

City of Mississauga Department Comments

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| Date Finalized: 2022-11-16 | File(s): B68.22 |
| To: Committee of Adjustment | Ward: 5 |
| From: Committee of Adjustment Coordinator | Meeting date:2022-11-24 1:00:00 PM |

Consolidated Recommendation

The City has no objections to the application.

Application Details

The applicant requests the Consent of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 127.38m (approx. 417.91ft) and an area of approximately 42,386.19sq m (approx. 456,241.15sq. ft).

Recommended Conditions and/or Terms of consent

- Appendix A – Conditions of Provisional Consent

Background

Property Address: 60 & 80 Courtnepark Dr W and 1 & 85 Prologis Blvd

Mississauga Official Plan

Character Area: Gateway Corporate Centre
Designation: Office

Zoning By-law 0225-2007

Zoning: O2-1

Other Applications: None

Site and Area Context

The subject property is located on the south-west corner of the Hurontario Street and Courtenypark Drive West intersection. Currently it consists of the entirety of the block bounded by Hurontario Street, Courtenypark Drive West, Kateson Drive and Prologis Boulevard. Four office buildings currently exist on the subject property, along with the associated surface parking lots. Landscaping and vegetative elements are generally limited to street frontages. The surrounding area context includes a mix of office, employment, and commercial uses with varying built forms and lot sizes.

The applicant is proposing to create a new lot by severing the existing property.



Comments

Planning

Provincial Matters

The Provincial Policy Statement 2020 (PPS 2020) and Growth Plan for the Greater Golden Horseshoe promote efficient development and land use, directing the focus towards intensification and redevelopment. The proposal is consistent with the general directive in provincial policy.

Planning Act

Section 51 (24) of the *Planning Act* sets out the criteria for land division in the Province of Ontario. In evaluating such requests, the Committee needs to be satisfied that the proposal meets not only the criteria set out under Section 51(24), but also municipal requirements identify in local legislation.

Staff comments concerning the application for consent are as follows:

The subject property is located in the Gateway Corporate Centre and is designated Office in Schedule 10 of the Mississauga Official Plan (MOP). The Office designation permits office uses and uses accessory thereto. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions, the surrounding context, and the landscape of the character area. A portion of the site also forms part of the Special Site 1 area within the policies of the Gateway Corporate Centre, however as there is no development currently proposed on the site, the Special Site 1 policies are not relevant to this application.

Staff are satisfied that the application is consistent with the official plan as the severed and retained lands will continue to operate as they do currently. Originally the properties were developed and are operated independently, however due to common ownership, the properties have merged on title. The applicant is requesting the severance in order to reinstate the previous property line.

Staff have no concerns with the severance regarding the criteria set out in Section 51(24) of the Planning Act as the site is appropriately serviced and is suitable for the planned use of the property. Staff are therefore of the opinion that the application conforms to Section 51(24) of the Planning Act.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This Department has no objections to the applicant's request to sever a parcel of land for the creation of a new lot. We note from the review of the information submitted and our site inspection that both the severed parcel (60 & 80 Courtnepark Drive West) and the residual parcel (1 & 85 Prologis Blvd.) contain existing buildings. We also note that from an access perspective both the severed and residual parcels function independently from each other and there is no vehicular connections between the properties. Acknowledging that the applicant has provided various detailed plans in support of the application, a Servicing Plan should be reviewed to confirm the location of any underground services to the existing buildings.

In view of the above, and should Committee see merit in the applicant's request, we provide the following comments for the Committee's consideration:

A. **Items Required Prior to the Issuance of Final Consent**

1. Servicing Plan

We request that the applicant provide the Servicing Plan's which were approved for the subject lands. The Servicing Plan's will identify the locations of any underground services to the existing buildings and in this regard it can be confirmed that any services are located within the limits of the new severance line.

Should it be determined that some of the services encroach into the limits of the property being severed, the owner would have the option of abandoning that service(s) and arranging for the construction of a new service(s) in the proper location, or alternatively, provide a private easement.

2. Required Easement(s)

Upon the review of Item A1 and should it be confirmed that any easement(s) be required, the applicant/owner will then be required to provide a 43R-Plan and letter / schedule prepared by the applicant's Solicitor which would specifically describe the new private easement(s) to be established. It should also be noted that any documentation received will be forwarded as an attachment to our clearance memo to the Committee of Adjustment so that any new proposed private easement can be identified and also be incorporated into the Certificate of Secretary-Treasurer.

For further information regarding the above noted comments, please contact Tony Iacobucci at (905) 615-3200 ext. 5129 or tony.iacobucci@mississauga.ca.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

Zoning has no objection to the Consent application provided that the severed and retained lands comply with the provisions of Zoning By-law 0225-2007, as amended, with respect to, among other things, minimum lot frontage, minimum lot area, setbacks to the existing building(s), on site parking, etc., or alternatively, that any minor variance(s) is approved, final and binding and/or the demolition of any existing building(s) is complete.

We further advise that the proposed lot frontage is to be calculated in accordance with the following definition:

- The applicant is advised that Lot Frontage means the horizontal distance between the side lot lines and where these lines are not parallel means the distance between the side lot lines measured on a line parallel to and 7.5 m back from the front lot line.

Comments Prepared by: Amy Campbell, Planner-in-Training

Appendix 3 – Parks, Forestry & Environment

The Park Planning Section of the Community Services Department has reviewed the consent application and advises as follows:

Given the property is subject to site plan control, should the application be approved, Community Services provides the following notes:

1. Tree preservation hoarding and securities may be required as part of the site plan control process.
2. Prior to the issuance of building permits, cash-in-lieu for park or other public recreational purposes is required pursuant to Section 42 of the Planning Act (R.S.O. 1990, c.P. 13, as amended) and in accordance with the City's policies and by-laws.

Should further information be required, please contact Nicholas Rocchetti, Park Planning Assistant, Community Services Department at 905-615-3200 ext. 4659 or via email Nicholas.Rocchetti@mississauga.ca.

Comments Prepared by: Nicholas Rocchetti, Park Planning Assistant

Appendix 4 - Metrolinx

Metrolinx is in receipt of the consent application for 60 & 80 Courtneypark Dr W and 1 & 85 Prologis Blvd to facilitate the severance of the land for the creation of a new lot. Metrolinx's comments on the subject application are noted below

Construction Coordination

- The applicant should be advised that Metrolinx and its contractors will be utilizing the Hurontario Street right-of-way, and its intersections, during the project's Construction Period. Based on the location of the subject property, there is potential for construction coordination and traffic staging conflicts.
- Should construction of the Hurontario LRT and the proposed development occur simultaneously, Metrolinx will require the developer to submit schedule or staging plans to coordinate access to both parties.

Comments Prepared by: Farah Faroque, Intern, Third Party Reviews

Appendix 5- Region of Peel

We have no comments or objections.

Comments Prepared by: Patrycia Menko, Junior Planner

Appendix A – CONDITIONS OF PROVISIONAL CONSENT

SHOULD THE COMMITTEE GRANT A PROVISIONAL CONSENT, THE FOLLOWING IS A LIST OF THE RECOMMENDED CONDITIONS TO BE ATTACHED TO THE DECISION AND THESE CONDITIONS MAY BE REVISED BY THE COMMITTEE AT THE PUBLIC MEETING.

1. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and; the required number of prints of the resultant deposited reference plan(s) shall be received.
2. An application amendment letter shall be received from the applicant or authorized agent confirming that the conveyed land shall be together with and/or subject to services easement(s) and/or right(s)-of-way, if necessary, in a location and width as determined by the Secretary-Treasurer based on written advice from the agencies having jurisdiction for any service or right for which the easement or right-of-way is required; alternatively, a letter shall be received from the applicant or authorized agent confirming that no services easement(s) and/or right(s)-of-way, are necessary.
3. A letter shall be received from the City of Mississauga, Manager of Zoning Plan Examination, indicating that the conveyed land and retained lands comply with the provisions of the Zoning By-law, or alternatively; that any variances are approved by the appropriate authorities and that such approval is final and binding.

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4. A letter shall be received from the City of Mississauga, Transportation and Works Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated November 16, 2022.
5. A letter shall be received from the City of Mississauga, Culture Division, Community Services Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated November 16, 2022.
6. A letter shall be received from the Metrolinx indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments November 11, 2022.