

# City of Mississauga

## Memorandum:

## City Department and Agency Comments

Date Finalized: 2025-07-03	File(s): A138.25
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:7/10/2025 1:00:00 PM

## Consolidated Recommendation

The City recommends that the application be deferred for redesign.

## Application Details

The applicant requests the Committee to approve a minor variance to allow a circular driveway and rear stone patio proposing:

1. A circular driveway covering 55.5% of the front yard whereas By-law 0225-2007, as amended, permits a maximum circular driveway area to cover 50% of the front yard in this instance;
2. A driveway width of 14.98m (approx. 49.15ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 8.5m (approx. 27.89ft) in this instance;
3. Three walkways attached to one side of the driveway with widths of 2.70m (approx. 8.86ft), 6.60m (approx. 21.65ft), and 2.70m (approx. 8.86ft) whereas By-law 0225-2007, as amended, permits a maximum of one walkway with a width of 1.50m (4.92ft) in this instance; and
4. A rear stone patio height of 0.60m (approx. 1.97ft) whereas By-law 0225-2007, as amended, permits a maximum rear stone patio height of 0.30m (approx. 0.98ft) in this instance.

## Amendments

The Building Department is processing Preliminary Zoning Review/Independent Zoning Review application PREAPP 25-6078. Based on the review of the information available in this application, the requested variances (#1, #2, #3) are correct. And based on the review of the information available in this application, Zoning staff advise that the following amendment is required for #4:

4. A rear stone patio setback to the side lot line of 0.60m (approx. 1.97ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 0.61m (approx. 2.00ft) in this instance.

## Background

**Property Address: 1138 Garden Rd**

### Mississauga Official Plan

Character Area: Clarkson - Lorne Park Neighborhood  
Designation: Residential Low Density I

### Zoning By-law 0225-2007

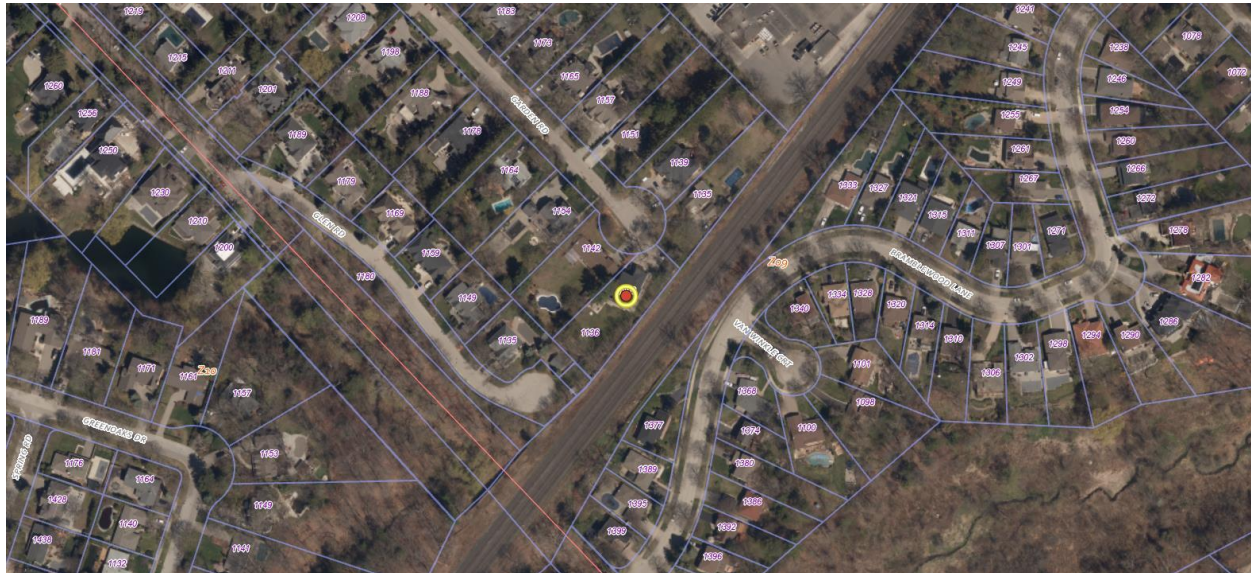
**Zoning: R2-4 - Residential**

**Other Applications: PREAPP 25-6078**

### Site and Area Context

The subject property is located south of Truscott Drive and east of Clarkson Road North. The subject lot is located at the end of the cul-de-sac, with a lot area of approximately 1998m<sup>2</sup> (21506ft<sup>2</sup>). The property contains a two-storey detached dwelling with mature vegetation in the rear yard. the surrounding area context is predominantly residential with one and two storey dwellings on large lots with significant vegetation.

The applicant is proposing to legalize the existing driveway and rear stone patio requiring variances for driveway width, driveway percentage covering the front yard, walkway attachment widths and setback to stone patio.



## 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 Clarkson - Lorne Park Neighborhood Neighbourhood Character Area and is designated Residential Low Density I 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.

Staff have identified concerns with variances #1, #2 and #3, all pertaining to the driveway. The intent of the driveway width regulations in the by-law is to permit a driveway that can accommodate the required parking under the zoning by-law, with the remainder of the front yard being soft landscaped area. The intent of the walkway regulations is to allow a hard-surfaced pathway from the driveway to the front entrance and/or the rear yard, while ensuring that such an area cannot be utilized for parking purposes.

The current driveway represents an excessive width that can facilitate the parking of additional vehicles, contrary to the intent of the zoning by-law. The resultant front yard has been significantly decreased, with minimal front yard amenity area present as a result. Furthermore, staff are of the opinion that while Variance #1 requests an increase of driveway coverage from 50% to 55%, that

is due to the technical calculation of the front yard due to the shape of the lot. The driveway appears to cover a significant portion of the front yard visually in this instance. Additionally, the three walkways appear to be a part of the driveway in this case, facilitating vehicular access.

Staff are of the opinion that, as currently proposed, the driveway does not meet the general intent or purpose of the zoning by-law and is not minor in nature. Staff therefore recommend that the application be deferred to allow the applicant an opportunity to redesign the driveway and hardscaping in the front yard.

Comments Prepared by: Shivani Chopra, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

Enclosed are pictures of the existing driveway, walkways and rear patio. We do not have any grading concerns.

Comments Prepared by: John Salvino, Development Engineering Technologist























## Appendix 2 – Zoning Comments

The Building Department is processing Preliminary Zoning Review/Independent Zoning Review application PREAPP 25-6078. Based on the review of the information available in this application, the requested variances (#1, #2, #3) are correct. And based on the review of the information available in this application, we advise that the following amendment is required for #4:

4. A rear stone patio setback to the side lot line of 0.60m (approx. 1.97ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 0.61m (approx. 2.00ft) in this instance.

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: Carrie Chan Patch, 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

Development Engineering: Brian Melnyk ([brian.melnyk@peelregion.ca](mailto:brian.melnyk@peelregion.ca)) | (905) 791-7800 x3602

### **Comments:**

- The is a Regional sanitary sewer easement on the subject property. Please be advised that unauthorized encroachments on regional easements will not be permitted. Certain restrictions apply with respect to regional easements as per the documents registered on title.
- 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](mailto:publicworkscustserv@peelregion.ca).

Comments Prepared by: Petrele Francois, Junior Planner

### **Appendix 5 – Metrolinx**

- The subject property is located within 300m of the Metrolinx Oakville Subdivision which carries Metrolinx's Lakeshore West GO Train service.

### **GO/HEAVY-RAIL – ADVISORY COMMENTS**

- As the requested variances have minimal impact on Metrolinx property, Metrolinx has no objections to the specified variances should the committee grant approval.
- Please be advised that Metrolinx would be a stakeholder providing comments on the comprehensive application of this site should future development be contemplated. Please continue to engage Metrolinx should future developments be contemplated on the subject site.

Should you have any questions or concerns, please contact [jenna.auger@metrolinx.com](mailto:jenna.auger@metrolinx.com).

Comments Prepared by: Jenna Auger, Project Analyst