

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-05-01	File(s): A104.25
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:5/8/2025 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be deferred.

Application Details

The applicant requests the Committee to approve a minor variance to allow a driveway proposing:

1. A side yard setback to the driveway of 0.14m (approx. 0.46ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 0.60m (approx. 1.97ft) in this instance;
2. A side yard setback to hardscaping of 0.08m (approx. 0.26ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 0.61m (approx. 2.00ft) in this instance;
3. A walkway width of 1.89m (approx. 6.20ft) attached to the driveway whereas By-law 0225-2007, as amended, permits a maximum walkway width of 1.50m (approx. 4.92ft) in this instance; and
4. A driveway width of 7.89m (approx. 25.89ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.0m (approx. 19.69ft) in this instance.

Background

Property Address: 1381 Victor Ave

Mississauga Official Plan

Character Area: Mineola Neighborhood
Designation: Residential Low Density I

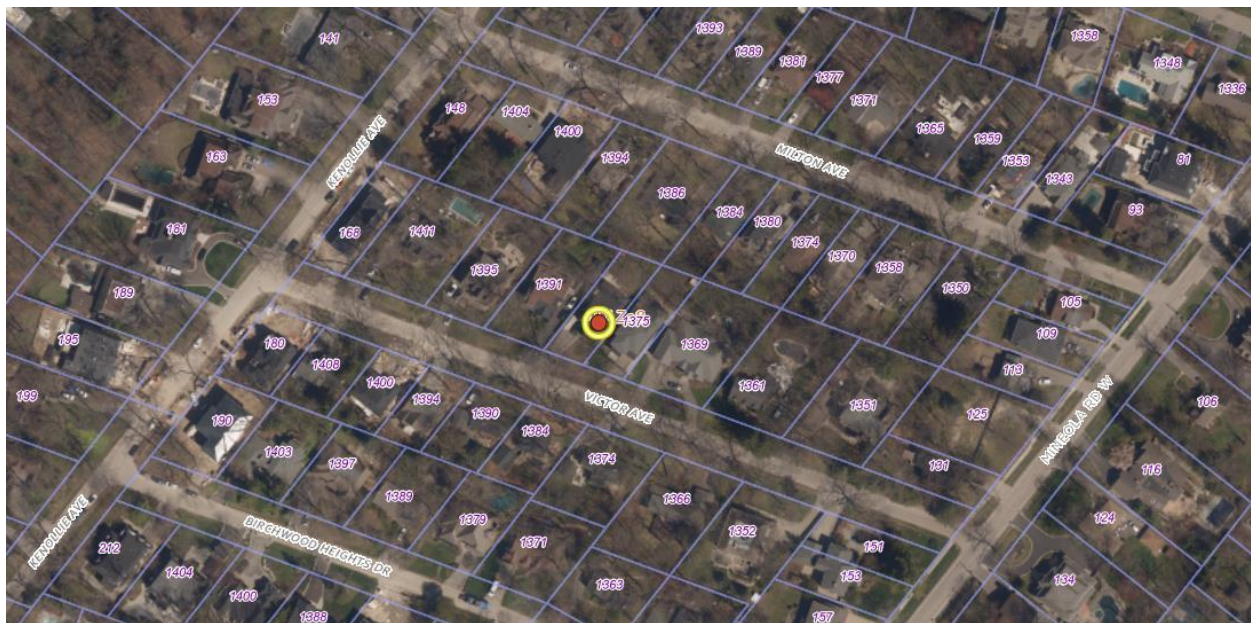
Zoning By-law 0225-2007

Zoning: R2-1 - Residential

Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, northwest of the Mineola Road West and Hurontario Street intersection. The neighbourhood is entirely residential, consisting of one and two storey detached dwellings with mature vegetation. The subject property contains an existing two-storey detached dwelling with little vegetation.

The applicant is proposing to legalize an existing driveway requesting variances for driveway width, walkway width and side yard setbacks to driveway and hardscaping.



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 are as follows:

The subject property is located in the Mineola Neighbourhood Character Area and is designated Residential Medium Density in Schedule 10 of the Mississauga Official Plan (MOP). Section 9.1 of the MOP states that driveway widths and associated setbacks should respect the identity and character of the surrounding context. The planned character of the area is that of residential dwellings serviced by appropriately sized driveways that can accommodate the parking required by the zoning by-law for each property.

The general intent of the driveway setback regulation is to ensure appropriate drainage can be maintained and a visual separation of properties is provided.

Transportation and Works staff have identified drainage related concerns which should be addressed to mitigate impacts to abutting properties. Planning staff echo these comments and therefore recommend that the application be deferred in order to allow the applicant to address concerns raised by the Transportation and Works Department.

Comments Prepared by: Shivani Chopra, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This Department has reviewed the plans that have been submitted and we have also performed a site inspection. We cannot support the request for reduced side yard setback at this time and cannot support the existing grading configuration on site.

The surface drainage on site has been considerably altered from its original state that was approved through the review of the previous building permits with the construction of additional hard surfaces and the concentration of the roof drains into an unacceptable discharge configuration.

We have been in conversation with the applicant's Grading Consultant and we are currently working with them to revise both the proposed plans and also improving the existing grading conditions on site.

In view of the above, we ask that the application be deferred until such time that the plans have been revised to a sufficient state that a determination can be made on the proposed setbacks and also an agreed upon condition for revising the existing grading on site.

Comments Prepared by: John Salvino, Development Engineering Technologist













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: Ladan Javanbakht-Samani, 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/>.

Additionally, the entire property is encompassed by a Residential Woodland (known as site M14) within the City's Natural Heritage System and zoned R2-1. Section 6.3.24 of the Mississauga Official Plan states that the Natural Heritage System will be protected, enhanced, restored, and expanded through the following measures:

- ensuring that development in or adjacent to the Natural Heritage System protects and maintains the natural heritage features and their ecological functions through such means as tree preservation, appropriate location of building envelopes, grading, landscaping...;

Based on the description of the relief required from the zoning by-law outlined, the proposed minor variances relate to existing conditions and are not expected to impact the natural heritage features that are characteristic of the Residential Woodland. On this basis, Community Services – Forestry, have no objections to the requested minor variances. Should the application be approved, Community Services – Forestry provides the following recommendation:

- In an effort to maintain and enhance the natural heritage features present within the property, Forestry recommends that any tree replacements required through the City's Private Tree Bylaws and Public Tree Bylaws should only include native species that are common to the local watershed and appropriate for the site conditions. We recommend that selection of seed mix and trees be supported by reviewing the following guidelines prepared by the Credit Valley Conservation Authority (CVC):

- Credit Valley Conservation Authority. (2018). Plant Selection: Species List for Planting Plans within the Credit River Watershed. Link: <https://cvc.ca/document/plant-selection-guideline-species-list-for-planting-plans-within-the-credit-river-watershed/>

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

Minor Variance Application: A-25-104M / 1381 Victor Avenue

Development Engineering: Sabrina Martins (sabrina.martins@peelregion.ca)(905) 791- 7800 x3094

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: Petrele Francois, Junior Planner