

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-02-20	File(s): A561.24
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2/27/2025 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 legalize a driveway proposing:

1. A driveway width of 13.54m (approx. 44.42ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 5.78m (approx. 18.96ft) in this instance;
2. A permeable landscaping butting both side lot lines of 0.00m (approx. 0.00ft) whereas By-law 0225-2007, as amended, requires a minimum permeable landscaping butting both side lot lines of 0.60m (approx. 1.97ft) in this instance.

Background

Property Address: 5880 Osprey Blvd

Mississauga Official Plan

Character Area: Lisgar Neighbourhood
Designation: Residential Low Density II

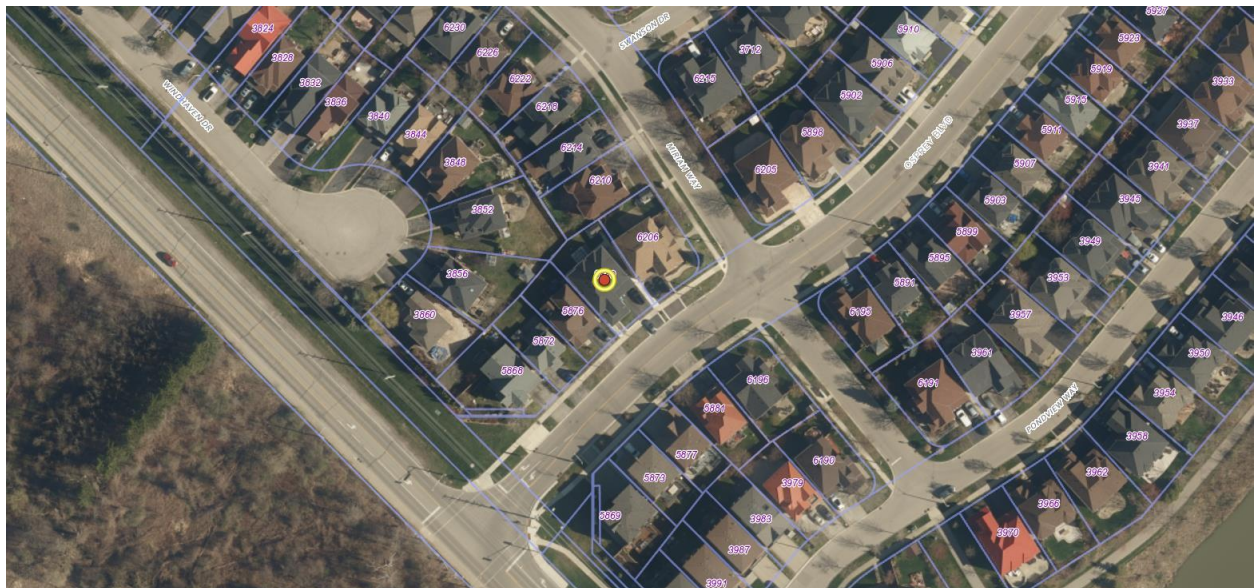
Zoning By-law 0225-2007

Zoning: R7-8 - Residential

Site and Area Context

The subject property is located north-east of the Britannia Road West and Ninth Line intersection in the Lisgar 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 context is exclusively residential, consisting of detached and semi-detached dwellings on similarly sized lots.

The applicant is proposing to legalize the existing driveway, requiring variances for driveway width and driveway 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:

The subject property is located in the Lisgar 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. The existing driveway is not compatible with the existing or planned character of the area. Staff are of the opinion that the general intent and purpose of the official plan is not maintained in this instance.

The proposed variances pertains to the widening of the existing driveway 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. Further, the existing driveway creates a significant amount of hardscaping that dominates the perceived street frontage of the property. Transportation and Work's staff also cite vehicle manoeuvrability concerns due to the paved area located in front of the front porch.

Given the above, staff are of the opinion that the application be deferred to allow the applicant the opportunity to redesign the driveway.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This department notes that regarding the widened driveway within the municipal boulevard (the area between the municipal curb and property line) we would request that this area be reinstated with topsoil and sod 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.

In addition to the widened driveway within the municipal boulevard, we would also request that the widened portion directly in front of the front porch (on private property) also be re-instated with topsoil and sod in such a manner which would eliminate the possibility of any vehicle parking in this area. A walkway directly in front of the porch could be maintained to provide pedestrian access to the driveway. We are concerned with any vehicle parking immediately parallel to the sidewalk as this would result in manoeuvrability concerns, in particular for pedestrians utilizing the sidewalk.

With regards to variance #2 this department cannot support the 0.00M setback to both side lot lines. With regards to the north-westerly setback (side with air conditioning unit) the applicant has constructed a concrete walkway with no setback and as depicted in the attached photos the drainage is directed onto the abutting property.

At the north easterly side both the subject and abutting property have both impeded on their side yard setbacks with the placement of concrete within the entire area with no area for a drainage swale. As clearly depicted in the attached photos there is ice build-up in the area which is problematic in the winter months.

The Grading Plan approved for this property, Plan C-42677 prepared by Rand Engineering Corporation depicts a split drainage pattern which means that half the drainage was designed to be directed to the front and the other half to the rear yard. Drainage from the rear yard was also designed to be directed into the existing catch basin located towards the property to the rear which fronts onto Miriam Way.

In view of our concerns pertaining to both the driveway width and side yard setbacks resulting in drainage related concerns, we would recommend that this application be deferred until such time that a revised proposal/Site Plan is provided which would address the modifications required.











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 – Region of Peel Comments

Comments:

- Please be advised that widening the driveway may impact the location of the property line water service shut-off valves, which 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. If the water service shut-off needs to be adjusted, please contact Public Works Customer Service at (905) 791-7800 x4409 or by email publicworkscustserv@peelregion.ca.

Comments Prepared by: Brian Melnyk, Development Engineering

Appendix 4 – Conservation Halton Comments

CH staff understand that minor variances are required for the legalization of an already built driveway with a width of 13.54m, and to remove the requirement for a permeable landscape butting both side lots.

Conservation Halton (CH) regulates all watercourses, valleylands, wetlands, Lake Ontario Shoreline and hazardous lands as well as lands adjacent to these features. CH's Approximate Regulation Limit mapping indicates that this property is within the flood plain associated with Sixteen Mile Creek (East Lisgar Branch). However, updated flood hazard information from studies completed for the Ninth Line lands is considered to be the best available information for

understanding the magnitude and extent of the hazards in this area. Based on that updated information, the property is not within the flood plain or CH's regulated area. As such, CH has no objection to the approval of this minor variance application.

Comments Prepared by: Ashley Gallagher, Planning & Regulations Analyst