

City of Mississauga Department Comments

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| Date Finalized: 2024-05-22 | File(s): A218.24 |
| To: Committee of Adjustment | Ward: 5 |
| From: Committee of Adjustment Coordinator | Meeting date:2024-05-30 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 change of use proposing:

1. 262 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 325 parking spaces in this instance; and,
2. 8 accessible parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 9 parking spaces in this instance.

Background

Property Address: 75 Courtneypark Drive W

Mississauga Official Plan

Character Area: Gateway Corporate Centre
Designation: Office

Zoning By-law 0225-2007

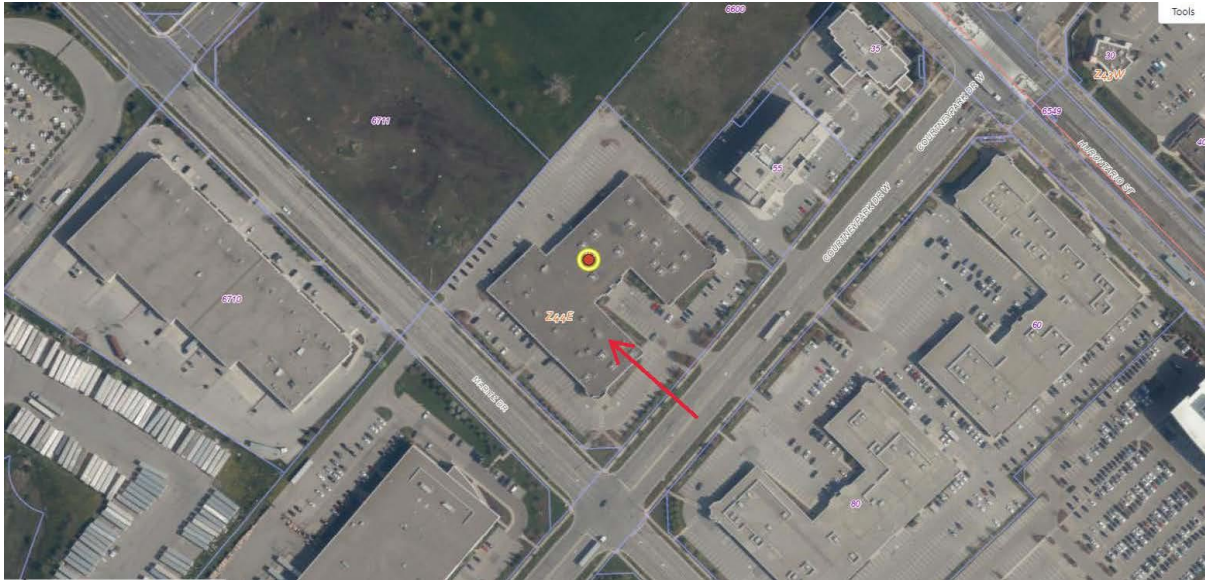
Zoning: O2-1- Office

Other Applications: Certificate of Occupancy application C24-494

Site and Area Context

The subject property is a multi-tenant commercial plaza located north-west of the Hurontario Street and Courtney Park Drive East intersection. The subject building contains multiple units with varying uses. The immediate neighbourhood consists of a mixture of office and employment uses. Minimal vegetation exists in the form of urban street trees.

The applicant is proposing a change of use in Unit 2B of the subject property requiring a variance for deficient parking spaces.



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 Northeast Employment Area (West) Character Area and is designated Business Employment and Mixed Use in Schedule 10 of the Mississauga Official Plan (MOP). Section 8.4 of the official plan contemplates potential reductions in parking requirements and alternative parking arrangements in appropriate situations.

Variations #1 and #2 request a reduction in the total number of parking spaces to facilitate a change of use. The intent of the zoning by-law quantifying the required number of parking spaces is to ensure that each lot is self-sufficient in providing adequate parking accommodations based upon its intended use.

Municipal Parking staff have reviewed the variance request and provide the following comments:

Per the materials provided by the applicant, a new Recreational Establishment use is being proposed in Unit 2B of the subject property, other uses within the same building include, but not limited to, Banquet Hall, Office, Day Care, Retail Store, and Motor Vehicle Sales Facility. The subject site is located within E2 and D2-1 Zoning Areas, Parking Precinct 2.

Per Section 3.1.2.2 of Mississauga Zoning By-law, Recreational Establishment uses located in Parking Precinct 2 require a minimum of 4.5 parking spaces per 100 square meters of non-residential GFA. Based on the confirmation received from Zoning staff, the parking space requirement and availability for the entire property, as stated in the variance, are correct. As such, 325 parking spaces are required whereas 262 parking spaces can be accommodated, which generates a parking deficiency of 63 spaces or 19.4%.

As the proposed parking deficiency exceeds 10%, a satisfactory Parking Utilization Study (PUS) is required per the City's Parking Study Terms of Reference provisions.

The applicant did not provide a PUS as justification for the proposed parking deficiency. The applicant should refer to the City's [Parking Study Terms of Reference](#) for parking justification requirements to be included with a formal submission. The applicant should confirm the survey methodology with staff prior to conducting parking surveys.

Zoning staff have advised that the requested variance is correct.

Given the above, Municipal Parking staff recommend the application be deferred pending the submission of a satisfactory Parking Utilization Study (PUS).

Given the above Planning staff recommend that the application be deferred in order to allow the applicant an opportunity to submit the information requested by Municipal Parking staff.

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

Appendix 2 – Zoning Comments

The Building Division is processing a Certificate of Occupancy application C24-494. Based on the review of the information available in this application, the requested variance(s) is/are 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: Brooke Herczeg, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

The Forestry Section of the Community Services Department has no objections to the above noted minor variance application and advises as follows:

1. No public trees shall be injured or removed. If public tree removal is required, a permit must be issued as per By-law 0020-2022.
2. No private trees shall be injured or removed. If a private tree with a diameter of 15 centimetres or greater on private property is to be injured or destroyed, a permit must be issued as per By-law 0021-2022.
3. Please note if a tree is identified as a shared tree with the adjacent property owner, and the applicant intends to apply for a Tree Removal Permit, written consent must be obtained by both parties.

A Tree Removal Application to Permit the Injury or Destruction of Trees on Public and Private Property can be found at <https://www.mississauga.ca/publication/application-to-permit-the-injury-or-destruction-of-trees-on-public-and-private-property/>.

Should further information be required, please contact Rita Di Michele, By-law Inspector, Community Services Department at 905-615-3200 ext. 5872 or via email rita.dimichele@mississauga.ca.

Comments Prepared by: Rita Di Michele, By-law Inspector

Appendix 4 – Region of Peel

We have no comments or objections to the following application: A-24-218M.

Comments Prepared by: Petrele Francois, Junior Planner

Appendix 5 – Metrolinx

Metrolinx is in receipt of the minor variance application for 75 Courtneypark Dr W to facilitate a change of use within the existing building and to permit reduced parking. Metrolinx's comments on the subject application are noted below:

Advisory Comments:

- The subject property is located within the Municipal Consent and Roadway Coordination review zone of Metrolinx's Hazel McCallion LRT (formerly Hurontario LRT).
- At this stage Metrolinx doesn't have any major comments but any work within Metrolinx ROW or within 60 m of the Hazel McCallion LRT will require approval and coordination with Metrolinx through circulation by the City of Mississauga.

Should you have any questions or concerns, please do not hesitate to contact me.

Comments Prepared by: Farah Faroque, Project Analyst