

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-01-06	File(s): A416.20 Ward: 8
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 meets the requirements of Section 45 (1) of the Planning Act. The applicant may choose to defer the application to verify the accuracy of the requested variance.

Application Details

The applicant requests the Committee to approve a minor variance to allow a take-out restaurant setback 48.32m (approx. 158.53ft) from a Residential Zone whereas By-law 0225-2007, as amended, requires a minimum setback of 60.00m (approx. 196.85ft) from a Residential Zone in this instance.

Amendments

The variance should be amended as follows:

The applicant requests the Committee to approve a minor variance to allow a take-out restaurant within 60m (approx. 196.85ft) of a Residential Zone whereas By-law 0225-2007, as amended, requires a minimum setback of 60.00m (approx. 196.85ft) from a Residential Zone in this instance.

Background

Property Address: 4099 Erin Mills Parkway

Mississauga Official Plan

Character Area: Erin Mills Neighbourhood

Designation: Mixed Use

Zoning By-law 0225-2007

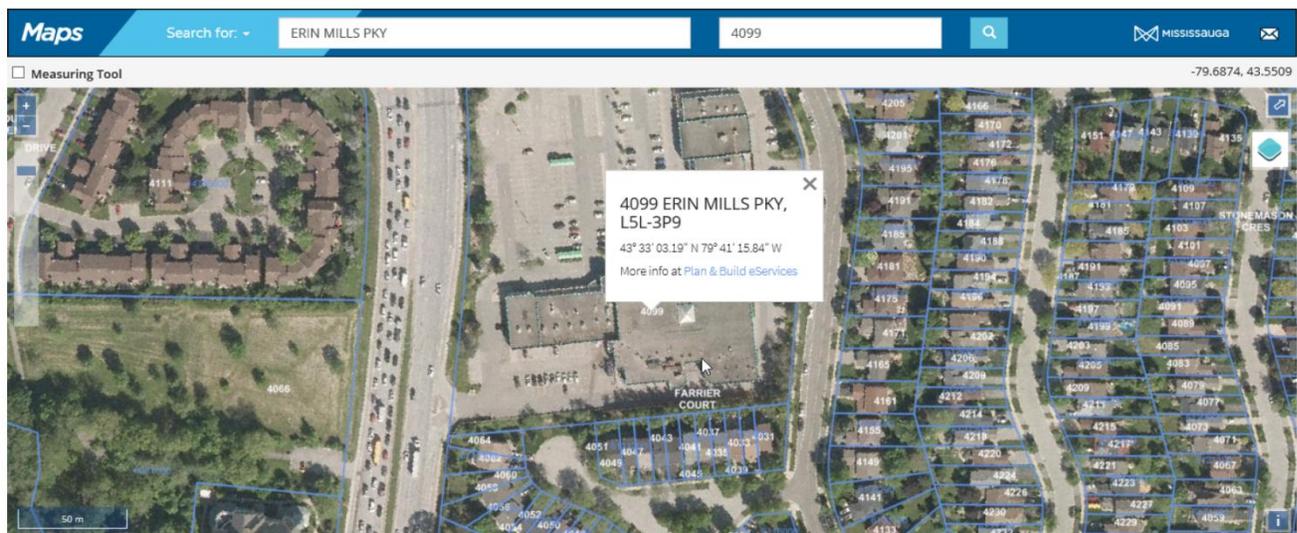
Zoning: C2 - Commercial

Other Applications

Certificate of Occupancy: 20-3222

Site and Area Context

The subject property is located within the Erin Mills Neighbourhood Character Area, in the southeast quadrant of Erin Mills Parkway and Folkway Drive. The immediate area consists of detached and semi-detached dwellings. The subject property contains two, one storey buildings consisting of a variety of commercial uses including restaurants, service establishments and office uses. The applicant is proposing a restaurant to be located within 60 m 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:

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. The applicant may choose to defer the application to verify the accuracy of the requested variance.

Comments Prepared by: Lucas Petricca, 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' 416/20.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a certificate of occupancy permit application under file 20-3222. Based on review of the information currently available for this application, we advise that the following variance should be amended as follows:

The applicant requests the Committee to approve a minor variance to allow a take-out restaurant within 60m (approx. 196.85ft) of a Residential Zone whereas By-law 0225-2007, as amended, requires a minimum setback of 60.00m (approx. 196.85ft) from a Residential Zone in this instance.

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: Ramsen Hedoo, Zoning Examiner

Appendix 5 – Region of Peel Comments

Minor Variance Application: A-416/20

Development Engineering: Camila Marczuk (905) 791-7800 x8230

As per the Region of Peel Public Works Stormwater Design Criteria and Procedural Manual, the Region of Peel shall require the use of Low Impact Development (LID) approaches where no site-specific soil, groundwater, infrastructure or policy constraints exist.

- Stormwater Management techniques shall be implemented to the satisfaction of the Region of Peel, the local Conservation Authority and all concerned departments and agencies (4.0);
- Post development flows must be equal to pre-development flows (4.3);
- The Region of Peel Shall require stormwater quantity control to reduce stormwater peak flow run off from developing sites. Post development flows shall not adversely affect the performance of downstream Region of Peel infrastructure, negatively

impact adjacent properties and exacerbate or increase the downstream flood or erosion risk (4.3);

- Where possible, flows from outside the Regional Road allowance are to be directed to the local municipality's storm sewer system (5.1);
- No grading will be permitted within any Region of Peel ROW to support adjacent developments (5.1).

Comments Prepared by: Diana Guida, Junior Planner