

City of Mississauga Department Comments

Date Finalized: 2023-11-29	File(s): A460.23
To: Committee of Adjustment	Ward: 4
From: Committee of Adjustment Coordinator	Meeting date:2023-12-07 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.

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: 680 Silver Creek Blvd, Unit 18

Mississauga Official Plan

Character Area: Mississauga Valleys Neighbourhood
Designation: Mixed Use

Zoning By-law 0225-2007

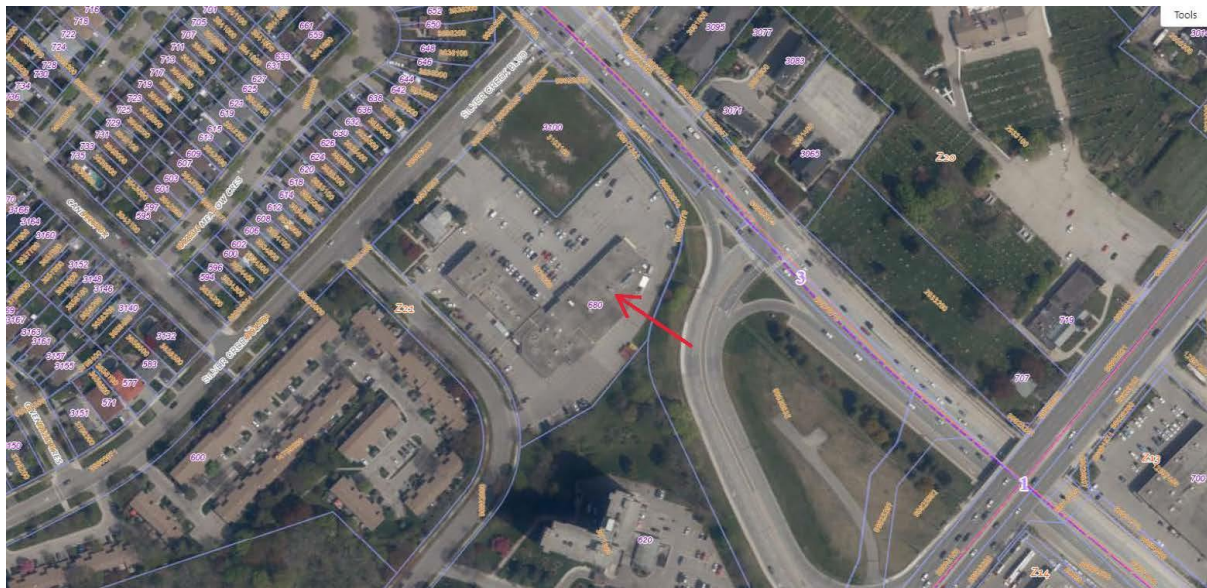
Zoning: C2- Commercial

Other Applications: C 23-9579

Site and Area Context

The subject property is a commercial plaza located on the south-west corner of Cawthra Road and Silvercreek Boulevard. The property has an area of 1.57ha (3.88ac). The subject lands are surrounded by residential neighbourhoods to the north and west, which consist of detached, semi-detached and townhome dwellings. Additionally, there are various apartments and a long-term care building to the south and a vacant parcel of commercial land directly abutting the property to the north-east. Limited vegetation is present on the subject property and only exists in the form of landscape buffers along the property lines. Current uses in the commercial plaza include personal service establishments, restaurants and medical offices, among others.

The applicant is proposing a restaurant in unit 18 of the plaza requiring a variance for a deficient setback 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 of the four tests to this minor variance request are as follows:

The site is located within the Mississauga Valleys Neighbourhood Character Area, and is currently designated Mixed Use by the Mississauga Official Plan (MOP). Section 11.2.6 (Mixed Use) of the MOP permits a restaurant within the designation. The Applicant's proposal of a restaurant meets the purpose and general intent of the official plan.

The intent of this portion of the by-law is to ensure that proposed restaurant uses are compatible with adjacent land uses. Where they are not, a 60m buffer is imposed. The applicant is not proposing a drive-through or patio, thereby limiting any potential impacts on the adjacent residential properties. Based on a detailed review of the proposal and the nature of the restaurant proposed, staff are of the opinion that impacts to the residential zone will be negligible. Staff are of the opinion that the application is appropriate to be handled through the minor variance process and that the application raises no concern of a planning nature.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This department has no objections to the applicant's request.

Comments Prepared by: Joe Alava, T&W Development Engineering



Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit application under file C 23-9579. Based on review of the information currently available for this building permit, the variances, as requested are correct.

Our comments are based on the plans received by Zoning staff on 10-7-23 for the above captioned building permit application. Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the site plan approval process, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission

procedure, separately through the site plan approval process in order to receive updated comments.

Comments Prepared by: A. McCormack; Zoning Examiner

Appendix 3- Region of Peel

We have no comments or objections.

Comments Prepared by: Ayooluwa Ayoola, Junior Planner