

City of Mississauga Department Comments

Date Finalized: 2021-11-16	File(s): A490.21 Ward: 8
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-11-25 1:00:00 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 allow the construction of a Take-out Restaurant proposing a total of 285 off-street parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 292 off-street parking spaces in this instance.

Background

Property Address: 3105-3115 Winston Churchill Boulevard

Mississauga Official Plan

Character Area: Western Business Park Employment Area
Designation: Greenlands and Mixed Use

Zoning By-law 0225-2007

Zoning: G1 - Greenlands; C2-9 - Commercial

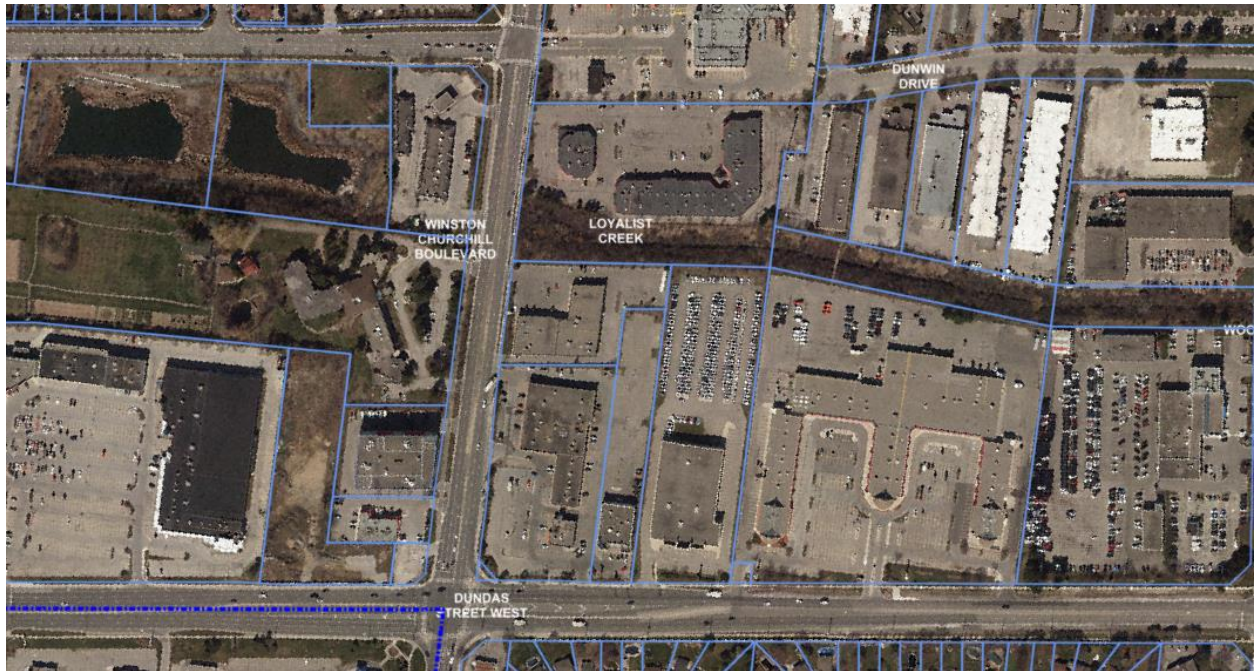
Other Planning Applications: Site Plan – SPAX 17-48 W8 and Pre-Application Zoning Review – C21-8042

Site and Area Context

The subject property is located northeast of the Winston Churchill Boulevard and Dundas Street West intersection and currently houses a commercial plaza with medical office, retail and restaurant uses. The immediate neighbourhood is exclusively commercial in nature, being

comprised entirely of commercial retail plazas containing local commercial uses. There is limited vegetation on the subject property located along the perimeter.

The applicant is proposing a take-out restaurant, requiring a variance for deficient parking.



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 of the four tests to this minor variance request are as follows:

Does the proposal maintain the general intent and purpose of the Official Plan?

The subject property is designated Greenlands and Mixed Use in Schedule 10 of the Mississauga Official Plan (MOP). The entirety of the proposal is located on lands designated Mixed Use, which permits Take-Out restaurants.

Does the proposal maintain the general intent and purpose of the Zoning By-law?

The applicant is requesting to permit a take-out restaurant providing a total of 285 parking spaces onsite, where a minimum of 292 parking spaces is required. This is a reduction of 7 spaces which equates to a 2% deficiency onsite. City Planning Strategies (CPS) staff comment on requests for parking deficiencies and have provided the following comments.

A Parking Letter, prepared by Stephen Bernatt, Bernatt Architect Ltd., dated October 4, 2021, explains the function of the take-out restaurant use and the ample parking available on the site. The unit (Unit #20) is located at the very rear of the site, which has very limited exposure of the business.

Staff contacted the agent, Stephen Bernatt, Bernatt Architect Ltd., via email on October 27, 2021 seeking clarification to the submitted Parking Letter regarding the business hours of operations, delivery/pick up times and other uses onsite.

The agent provided satisfactory responses via email on November 1, 2021 and explained compatibility of all uses onsite.

Based on the submitted information, staff can support the variance to allow a take-out restaurant providing a total 285 parking spaces on site whereas By-law 0225-2007, as amended, requires a minimum of 292 parking spaces in this instance.

Planning Staff echo CPS' comments and are of the opinion that the general intent and purpose of the zoning by-law is maintained.

Is the proposal desirable for the appropriate development of the subject lands and minor in nature?

The proposed parking reduction is required as the tenant is proposing a Take-out Restaurant. With the addition of this use, the subject property will remain self-sufficient and the proposed parking reduction will not pose a negative impact on the surrounding area from a parking perspective. As such, the proposed application represents orderly development of the land and is minor in 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' 490/21.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Zoning Certificate of Occupancy permit under file C 21-8042. Based on review of the information currently available in this permit application, the variances, as requested are correct.

Please note that comments reflect those provided through the above permit 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