

City of Mississauga Department Comments

Date Finalized: 2023-10-25	File(s): A414.23 Ward: 8
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2023-11-02 1:00:00 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, as requested, meets the requirements of Section 45(1) of the Planning Act. The applicant may wish to defer the application to ensure that all required variances have been accurately identified.

Application Details

The applicant requests the Committee to approve a minor variance to allow a pool/hardscaping proposing a rear yard setback of 0.50m (approx. 1.64ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 0.61m (approx. 2.00ft) in this instance.

Background

Property Address: 3064 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: none

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 with minimal vegetation in the front yard.

The applicant is proposing to legalize an existing pool requiring a deficient rear yard setback to hardscaping.



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 in the Erin Mills Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached, semi-detached, and duplex dwellings.

The intent of this portion of the by-law is to ensure that an appropriate buffer exists between abutting properties. Transportation and Works staff have attended the site and are of the opinion that the proposed setback does not pose drainage concerns. Planning staff echo this and are of the opinion that the proposed setback will provide an adequate buffer between the hard landscaped surface and the rear lot line. Furthermore, staff are of the opinion that the applicant's request is minor and negligible.

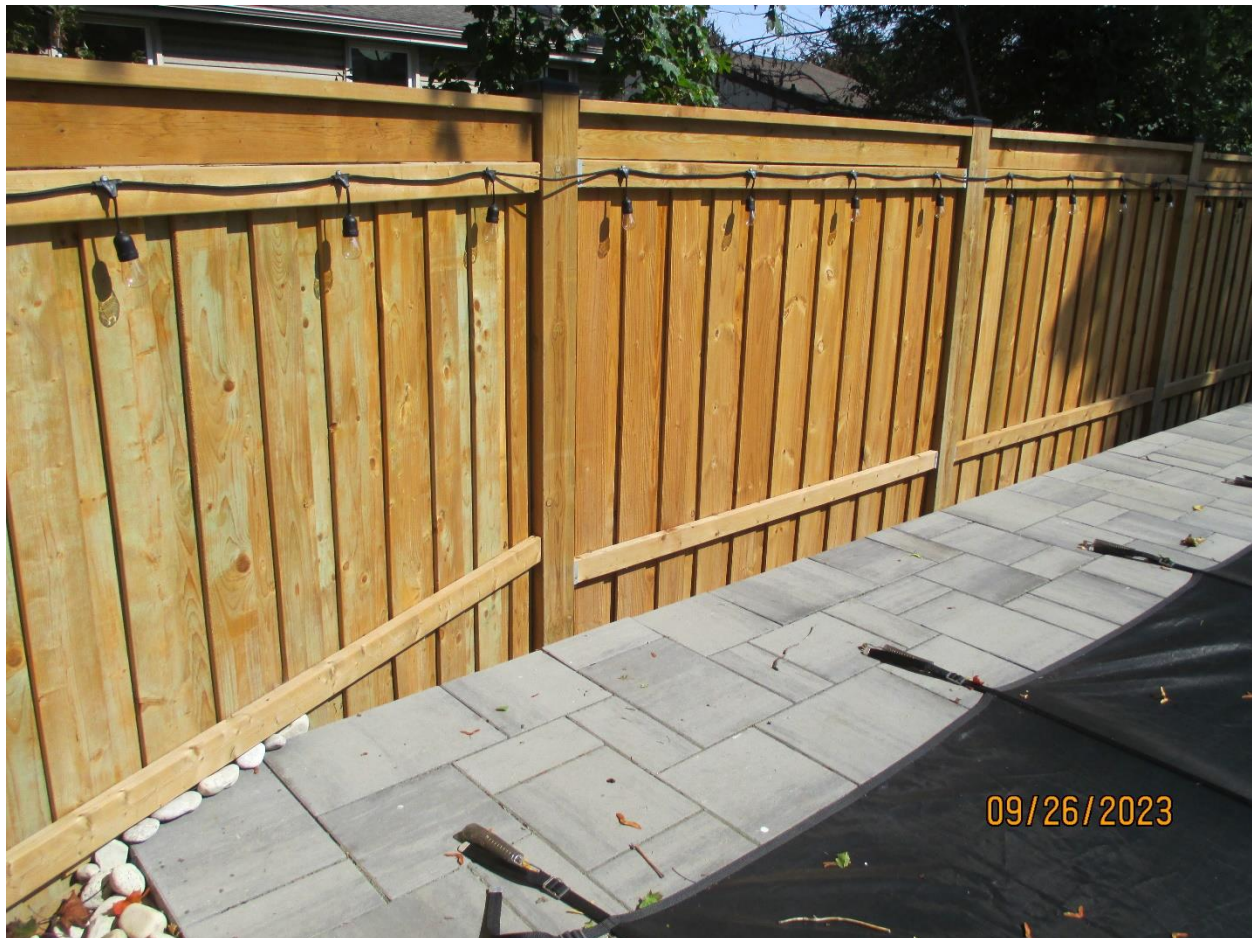
Through a detailed review of the application, staff is of the opinion that the revised application is appropriate to be handled through the minor variance process. Further, the application raises no concerns of a planning nature.

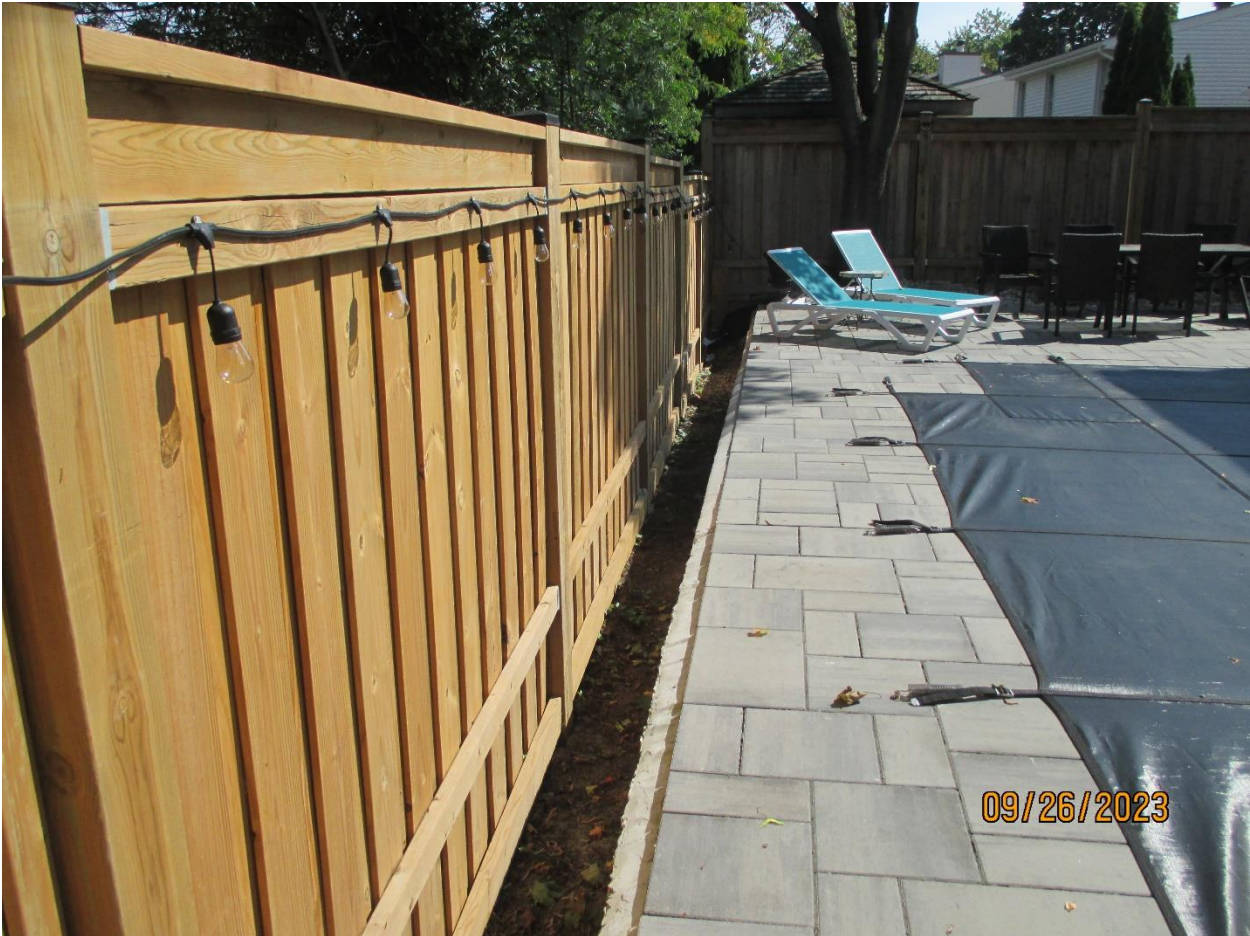
Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

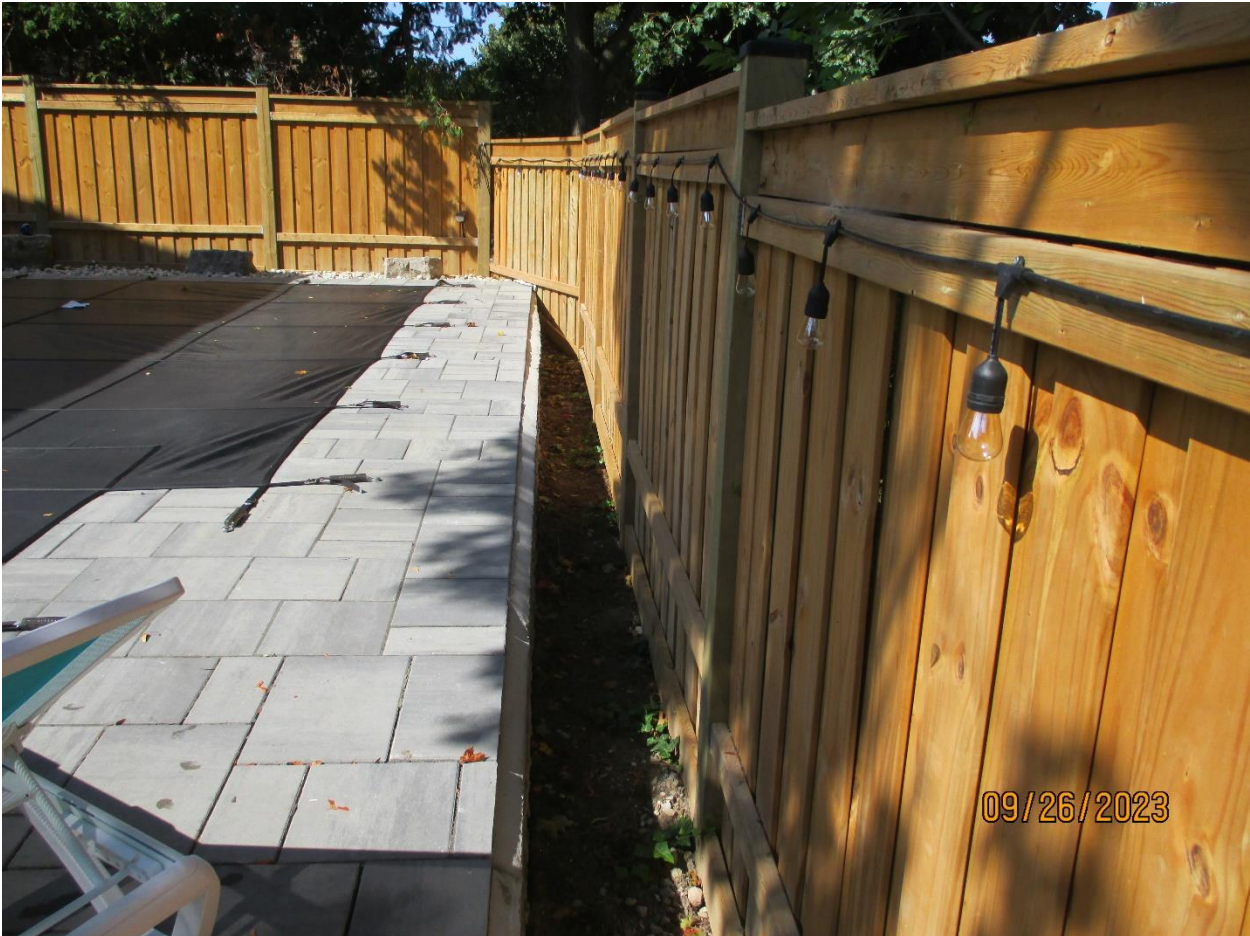
Appendices

Appendix 1 – Transportation and Works Comments

Enclosed please find pictures of the existing hard surface. You will see that the surrounding lot area in behind the pool beyond the rear fencing is substantially lower. The applicant has significantly raised the rear yard surrounding the pool but has managed to keep the surface drainage internal to his own site. We have no drainage related concerns.









Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

In the absence of a Development application we are unable to confirm the accuracy of the information provided, or determine whether additional variance(s) may be required. It should be noted that a zoning review has NOT been completed. The applicant is advised that should they choose to proceed without zoning verification, a full zoning review may result in further variances being required in the future.

For scope of work that does not require Site Plan Approval/Building Permit/Zoning Certificate of Occupancy Permit, the applicant may consider applying for a Preliminary Zoning Review application. A detailed site plan drawing and architectural plans are required for a detailed zoning review to be completed. A minimum of 6-8 weeks is required depending on the complexity of the proposal and the quality of information submitted.

Comments Prepared by: Brooke Herczeg, Zoning Examiner

Appendix 3 – Region of Peel

We have no comments or objections.

Comments Prepared by: Ayooluwa Ayoola, Junior Planner