

# City of Mississauga

Memorandum:

## City Department and Agency Comments

Date Finalized: 2020-10-21	File(s): A333/20 Ward: 8
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2020-10-29

### 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 self storage facility on the subject property whereas By-law 0225-2007, as amended, does not permit such a use in this instance.

### Background

**Property Address:** 2225 Erin Mills Parkway

#### Mississauga Official Plan

Character Area: Sheridan Community Node

Designation: Mixed Use

#### Zoning By-law 0225-2007

**Zoning:** C3 (Commercial)

#### Site and Area Context

The subject site is located within the Sheridan Community Node Character Area, north of Erin Mills Parkway and North Sheridan Way. The subject site is known as Sheridan Mall, a one storey commercial plaza containing a variety of commercial uses within the site. The surrounding area contains an eclectic mix of residential uses such as detached and townhouse dwellings and older mid to high rise apartment buildings.

The application proposes a temporary self-storage facility whereas the use is not permitted.



## 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 and Zoning By-law?**

The subject property is designated Mixed Use in Schedule 10 of the Mississauga Official Plan which permits restaurants, retail stores and residential, among other uses. Additionally, the site is zoned C3 (Commercial) permitting similar commercial type uses permitted in the official plan. The intent of the policies is to permit a variety of commercial uses that contribute to the retail atmosphere of a commercial property and to not allow stand-alone employment uses within commercial zones. In this instance, a self-storage facility is only permitted in the E2 and E3

(Employment) zones of the zoning by-law. While the proposed use is temporary because the mall will redevelop in the future, self-storage facilities do not contribute to the retail/commercial atmosphere envisioned within the official plan and zoning by-law. As such, staff is of the opinion that the general intent and purpose of the official plan and zoning by-law is not maintained.

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

While Sheridan Mall is expected to redevelop in the future, the existing policy framework does not permit self-storage facilities within this area. The intent of the policies is to only allow commercial uses within these zones to contribute to the commercial atmosphere. As the intent of the zoning by-law and official plan are not maintained, staff is of the opinion that the application does not represent orderly development of the lands and is not minor in nature.

## **Conclusion**

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

Comments Prepared by: Lucas Petricca, 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' 333/20.

Comments Prepared by: David Martin, Supervisor Development Engineering

### Appendix 2 – Zoning Comments

The Planning and Building Department is not in receipt of any permit applications at this time and the applicant is advised that a zoning review has not been completed. We are unable to confirm the accuracy of the requested variance or determine whether additional variances may be required.

Comments Prepared by: Brian Bonner, Zoning Examiner

### Appendix 5 – Region of Peel Comments

Development Planning: Diana Guida (905) 791-7800 x8243

Please be advised that a northern portion of the subject property is located within the limits of the regulated area of the Credit Valley Conservation (CVC).

The Region relies on the environmental expertise of the CVC for the review of development applications located within or adjacent to this regulated area in Peel and their potential impacts on the natural environment. Regional Planning staff therefore, request that the Committee and city staff consider comments from the CVC and incorporate their conditions of approval appropriately.

Comments Prepared by: Diana Guida, Junior Planner