

# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-03-31	File(s): A114.21 Ward 7
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-04-08

## Consolidated Recommendation

The City has no objection to the variance, as requested.

## Application Details

The applicant requests the Committee to approve a minor variance to allow a take-out restaurant in Unit 20 of the subject property within 60m of a Residential zone whereas By-law 0225-2007, as amended, requires a minimum 60m buffer from a take-out restaurant to a Residential zone in this instance.

## Background

**Property Address:** 35 King Street East Unit 20

### Mississauga Official Plan

Character Area: Downtown Cooksville  
Designation: Mixed Use

### Zoning By-law 0225-2007

**Zoning:** C4 - Commercial

**Other Applications:** C 20-4519  
BP 20-4521

### Site and Area Context

The subject property is a commercial unit located in an existing multi-tenant retail plaza located

at the north-west corner of Shepard Ave and King St E. It is an exterior parcel, with a lot area of +/- 8,388.99m<sup>2</sup> and a lot frontage of +/- 100.0m. The property possesses little to no vegetative elements on the lot. From a land-use perspective, the immediate neighbourhood is a mixture of commercial and residential uses; including restaurants, offices, a retirement home, and residential dwellings.

The applicant is proposing a take-out restaurant that requires a variance for minimum setback to a residential zone.



the Mixed Use designation permits a restaurant. The Applicant's proposal of a take- out restaurant meets the purpose and general intent of the Official Plan.

The intent of this portion of the bylaw is to ensure that proposed restaurant uses are compatible with the adjacent land uses and where they cannot, a 60.0m buffer is created, as is the case in this instance. The existing retail plaza on the subject property was built in 1985 and has since this time been located within the required minimum separation distance from residential zones, buffer of 60m. Additionally, there are other existing restaurant units within the plaza that are closer to the residential zone than unit #20. Staff are of the opinion that impacts to the residential zone are insignificant. Through a detailed review of the application, staff is of the opinion that the application is appropriate to be handled through the minor variance process. Further, the application raises no concerns of a planning nature.

## Conclusion

The Planning and Building Department recommends that the Committee have regard for all comments and evidence provided by the applicant and area residents when assessing if the application meets the requirements of Section 45 (1) of the Planning Act.

Comments Prepared by: Brooke Herczeg RPP, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

This Department has no objections, comments or requirements with respect to C.A. 'A' 114/21.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

### Appendix 2 – Zoning Comments

“The Building Department is currently processing a certificate of occupancy permit application under file 20-4519. Based on review of the information currently available for this building permit, the variances, as requested are correct.

Our comments are based on the plans received by Zoning staff on xxxxxx for the above captioned certificate of occupancy permit application. Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the site plan approval process, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedure, separately through the site plan approval process in order to receive updated comments.”

Comments Prepared by: Ramsen Hedoo

### Appendix 5 – Region of Peel Comments

Development Planning: Diana Guida (905) 791-7800 x8243

Please be advised that a portion of the subject property is located within the limits of the regulated area of the Credit Valley Conservation (CVC).

The Region relies on the environmental expertise of the CVC for the review of development applications located within or adjacent to this regulated area in Peel and their potential impacts on the natural environment. Regional Planning staff therefore, request that the Committee and city staff consider comments from the CVC and incorporate their conditions of approval appropriately.

I trust this information is of assistance to you and the Committee. If you have any questions or concerns, please do not hesitate to contact me at (905) 791-7800 ext. 8243 or by email at [diana.guida@peelregion.ca](mailto:diana.guida@peelregion.ca)

Comments Prepared by: Diana Guida, Junior Planner