

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: Enter/choose date.	File(s): A316/20 Ward: 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2020-10-22

Consolidated Recommendation

The City has no objection to the variances, as requested. 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 restaurant on the subject property, proposing:

1. A setback to a residential zone of 0.00m; whereas, By-law 0225-2007, as amended, requires a minimum setback to a residential zone of 60m (approx. 197ft), in this instance;
2. A parking space width of 2.55m (approx. 8.37ft); whereas, By-law 0225-2007, as amended, requires a minimum parking space width of 2.60m (approx. 8.53ft), in this instance;
3. A aisle width of 5.40m (approx. 17.72ft); whereas, By-law 0225-2007, as amended, requires a minimum aisle width of 7.00m (approx. 22.96ft), in this instance; and,
4. A landscape buffer of 2.20m (approx. 7.22ft); whereas, By-law 0225-2007, as amended, requires a minimum landscape buffer of 4.50m (approx. 14.76ft), in this instance.

Amendments

"[Enter amendments to variances]"

Recommended Conditions and Terms

"[Enter terms and conditions here]"

Background

Property Address: 3 Queen Street South

Mississauga Official Plan

Character Area: Streetsville Community Node

Designation: Mixed Use

Zoning By-law 0225-2007

Zoning: C4-38 (Commercial)

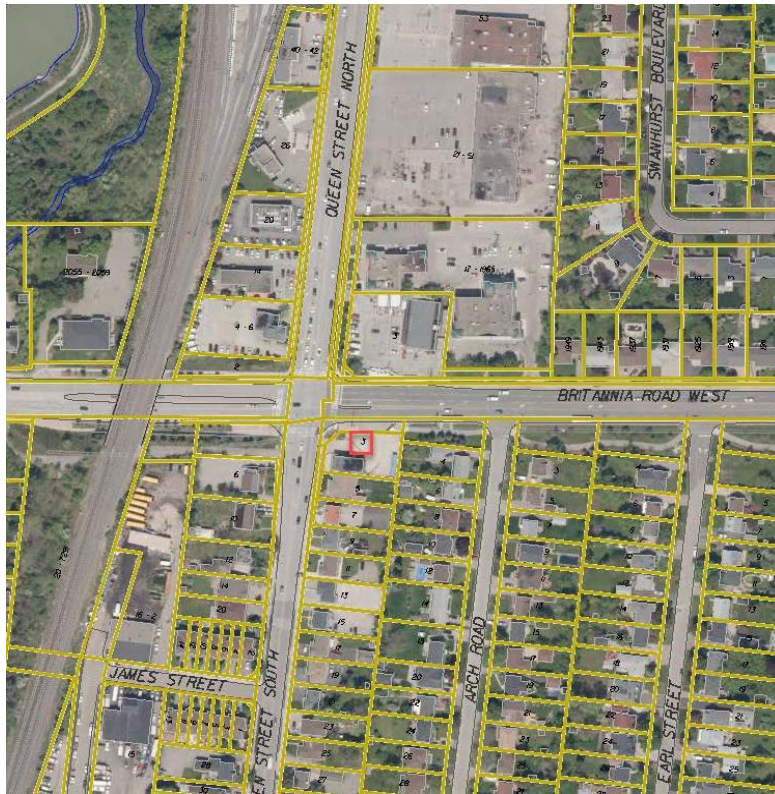
Other Applications:

None

Site and Area Context

The subject property is located upon the south-east corner of the Britannia Road West and Queen Street South intersection, and currently houses a two-storey commercial structure. From a land-use perspective, the immediate neighbourhood along this portion of Queen Street South is comprised of a mixture of post-war, one and two storey detached residential structures; many of which operating as personal service establishments. Planning Staff note, the subject property provides a minor transitional area between the aforementioned smaller-scale commercial uses and the more intense commercial lands, located north of Britannia Road West.

The properties within the immediate area possess lot frontages of +/-15.0m, with minimal vegetative / natural landscaped elements within their front yards.



Comments

Planning

Section 45 of the *Planning Act* provides the Committee of Adjustment the authority to grant relief from requirements of the municipal Zoning By-law; provided 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:

Planning Staff note, an associative minor variance application for the above-noted property was brought before Committee as part of the March 8th, 2018, agenda (Application 'A' 98/18) proposing the same use. This application received full support from Staff, and subsequent conditional approval from Committee.

Conditions of this approval were as follows:

- A temporary period of 5 (five) years (approval lapsing on April 30th, 2023);
- The hours of operation shall be 7:00am to 11:00pm, 7 days per week; and,
- A 1.8 metre tall wood privacy fence shall be installed along the southerly and easterly lot lines.

Planning Staff notes, notwithstanding the inclusion of Variance 4 which represents an existing on-site condition (landscape buffer), the application is identical to that which has previously been approved. This Department therefore has no objection to the Applicant's request.

For the sake of completeness, Planning Staff have included their original comments (Schedule 2) attached to this Report.

Planning Staff would echo the Zoning Department's concern regarding the absence of any formal permit applications at this time and would reiterate that a comprehensive zoning review has yet to be completed in this regard. The Applicant is to be made aware that, in the absence of a finalized review by the Zoning Department, they are to be self-satisfied that the correct variances have been both accurately identified and applied for.

Conclusion

Based upon the preceding information, it is the opinion of Staff that the variances, as requested, meet the general intent and purpose of both the MOP and Zoning By-law; are minor in nature; and, are desirable for the orderly development of the lands. To this end, the Planning and Building Department has no objection to the variances, as requested.

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' 316/20.

Comments Prepared by: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

The Building Department is not in receipt of any permit applications at this time. In the absence of any permit application, this Department is unable to confirm the accuracy of the information provided, or determine whether additional variance(s) may be required. It should be noted that a full zoning review has not been completed.

Comments Prepared by: Brian Bonner, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

"[Enter Community Services staff comments]"

Comments Prepared by: Click here to insert name, title...

Appendix 4 – Heritage

"[Enter Community Services staff comments]"

Comments Prepared by: Click here to insert name, title...

Appendix 5 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the October 22nd, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Minor Variance Applications: A-316/20, A-318/20, A-319/20, A-320/20, A-321/20, A-322/20, A-323/20, A-324/20, A-325/20, A-328/20, A-356/20.

I trust this information is of assistance to you and the Committee. If you have any questions or concerns, please do not hesitate to contact me at (905) 791-7800 ext. 8243 or by email at diana.guida@peelregion.ca.

Comments Prepared by: Diana Guida, Junior Planner

Appendix 6- Conservation Authority Comments

"[Entert CA comments]"

Comments Prepared by: [Click here to insert name, title...](#)

Appendix 7 – "[Enter other agency name]"

"[Enter other agency comments]"

Comments Prepared by: [Click here to insert name, title...](#)

Schedule 1

Conditions

- None