

City of Mississauga Department Comments

Date Finalized: 2024-06-07	File(s): A245.24 Ward: 6
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-06-13 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 amended, meets the requirements of Section 45(1) of the Planning Act. The applicant may wish to defer the application to ensure the accuracy of the requested variances and that additional variances are not required.

Application Details

The applicant requests the Committee to approve a minor variance to allow for the continued operation of the existing Karaoke Bar-Lounge within Unit 63 of the subject property being located within 381.21m (approx. 1250.75ft) of a residential zone, whereas By-law 0225-2007, as amended, requires a minimum separation distance of 800m (approx. 2624.80ft) to the nearest residential zone in this instance.

Background

Property Address: 1177 Central Parkway W

Mississauga Official Plan

Character Area: Mavis-Erindale Employment Area
Designation: Business Employment; Mixed Use

Zoning By-law 0225-2007

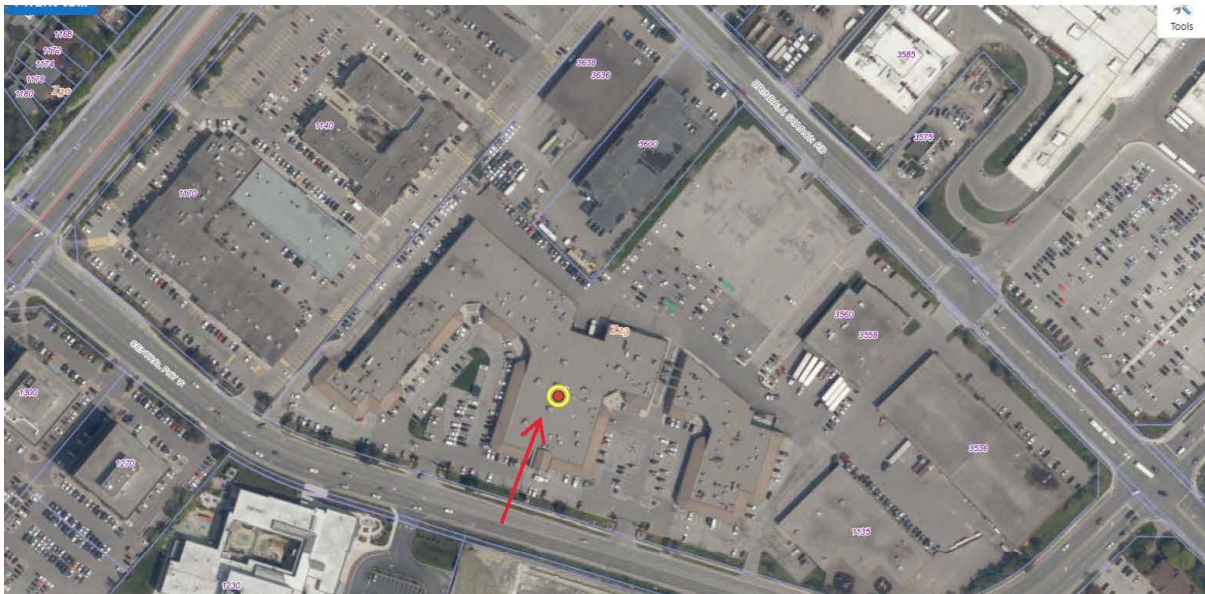
Zoning: C3-46

Other Applications: None

Site and Area Context

The subject lands are located in the Mavis-Erindale Employment Area, north-west of the Central Parkway West and Erindale Station Road intersection. The subject plaza contains multiple units with commercial uses. The site has a total area of +/- 78477.02m² (+/- 844719.61ft²) and does not contain any notable vegetation or landscaping elements.

The applicant is proposing a minor variance to allow the continued use of the existing Karaoke Bar-Lounge within Unit 63 of the subject property being located within 381.21m (1250.75ft) of 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 are as follows:

The subject property is located in the Mavis-Erindale Employment Area Character Area and is designated Business Employment and Mixed Use in Schedule 10 of the Mississauga Official Plan (MOP).

Staff note that similar minor variance applications, A179.11 and A233.16, were approved by the Committee of Adjustment temporarily for a period of 5 years. The previous application A233.16

was approved on June 23, 2016, set to expire on July 31, 2021, subject to the following conditions:

1. This decision is personal to “Young St Karaoke LTD” and shall be in effect so long as the subject premises are leased and/or occupied by same.
2. No dance floor shall be permitted within the night club.

The current application is requesting an extension of the previous approval, requesting a variance for reduced separation distance from a residential zone. Staff note that no alterations have been proposed to the site conditions and operations. Given the ongoing use and no significant changes to the existing structure, staff are satisfied that a continued operation of the existing use is appropriate in this instance.

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: Shivani Chopra, Planning Associate

Appendices

Appendix 1 – Transportation and Works Comments

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

Comments Prepared by: Tony Iacobucci, T&W Development Engineering





Appendix 2 – Zoning Comments

We note that a Zoning Certificate of Occupancy Permit is required. In the absence of a Zoning Certificate of Occupancy 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: Minan Song, Zoning Examiner

Appendix 3 – Region of Peel

We have no comments or objections to the following application: A-24-245M.

Comments Prepared by: Petrele Francois, Junior Planner

Appendix 4 – Metrolinx

Metrolinx is in receipt of the Minor Variance application for 1177 Central Parkway W to allow for the continued operation of the existing Karaoke Bar-Lounge within Unit 63 of the subject property with a reduced setback to a residential zone. Metrolinx's comments on the subject application are noted below:

- The subject property is located within 300m of the CP Galt Subdivision which carries Metrolinx's Milton GO Train service.

Advisory Comments:

- As the requested variances have minimal impact on Metrolinx property (i.e., Milton Corridor), Metrolinx has no objections to the specified variances should the committee grant approval.
- The Proponent is advised the following:
 - Warning: Metrolinx and its assigns and successors in interest operate commuter transit service within 300 metres from the subject land. In addition to the current use of these lands, there may be alterations to or expansions of the rail and other facilities on such lands in the future including the possibility that Metrolinx or any railway entering into an agreement with Metrolinx or any railway assigns or successors as aforesaid may expand their operations, which expansion may affect the environment of the occupants in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual units. Metrolinx will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under these lands.

Should you have any questions or concerns, please do not hesitate to contact me.

Comments Prepared by: Farah Faroque, Project Analyst

Appendix 5 – Region of Peel

We have no comments or objections to the following application.

Comments Prepared by: Petrele Francois, Junior Planner