

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-03-20	File(s): A54.25
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:3/27/2025 1:00:00 PM

Consolidated Recommendation

The City recommends the application be refused.

Application Details

The applicant requests the Committee to approve a minor variance proposing a Service Establishment use (spa and hair salon) in E2 Zoning Area whereas By-law 0225-2007, as amended, does not allow a Service Establishment use (spa and hair salon) in E2 Zoning Area in this instance.

Amendments

The Building Department is processing a Certificate of Occupancy application C 24-5619. Based on review of the information available in this application, we advise that following amendment is required:

The applicant requests the Committee to approve a minor variance proposing a Service Establishment use (spa and hair salon) in E2 Zoning Area whereas By-law 0225-2007, as amended, does not allow a Service Establishment use (spa and hair salon) in E2 Zoning Area in this instance

Recommended Conditions and Terms

TRCA Recommendation

As currently submitted, TRCA staff are of the opinion that the Minor Variance Application assigned City File No. **A54.25** is consistent with Provincial policy. Specifically, Section 5 (Natural Hazards) of the PPS. Additionally, it is staff's position that these applications are in conformity with TRCA's LCP policies. As such, TRCA has **no objection** to the approval of the application subject to the following condition:

1. That the applicant provides the required \$1,250.00 planning review fee.

Background

Property Address: 2985 Drew Rd, Unit 118

Mississauga Official Plan

Character Area: Northeast Employment Area
Designation: Business Employment

Zoning By-law 0225-2007

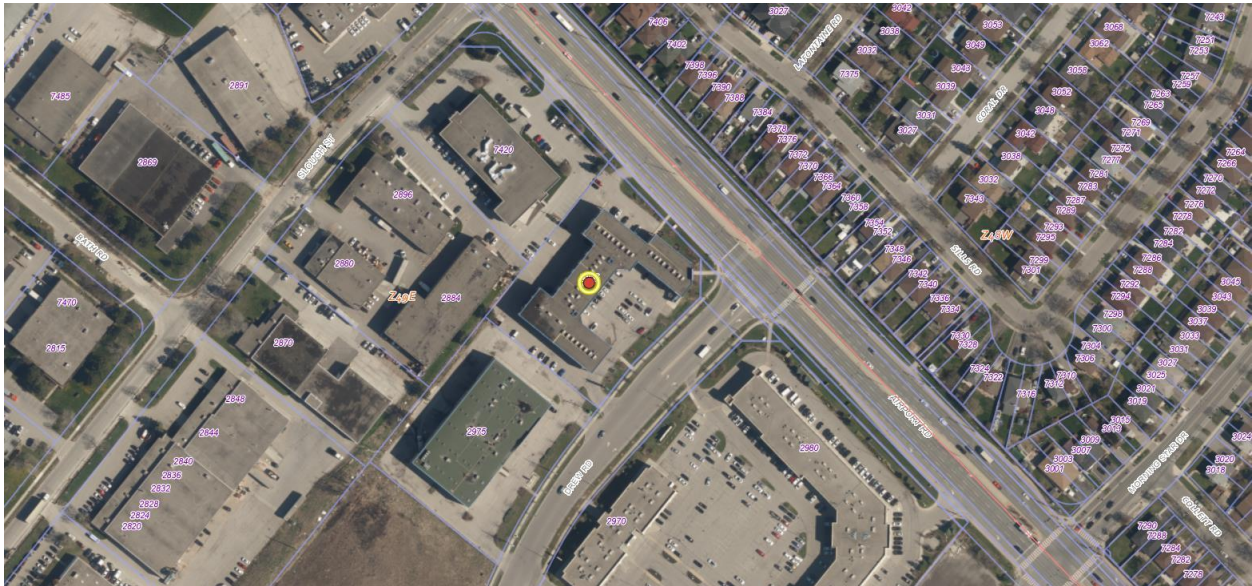
Zoning: E2-38-Employment

Other Applications: C 24-5619

Site and Area Context

The subject property is located on the north-west corner of the Airport Road and Drew Road intersection. There are no landscaping or vegetative elements present on the subject property. The surrounding area context consists primarily of commercial and industrial uses on lots of varying sizes. Residential uses are present east of Airport Road.

The applicant is proposing a spa and hair salon requiring a variance for Service Establishment use in a E2-38 zone.



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 Meadowvale Business Park Corporate Centre Character Area and is designated Business Employment in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits a variety of employment uses. Service Establishments are a commercial use permitted in the Convenience Commercial and Mixed Use designations.

The applicant is requesting a Service Establishment Use in an Employment (E2-38) zone which currently permits light industrial/employment uses. The proposed use is not consistent or compatible with the permitted uses. As a result, 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: Sara Ukaj, Planning Associate

Appendices

Appendix 1 – Transportation and Works Comments

This department has no objections to the applicant's request.





Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

The Building Department is processing a Certificate of Occupancy application C 24-5619. Based on review of the information available in this application, we advise that following amendment is required:

The applicant requests the Committee to approve a minor variance proposing a Service Establishment use (spa and hair salon) in E2 Zoning Area whereas By-law 0225-2007, as amended, does not allow a Service Establishment use (spa and hair salon) in E2 Zoning Area in this instance.

Our comments may no longer be valid should there be changes in the Committee of Adjustment application that have yet to be submitted and reviewed through the Building Division application. To receive updated comments, the applicant must submit any changes to information or drawings separately through the above application.

Comments Prepared by: Maria Fernandez, Zoning Examiner

Appendix 3 – Region of Peel Comments

We have no comments or objections.

Comments Prepared by: Petrele Francois, Junior Planner

Appendix 4- Toronto and Region Conservation Authority

TRCA staff have reviewed the application in accordance with the Conservation Authorities Act (CA Act) and its associated regulations, which require TRCA to provide programs and services related to the risk of natural hazards within its jurisdiction. Whether acting on behalf of the Ministry of Natural Resources (MNR) or as a public body under the Planning Act, Conservation Authorities (CAs) must help ensure that decisions under the Planning Act are consistent with the natural hazards policies of the Provincial Planning Statement (PPS) and conform to any natural hazard policies in a Provincial Plan.

In addition, TRCA staff have also reviewed these applications in accordance with TRCA's permitting responsibilities under Section 28.1 of the CA Act. Where development activities are proposed within a TRCA Regulated Area (i.e., river or valley, wetlands, hazardous lands, etc.), a permit is required from TRCA. TRCA must ensure that where a proposal is within an area

regulated by TRCA, that the proposal conforms with the appropriate policies of Section 8 of TRCA's Living City Policies (LCP), which evaluate a proposal's ability to meet the tests of the CA Act and regulation.

Purpose of the Application

TRCA staff understand that the purpose of Minor Variance Application is to propose a Service Establishment use (spa and hair salon) in E2 Zoning Area whereas By-law 0225-2007, as amended, does not allow a Service Establishment use (spa and hair salon) in E2 Zoning Area in this instance.

TRCA staff understand that unit 118 is an existing unit (within Building D) on-site and no new development or building is being proposed.

It is our understanding that the requested variances are required to facilitate interior renovations only.

CA Act and O. Reg. 41/24

Given the above noted natural hazards, the subject lands are entirely within TRCA's Regulated Area of the Mimico Creek Watershed and are subject to O. Reg. 41/24 and the CA Act. As such, TRCA Permits will be required from TRCA prior to any works commencing within the TRCA Regulated Area.

Application Specific Comments

The entire subject property is located within the Regulatory Flood Plain. The Water Surface Elevation and velocity are 171.416m and 0.9633 m/s at the subject property respectively. As noted above, no new development is being proposed within TRCA's Regulated Area. Therefore, a TRCA permit in accordance with Section 28.1 of the CA Act will not be required in this instance. Notwithstanding, TRCA has an interest in all future development on the above-mentioned property as it may be subject to a TRCA permit in accordance with Section 28.1 of the CA Act. Given the above, staff have no concerns with the minor variance application as currently proposed in the second submission.

Recommendation

As currently submitted, TRCA staff are of the opinion that the Minor Variance Application assigned City File No. **A54.25** is consistent with Provincial policy. Specifically, Section 5 (Natural Hazards) of the PPS. Additionally, it is staff's position that these applications are in conformity with TRCA's LCP policies. As such, TRCA has **no objection** to the approval of the application subject to the following condition:

1. That the applicant provides the required \$1,250.00 planning review fee.

Fee

By copy of this letter, the applicant is advised that the TRCA has implemented a fee schedule for our planning application review services. This application is subject to a \$1,250.00 – Minor

Variance review fee. The applicant is responsible for fee payment and should forward the application fee to this office as soon as possible.

Comments Prepared by: Marina Janakovic, Planner I