

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-05-19	File(s): A145.21 Ward: 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2021-05-27 1:00 PM

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 proposing a take-out restaurant within 60m (approx. 196.85ft) whereas By-law 0225-2007, as amended, does not permit a take-out restaurant within 60m (approx. 196.85ft) in this instance.

Background

Property Address: 510 Driftcurrent Drive, Unit 18

Mississauga Official Plan

Character Area: Hurontario Neighbourhood
Designation: Convenience Commercial

Zoning By-law 0225-2007

Zoning: C1 - Commercial

Other Applications: None

Site and Area Context

The subject property is a commercial unit located in an existing multi-tenant retail plaza located at the south-east corner of Driftcurrent Dr. and Kennedy Rd S. It is an exterior parcel, with a lot area of +/- 1,396.0m² and a lot frontage of +/- 82.0m. The property possesses minimal

vegetation and landscape elements along the periphery of the site. From a land-use perspective, the immediate neighbourhood is surrounded by residential dwellings with minimal vegetation and landscape elements in the front yards.

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



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 site is located within the Hurontario Neighbourhood Character Area, and is currently designated Convenience Commercial by the Mississauga Official Plan (MOP). Section 11.2.9 (Convenience Commercial) permits a restaurant within the designation. 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 by-law is to ensure that proposed restaurant uses are compatible with the adjacent land uses and where they cannot, a 60.0m buffer is created. The existing retail plaza on the subject property was built in 2001 and is within the required minimum separation distance from a residential zone, a buffer of 60m. Additionally, there are existing restaurant units in the plaza, that are within the required separation distance of a residential zone. Staff are of the opinion that any potential impact to the residential zone are not significant. 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' 145/21.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is not in receipt of any permit applications at this time and the applicant is advised that a zoning review has not been completed. We are unable to confirm the accuracy of the requested variance(s) or determine whether additional variance(s) may be required.

The applicant is advised that a completed zoning review may identify additional instances of zoning non-compliance. The applicant may consider applying for a preliminary zoning review application and submit working drawings for a detailed zoning review to be completed. A minimum of 6-8 weeks will be required to process a preliminary zoning review application depending on the complexity of the proposal and the detail of the information submitted.

Comments Prepared by: Brandon Eidner, Zoning Examiner

Appendix 5 – Region of Peel Comments

We have no comments or objections.

Comments Prepared by: Diana Guida, Junior Planner