

# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2025-04-17	File(s): A458.24
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 4/24/2025 1:00:00 PM

## Consolidated Recommendation

The City has no objections to the application.

## Application Details

The applicant requests the Committee to approve a minor variance to allow an accessory structure proposing:

1. A driveway width of 11.87m (approx. 38.94ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 8.50m (approx. 27.89ft) in this instance;
2. A hammerhead length of 6.70m (approx. 21.98ft) whereas By-law 0225-2007, as amended, permits a maximum driveway hammerhead length of 3.00m (approx. 9.84ft) in this instance;
3. A walkway attachment of 3.57m (approx. 11.71ft) whereas By-law 0225-2007, as amended, permits a maximum walkway attachment of 1.50m (approx. 4.92ft) in this instance; and
4. A walkway attachment of 3.25m (approx. 10.66ft) whereas By-law 0225-2007, as amended, permits a maximum walkway attachment of 1.50m (approx. 4.92ft) in this instance.

## Background

**Property Address:** 1016 Mississauga Heights Dr

### Mississauga Official Plan

Character Area: Erindale Neighbourhood  
Designation: Greenlands & Residential Low Density I

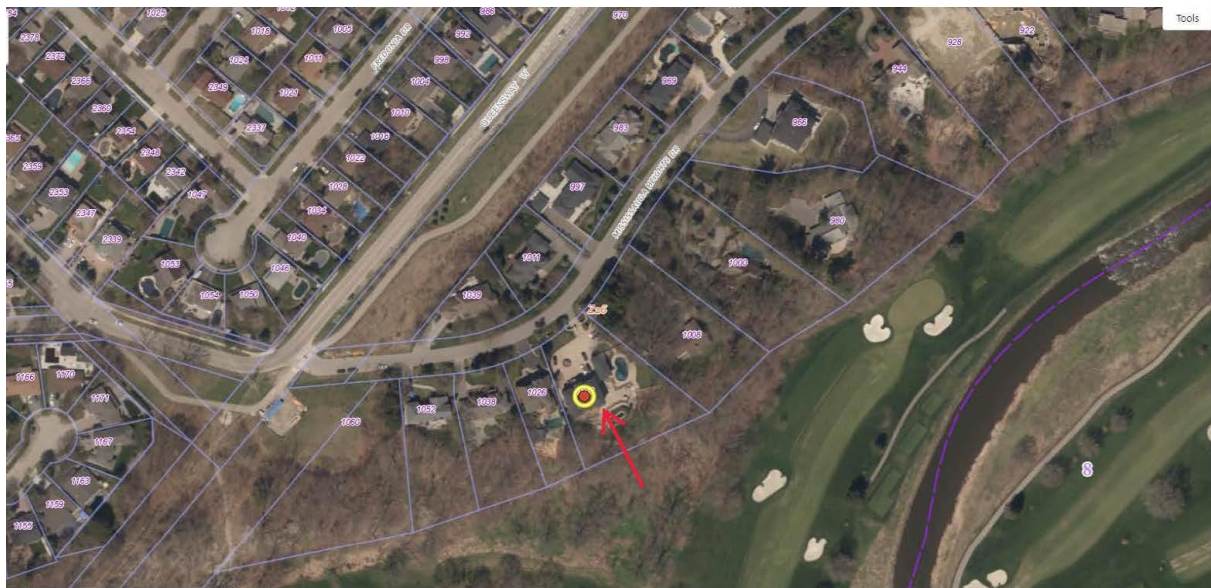
### Zoning By-law 0225-2007

**Zoning:** R1-8 - Residential

**Other Applications: BP 9ALT 22-5175****Site and Area Context**

The subject property is located in the Erindale Neighbourhood Character Area. It currently contains a two-storey detached dwelling with a single storey detached garage. Significant mature vegetation is present in both the front and rear yards. The surrounding area context is predominantly residential, consisting of detached dwellings on lots of varying sizes. The property slopes down towards the rear, where it backs onto the Mississauga Golf and Country Club and the Credit River.

The applicant is proposing to construct a new driveway requiring variances for driveway width, hammerhead length and walkway attachment.

**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*.

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Staff comments concerning the application of the four tests to this minor variance request are as follows:

The application was deferred on October 24<sup>th</sup>, 2024, to allow the applicant an opportunity to redesign the existing driveway. Planning staff raised concerns about the driveway width, circular driveway coverage, and hammerhead length and width. The applicant has since revised the drawings to address staff's concerns pertaining to the driveway.

The subject property is located in the Erindale Neighbourhood Character Area and is designated Greenlands and Residential Low Density I. 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 proposed driveway is compatible with the existing or planned character of the area.

Variance 1 pertains to an increase in the driveway width. City Council passed By-Law 0182-2024, on October 09, 2024, amending the City's parent zoning by-law 0225-2007, to permit a maximum driveway width of 8.5m (27.88ft) for lot frontages 17m or greater. The subject property has an approximate lot frontage of +/- 29.98m (98.35ft). The driveway maintains a width of 4m to 6m for a majority of the circular driveway surface, as well as 5.92m at the property's entrance, which is well below the maximum permissible regulation. The area where it exceeds the maximum permissible regulations is near the detached garage and the hammerhead portion of the driveway. Staff note the areas which exceed the maximum permissible regulations are required to facilitate vehicular movement on the circular driveway as well as vehicular movement in and out of the detached garage. Further, staff note the proposed driveway does not require additional variances for setbacks or soft landscaping. Staff are of the opinion that the proposed driveway width is appropriately sized for the subject property.

Variance 2 requests an increase to the hammerhead length. Planning staff conveyed concerns to the applicant regarding the hammerhead length. The applicant revised the proposed hammerhead length of 3m and has updated the drawings accordingly. Staff have no further concerns with the revised hammerhead. While Planning staff are not in a position to interpret the zoning by-law, staff are of the opinion variance 2 is not required as the newly proposed hammerhead length now meets the by-law requirement.

Variances 3 and 4 requests an increase in walkway width. The intent of the walkway attachment provision is to help define the entryway to the dwelling and other areas of the subject property, while permitting safe movement of pedestrians and prohibiting vehicle accommodation. The walkway width variance is measured diagonally at its widest point and that the walkway tapers down to 2m. Staff are of the opinion that the proposed walkway is appropriately sized for the subject property. Given the nature of the walkway design and location, staff are of the opinion that the walkways cannot accommodate vehicular access and parking.

Planning staff are of the opinion that the proposed variances meet the general intent and purpose of the official plan and zoning by-law. Further, the proposed variances are minor in nature and results in orderly development of the subject property.

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 subject property. Acknowledging the unique design and construction of the driveway, we note that the widened portion of the driveway is not located within the Mississauga Heights Drive municipal right-of-way.

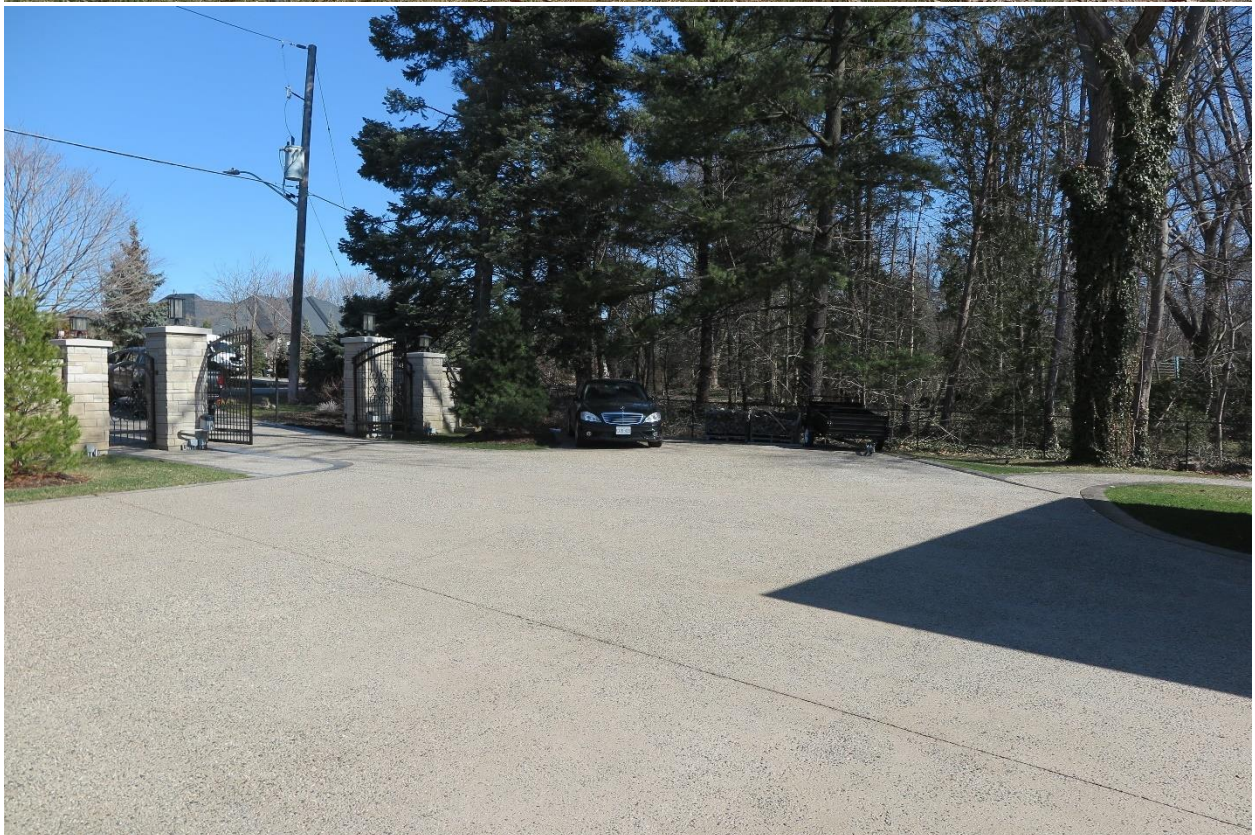














Comments Prepared by: Tony Iacobucci, Development Engineering

## **Appendix 2 – Zoning Comments**

The Building Division is processing Building Permit application BP 9ALT 22-5175. Based on the review of the information available in this application, the requested variances are correct.

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: Gary Gagnier, Zoning Examiner

## **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 Removal Permit, 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/>.

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](mailto:jamie.meston@mississauga.ca).

Comments Prepared by: Jamie Meston, Landscape Technician

## Appendix 4 – Region of Peel Comments

### Minor Variance Application: A-24-458M / 1016 Mississauga Heights Drive

Development Engineering: Wendy Jawdek ([wendy.jawdek@peelregion.ca](mailto:wendy.jawdek@peelregion.ca))(905) 791-7800 x6019

#### 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.

Note: Petrele Francois ([petrele.francois@peelregion.ca](mailto:petrele.francois@peelregion.ca))(905) 791-7800 x3356

- Please be advised that the subject lands are located in the regulated area of the Credit Valley Conservation Authority (CVC). We request that City staff consider comments from the CVC and incorporate their conditions of approval appropriately.

Comments Prepared by: Petrele Francois, Junior Planner

## Appendix 5- Credit Valley Conservation Comments

Based on the review of the information provided, CVC has no objection to the approval of the proposed minor variance at this time as all works proposed are sufficiently setback from the natural features of interest to CVC.

The applicant is advised that the subject property is regulated by CVC and a CVC permit/clearance is required for the proposed works as well as all future works proposed on the property.

The applicant is to note that CVC has not received payment of the review fee of \$478 for this Minor Variance application. The applicant should forward this directly to CVC at the earliest convenience.

I trust that these comments are sufficient. Please do not hesitate to contact the undersigned at [stuti.bhatt@cvc.ca](mailto:stuti.bhatt@cvc.ca) or 905-670-1615 (ext. 350) should you have any further questions. Please circulate CVC on any future correspondence or applications regarding this site.

Comments Prepared by: Stuti Bhatt, Junior Planner