

# City of Mississauga Department Comments

Date Finalized: 2022-05-04	File(s): A231.22 Ward 8
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-05-12 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 meets the requirements of Section 45 (1) of the Planning Act. The applicant may wish to defer the application to ensure the accuracy of the requested variances and that all required variances have been identified.

## Application Details

The applicant requests the Committee to approve a minor variance to allow restaurant uses within the site with a minimum separation distance from a Residential Zone of 36m (approx. 118ft) whereas By-law 0225-2007, as amended, requires a minimum separation distance between a restaurant use and a Residential Zone of 60m (approx. 197ft) in this instance.

## Amendments

The Building Department is not in receipt of any permit applications at this time and the applicant is advised that a zoning review has not been completed. We are unable to confirm the accuracy of the requested variance(s) or determine whether additional variance(s) may be required.

We do advise that the variance wording should be amended as follows:

The applicant requests the Committee to approve a minor variance to allow restaurant uses within the site with a minimum separation distance from a Residential Zone of less than 60m (approx.. 197ft) whereas By-law 0225-2007, as amended, requires a minimum separation distance between a restaurant use and a Residential Zone of 60m (approx. 197ft) in this instance

## Background

**Property Address:** 3450, 3460, 3470 & 3480 Platinum Dr and 3505, 3515, 3525, 3535 & 3545 Odyssey Dr

### Mississauga Official Plan

Character Area: Churchill Meadows Employment Area  
Designation: Business Employment and Mixed Use

### Zoning By-law 0225-2007

**Zoning:** C3-59 - Commercial & E2-102 - Employment

### Other Applications:

Minor Variance Application A133/20  
Site Plans SP 13 171 and SP 19 41

### Site and Area Context

The subject property is located within the Churchill Meadows Employment Area, south west of the Ridgeway Drive and Eglinton Avenue West intersection. The subject property is currently developing a commercial complex that includes nine 1-storey buildings that includes a mix of commercial uses such as restaurants and retail stores, as well as offices and light industrial uses. The surrounding area contains vacant lands intended for future employment and commercial uses.

The application requires a variance to permit restaurant uses on the subject property.



## 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 applicant is proposing a restaurant uses within 60m (193.9ft) of a residential zone. The intent of this portion of the by-law is to ensure that proposed a restaurant use would be compatible with the adjacent land uses and where they are not compatible, a 60.0m (196.9 ft) buffer is created. The adjacent residential neighbourhood is located east of the property. Ridgeway Drive separates the entire subject property from the existing residential uses. Furthermore, a significant city boulevard is provided between the residential neighbourhood and Ridgeway Drive, providing additional buffering between the restaurant use and the residential neighbourhood. Staff has discussed the application with the planner processing the applicant's condominium application and they have no concerns with the proposal.

Through a detailed review of the application, staff is of the opinion that the proposed use is desirable and is appropriate to be handled through the minor variance process. 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' 231/22.

Comments Prepared by: John Salvino, Development Engineering Technologist

### Appendix 2 – Zoning Comments

#### Minor Variances – No Building Permit = No Comment

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The applicant is advised that a completed zoning review may identify additional instances of zoning non-compliance. The applicant may consider applying for a preliminary zoning review application and submit working drawings for a detailed zoning review to be completed. A minimum of 6-8 weeks will be required to process a preliminary zoning review application depending on the complexity of the proposal and the detail of the information submitted.

Comments Prepared by: Brandon Eidner, Zoning Examiner