

City of Mississauga

Memorandum:

City Department and Agency Comments

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| Date Finalized: 2020-10-28 | File(s): A342/20 Ward: 7 |
| To: Committee of Adjustment | |
| From: Committee of Adjustment Coordinator | Meeting date: 2020-11-05 |

Consolidated Recommendation

The City has no objection to the variance, as requested. The Applicant may wish to defer the application to ensure that all required variances have been accurately identified.

Application Details

The Applicant requests the Committee to approve a minor variance to allow a wholesale/retail residential window and door salesroom on the subject property; whereas, By-law 0225-2007, as amended, does not permit such a use, in this instance.

Background

Property Address: 3663 Mavis Road

Mississauga Official Plan

Character Area: Fairview Neighbourhood
Designation: Mixed Use

Zoning By-law 0225-2007

Zoning: D-10 (Development)

Other Applications:

Occupancy Permit: 18-4402

Site and Area Context

The subject property is located south-east of the Burnhamthorpe Road West and Mavis Road intersection and currently houses two, single-storey multitenant commercial / employment structures with shared surface parking. Contextually, this portion of Mavis Road is comprised of a combination of heavy industrial and mixed commercial uses; with the subject property providing a minor transitional area between these aforementioned land-uses. The properties along this portion of Mavis Road are situated upon large parcels, with lot frontages ranging from +/-40m to +/-165m.

The subject property is an interior parcel, with a lot area of +/- 28,640.0m² and a frontage of +/-165.0m.



Comments

Planning

Section 45 of the *Planning Act* provides the Committee of Adjustment the authority to grant relief from the requirements stipulated by the municipal Zoning By-law, provided that such applications meet the requirements set out under Section 45(1) and/or 45(2) (a) or (b) of the *Planning Act*.

Staff comments concerning this minor variance request are as follows:

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

The site is located within Special Site 1 of the Fairview Neighbourhood Character Area, and designated Mixed Use by the Mississauga Official Plan (MOP). Special Site 1 enacts high level developmental polices not applicable to this application. Pursuant to Section 11.2.6.1(l) (Mixed Use), this designation shall permit retail store establishments. The Applicant's proposal of a residential window and door salesroom meets the general intent and purpose of the Official Plan.

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

As per Zoning By-law 0225-2007, the subject property is zoned D-10 (Development). Changes in use, and additional development, are generally not permitted within the D zone; however, pursuant to Sect. 12.3.3.10 (D Exception Zones), the D-10 exception zone shall permit minor alterations within existing buildings. This portion of the Zoning By-law has historically been interpreted to also allow for minor changes in use, as well. To this end, similar approvals ('A' 096/19, 'A' 211/08, 'A' 022/08, etc.) have been granted to permit alternate uses for multiple units located upon the subject lands. The requested variance meets 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?

The subject site is a multi-unit commercial warehouse located within an industrial environment. Currently, multiple retail locations operate upon this site. The requested use is contained wholly within the existing unit, and no alterations have been proposed to the footprint of the structure. The variance to permit an additional retail store (residential window and door salesroom, in this instance) represents the orderly development of the lands, and whose resultant impact is minor in nature.

Conclusion

Based upon the preceding information, it is the opinion of Staff that the variance, as requested, meets the general intent and purpose of both the MOP and Zoning By-law; is minor in nature; and, is desirable for the orderly development of the lands. To this end, the Planning and Building Department has no objection to the variance, as requested. The Applicant may wish to defer the application to ensure that all required variances have been accurately identified.

Comments Prepared by: Roberto Vertolli, 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' 342/20.

Comments Prepared by: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

The Building Department is currently processing an Occupancy Permit application under file 18-4402. Based upon review of this application, Staff notes that more information is required to verify the accuracy of the requested variances, as well as to determine whether additional variance(s) will be required.

Comments Prepared by: Sandra Morrison, Zoning Examiner

Appendix 5 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the November 5th, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Consent Applications: B-54/20, B-55/20

Minor Variance Applications: A-312/20, A-338/20, A-340/20, A-341/20, A-342/20, A-344/20, A-345/20, A-348/20, A-349/20, A-350/20, A-352/20

Comments Prepared by: Diana Guida, Junior Planner