

City of Mississauga Department Comments

Date Finalized: 2022-04-27	File(s): A213.22 Ward 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-05-05 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 food retail store within Unit 110 of the subject property with a separation distance from a Residential Zone of 20.74m (approx. 68.04ft) whereas By-law 0225-2007, as amended, requires a minimum separation distance between a food retail store and a Residential Zone of 60.00m (approx. 196.85ft) in this instance.

Amendments

The Building Department is currently processing a Zoning Certificate application under file 21-7208. Based on review of the information currently available in this permit application, we advise that the variances should be amended as follows:

To allow a Take-out Restaurant within Unit 110 of the subject property to be within 60.0m (approx. 196.85ft) of a Residential Zone whereas By-law 0225-2007, as amended, requires a minimum separation distance between a Take-Out Restaurant and a Residential Zone of 60.00m (approx. 196.85ft) in this instance.

Background

Property Address: Unit 110 - 150 Lakeshore Rd W

Mississauga Official Plan

Character Area: Port Credit Community Node
Designation: **Residential High Density and Mixed Use**

Zoning By-law 0225-2007

Zoning: C4-2 - Commercial & RA1-39 - Residential

Other Applications: Zoning Certificate application under file 21-7208

Site and Area Context

The subject site is located within the Port Credit Community Node, located east of the Lakeshore Road West and Mississauga Road North intersection. The subject site contains a 19-storey residential apartment building with a mix of commercial uses located at grade, fronting onto Lakeshore Road West. Minimal vegetation exists in the form of street trees facing Lakeshore Road West. The broader area consists of commercial uses including restaurants, institutional uses and low-density residential uses with minimal vegetation.

The application proposes a food retail store requiring a variance for separation distance 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 subject property is designated Residential and Mixed Use in Schedule 10 of the Mississauga Official Plan (MOP). The proposal is entirely located on lands designated Mixed Use which permits a variety of uses including restaurants and retail stores. The applicant is proposing a Take-out Restaurant within 60m (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 (196.9 ft) buffer is created.

The adjacent residential neighbourhood is located directly northwest of the property. The proposed use will be located in a residential apartment building at grade. The Committee of Adjustment has previously granted approvals for restaurant type uses to operate in Unit 110 (A-4/11, A475/4, A775/2, A358/0, A462/99, and A101/99). 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' 213/22.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Zoning Certificate application under file 21-7208. Based on review of the information currently available in this permit application, we advise that the variances should be amended as follows:

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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: Marco Palerma