by: Jeanine Benitez-Bumanglag, 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 property are City owned lands, identified as Windwood Park Trail and zoned G-1. Section 6.3.24 of the Mississauga Official Plan states that the Natural Heritage System will be protected, enhanced, restored and expanded through the following measures:
 - a) ensuring that development in or adjacent to the Natural Heritage System protects and maintains the natural heritage features and their ecological functions through such means as tree preservation,..., grading, landscaping...;

Given that the subject lands are not subject to site plan control, should the application be approved, Community Services provides the following notes:

1. The applicant will be required to submit a pool permit for review by City Staff.
2. Stockpiling, construction access and encroachment of construction materials in the adjacent park is not permitted.

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 4 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the March 26th, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Applications: DEF-A-346/19, DEF-A-014/20, DEF-A-075/20, DEF-A-076/20

Consent Applications: B-019/20, B-020/20, B-021/20, B-022/20, B-023/20, B-024/20

Minor Variance Applications: A-099/20, A-100/20, A-101/20, A-103/20, A-104/20, A-105/20, A-107/20, A-108/20, A-109/20, A-110/20, A-111/20, A-113/20, A-117/20

Comments Prepared by: Tracy Tang, Junior Planner