

City of Mississauga Department Comments

Date Finalized: 2023-11-22	File(s): A472.23 Ward: 8
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2023-11-30 1:00:00 PM

Consolidated Recommendation

The City recommends that the Committee have regard for all comments and evidence provided by the applicant and area residents when assessing if the application, as requested, meets the requirements of Section 45(1) of the Planning Act.

Application Details

The applicant requests the Committee to approve a minor variance to allow development of the subject property proposing to permit the conveyed and retained lands of Consent application B27/23 to be considered one property for the purposes of zoning compliance; whereas By-law 0225-2007, as amended, requires each property to individually comply with the zoning by-law.

Background

Property Address: 3058 and 3070 Winston Churchill Blvd

Mississauga Official Plan

Character Area: Western Business Park Employment Area
Designation: Mixed Use

Zoning By-law 0225-2007

Zoning: C3-14- Commercial

Other Applications: B27.23, SPI-22 164, Minister Zoning Order (O.Reg 124/23) and Map No. 331

Site and Area Context

The subject site is located in the Western Business Park Employment Character Area, on the west side of Winston Churchill Boulevard between Dundas Street West to the south and Laird Road to the north. The immediate area contains a mix of commercial, greenlands, utility and residential uses.

A Minister's Zoning Order was issued by the Minister of Municipal Affairs and Housing on June 9, 2023 to facilitate the construction of a 3-storey Long Term Care Home (LTC) with 160 beds, and is in full force and effect (Ontario Regulation 124/23).

The subject site was established through severance application B27.23, which was approved by the Committee on July 13, 2023.

The applicant requests a minor variance to permit the conveyed and retained lands of Consent application B27/23 to be considered one property for the purposes of zoning compliance, to facilitate the construction of a new Long-Term Care Home.



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:

Staff note that the applicant's proposal will facilitate the development of a new long term care home as contemplated in the Ministerial Zoning Order (MZO). On March 1, 2023, City Council adopted the resolution to support the MZO. The MZO was issued by the Minister of Municipal Affairs and Housing on June 9, 2023 and is in full force and effect (Ontario Regulation 124/23).

The requested variance aims to extend the application of development standards outlined in the zoning by-law to encompass both the conveyed and retained lands associated with Consent application B27/23. This approach seeks to treat these lands as a unified property in terms of zoning considerations.

In drafting the MZO for the Minister's consideration, the City of Mississauga intended for the subject property to be treated as a whole lot. Consent application B27.23 was required by the applicant to satisfy a condition for a financing agreement with Infrastructure Ontario.

Staff analysis supports the view that the proposed variance aligns with and fulfills the overarching intent and purpose of the Minister's Zoning Order (MZO).

Through a detailed review of the application, staff is of the opinion that the application is appropriate to be handled through the minor variance process. Further, the application raises no concerns of a planning nature.

Comments Prepared by: Connor DiPietro, 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' 472.23.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

In the absence of a Development application 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.

For scope of work that does not require Site Plan Approval/Building Permit/Zoning Certificate of Occupancy Permit, the applicant may consider applying for a Preliminary Zoning Review application. A detailed site plan drawing and architectural plans are required for a detailed zoning review to be completed. A minimum of 6-8 weeks is required depending on the complexity of the proposal and the quality of information submitted.

Comments Prepared by: Brooke Herczeg, Zoning Examiner

Appendix 3- Region of Peel

We have no comments or objections.

Comments Prepared by: Ayooluwa Ayoola, Junior Planner