

City of Mississauga Department Comments

Date Finalized: 2023-12-07	File(s): A475.23 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2023-12-14 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be refused.

Application Details

The applicant requests the Committee to approve a minor variance to allow a change of use proposing a butcher shop (retail use) whereas By-law 0225-2007, as amended, does not permit the use in this instance.

Background

Property Address: 802 Southdown Road, Unit C2

Mississauga Official Plan

Character Area: Southdown Employment Area
Designation: Business Employment

Zoning By-law 0225-2007

Zoning: E2-108- Employment

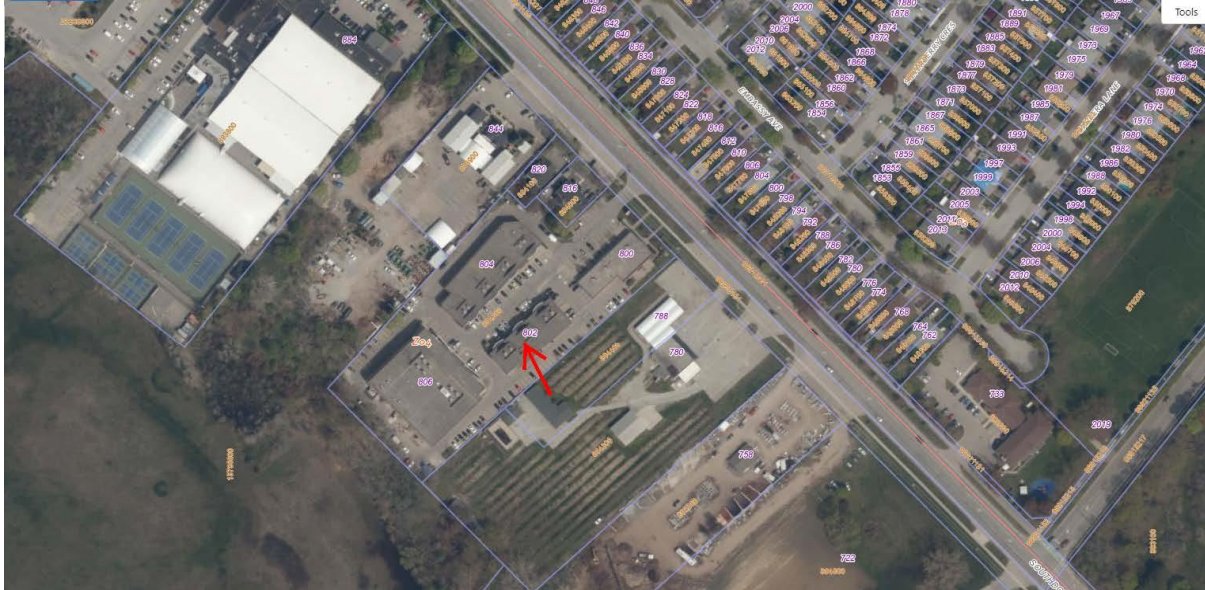
Other Applications: None

Site and Area Context

The subject property is located within the Southdown Employment Character Area, south of the Royal Windsor Drive and Southdown Road intersection. The subject unit is within a one-storey plaza containing a variety of commercial and employment uses. The immediate area consists of

residential uses east of Southdown Road and employment and commercial uses west of Southdown Road. The subject property contains little vegetation throughout.

The application proposes the operation of a Retail Use within Unit C2 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 are as follows:

The subject property is located in the Southdown Employment Area and is designated Business Employment in Schedule 10 of the Mississauga Official Plan (MOP). The general intent and purpose of the Employment policies is to dedicate and preserve land for higher order industry and employment purposes. This designation permits a variety of uses, however, retail use is not permitted under this designation.

The sole variance requested proposes a retail use where it is not permitted. Planning staff are of the opinion that the intent and purpose of the zoning by-law is not maintained by permitting uses not contemplated by the zone category and in accordance with an entirely different zoning framework.

Given the above, staff are of the opinion that the application fails to maintain the general intent and purpose of both the official plan and zoning by-law. Staff therefore recommend that the application be refused.

Comments Prepared by: Shivani Chopra, Planner in Training

Appendices

Appendix 1 – Transportation and Works Comments

This Department has no objections, comments or requirements with respect to C.A. 'A' 475.23.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

We note that a Zoning Certificate of Occupancy Permit is required. In the absence of a Zoning Certificate of Occupancy Permit we are unable to confirm the accuracy of the information provided, or determine whether additional variance(s) may be required. It should be noted that a zoning review has not been completed.

The applicant is advised that should they choose to proceed without zoning verification, a full zoning review may result in further variances being required in the future.

Comments Prepared by: Minan Song, Planner in Training

Appendix 3 – Region of Peel

Minor Variance: A-23-475M / 802 Southdown Rd, Unit C2

Planning: Ayooluwa Ayoola (905) 791-7800 x8787

Comments:

- We recognize that the subject site is located within a Regional Employment Area, identified on Schedule E-4 of the Regional Official Plan (ROP) and within a Provincially Significant Employment Zone. The Region will not be in support of the proposed butcher shop, as it does not keep with the general intent of the ROP and not compatible with the exiting land use pattern.

Comments Prepared by: Ayooluwa Ayoola, Junior Planner