

City of Mississauga Department Comments

Date Finalized: 2022-11-30	File(s): A628.22
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2022-12-08 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. The applicant may wish to defer the application to ensure that all required variances have been accurately identified.

Application Details

The applicant requests the Committee to approve a minor variance to allow an addition to a restaurant proposing a gross floor area of 339.06sq m (approx. 3649.61sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 302.00sq m (approx. 3250.70sq ft) in this instance.

Background

Property Address: 1971 Lakeshore Rd W

Mississauga Official Plan

Character Area: Port Credit Neighbourhood (East)
Designation: Mixed Use

Zoning By-law 0225-2007

Zoning: C4-57 - Commercial

Other Applications: none

Site and Area Context

The subject site is located within the Port Credit Neighbourhood (East), northwest of the Lakeshore Road West and Southdown Road intersection. The subject site contains an existing restaurant use. Minimal vegetation exists on the subject property, in the form of shrubs and sod in the front yard facing Lakeshore Road West. The broader area consists of commercial and residential uses. The commercial uses include restaurants and retail stores.

The application proposes an addition to a restaurant requiring variances for separation distance to a residential zone and parking reduction.



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 Low Density I on Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached dwellings.

This application proposes an increase to the existing restaurant's gross floor area. The intent of the zoning by-law regarding gross floor area is to maintain compatibility between existing and newer buildings, while also ensuring that the property is not overdeveloped and that the existing and planned character of a neighbourhood is preserved.

The applicant is proposing to enclose the existing covered patio thereby enlarging the restaurant's seating area. This addition will not result in any on-site parking deficiencies or additional parking requirements. Furthermore, the proposed addition is only one-storey in height

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and no variances are being sought for height or setbacks minimizing any potential impact from the addition to the character of the neighbourhood. 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

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed addition will be addressed through the future Site Plan/Building Permit Application process.







Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

We note that a Building Permit application is required. In the absence of a Building Permit application we are unable to confirm the accuracy of the information provided, or determine whether additional variance(s) may be required. It should be noted that a zoning review has NOT been completed.

The applicant is advised that should they choose to proceed without zoning verification, a full zoning review may result in further variances being required in the future.

Comments Prepared by: Amy Campbell, Planner-in-Training

Appendix 3 – Region of Peel

Servicing: Camila Marczuk (905) 791-7800 x8230

Comments:

- There is a Regional easement on the subject property. Please be advised that unauthorized encroachments on Regional easements will not be permitted. Certain restrictions apply with respect to Regional easements as per the documents registered on title.

Comments Prepared by: Patrycia Menko, Junior Planner