

City of Mississauga Department Comments

Date Finalized: 2023-01-25	File(s): A693.22
To: Committee of Adjustment	Ward: 5
From: Committee of Adjustment Coordinator	Meeting date:2023-02-02 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 application for a change of use proposing a fish and aquarium sales and service facility in Units 105, 106 and 107 whereas By-law 0225-2007, as amended, does not permit a fish and aquarium sales and service facility on the subject property in this instance.

Amendments

Based on review of the information currently available in this permit application, we advise that the variance should be amended as follows:

The applicant requests the Committee to approve a minor variance application for a change of use proposing a Retail use (fish and aquarium sales and service facility) in Units 105, 106 and 107 whereas By-law 0225-2007, as amended, does not permit a retail use on the subject property in this instance.

Background

Property Address: 6200 Dixie Road, Units 105, 106 and 107

Mississauga Official Plan

Character Area: Northeast Employment Area
Designation: Business Employment

Zoning By-law 0225-2007

Zoning: E2 - Employment

Other Applications: C 22-928

Site and Area Context

The subject property is located on the west side of Dixie Road, north of the Britannia Road East intersection. It currently contains an industrial mall with four buildings, ranging in height from one to two storeys, and an associated surface parking lot. Limited vegetation is present on the subject property, located along the Dixie Road and Ordan Drive frontages. The surrounding area consists predominantly of employment uses within low rise buildings on lots of varying sizes.

The applicant is proposing to expand the existing use requiring a variance for 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:

The subject property is located in the Northeast Employment Area and is designated Business Employment in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits a variety of employment uses. The designation does not permit retail stores, however accessory uses are permitted.

The applicant is proposing to expand the existing sales and service facility into an adjacent unit. The units are all on the ground floor and face directly onto Dixie Road, and staff note there are other retail uses in adjacent units within the same complex. Planning staff are satisfied that retail uses are appropriate complementary uses to the existing industrial and office development and will not have a negative impact on the supply of employment and office space both within the complex itself and within the larger area.

Given the above Planning staff are satisfied that the request is minor in nature, represents appropriate development of the subject property, and maintains the general intent and purpose of both the official plan and zoning by-law.

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' 693/22.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Zoning Certificate of Occupancy Permit under file C 22-928. Based on review of the information currently available in this permit application, we advise that the variance should be amended as follows:

The applicant requests the Committee to approve a minor variance application for a change of use proposing a Retail use (fish and aquarium sales and service facility) in Units 105, 106 and 107 whereas By-law 0225-2007, as amended, does not permit a retail use on the subject property in this instance.

Please note that comments reflect those provided through the above permit application submitted on 09/09/2022 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: Jeanine Benitez, Zoning Examiner

Appendix 3 – Region of Peel

Minor Variance Application: A-693/22, 6200 Dixie Road

Servicing: Camila Marczuk (905) 791-7800 x8230

Comments:

- The Region of Peel has a Consolidated Linear Infrastructure Environmental Compliance Approval (CLI ECA # 009-S701), for the Regional Municipality of Peel Stormwater Management System. Therefore, it is the Region's mandate that no additional flows are permitted and no new connections are made to Regional Roads.
- Development flows are to be directed to the Local Municipality's storm sewer system or watercourses, to the satisfaction of the Region of Peel, the local Conservation Authority and all concerned departments and agencies. Alternatively, flows can be mitigated using Low Impact Development Technologies. Developers are required to demonstrate how this will be achieved through a Stormwater Management Report.
- As per the Region's Public Works Stormwater Design Criteria and Procedural Manual Region of Peel IDF curves shall be used for the peak flow analysis

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- Post development peak flow for each storm (from 2 year to 100 year) shall be equal to or less than pre-development
 - For orifice diameters of 100mm or greater, an orifice tube shall be used
 - Quantity Control shall be designed to control the 24-h Chicago or 24-h SCS Type II distribution
 - In accordance with the Region's CLI ECA and provincial standards, control of the runoff from 90th percentile storm event (28mm) shall be achieved for quality control.
 - For erosion control, 5mm retention at full build out is required and runoff is to be detained from a 25mm storm event over 24 to 48 hours.
 - No grading will be permitted within any Region of Peel Right of Way to support adjacent developments.

Comments Prepared by: Patrycia Menko – Junior Planner, Planning and Development Services