

City of Mississauga Department Comments

Date Finalized: 2022-10-12	File(s): A469.22
To: Committee of Adjustment	Ward: 8
From: Committee of Adjustment Coordinator	Meeting date:2022-10-20 1:00:00 PM

Consolidated Recommendation

The City recommends the application be deferred.

Application Details

The applicant requests the Committee to allow the construction of a pool on the subject property proposing a rear yard setback of 1.5m (approx. 4.92ft) whereas By-law 0225-2007, as amended, requires a rear yard setback of 5.0m (approx. 16.40ft) in this instance.

Amendments

The Building Department is currently processing a Pool Enclosure Permit under file POOL 22-134. Based on review of the information currently available in this permit application, the variance, should be amended as follows:

A rear yard setback of 1.5m (approx. 4.92ft) to the G1 Zone, whereas By-law 0225-2007, as amended, requires a rear yard setback of 5.0m (approx. 16.40ft) to the G1 Zone, in this instance.

Background

Property Address: 4086 Powderhorn Cres

Mississauga Official Plan

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

Zoning By-law 0225-2007

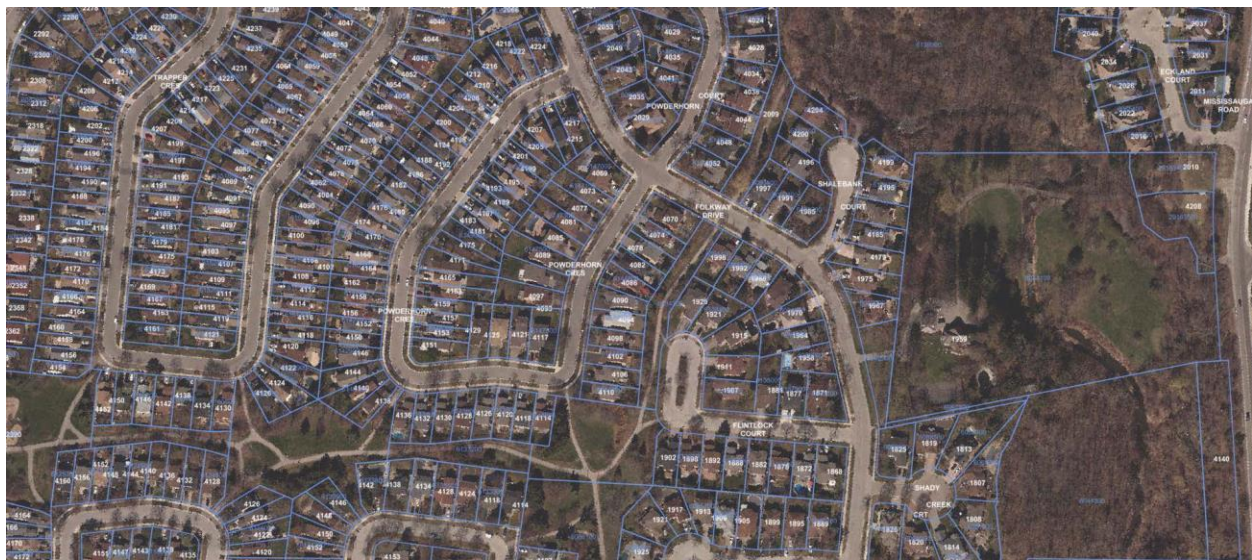
Zoning: R4 -Residential

Other Applications: POOL 22-134

Site and Area Context

The subject property is located within the Erin Mills Neighbourhood Character Area, southeast of Highway 403 and Erin Mills Parkway. The immediate neighbourhood is entirely residential consisting of two-storey detached dwellings on lots with mature vegetation in the front and side yards. The subject property contains a two-storey detached dwelling with vegetation in the front yard.

The applicant is proposing a pool requiring variances for rear and side yard setbacks.



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 within 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, semi-detached and duplex dwellings.

Upon review of the application, Planning staff note that additional variances may be required, and staff may be unable to support some of these variance requests. As such, staff recommends the application be deferred to allow the applicant an opportunity to meet with Zoning staff to verify the accuracy of the requested variances, determine if additional variances are required, and to discuss the proposal with Planning staff.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for reference are photos of the property where the applicant is in the process of constructing retaining walls along the perimeter of the rear yard. We are noting for Committee's information that our Pool Permit Inspectors have been on site and commented through Pool permit Pool-22/134.

We ask that the application be deferred until such time that the applicant produce sufficient plans showing detailed grading information for the newly constructed retaining walls along the property limits, elevations of the patio area and also show that the neighbouring properties will not be impacted.







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 22-134. Based on review of the information currently available in this permit application, the variance, should be amended as follows:

A rear yard setback of 1.5m (approx. 4.92ft) to the G1 Zone, whereas By-law 0225-2007, as amended, requires a rear yard setback of 5.0m (approx. 16.40ft) to the G1 Zone, 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

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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. City owned lands, Trapper's Green (P-175), zoned G1, abuts the rear of the applicant's property.
2. Construction access from the adjacent City owned lands is not permitted.
3. If access is required to City owned lands, a Consent to Enter Agreement/Park Access Permit will be required.
4. Stockpiling of construction materials and encroachment in the adjacent park/greenlands is not permitted.
5. Prior to the issuance of pool permits, the applicant may be required to provide framed tree hoarding at the dripline of City owned trees prior to any construction to the satisfaction of City of Mississauga Forestry Staff.

Should further information be required, please contact Nicholas Rocchetti, Park Planning Assistant, Community Services Department, at 905-615-3200 ext. 4659 or via email Nicholas.Rocchetti@mississauga.ca.

Comments Prepared by: Nicholas Rocchetti, Park Planning Assistant