# City of Mississauga Department Comments

Date Finalized: 2021-09-28 File(s): A433.21

To: Committee of Adjustment Ward: 8

From: Committee of Adjustment Coordinator

Meeting date:2021-10-07

1:00:00 PM

## **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.

# **Background**

Property Address: 3920 Eglinton Avenue West Unit C2

Mississauga Official Plan

Character Area: Mixed Use

Designation: Churchill Meadows Employment Area

Zoning By-law 0225-2007

Zoning: C3 - Commercial

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 commercial plaza having a mix of commercial and office uses with little vegetation. The surrounding area includes 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. 193.6ft) 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. 196.6ft) 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' 433/21.

Comments Prepared by: John Salvino, Development Engineering Technologist

### **Appendix 2 – Zoning Comments**

BP RECEIVED, CORRECT VARIANCE

The Building Department is currently processing a building permit application under file BP 3ALT 21-7770. 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 08/06/2021 for the above captioned building 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: A. McCormack