

City of Mississauga Department Comments

Date Finalized: 2022-04-20	File(s): A218.22 Ward 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-04-28 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 an existing café with a commercial use in an RA5-27 Zone (Residential) whereas By-law 0225-2005, as amended, does not permit a commercial use in an RA5-27 Zone (Residential) in this instance.

Background

Property Address: 23 Helene St N

Mississauga Official Plan

Character Area: Port Credit Community Node
Designation: Residential High Density

Zoning By-law 0225-2007

Zoning: RA5-27 - Residential

Other Applications: Zoning Certificate of Occupancy permit under file C21-9841

Site and Area Context

The subject site is located within the Port Credit Community Node Character Area, northwest of the Hurontario Street and Lakeshore Road East intersection. Directly north of the subject site is Port Credit Go Station. The proposed café is located in an at grade unit below a four-storey

parking garage. Minimal vegetation exists in the form of street trees along Helene Street North and Queen Street East. The surrounding area contains a mix of high-rise apartment buildings with mature vegetation contained in the front yards.

The applicant is proposing a minor variance to permit a café in an RA5-27 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 subject property is designated Residential High Density on Schedule 10 of the Mississauga Official Plan (MOP). This designation permits uses permitted in the Convenience Commercial designation only in the at grade units. These uses include a variety of Convenience Commercial uses including restaurant and retail store uses.

The proposed café is to be located at grade in a parking garage and not in an at grade unit. Currently the garage contains other commercial uses. However, staff note that the Committee of Adjustment previously granted variances (A126.85, A125.88 and A55.97) permitting commercial uses to operate within an at grade unit contained in the same parking garage.

It is staff's opinion that the proposed use is sympathetic to the surrounding area and does not impact the neighbouring properties. 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' 218/22.

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 C21-9841. 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 11/05/2021 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: Adam McCormack, Zoning Examiner