

# City of Mississauga

## Memorandum:

### City Department and Agency Comments

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| Date Finalized: 2021-05-27                | File(s): A205.21                   |
| To: Committee of Adjustment               |                                    |
| From: Committee of Adjustment Coordinator | Meeting date:2021-06-03<br>1:00 PM |

## Consolidated Recommendation

The City has no objection to the variance, as requested. The Applicant may wish to defer the application to ensure that all required variances have been accurately identified.

## Application Details

The applicant requests the Committee to allow an expansion of retail into Unit 11 proposing a total gross floor area of 1029.30sq.m (approx. 11,079.29sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 995.00sq.m (approx. 3264.44sq.ft) in this instance.

### Amendments

The Building Department is currently processing a certificate of occupancy permit application under file 21-4616. Based on review of the information currently available for this application, we advise that the following variance should be amended as follows:

To increase the maximum gross floor area - non-residential used for a retail store, a personal service establishment, or any combination thereof to 1029.30m<sup>2</sup> whereas By-law 0225-2007, as amended permits a maximum area of 995m<sup>2</sup> to be used for a retail store, a personal service establishment, or any combination thereof in order to allow a new retail use to locate in Unit 11.

## Background

**Property Address:** 2275 Britannia Road West

### Mississauga Official Plan

**Character Area:** Meadowvale Business Park Corporate Centre

Designation: Business Employment

### Zoning By-law 0225-2007

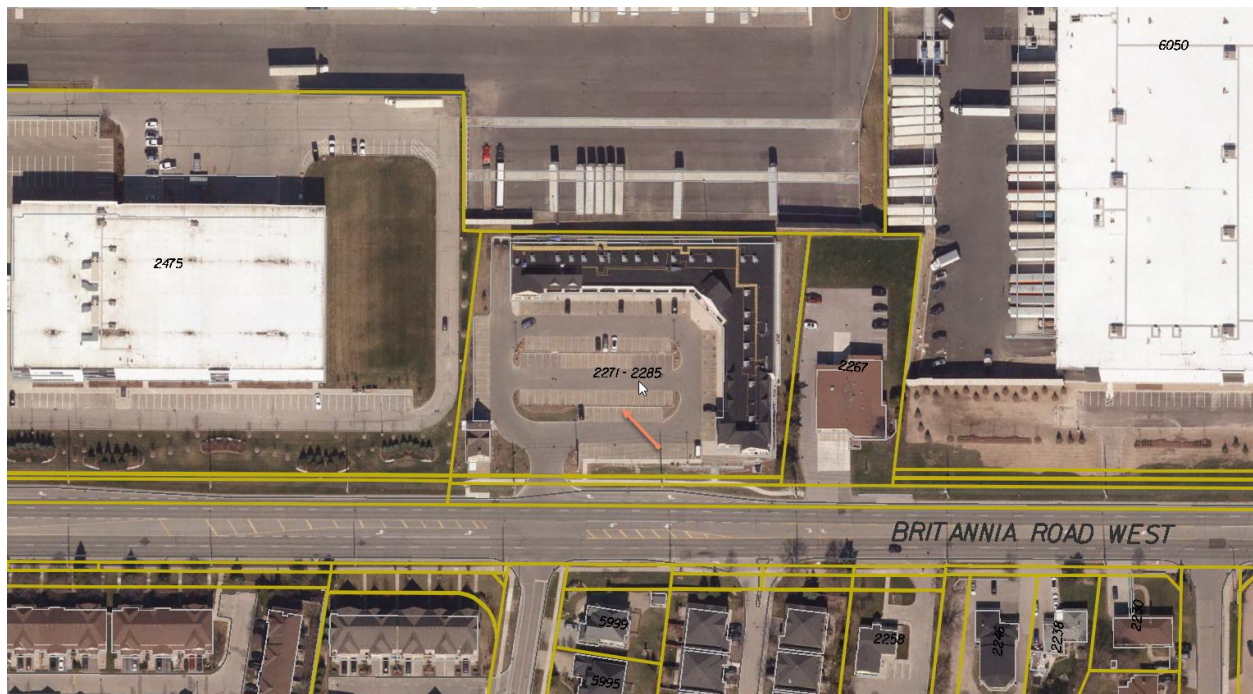
Zoning: E2-89 - Employment

Other Applications: C21-4616

### Site and Area Context

The subject property is located north-east of the Britannia Rd W and Erin Mills Pkwy intersection. The subject property is an interior parcel, with a lot area of +/- 9,277.07m<sup>2</sup> and a lot frontage of +/- 112.85m. The property is currently a commercial plaza with minimal vegetation along the periphery of the lot. From a land-use perspective, the immediate neighbourhood is a mixture of employment buildings and residential townhouses and detached dwellings with moderate amounts of vegetation and landscape elements located on each parcel. The properties within the immediate area possess lot frontages of +/-60.0m.

The applicant is proposing a Shisha retail store requiring a variance to permit an increase in gross floor area.



## 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 site is located within the Meadowvale Business Park Corporate Centre Character Area, and is designated Business Employment by the Mississauga Official Plan (MOP). Section 15.4.4.7 indicates that the subject property is located within Exempt Site 7. Exempt sites reflect unique circumstances that are not representative of the vision, direction and planning policies of the MOP, but nonetheless are recognized because they contain established land uses. It is intended that these lands will eventually be redeveloped in accordance with the underlying designation and encouraged non-conforming uses to relocate to lands appropriately designated. In the interim, lands zoned to permit such uses or buildings are deemed to be in conformity with the provisions of the Plan. In this instance, general commercial uses are permitted to a maximum of 35% of the total gross floor area (GFA). As such, the proposed Shisha retail use is permitted within this designation. As the previous tenant of unit #11 was not a retail use, the proposed change in use has prompted an increase of GFA to 39.19%. Staff are of the opinion that the increase is marginal in nature and note that other retail uses exist within the plaza. 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 wish to defer the application to ensure that all required variances have been accurately identified.

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' 205/21.

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 21-4616. Based on review of the information currently available for this application, we advise that the following variance(s) should be amended as follows:

To increase the maximum gross floor area - non-residential used for a retail store, a personal service establishment, or any combination thereof to 1029.30m<sup>2</sup> whereas By-law 0225-2007, as amended permits a maximum area of 995m<sup>2</sup> to be used for a retail store, a personal service establishment, or any combination thereof in order to allow a new retail use to locate in Unit 11.

Our comments are based on the plans received by zoning staff on 01/18/2021 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

We have no comments or objections.

Comments Prepared by: Diana Guida, Junior Planner