

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: Enter/choose date.	File(s): A233.21 Ward: 4
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-06-24 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be deferred.

Application Details

The applicant requests the Committee to approve a minor variance to allow a reduction of Retail Activation Frontage Use requirements proposing:

1. A retail activation frontage of 65% on Burnhamthorpe Road West, City Centre Drive and The Exchange, whereas By-law 0225-2007 Schedule CC2(2), as amended, requires a retail activation frontage of 75% on Burnhamthorpe Road West, City Centre Drive and The Exchange in this instance;
2. A phased development of the subject lands allowing zoning regulations to be complied with based on temporary phase lines and the portion of the building to which the retail activation frontage is required based on the phased development as it relates to retail activation units and build-to-areas; whereas By-law 0225-2007, as amended, requires regulations apply to the external limits and all street frontages to which a building abuts on the overall property in this instance;
3. Additional and accessory uses incidental to the residential and hotel uses within the retail activation frontages; whereas By-law 0225- 2007, as amended, does not permit additional and accessory uses incidental to the residential and hotel uses within the retail activation frontages in this instance (Policy 7.1.4A.2.1);
4. No minimum depth for units contributing to Retail Activation use whereas By-law 0225-2007, as amended, requires a minimum depth of 10.0 metres for a retail activation use in this instance (Policy 7.1.4A.2.2);
5. No minimum height for units contributing to a Retail Activation Use; whereas Zoning By-law 0225-2007 requires a minimum height for a Retail Activation Use of 4.5 metres in this instance (Policy 7.1.4A.2.3);
6. A pedestrian accesses for uses permitted above and below the first storey to have a width greater than 6.5 metres; whereas By-law 0225-2007, as amended, permits a maximum width of pedestrian accesses of 6.5 metres in this instance (Policy 7.1.4A.3.1);
7. To permit uses and accessory uses associated with the principle function of the buildings in addition to the required Retail Activation Uses to include commercial uses, doorways, driveways, electrical rooms, hotels, lobbies and foyers, mail pick-up areas, mechanical

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rooms, moving and garbage rooms, stairwells, vestibules, parcel and mail rooms, loading areas; whereas By-law 0225-2007, as amended, does not permits theses uses in this instance (Policy 7.1.4A.3.1);

8. No minimum requirement for the percentage of the first storey of the linear building frontage exterior wall to be used for Retail Activation Uses; whereas Zoning By-law 0225-2007, as amended, requires a minimum of 50% of the exterior wall of units on the first storey and part of the linear building frontage exterior wall to be used for Retail Activation in this instance (Policy 7.1.4A.4.1); and
9. Remove requirements for units above the first storey and above/below the first storey of a building with an 'A' Street Frontage to be provided through a main front entrance facing the 'A' Street Frontage; whereas Zoning By-law 0225-2007 requires access from a main front entrance from an 'A' Street Frontage to access first and second storey units in this instance (Policy/Table 7.2.1 – 4A.4 and 4A.5).

Amendments

"[Enter amendments to variances]"

Recommended Conditions and Terms

"[Enter terms and conditions here]"

Background

Property Address: 151 City Centre Drive

Mississauga Official Plan

Character Area: Downtown Core
Designation: Downtown Mixed Use

Zoning By-law 0225-2007

Zoning: H-CC2(2) - Holding & City Centre

Other Applications: H-OZ 19-003 W4, SP 19 56W4/ SP 20 113W4, C19 5597, BP 3ALT 19 516, A 294/20, A 392/19, B 40/20 and B36/21

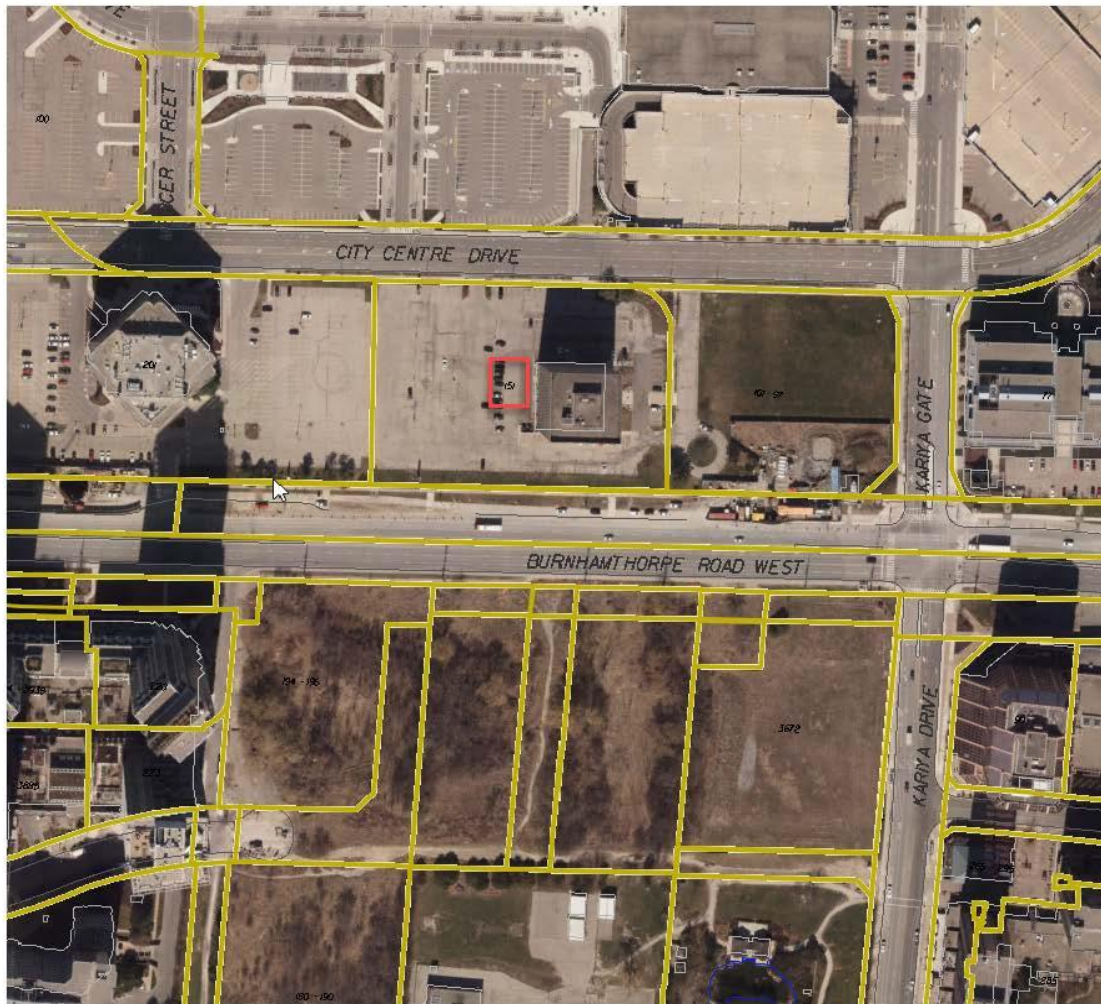
Site and Area Context

The subject lands are located north-west of the Burnhamthorpe Road West and Hurontario Street intersection, and currently house a nine-storey office building. The subject lands possess a lot

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frontage of 120m and a lot area of 13120m². The immediate neighbourhood is comprised primarily of multi-storey, office condominium structures; however, Planning Staff note, commercial uses, in the form of the Square One Shopping Centre, are located in close proximity, as well. Properties along the south side of City Centre Drive possess varied lot frontages, ranging from +/- 20m to +/- 55m.

The applicant is proposing a mixed use phased development requiring variances for retail activation frontage.



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 designated Downtown Mixed Use in Schedule 10 of the Mississauga Official Plan (MOP) which permits a wide range of land uses and activities including apartment, overnight accommodation and accessory commercial uses: retail store, personal service, restaurant, financial institution. The applicant is proposing a reduction of Retail Activation Frontage Use requirements. The intent of the Retail Activation Frontage Use requirements is to encourage retail development and to create a "Mainstreet" environment. Development Planning Staff are concerned that the wording of the applicant's variances provides too much flexibility and that some of the variances sought are not required. Due to the complexity of the proposal and issues presented, staff recommends that the application be deferred to permit Staff more time to discuss options with Zoning, Development Planning Staff and the applicant to revise the wording of the variances.

Conclusion

The Planning and Building Department recommends that the application be deferred.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

"[Enter T&W staff comments]"

Comments Prepared by: [Click here to insert name, title...](#)

Appendix 2 – Zoning Comments

The Building Department is currently processing Site Plan Approval and Building Permit applications under file(s) BP 20-3988, SP 19-56, and SP 20-113 respectively. Based on review of the information currently available in this permit application, we advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

Please note that comments reflect those provided through the above permit application and should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the application file noted above, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedures, separately through the application process in order to receive updated comments.

Comments Prepared by: Marco Palerma

Appendix 3 – Parks, Forestry & Environment

"[Enter Community Services staff comments]"

Comments Prepared by: [Click here to insert name, title...](#)

Appendix 4 – Heritage

"[Enter Community Services staff comments]"

Comments Prepared by: [Click here to insert name, title...](#)

Appendix 5 – Region of Peel Comments

We have no comments or objections.

Comments Prepared by: Diana Guida, Junior Planner

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Appendix 6- Conservation Authority Comments

"[Entert CA comments]"

Comments Prepared by: [Click here to insert name, title...](#)

Appendix 7 – "[Enter other agency name]"

"[Enter other agency comments]"

Comments Prepared by: [Click here to insert name, title...](#)