

City of Mississauga Department Comments

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| <p>Date Finalized: 2021-09-28</p> <p>To: Committee of Adjustment</p> <p>From: Committee of Adjustment Coordinator</p> | <p>File(s): A405.21 Ward: 8</p> <hr/> <p>Meeting date:2021-10-07 1:00:00 PM</p> |
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Consolidated Recommendation

The City recommends that the Committee have regard for all comments and evidence provided by the Applicant and area residents when assessing if the application, as requested, meets the requirements of Section 45(1) of the Planning Act.

Application Details

The applicant requests the Committee to approve a minor variance to allow a restaurant with a separation distance of 59.0m (approx. 193.6ft) from a Residential zone whereas By-law 0225-2007, as amended, requires a minimum separation distance of 60.0m (approx. 196.9ft) from a restaurant to a Residential zone in this instance.

Amendments

The Building Department is currently processing a Certificate of Occupancy application under file 21-7324. Based on review of the information currently available in this application, we advise that the variances should be amended as follows:

The applicant requests the Committee to approve a minor variance to allow a restaurant with a separation distance of less than 60.0m (approx. 193.6ft) from a Residential zone whereas By-law 0225-2007, as amended, requires a minimum separation distance of 60.0m (approx. 196.9ft) from a restaurant to a Residential zone in this instance.

Background

Property Address: 3960 Eglinton Ave W Unit B14

Mississauga Official Plan

Character Area: Mixed Use
Designation: Churchill Meadows Employment Area

Zoning By-law 0225-2007

Zoning: C3 - Commercial

Other Planning Applications: None

Site and Area Context

The subject property is located within the Churchill Meadows Employment Area, south west of the Ninth Line and Eglinton Avenue West intersection. The subject property contains a plaza that has a mix of commercial and office uses with little vegetation on the property. The surrounding area contains vacant lands zoned for employment and commercial uses.

The application requests a variance to permit a restaurant use.



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 designated Employment Area in Schedule 10 of the Mississauga Official Plan (MOP), which permits restaurants. The applicant is proposing a restaurant use within 60m (approx. 193.9 ft) of a Residential zone. 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 (approx. 196.9 ft) buffer is created. The adjacent residential neighbourhood is located north of the property. Eglinton Avenue West separates the entire subject property from residential uses. Furthermore, a wide city boulevard is provided between the residential neighbourhood and Eglinton Avenue West, which provides additional buffering between the restaurant use and the residential neighbourhood. 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.

Comments Prepared by: Connor DiPietro, 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' 405/21.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Certificate of Occupancy application under file 21-7324. Based on review of the information currently available in this application, we advise that the variances should be amended as follows:

The applicant requests the Committee to approve a minor variance to allow a restaurant with a separation distance of less than 60.0m (approx. 196.9ft) from a Residential zone whereas By-law 0225-2007, as amended, requires a minimum separation distance of 60.0m (approx. 196.9ft) from a restaurant to a Residential zone in this instance.

Please note that comments reflect those provided through the above application and should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the application file noted above, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedures, separately through the application process in order to receive updated comments.

Comments Prepared by: Richard Thompson, Zoning Examiner