

# City of Mississauga Department Comments

Date Finalized: 2021-12-01	File(s): A540.21 Ward 6
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-12-09 1:00:00 PM

## Consolidated Recommendation

The City has no objections to the application. The applicant may wish to defer the application to ensure the accuracy of the requested variances and that additional variances are not required.

## Application Details

The applicant requests the Committee to approve a minor variance to allow an outdoor swimming pool and existing detached garage with:

1. An outdoor swimming pool located in a front yard of a through lot whereas By-law 0225-2007, as amended, does not permit an outdoor swimming pool in a front yard in this instance; and,
2. A detached garage with an unobstructed area for parking of 3.24m x 5.10m x 4.07m (approx. 10.63ft x 16.73ft x 13.35ft) (width x length x height) whereas By-law 0225-2007, as amended, requires a minimum unobstructed area for parking of 2.75m x 5.20m x 2.00m (approx. 9.02ft x 17.06ft x 6.56ft) (width x length x height) in this instance.

## Background

**Property Address:** 4632 Willow Creek Drive

### Mississauga Official Plan

Character Area: East Credit Neighbourhood  
Designation: Residential Low Density II

### Zoning By-law 0225-2007

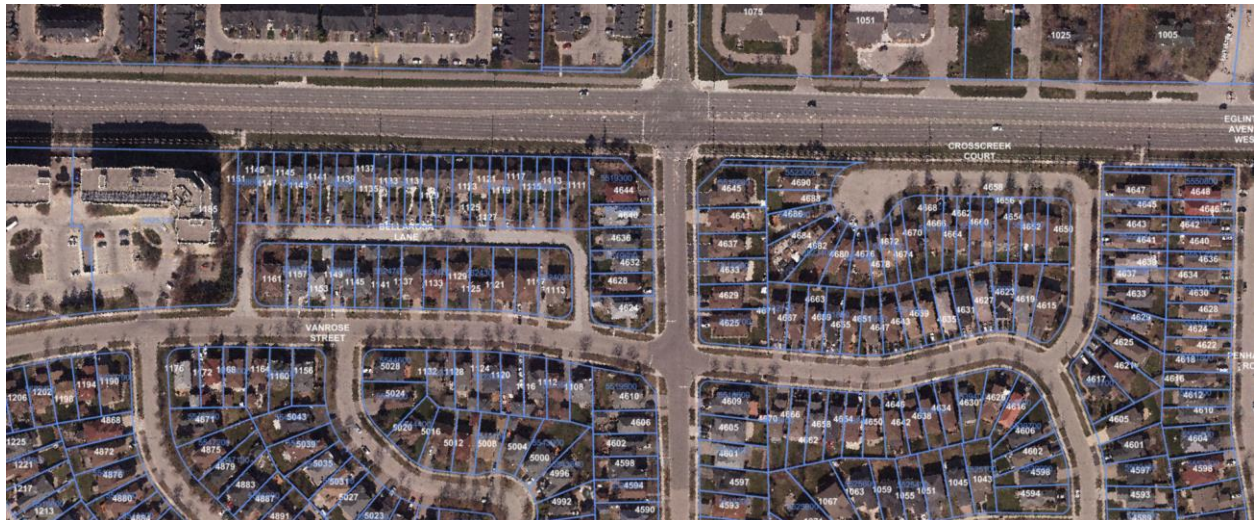
**Zoning:** R4-7 - Residential

**Other Applications:** POOL 21-242

## Site and Area Context

The subject property is located on the west side of Willow Creek Drive, south of the intersection with Eglinton Avenue West. It has a lot frontage of +/-12.2m (40ft) and a lot area of +/-408.82m<sup>2</sup> (4,400.5ft<sup>2</sup>). Currently the property contains a two storey detached dwelling with a detached garage and limited landscape/vegetation elements in both the front and rear yards. The surrounding context includes a mix of detached, semi-detached, and townhome dwellings, as well as non-residential uses along Eglinton Avenue.

The applicant is seeking to install a pool and legalize the existing garage requiring variances for the location of the pool and the parking area within the garage.



## 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:

### Does the proposal maintain the general intent and purpose of the Official Plan?

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

This designation permits detached, semi-detached, duplex and triplex dwellings, as well as other low-rise dwellings with individual frontages. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions, the surrounding context, and the landscape of the character area. The proposal maintains the property's intended low density residential use being a detached dwelling and detached garages are characteristic of the area. Staff are satisfied that the general intent and purpose of the Official Plan are maintained.

**Does the proposal maintain the general intent and purpose of the Zoning By-law?**

Variance 1 requests a swimming pool to be located in the front yard. The intent of this provision is to ensure that swimming pools are located in the rear of properties to avoid impacting the streetscape and to provide privacy. The subject property is a through lot, with frontage on both Willow Creek Drive and Bellarosa Lane. The pool is proposed to be located in the yard abutting Bellarosa Lane, which functions as the property's rear yard. This yard is enclosed with fencing which screens it from the street and therefore limits the impact on the streetscape and provides sufficient privacy to the property owner.

Variance 2 requests a reduction in the length of the unobstructed parking area within the detached garage. Staff note that the structure is existing and that the request represents a difference of 10cm (approx. 4in). By regulating the size of the individual space to a length of 5.2m, the Zoning By-law ensures that even atypical vehicles can park in the space and remain unobstructed. Despite the proposed reduction in size, the existing garage will maintain the ability to provide at least one parking space for vehicles of average length.

Given the above, staff are satisfied that the general intent and purpose of the Zoning By-law are maintained.

**Is the proposal desirable for the appropriate development of the subject lands and minor in nature?**

Staff are of the opinion that the proposal represents appropriate development of the subject property. The impacts of the proposed variances are limited and minor in nature, and there will be no discernible impact to the streetscape.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

The Transportation and Works Department has no objections to the applicant's request with regards to the proposed pool and the detached garage which has existed since the construction of the dwelling.







Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

## Appendix 2 – Zoning Comments

The Building Department is currently processing a Pool Enclosure Permit under file POOL 21-242. Based on review of the information currently available in this permit application, variance 1, as requested, is correct.

We advise that more information is required in order to verify variance 2 and as such, variance 2 can't be confirmed at this time.

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: Daniel Grdasic, Planning Associate