

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2020-11-04	File(s): A353/20 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2020-11-12

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 an outdoor patio on the subject property whereas By-law 0225-2007, as amended, does not permit such a use in this instance.

Background

Property Address: 362 Lakeshore Road East

Mississauga Official Plan

Character Area: Lakeview Neighbourhood
Designation: Mixed Use

Zoning By-law 0225-2007

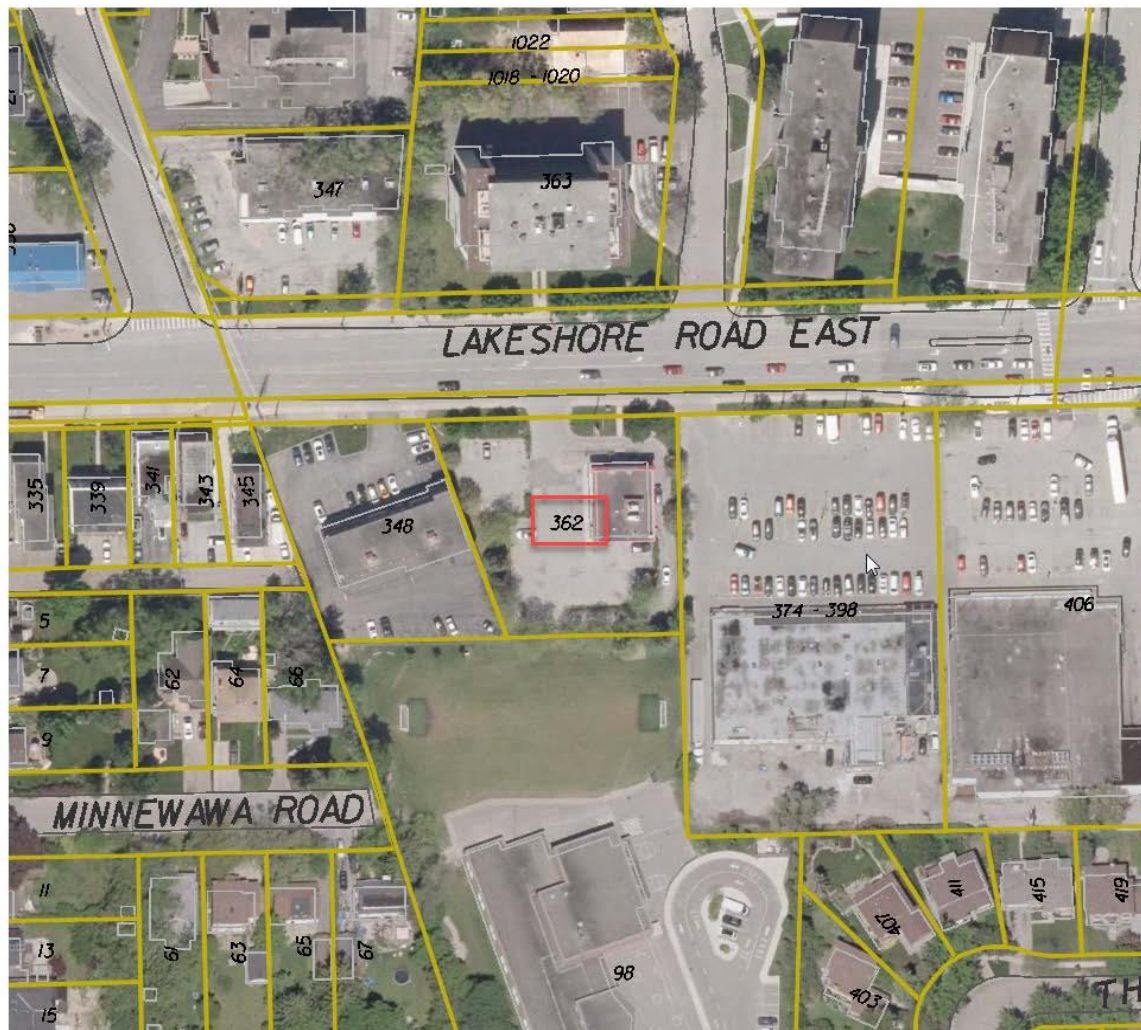
Zoning: C4-14 (Commercial)

Other Applications:

Occupancy Permit: 20-2925

Site and Area Context

The subject property is located within the Lakeview Neighbourhood Character Area, southeast of Seneca Avenue and Lakeshore Road East. The south side of Lakeshore consists of a mix of commercial and office uses, including a number of restaurants. The north side of Lakeshore Road East contains similar uses and also includes motor vehicle uses and high-rise apartment buildings. The subject property previously contained a takeout restaurant, which included an outdoor patio approved by the Committee of Adjustment in 2011. The current occupancy permit proposes a Starbucks including the previously approved outdoor patio. The application proposes an outdoor patio ancillary to the Starbucks whereas it is not permitted.



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:

Through a detailed review of the application, staff is 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.

Conclusion

The Planning and Building Department 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.

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committees easy reference are photos depicting the existing front and parking area of the subject property.





Comments Prepared by: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

The Planning and Building Department is currently processing a certificate of occupancy permit application under file 20-2925. Based on review of the information currently available for this application, we advise that more information is required to verify the accuracy of the requested variance or determine whether additional variances will be required.

Comments Prepared by: Marco Palmera, Zoning Examiner

Appendix 5 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the November 12th, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Minor Variance Applications: DEF-A-261/20, A-346/20, A-347/20, A-353/20, A-354/20, A-357/20, A-360/20, A-363/20, A-364/20, A-365/20, A-367/20, A-368/20, A-370/20, A-372/20

Comments Prepared by: Diana Guida, Junior Planner