

City of Mississauga Department Comments

Date Finalized: 2023-04-26	File(s): A100.23
To: Committee of Adjustment	Ward: 9
From: Committee of Adjustment Coordinator	Meeting date:2023-05-04 1:00:00 PM

Consolidated Recommendation

The City has no objections to the variance, as amended.

Application Details

The applicant requests the Committee to approve a minor variance to allow an accessory use proposing a “Living Classroom” for educational instruction operated by Sheridan College as an accessory use to the existing long-term care facility whereas By-law 0225-2007, as amended, does not permit educational instruction of students associated with an off-site college as an accessory use that is naturally and normally incidental to a long-term care facility.

Amendments

Based on the review of the information currently available in the above applications, we recommend the following amendment to the variance:

To permit educational instruction for students associated with an off-site college as an accessory use to the existing long-term care facility; whereas By-law 0225-2007, as amended, does not permit educational instruction of students associated with an off-site college as an accessory use that is naturally and normally incidental to a long term care facility in this instance.

Background

Property Address: 2930 Erin Centre Blvd

Mississauga Official Plan

Character Area: **Central Erin Mills Major Node**
Designation: **Residential High Density**

Zoning By-law 0225-2007**Zoning: RA2-27 -Residential****Other Applications:** BP 3ALT 23-6479, C22-4814**Site and Area Context**

The subject property is located on the south-east corner of the Winston Churchill Boulevard and Erin Centre Boulevard intersection. It currently contains a 12-storey retirement home and long term care facility with associated surface parking lots. Limited landscaping and vegetative elements are present on the subject property. The surrounding area context consists of a mix of commercial and residential uses on varying lot sizes and with varying built forms.

The applicant is proposing to permit educational instruction on the subject property, 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:

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

The subject property is located in the Central Erin Mills Major Node Character Area and is designated Residential High Density in Schedule 10 of the Mississauga Official Plan (MOP). Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions, the surrounding context, and the landscape of the character area. The proposed classroom will have no impacts to the streetscape or surrounding context. Furthermore Planning staff are satisfied that the classroom would appropriately represent Community Infrastructure, which is permitted in all designations. Staff are therefore of the opinion that the general intent and purpose of the official plan are maintained.

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

The sole requested variance is to permit educational instruction on the subject property. The programming is intended to be provided by Sheridan College. While post-secondary institutions are not permitted in the RA2-27 zone, the proposal would not represent the same intensity of use as a full post-secondary campus. Furthermore public schools are permitted within all RA zones, indicating that educational instruction is contemplated within this zoning category. Given the limited size of scope of the classroom proposed staff are satisfied that the general intent and purpose of the zoning by-law is maintained.

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

Planning staff are of the opinion that the proposed variance is minor in nature with negligible impacts to the surrounding area. Furthermore, given the connection between the classroom subject matter and the existing site on use, staff are satisfied that the proposal represents appropriate development of the subject property.

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' 100.23.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is processing a Certificate of Occupancy application C22-4814 and a Building Permit under file BP 3ALT 23-6479. Based on the review of the information currently available in the above applications, we recommend the following amendment to the variance:

To permit educational instruction for students associated with an off-site college as an accessory use to the existing long-term care facility; whereas By-law 0225-2007, as amended, does not permit educational instruction of students associated with an off-site college as an accessory use that is naturally and normally incidental to a long term care facility in this instance.

The proposed use is an accessory use to the primary Long Term Care Facility and is not eligible for a separate Certificate of Occupancy.

Please note that comments reflect those provided through the above applications. These comments may no longer be valid should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the applications noted above. Any changes and/or updates to information and/or drawings must be submitted separately through the application processes to receive updated comments, per standard resubmission procedures.

Comments Prepared by: Brian Bonner, Supervisor (Commercial, Industrial & Institutional)

Appendix 3- Region of Peel

We have no comments or objections.

Comments Prepared by: Patrycia Menko, Junior Planner