

City of Mississauga Department Comments

Date Finalized: 2023-07-19	File(s): A254.23
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2023-07-27 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 restaurant proposing a separation distance between the restaurant and a Residential Zone of less than 60.00m (approx. 196.9ft) whereas By-law 0225-2007, as amended, requires a minimum separation distance between a restaurant and a Residential Zone of 60.00m (approx. 196.9ft) in this instance.

Background

Property Address: 1900 Lakeshore Road W

Mississauga Official Plan

Character Area: Clarkson Village Community Node
Designation: Mixed Use

Zoning By-law 0225-2007

Zoning: C4- Commercial

Other Applications: BP File 23-5746.

Site and Area Context

The subject site is located within the Clarkson Village Community Node, The subject site contains a one-storey commercial building with multiple units. Minimal vegetation is limited to existing street trees lining Lakeshore Road West. The broader area consists of commercial uses, including restaurants and low and high density residential uses on lots with limited vegetation. Immediately abutting the subject site to the south is an 11-storey apartment building.

The application proposes a take-out restaurant 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 request are as follows:

The subject property is designated Mixed Use in Schedule 10 of the Mississauga Official Plan (MOP), which permits restaurants. The applicant is proposing a take-out restaurant use 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 zones are located directly north, south, east and west of the property. Restaurant uses are common in commercial plazas found in the immediate area, and staff are of the opinion that an adequate buffer exists between the residential zones and the proposed

take-out restaurant use. The residential zones to the north and west are separated by wide municipal boulevards and right of ways. To the east, a wide railway and overpass separates the restaurant use from the residential zone. Lastly, the property south of the subject site is separated by parking lot. Staff note that no outdoor patio or drive-thru is proposed.

Through a detailed review of the application, staff are 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' 254/23.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing an application under file 23-5746. Based on review of the information currently available in this application, the variances, as requested are correct.

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: Andrea Patsalides, Zoning Examiner

Appendix 3 – Region of Peel

We have no comments or objections.

Comments Prepared by: Ayooluwa Ayoola, Junior Planner