

Date Finalized: 2024-07-10 To: Committee of Adjustment	File(s): A314.24 Ward: 5
From: Committee of Adjustment Coordinator	Meeting date:2024-07-18 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application. The applicant may wish to defer the application to ensure that all required variances have been accurately identified.

Application Details

The applicant requests the Committee to approve a minor variance to permit uses accessory to a permitted use to be located within buildings separate from those containing a permitted use listed in the O2-5 zone and be restricted to a maximum of 30% of the total gross floor area of all permitted uses located in the O2-5 zone whereas By-law 0225-2007, as amended, requires that accessory uses to a permitted use be located within the same buildings as a permitted use listed in Subsection 5.2.1 of the By-law and be restricted to 30% of the gross floor area of that building.

Background

Property Address: 30-110 Courtneypark Dr E & 75 Annagem Blvd

Mississauga Official Plan

Character Area: Gateway Corporate Centre
Designation: Office

Zoning By-law 0225-2007

Zoning: O2-5 - Office

Other Applications: None

Site and Area Context

The subject property is located on the south-east corner of the Hurontario Street and Courtneypark Drive East intersection in the Gateway Corporate Centre Character Area. Currently it consists of the entirety of the block bounded by Hurontario Street, Courtneypark Drive East, Edwards Boulevard and Annagem Boulevard. Ten buildings currently exist on the subject property, along with 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 permit uses accessory to a permitted use on the subject property requiring a variance for the location and maximum gross floor area of 30% for the proposed uses.



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 Gateway Corporate Centre Character Area and is designated Office in Schedule 10 of the Mississauga Official Plan (MOP). In 2020, the City of Mississauga rezoned (BL 0121-2020) this portion of the Hurontario Street Corridor from a

variety of site-specific E1 and E2 employment zones to various O2 and O3 office zones. This included a change in zoning for the subject property from the site-specific E1-9 and E1-15 zones to the O2-5 zone. Many of the supportive non-employment uses that were permitted in the previously zoned E1-15 zone were carried over to the O2-5 zone only as accessory uses.

The variance is technical in nature as staff note there is no proposed buildings or construction included in the proposal. As per Section 5.1.3.1 of the zoning by-law, uses accessory to a permitted use in O2 and O3 zones do not have to be associated with or exclusively devote to a main use on the property; they can operate independently on their own. While the zoning by-law does not permit uses accessory to be located in separate buildings, staff recognize the subject property will continue to function appropriately, as the ten separate buildings are existing conditions on the site.

Given the above, staff are of the opinion that the proposal contributes to orderly development of the subject property.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Attached for the committees easy reference are photos of the noted site.







Comments Prepared by: Tony Iacobucci

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: Minan Song, Zoning Examiner

Appendix 3 – Region of Peel

Minor Variance: A-24-314M / 30-110 Courtneypark Drive East & 75 Annagem Blvd.

Planning: Petrele Francois (905) 791-7800 x3356

Comments:

- We acknowledge that the subject site is located within a Regional Employment Area, identified on Schedule E-4 of the Regional Official Plan (ROP), within a Provincially Significant Employment Zone (F-12) and the Courtney Park MTSA - which is required to be planned to achieve a minimum density of 160 person and job per hectare, as per Table 5 of the RPOP. Regional staff encourage the applicant to work with the City to address the appropriate mix of land uses, land use compatibility with nearby employment lands, and appropriate consideration to municipally initiated studies and recommendations that support the requirements of the policies found in s.5.6.19 as well as s.5.8 of the RPOP.

Comments Prepared by: Petrele Francois, Junior Planner

Appendix 4 – Metrolinx

Metrolinx is in receipt of the Minor Variance application for 30-110 Courtneypark Dr E & 75 Annagem Blvd to permit non-employment uses that used to be permitted in the E1-15 zone (now zoned O2-5) (e.g. retail store, service establishment, financial institution, etc.) in a separate building from the permitted use (which in this case would be considered the restaurants and entertainment uses) with the total gross floor area of these additional uses capped at 30% of the total gross floor area of all permitted uses on site, as circulated on June 16th, 2024, and to be heard at Public Hearing on July 18th, 2024, at 1:00 PM. Metrolinx's comments on the subject application are noted below:

- The subject property is located within 60m of the proposed Hazel McCallion LRT (formerly Hurontario LRT).

GO/HEAVY-RAIL – ADVISORY COMMENTS

- 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.
- Please be advised that Metrolinx/ our Technical Advisor would be a stakeholder providing comments on the comprehensive application of this site should future development be contemplated. Please continue to engage Metrolinx should future developments be contemplated on the subject site.
- As the requested variances have minimal impact on Metrolinx property, Metrolinx has no objections to the specified variances should the committee grant approval.

Construction Coordination (Advisory Comment)

- 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 Hazel McCallion LRT and the proposed development occur simultaneously, Metrolinx will require the developer to submit schedule or staging plans to coordinate access to both parties.

Should you have any questions or concerns, please contact farah.faroque@metrolinx.com.

Comments Prepared by: Farah Faroque, Project Analyst, Third Party Project Review