

City of Mississauga Department Comments

Date Finalized: 2022-06-08	File(s): A259.22
To: Committee of Adjustment	Ward: 5
From: Committee of Adjustment Coordinator	Meeting date:2022-06-16 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application, as amended.

Application Details

The applicant requests the Committee to approve a minor variance to allow the continued use of a manufacturing facility and warehouse/distribution facility whereas By-law 0225-2007, as amended, does not permit manufacturing facility and warehouse/distribution facility uses on the subject property in this instance.

Amendments

Planning staff recommend that the application be amended as follows:

To allow a Manufacturing Facility and Warehousing/Distribution Facility within the building legally existing on the date of the passing of By-law 0322-2009 whereas By-law 0225-2007, as amended, does not permit such uses in this instance.

Background

Property Address: 2425 Skymark Ave

Mississauga Official Plan

Character Area: Airport Corporate Centre
Designation: Business Employment

Zoning By-law 0225-2007

Zoning: E1-19 - Employment

Other Applications: BP 3ALT 22-100

Site and Area Context

The subject property is located north-west of the Eglinton Avenue East and Orbitor Drive intersection in the Airport Corporate Centre. It has a lot area of +/- 0.70ha (1.75ac) and currently contains a one-storey industrial building. The surrounding context is comprised of commercial and industrial uses on varying size lots, ranging in heights from one to three storeys. The area is virtually devoid of vegetation, except for within the municipal boulevard or front landscaped buffer of properties.

The applicant is proposing manufacturing and warehousing/distribution facilities requiring a variance to permit the use.



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:

Does the proposal maintain the general intent and purpose of the Official Plan?

The subject property is located in the Airport Corporate Centre and is designated Business Employment in Schedule 10 of the Mississauga Official Plan (MOP). The property is also subject to the Special Site 1 policies as set out in the MOP under Section 15.2.2.1. Section 15.2.2.1.1.a states that lands identified as Special Site 1 will not permit new industrial uses including manufacturing, warehousing, distributing and wholesaling, outdoor storage and display. The goal of this policy is to encourage the transition of the area to office and other complementary uses, while allowing existing uses to be maintained. The existing buildings are built to facilitate manufacturing, warehousing and distribution operations and staff are of the opinion that it is appropriate for the building to continue to permit such uses until such a time as the building is redeveloped. Furthermore the proposed variance would not permit a significant increase in scale of the current operations when compared to existing site conditions. Staff are therefore satisfied that the proposal maintains the general intent and purpose of the official plan.

Does the proposal maintain the general intent and purpose of the Zoning By-law?

The subject property is zoned E1-19 in Zoning By-law 0225-2007. While the base E1 zone permits the requested uses, exception 19 goes on to prohibit the uses requested, except for those legally existing on the date of the passing of the by-law. While staff are generally not supportive of permitting uses prohibited by the by-law, special consideration is necessary in this instance. The intent of the zoning by-law in prohibiting these uses, in conjunction with the official plan policies, is to encourage the eventual transition of the subject property to office and other non-industrial uses. The variance would allow the existing building on site to continue to be used for its intended purpose, while prohibiting its future expansion and ensuring the eventual transition of the property. Staff are therefore satisfied that the application maintains the general intent and purpose of the zoning by-law.

Is the proposal desirable for the appropriate development of the subject lands and minor in nature?

Planning staff are of the opinion that the proposal is appropriate for the subject lands. The request is minor in nature given the existing structure and uses on site and will not negatively impact the planned function of the property in the long term.

Comments Prepared by: Alexander Davies, 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' 259/22.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit under file BP 3ALT 22-100. Based on review of the information currently available in this permit application, the variance, as requested is correct.

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: Alana Zheng, Zoning Examiner