

City of Mississauga

Memorandum:

City Department and Agency Comments

| | |
|---|--------------------------------|
| Date Finalized: 2021-01-06 | File(s): A418.20 Ward: 7 |
| To: Committee of Adjustment | |
| From: Committee of Adjustment Coordinator | Meeting date: January 14, 2021 |

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 requested, 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 area whereas By-law 0225-2007, as amended, does not permit an outdoor patio area in this instance.

Background

Property Address: 334 Dundas Street East

Mississauga Official Plan

Character Area: Cooksville Neighbourhood (East) Character Area
Designation: Mixed Use

Zoning By-law 0225-2007

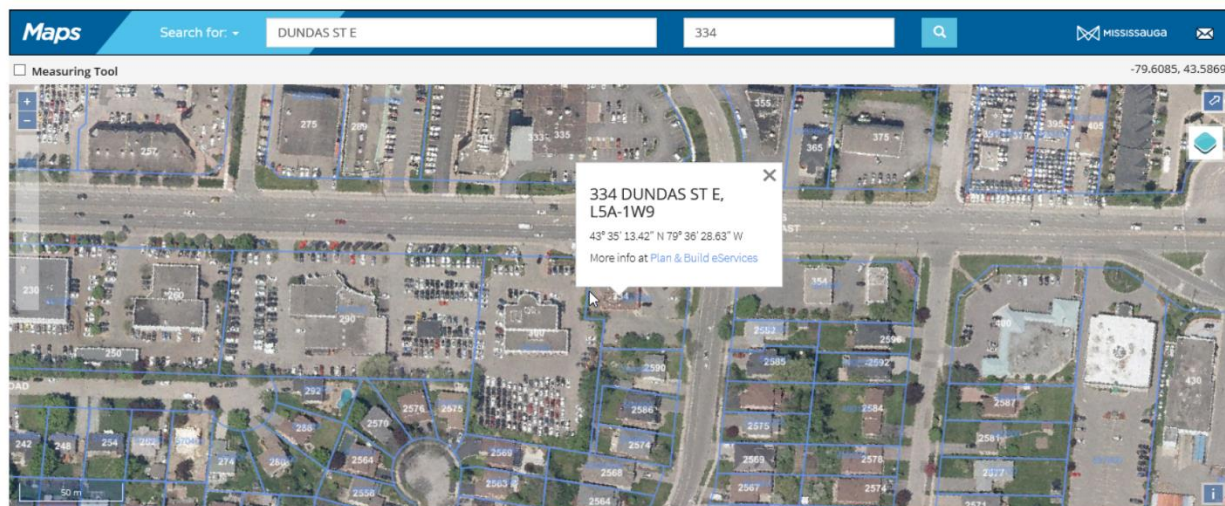
Zoning: C3 - Commercial

Other Applications: C20-3368 (Certificate of Occupancy)
BP 3ALT 20-445 (Building permit)
Pre-54466 (Pre-application zoning review)

Site and Area Context

The subject property is located at the south-west corner of Dundas Street east and Cliff Road where a commercial restaurant and drive thru currently operates. The immediate neighbourhood consists of a range of commercial uses along Dundas Street east with minimal landscaping at the periphery of the properties as well as, residential dwellings along Cliff Rd. These residential dwellings include both single-storey detached dwellings and two-storey semi-detached dwellings with minimal vegetation and landscape elements in the front yards.

The subject property is an exterior parcel, with a lot area of approximately +/-1,941.0m², and a lot frontage of +/- 93.5m. The applicant is proposing a new patio, requiring a variance to permit the use within this 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 intent of the zoning by-law in excluding accessory patios is to ensure that there are no negative impacts to nearby residential zones and sensitive employment uses as it pertains to either noise or hours of operation. The property fronts onto Dundas Street East with residential

dwelling located at the rear of the property. The proposed patio poses no significant negative impact to the surrounding properties as it is located along the busy commercial street of Dundas St. E. and its relative distance from the residential neighbourhood at the rear. 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 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 requested, meets the requirements of Section 45(1) of the Planning Act.

Comments Prepared by: Brooke Herczeg RPP, 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' 418/20.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a certificate of occupancy permit application under file 20-3368. 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 reviewed by Zoning staff on 11/02/2020 for the above captioned certificate of occupancy 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: Sandra Morrison

Appendix 5 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the January 14th, 2021 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Minor Variance Applications: A-395/20, A-408/20, A-410/20, A-411/20, A-412/20, A-417/20, A-418/20, A-2/21, A-4/21, A-6/21.

Comments Prepared by: Diana Guida, Junior Planner