



## Report Committee of Adjustment

**Filing Date:** November 8<sup>th</sup>, 2022  
**Hearing Date:** December 6<sup>th</sup>, 2022

**File:** A-2022-0361

**Owner/  
Applicant:** Soneil Mississauga Inc.

**Address:** 350 Rutherford Road S. Unit #10

**Ward:** 3

**Contact:** Rabia Ahmed, Planner I

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### **Recommendations:**

That application A-2022-0361 be deferred no later than the last meeting of June 2023.

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### **Background:**

The property contains two commercial buildings containing seven Commercial, Technical and Recreational Schools as well as office uses. The property is designated 'Business Corridor' in the Official Plan and 'Service Commercial' in the Highway 410 and Steeles Secondary Plan. The property is zoned 'Service Commercial' subject to Special Section 3098 (SC-3098), according to By-law 270-2004, as amended. The applicant is seeking a variance to permit a private school to operate from Unit 10 whereas the by-law does not permit the proposed use. The private school use is considered an Institutional Use in the by-law whereas the current office and Commercial, Technical and Recreational School uses on the subject property are considered Commercial Use in the by-law. The subject property is adjacent to lands zoned Industrial Two (M2) according to By-law 270-2004. The M2 designation permits heavy industrial uses including the processing of hazardous waste chemicals, under the condition that there is a minimum separation of 1000m from Residential, Open Space and Institutional zones.

### Existing Zoning:

The property is zoned 'Service Commercial,' subject to Special Section 3098 (SC-3098), according to By-law 270-2004, as amended.

### Requested Variances:

The applicant is requesting the following variances:

1. To permit a private school to operate from Unit 10 whereas the by-law does not permit the proposed use.

**Current Situation:**

Staff has reviewed the information provided by the applicant, and finds that further information is needed to contemplate the proposed use change. The applicant was advised through a Pre-Application Consultation in May and June of 2021 that as the proposed use change to a private school is considered a change to a more sensitive land use, a Record of Site Condition (RSC) is mandated by the Environmental Protection Act. In order to file an RSC, an Environmental Site Assessment (ESA) Phase One, and potentially an Environmental Site Assessment Phase Two, as may be recommended by the ESA Phase One, are needed. These studies will allow staff to appropriately assess the feasibility of introducing a sensitive land use on the subject lands. These required studies have not been provided with the current Minor Variance application. Staff recommend a flexible deferral of the application to allow time for the applicant to provide this information and for staff to review and make a recommendation.

Respectfully Submitted,

*Rabia Ahmed*

Rabia Ahmed, Planner I