

# City of Mississauga Department Comments

Date Finalized: 2024-03-13	File(s): A123.24
To: Committee of Adjustment	Ward: 5
From: Committee of Adjustment Coordinator	Meeting date:2024-03-21 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 amended, meets the requirements of Section 45(1) of the Planning Act. The applicant may wish to defer the application to ensure the accuracy of the requested variances and to determine if additional variances are required.

## Application Details

The applicant requests the Committee to approve a minor variance to allow a stand alone day care use on the subject property whereas By-law 0225-2007, as amended, only permits an accessory day care use on the subject property in this instance.

## Background

**Property Address:** 5015-5027 Spectrum Way & 5030-5050 Satellite Drive

### Mississauga Official Plan

Character Area: Airport Corporate Centre  
Designation: Business Employment

### Zoning By-law 0225-2007

**Zoning:** E1-27-Employment

**Other Applications:** None

### Site and Area Context

The subject site is located within the Airport Corporate Centre Character Area, northeast of Dixie Road and Eglinton Avenue East intersection. The subject site is approximately 8.22ha (20.31ac) in size and contains commercial and office employment uses in varying forms and heights. The surrounding area contains employment uses.

The application proposes a stand-alone day care use whereas only an accessory day care use is 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 are as follows:

The site is located within the Airport Corporate Centre Character Area and is designated Business Employment by the Mississauga Official Plan (MOP). Pursuant to Section 11.2.1 (Uses Permitted in all Designations) community infrastructure, which includes a day care, the proposed use is permitted within lands designated Business Employment.

Section 6.10.2.4 (Aircraft Noise) prohibits sensitive land uses from operating within the Airport Operating Area, however, permits daycare facilities accessory to an employment use on lands located below the 35-noise exposure projection (NEP)/noise exposure forecast (NEF) composite noise contour. Staff note that the applicant submitted a Noise Impact Study to assess the noise levels for the proposed outdoor play areas and indoor facility which concluded that the location is within acceptable noise exposure range for the proposed use (25-30NEF contour).

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Additionally, staff note the Greater Toronto Airports Authority have provided comments indicating no objection to the proposed use on the subject property.

As per Zoning By-law 0225-2007, the subject property is zoned E1-27 (Employment), which permits an accessory day care use limited to an area of 600 m<sup>2</sup> (6458.35 ft<sup>2</sup>).

The applicant is proposing a stand-alone daycare use with an area of 580.45 m<sup>2</sup> (6248 ft<sup>2</sup>). Staff note that the proposed use is within the maximum permissible area regulations for an accessory day-care use and that the variance is technical in nature by permitting it as a stand-alone use. Staff are satisfied that the proposed standalone day care use is consistent with the permitted uses on the subject lands.

Planning staff are of the opinion that the proposal is appropriate for the subject lands given the existing structure and uses on site and will not negatively impact the planned function of the property in the long term.

Through a detailed review of the application, staff are 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: Shivani Chopra, 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 Technologist

## **Appendix 2 – Zoning Comments**

We note that a Zoning Certificate of Occupancy Permit is required. In the absence of a Zoning Certificate of Occupancy Permit 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.

Comments Prepared by: Minan Song, Planner in Training

## **Appendix 3- Region of Peel**

We have no comments or objections.

Comments Prepared by: Ayooluwa Ayoola, Planner