

City of Mississauga Department Comments

Date Finalized: 2023-05-16	File(s): A18.23
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2023-05-25 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 a service establishment in a C4 Zone whereas By-law 0225-2007, as amended, does not permit a service establishment use in this instance.

Background

Property Address: 190 Lakeshore Road West #5

Mississauga Official Plan

Character Area: Port Credit Neighbourhood (West)
Designation: **Mixed Use**

Zoning By-law 0225-2007

Zoning: C4-22-Commercial

Other Applications: None

Site and Area Context

The subject site is located within the Port Credit Neighbourhood (West) Character Area, West of the Mississauga Road and Lakeshore Road West intersection. The subject site contains 12 townhouse units with six office units fronting onto Lakeshore Road West. Landscape vegetation is limited to the front yard of the subject property in the form of street trees and shrubs. The broader area consists of a mix of uses, including commercial, office and both high and low-density residential uses.

The application proposes a service establishment use requiring a variance to permit the use.



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 Committee deferred the above noted application on March 9th, 2023, to allow the applicant an opportunity to confirm the accuracy of the requested variance and to determine if additional variances were required.

Zoning staff have determined that the applicant is proposing a Service Establishment use on the subject property. Exception C4-22 states that lands zoned C4-22 shall only be used for townhouse and office uses. Staff note that the intent of limiting the permitted uses to only townhouse and and/or office was to prohibit uses requiring greater parking requirements from operating within the ground floor business units as parking is limited on the property.

Planning staff have discussed the proposal with Municipal Parking staff. A service establishment uses requires a parking rate of 4.0 spaces/100 m² Gross Floor Area in Parking Precinct 3. In

this instance, given the unit's GFA,, that would result in the need for 1.2 parking spaces, which is rounded down to 1. Given that the applicant has 1 dedicated parking space associated with the unit, Municipal Parking staff are of the opinion that no additional parking is required.

As such, 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' 18/23.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

We note that a Building Permit is required. In the absence of a Building Permit 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: Brooke Herczeg, Zoning Examiner