

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2020-07-08	File(s): A151/20 Ward: 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2020-07-16

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 the operation of a restaurant in Unit 2 of the subject property, being within 60m of a residential zone; whereas, By-law 0225-2007, as amended, does not permit a restaurant use within 60m of a residential zone, in this instance.

Background

Property Address: 5855 Rodeo Drive

Mississauga Official Plan

Character Area: Gateway Employment Area
Designation: Mixed Use

Zoning By-law 0225-2007

Zoning: C3-29 (Commercial)

Other Applications:

Building Permit: 20-377

Site and Area Context

The subject property is located north-east of the Mavis Road and Matheson Boulevard West intersection, and currently houses a multi-pad, multi-tenant commercial plaza. The immediate area context is primarily commercial, with multiple shopping areas located to both the east and west of this portion of Mavis Road. Planning Staff note, residential uses are present to the south; however, their lot configuration and orientation, coupled with intervening major municipal right-of-way (Matheson Boulevard West), results in their presence not directly influencing the area context, as it pertains to the subject lands.

Planning Staff note the existing and current operation of a restaurant upon the subject lands.



Comments

Planning

Section 45 of the *Planning Act* provides the Committee of Adjustment the authority to grant relief from the requirements stipulated by the municipal Zoning By-law, provided that such applications meet the requirements set out under Section 45(1) and/or 45(2) (a) or (b) of the *Planning Act*.

Staff comments concerning the application of the four tests to this minor variance request are as follows:

Through a detailed review, 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.

Conclusion

The Planning and Building Department 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*.

Comments Prepared by: Roberto Vertolli, 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' 151/20.

Comments Prepared by: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit application under file 20-377. Based upon review of this application, this Department notes that the variance, as requested, is correct.

Comments Prepared by: Sandra Morrison, Zoning Examiner

Appendix 3 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the April 23rd, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Application: DEF-A-435/19

Minor Variance Applications: A-142/20, A-151/20, A-152/20, A-153/20, A-156/20, A-157/20, A-158/20, A-159/20, A-160/20, A-166/20

Comments Prepared by: Tracy Tang, Junior Planner