

# City of Mississauga Department Comments

Date Finalized: 2024-03-28	File(s): A148.24 Ward: 3
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-04-04 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 proposing:

1. A pool equipment pad setback of 0m whereas By-law 0225-2007, as amended, requires a minimum setback of 0.61m (approx. 2.00ft) in this instance; and,
2. A setback from the inside of the pool wall to the lot line of 1.22m (approx. 4.00ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 1.52m (approx. 4.99ft) in this instance.

## Background

**Property Address:** 4348 Lee Drive

### Mississauga Official Plan

**Character Area:** Rathwood Neighbourhood

**Designation:** Residential Low Density I

### Zoning By-law 0225-2007

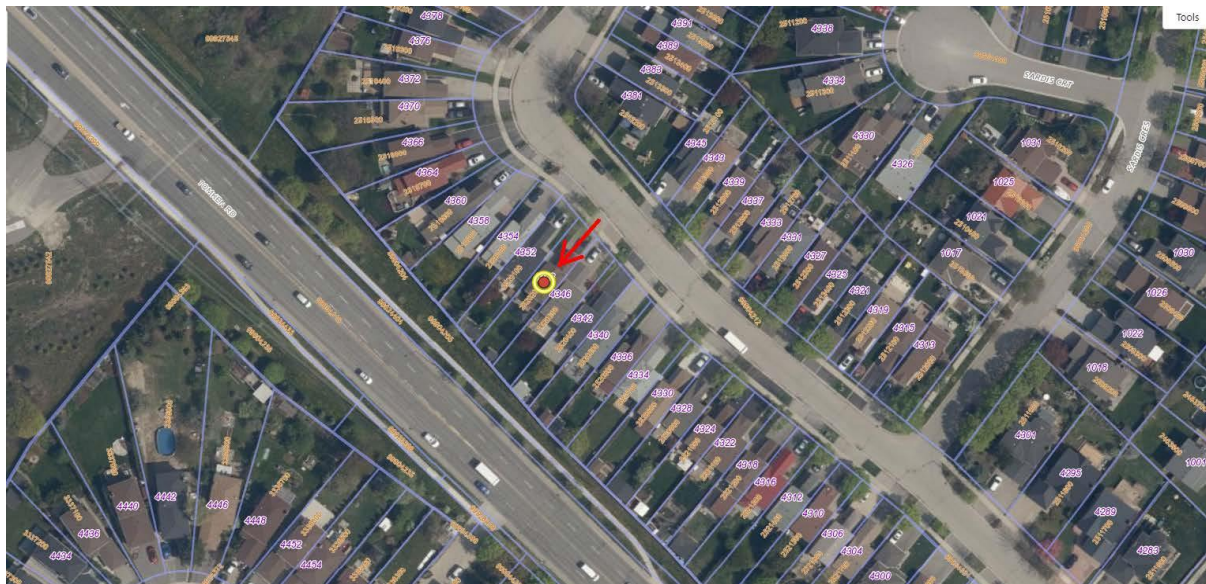
**Zoning:** RM2-36- Residential

**Other Applications:** Pool Application 23-109

## Site and Area Context

The subject property is located south-east of the Tomken Road and Eastgate Parkway intersection in the Rathwood neighbourhood. It is an interior lot containing a two-storey detached dwelling with attached garage. Limited landscaping and vegetative elements are present in both the front and rear yards. The property has an approximate area of +/- 342.08m<sup>2</sup> (3,682.11ft<sup>2</sup>), characteristic of lots in the area. The surrounding context is predominantly residential, consisting of two-storey detached and semi-detached dwellings.

The applicant is proposing the construction of a pool requiring variances for pool and pool equipment setback.



## 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:

Staff note that revised drawings have been submitted to accurately depict the variances being sought.

The subject property is located within the Rathwood Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP).

Variance 1 is required to accommodate a reduced side yard setback to the pool and variance 2 is required to accommodate a reduced rear yard setback to the pool equipment. The general intent of this portion of the by-law is to ensure they are appropriately located on the property, do not impact streetscape or neighbouring properties while also providing adequate drainage. Staff note the 0m setback is only required for the portion of the subject property where the proposed pool equipment is to be installed and not for the balance of the rear yard property line. Staff are satisfied that the proposal is designed to maintain an appropriate buffer between the abutting properties. Further, Transportation and Works staff note no drainage concerns.

Through a detailed review of the application, 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.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

We note that the Transportation and Works Department has no objections to the proposed pool equipment pad as it will not impact or alter the existing grading and drainage pattern for this property.

Comments Prepared by: Tony Iacobucci, T&W Development Engineering





## Appendix 2 – Zoning Comments

The Building Department is processing Pool Application 23-109. Based on review of the information available in this application, we advise that following amendment for Variance 2 is required:

“A setback from the inside of the pool wall to the lot line of 1.22m (approx. 4.00ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 1.5m (approx. 4.92ft) in this instance.”

Our comments may no longer be valid should there be changes in the Committee of Adjustment application that have yet to be submitted and reviewed through the Building Division application. To receive updated comments, the applicant must submit any changes to information or drawings separately through the above application.

Comments Prepared by: Minan Song, Planner in Training

## Appendix 3 – Region of Peel

We have no comments or objections.

Comments Prepared by: Ayooluwa Ayoola, Planner