

City of Mississauga Department Comments

Date Finalized: 2024-09-19	File(s): A425.24
To: Committee of Adjustment	Ward: 5
From: Committee of Adjustment Coordinator	Meeting date:2024-09-26 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be refused.

Application Details

The applicant requests the Committee to approve a minor variance to allow a Private School in an E2-Employment Zone whereas By-law 0225-2007, as amended, does not permit a Private School in an E2-Employment Zone in this instance.

Background

Property Address: 1020 Matheson Blvd E, Unit 14

Mississauga Official Plan

Character Area: Northeast Employment Area (West)

Designation: Business Employment

Zoning By-law 0225-2007

Zoning: E2 - Employment

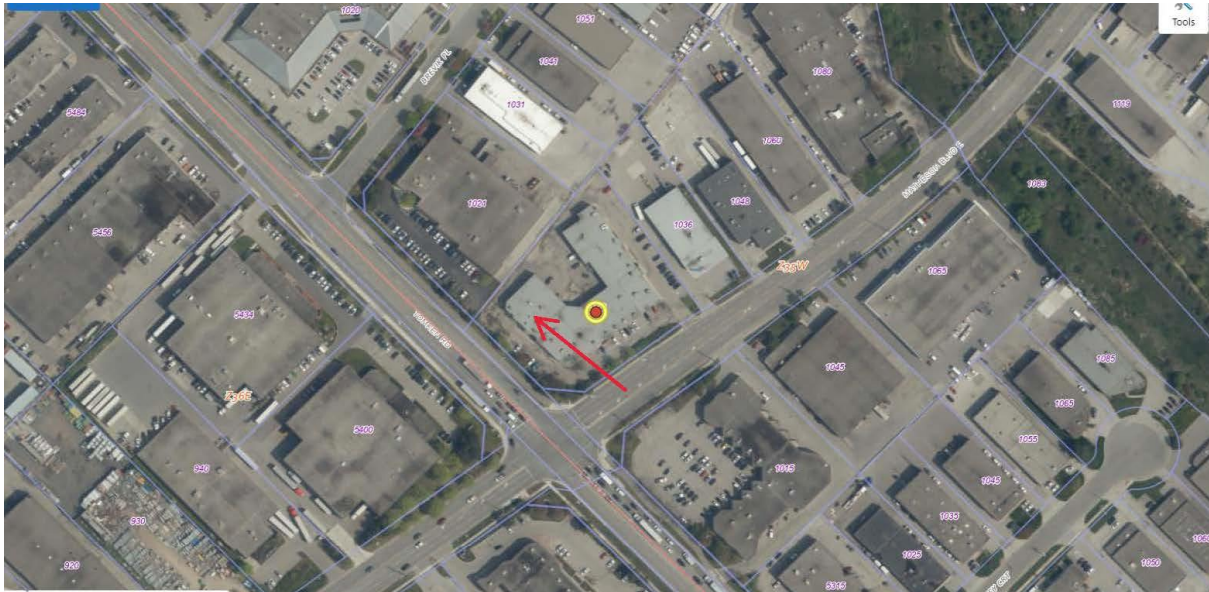
Other Applications: None

Site and Area Context

The subject property is located at the north-east corner of the Tomken Road and Matheson Boulevard East intersection in the Northeast Employment (West) Character Area. The subject property contains a one-storey building with limited landscaping elements and vegetative

elements located along the frontages of Tomken Road and Matheson Boulevard East. The immediate area consists predominantly of single storey multi-tenant industrial buildings on various lot sizes.

The applicant is proposing the operation of a private school whereas the use is not 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 of the four tests to this minor variance request are as follows:

The subject property is located in the Northeast Employment Area (West) and is designated Business Employment in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits several uses however it does not permit a private school use.

The sole requested variance requests a private school in an employment zone. Section 2.1.9.2 sets out regulations for private schools. The use is allowed in multiple zoning categories; however Employment zones have been specifically excluded from the list of permitted zones. Private schools and day cares represent sensitive uses that may undermine the intended use and functionality of the surrounding area and are generally not compatible with industrial uses

found in these areas due to heavy traffic, noise, pollution, and other factors. Planning staff are of the opinion that the intent and purpose of the zoning by-law is not maintained by permitting uses specifically excluded from the zone category and that conflict with the permitted uses.

Planning staff have concerns regarding the potential impacts of the proposed use would have on abutting properties given its sensitivity which resulted in its intentional removal from the zone. Staff are of the opinion that the proposal does not represent an appropriate use of the subject lands and is not minor in nature.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committees easy reference are photos depicting the subject property.





Comments Prepared by: Tony Iacobucci, Development Engineering

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: Emily Majeed, Planner-in-Training