

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-01-23	File(s): A535.24
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:1/30/2025 1:00:00 PM

Consolidated Recommendation

The City recommends the application be deferred for redesign.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of an driveway proposing

1. A driveway width of 7.20m (approx. 23.62ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance;
2. A front yard landscaping of 28.00% whereas By-law 0225-2007, as amended, requires a minimum front yard landscaping of 30.00% in this instance.

Background

Property Address: 1060 Dream Crest Rd

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: R5 - Residential

Other Applications: None

Site and Area Context

The subject property is located north-west of the Eglinton Avenue West and Terry Fox Way intersection in the East Credit Neighbourhood Character Area. It is an interior lot containing a two-storey detached dwelling with an attached garage. Limited landscaping and vegetative elements are present on the subject property. The surrounding area is exclusively residential, consisting of detached and semi-detached dwellings. Additionally, Rick Hansen Secondary School abuts the property to the rear.

The applicant is proposing to construct a new driveway requiring variances for driveway width and soft landscaping in the front yard.



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 subject property is located in the East Credit Neighbourhood Character Area and is designated Residential Low Density II. Section 9 of the Mississauga Official Plan (MOP) promotes development (including its features such as driveways and landscaping) with appropriate urban form and site design, regulating that such development is compatible with the existing conditions, the surrounding context and the landscape of the character area. The planned character of the area are dwellings accessed by appropriately sized driveways.

Staff note there is a discrepancy concerning the site plan submitted and the proposed variance. The site plan depicts the existing conditions of the driveway illustrating a 9.1m (29.85ft) width, whereas the proposed variance seeks a 7.2m (23.62ft) width.

The proposed variance pertains to a reduced driveway width (existing) on the subject property. The planned character of the area are dwellings serviced by appropriately sized driveways that can accommodate the parking of vehicles side by side required by the zoning by-law with the remainder of the front yard being soft landscaping area for each property. The existing driveway would be able to facilitate the parking of 3 motor vehicles parked side by side and seeks a reduction to the front yard soft landscaping requirement. This results in a significant amount of hardscaping dominating the perceived street frontage of the property.

Given the above, staff are of the opinion that the application be deferred to allow the applicant the opportunity to redesign the driveway. Additionally, staff are unable to support the existing driveway in its current conditions.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committee's ease of reference are photos depicting the widened driveway. The submitted Site Plan labelled the widened driveway as an existing concrete walkway. However, based on our site inspection and the attached photos, this Department is of the opinion that this area is intended to function as a portion of the driveway opposed to a walkway.

This Department notes that the municipal boulevard (area between the municipal curb and property line) is re-instated with topsoil and a sodded condition should the application be modified to reflect a smaller driveway width within the subject property or if the application is not supported by the Committee.





Comments Prepared by: Tony Iacobucci, Development Engineering

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: Emily Majeed, Planner-in-Training

Appendix 3 – Parks, Forestry & Environment**Forestry Comments**

The Forestry Section of the Community Services Department has reviewed the above noted minor variance application and advises as follows:

1. No public trees shall be injured or removed. If public tree injury or removal is required, a permit must be issued as per By-law 0020-2022.
2. No private trees shall be injured or removed. If a private tree with a diameter of 15 centimetres or greater on private property is to be injured or destroyed, a permit must be issued as per By-law 0021-2022.
3. Please note if a tree is identified as a shared tree with the adjacent property owner, and the applicant intends to apply for a Tree Permit Application, written consent must be obtained by both parties.

An Application to Permit the Injury or Destruction of Trees on Public and Private Property can be found at <https://www.mississauga.ca/publication/application-to-permit-the-injury-or-destruction-of-trees-on-public-and-private-property/>.

Additionally, Forestry notes that any construction works affiliated with the removal of concrete paving on Dream Crest Rd. may impact a City owned tree, possibly resulting in tree injury. However, the reinstatement of sod is supported as that is a preferable condition for trees. Care should be taken to protect the below noted tree as best as possible:

- English Oak: 32cm DBH, good-fair condition, minimum Tree Protection Zone (TPZ) 1.9m, located west of the driveway, City owned tree.

If necessary, Tree Protection Hoarding for City trees shall be installed as per By-law 0020-2022. Any public tree injuries and/or removals need to apply for Tree Application Permits as noted in Item 1. As per this By-law, no person shall perform any work within a TPZ without a valid permit.

Should further information be required, please contact Jamie Meston, Landscape Technician, Forestry Section, Community Services Department at 905-615-3200 ext. 4264 or via email jamie.meston@mississauga.ca.

Comments Prepared by: Jamie Meston, Landscape Technician

Appendix 4 – Region of Peel Comments

Property line water service shut off valves and water services within the road allowance are owned by the Region of Peel. All water services shall have shut-off valves (curb stops and boxes) installed at the property line, be flush with grade, and accessible at all times. For

residential applications, shut off valves and service lines shall be installed in grass areas with a minimum distance of 1.0m from the edge of the driveway.

Comments Prepared by: Petrele Francois, Junior Planner