

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-03-13	File(s): A51.25
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 3/20/2025 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, subject to the recommended conditions. The applicant may wish to defer the application to ensure the accuracy of the requested variances and to determine if additional variances are required.

Application Details

The applicant requests the Committee to approve a minor variance proposing an outdoor accessory garden center for the sale of seasonal products in C4 Zoning Area whereas By-law 0225-2007, as amended, does not allow an outdoor accessory garden center for the sale of seasonal products in C4 Zoning Area in this instance.

Recommended Conditions and Terms

Should the committee see merit in this application, Planning Staff recommend approving the requested variances subject to the following conditions:

1. The application be approved for a temporary period of five (5) years to expire and terminate on or before July 31, 2030.
2. The outdoor garden centre is to be located in accordance with the site plan submitted and approved by the Committee and shall only include the following merchandise: soil, fertilizers, seeds, flowers, shrubs and bedding plants (box plants).
3. The garden centre shall only operate from April 1st to July 31st.

Background

Property Address: 1150 Lorne Park Rd

Mississauga Official Plan

Character Area: Clarkson - Lorne Park Neighbourhood
Designation: Mixed Use

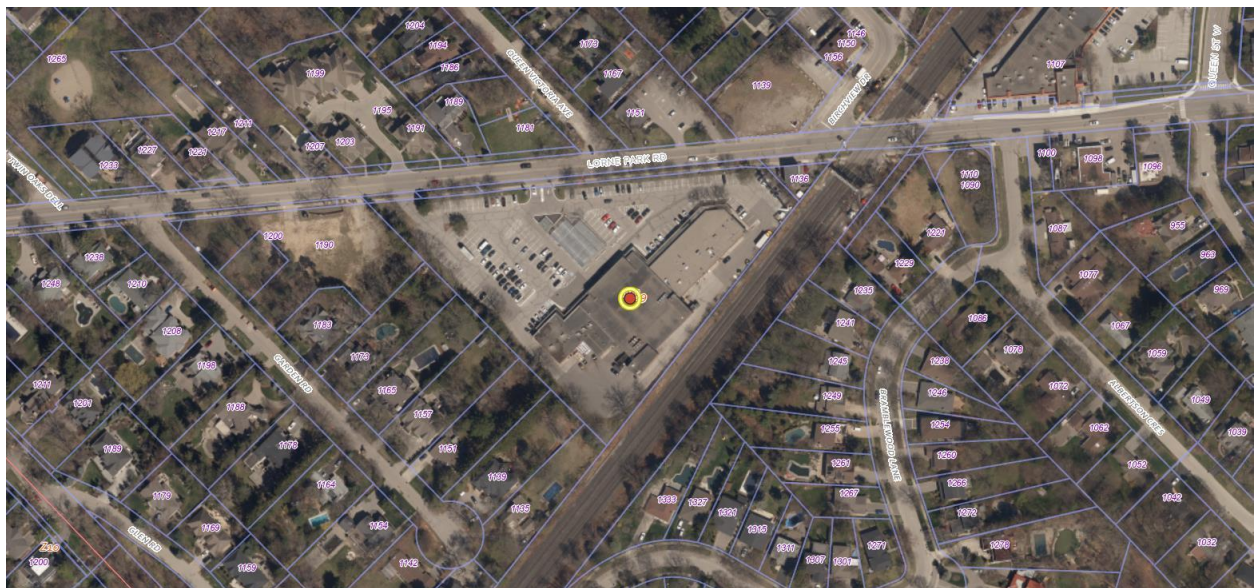
Zoning By-law 0225-2007

Zoning: C4-Commercial

Site and Area Context

The subject property is located on the northwest corner of the Lorne Park Road and Lakeshore Road West intersection. The subject property contains Battaglia's Marketplace. There is limited vegetation on the property. The immediate area primarily consists of residential detached dwellings.

The applicant is requesting a variance to permit an outdoor garden center accessory for the sale of seasonal products in a C4 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 Clarkson - Lorne Park Neighbourhood Character Area and is designated Mixed Use in Schedule 10 of the Mississauga Official Plan (MOP).

Staff note that the subject property has been before the Committee of Adjustment under files A686.0, A519.3 and A123.9 on November 2, 2000, July 10, 2003, and April 9, 2009, respectively for an identical variance. The previous applications were approved for a temporary period. The approval under file A123.9 was for a temporary period of five (5) years which lapsed on April 30, 2014. Planning staff had no objection to all the previous files.

The current application seeks an identical temporary approval for the proposed seasonal outdoor garden centre accessory to the existing grocery store. Under the zoning by-law, this use is permitted as accessory to retail uses in zones C1 to C3. Staff are of the opinion that the proposal is clearly accessory to a permitted retail use on the subject property and does not pose any negative impacts.

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, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed you will find pictures of the area where the garden center is proposed. We have no concerns.

Comments Prepared by: John Salvino, Development Engineering Technologist







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: Emily Majeed, Planner-in-Training

Appendix 3 – Region of Peel Comments

We have no comments or objections.

Comments Prepared by: Petrele Francois, Junior Planner

Appendix 4 – Metrolinx

The subject property is located within 300m, adjacent to, the Metrolinx Oakville Subdivision which carries Metrolinx's Lakeshore West GO Train service.

GO/HEAVY-RAIL – ADVISORY COMMENTS

- As the requested variances have minimal impact on Metrolinx property, Metrolinx has no objections to the specified variances should the committee grant approval.
- The Proponent is advised of the following:
- **Warning:** The Applicant is advised that the subject land is located within Metrolinx's 300 metres railway corridor zone of influence and as such is advised that Metrolinx and its assigns and successors in interest has or have a right-of-way within 300 metres from the subject land. The Applicant is further advised that there may be alterations to or expansions of the rail or other transit facilities on such right-of-way in the future including the possibility that Metrolinx or any railway entering into an agreement with Metrolinx to use the right-of-way or their assigns or successors as aforesaid may expand or alter their operations, which expansion or alteration 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 lots, blocks or units.

Should you have any questions or concerns, please contact jenna.auger@metrolinx.com.

Comments Prepared by: Jenna Auger, Third Party Project Review