

City of Mississauga Department Comments

Date Finalized: 2024-08-15	File(s): A356.24
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2024-08-22 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be deferred.

Application Details

The applicant requests the Committee to approve a minor variance to allow a private school use on the subject property whereas By-law 0225-2007, as amended, does not permit a private school use on the subject property in this instance.

Background

Property Address: 2520 Dixie Road

Mississauga Official Plan

Character Area: Dixie Employment Area
Designation: Business Employment

Zoning By-law 0225-2007

Zoning: E2-131- Employment

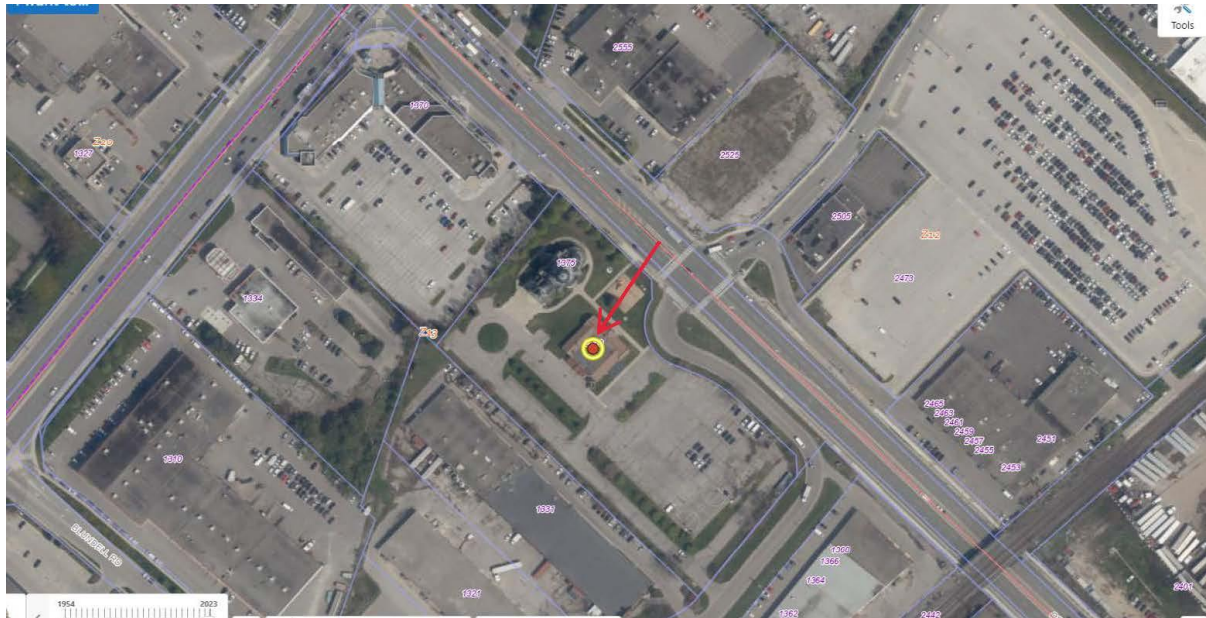
Other Applications: Certificate of Occupancy application C 24-1294

Site and Area Context

The subject property is located in the Dixie Employment Area, southwest of the Dundas Street East and Dixie Road intersection. The immediate area consists of a variety of uses including commercial, employment and industrial. The subject property contains a Serbian Centre that

includes a church and an existing community hall with minimal vegetation in the form of urban street trees.

The application proposes to permit an elementary school in the existing Community Hall requiring a variance for a private school 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 are as follows:

The subject property is located in the Dixie Employment Area Character Area and is designated Business Employment in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits a variety of uses. Schedule 11.2.1 of the official plan permits Community Infrastructure in all designations, except for Greenlands and staff note that a private school is considered Community Infrastructure.

The property is Zoned E2-131, which generally permits heavy uses such as Asbestos Products Manufacturing, Smelting or foundry operations, and Tar and asphalt manufacturing if the uses are legally existing on the date of passing of this By-law, does not permit a private school use. In view of the surrounding context, there exists additional heavy industrial zones to the west of the subject property, which facilitate the existing heavy industrial uses present in the vicinity of

the subject property. As such, the variance requests permitting a use which is not contemplated by the zone category and is in accordance with an entirely different zoning framework.

City Council recently adopted Mississauga Official Plan Amendment 141, which implements policies related to the City's Dundas Corridor Masterplan (DCMP) exercise and includes amendments to the Community Node and Neighbourhood Character Areas along the corridor. This amendment will bring the subject property out of the Dixie Employment Character Area and into the Dixie-Dundas Community Node, which is a character area element that is encouraged by the general policies of MOP to have Community Infrastructure located. Prior to the adoption of MOPA 141, City Council endorsed the Dundas Connects Master Plan (DCMP), which would permit sensitive land uses, where appropriate, in proximity to established employment areas. A Terms of Reference (ToR) has been set out for the City of Mississauga to assess land use compatibility for any land use conversions, in line with the DCMP recommendations. This land-use compatibility ToR considers air quality (including odor), noise and vibration impacts.

Notwithstanding the above, MOPA 141 also introduced the following policies:

5.4.19 Land use compatibility assessments will be required to determine the suitability of sensitive land uses, such as residential, in proximity to employment areas.

In addition, MOPA 141 acknowledges the viability of the adjacent Dixie Employment Character Area and includes an amended policy that indicates "Existing and permitted employment uses within the area will be protected from noncompatible uses to ensure continued viability of the employment area."

Given the above, staff note that the Ministry of the Environment, Conservation and Parks stipulates that a D6 assessment be applied in the land use planning process to prevent or minimize future land use problems due to the encroachment of sensitive land uses and industrial land uses on one another.

Staff are of the opinion that the applicant work with Planning staff to further provide necessary studies to assess land use compatibility and the impact of introducing a sensitive land use in an employment zone.

Therefore, staff are of the opinion that the application be deferred to allow the applicant an opportunity to work with City staff.

Comments Prepared by: Shivani Chopra, 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' 356.24.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Division is processing Certificate of Occupancy application C 24-1294. Based on the review of the information available in this application, the requested variance is correct.

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

Minor Variance Application: A-24-356M / 2520 Dixie Road

Planning: Petrele Francois (905) 791-7800 x3356

Comments:

- Please be advised that the subject site is located within a Provincially Significant Employment Zone (F-12). Regional staff encourage the applicant to work with the City to address the appropriate mix of land uses and land use compatibility with appropriate consideration to municipal policies, studies and recommendations.
- Please be advised that the subject lands are located in the regulated and floodplain area of the Toronto and Region Conservation Authority (TRCA). We rely on the environmental expertise of the TRCA for the review of development applications located within or adjacent the regulated area in Peel. We, therefore, request that City staff consider comments from the TRCA and incorporate their conditions of approval appropriately. Final approval of this application requires all environmental concerns to be addressed to the satisfaction of the TRCA.

Comments Prepared by: Petrele Francois, Junior Planner