

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-02-20 To: Committee of Adjustment From: Committee of Adjustment Coordinator	File(s): A611.24
	Meeting date:2/27/2025 1:00:00 PM

Consolidated Recommendation

The City recommends the application be refused.

Application Details

The applicant requests the Committee to approve a minor variance to allow a change of use proposing 57% of the gross floor area - non-residential of the building to be used for accessory uses whereas By-law 0225-2007, as amended, permits a maximum of 30% of the gross floor area - non-residential of the building to be used for accessory uses in this instance.

Background

Property Address: 80 Courtnepark Dr W

Mississauga Official Plan

Character Area: Gateway Corporate Centre
Designation: Office

Zoning By-law 0225-2007

Zoning: O2-1 - Office

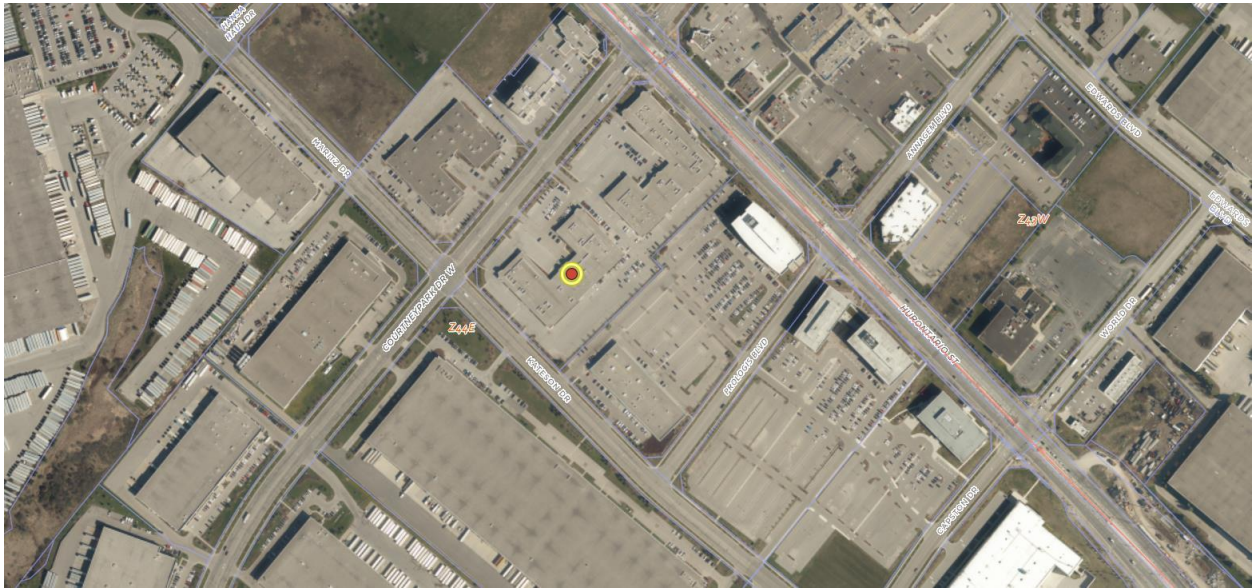
Other Applications: C 24-3336

Site and Area Context

The subject property is located along the south side of Courtnepark Drive West, west of the Hurontario Road and Courtnepark Drive West 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 street trees.

The applicant is proposing a change of use requiring a variance for an increased gross floor area – non residential ratio for uses accessory within the building. Zoning staff note there is a Zoning Certificate of Occupancy being reviewed which outlines the proposed use accessory as a recreational establishment.



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). Corporate Centres are envisioned to develop a mix of employment uses, focusing on office development and uses with high employment densities. Pursuant to Section 11.2.7 (c), the Office designation permits accessory uses. MOP Policies 11.2.7.2 and 11.2.7.3 detail that accessory uses will generally be limited to a maximum of 20% of the total Gross Floor Area and that all accessory uses should be

on the same lot and clearly subordinate to and directly related to the functioning of the permitted use.

The subject property is zoned O2-1 (Major Office) under Zoning By-law 0225-2007 which permits uses accessory (recreational establishment) as of right in Office zones. Regulation 5.1.3.3 states a maximum of 30% of the total gross floor area dedicated for a non-residential permitted use contained in Table 5.2.1 of the by-law, shall be used for uses accessory only.

Staff note the regulations provided in Regulation 5.1.3.3 concerning uses accessory and their maximum gross floor area threshold, are meant to bolster the vision of the MOP to ensure the permitted uses are considered the primary use in Office zones. The intent of this application is to implement a recreational establishment as a use accessory in Unit 5 of the multi-tenant office building located on the subject property. Staff note an existing tenant occupying Units 1 and 2 of the office building applied for a manufacturing facility use, which is permitted as a use accessory on the site. The manufacturing facility use accounts for approximately 35% of the total gross floor area – non-residential uses, surpassing the threshold allowed for uses accessory as per the zoning by-law. The manufacturing facility use located on the subject property was reviewed by Zoning staff through a previous Zoning Certificate of Occupancy (ZONBLD 14-743). With the proposed implementation of the recreational establishment, the amount of gross floor area dedicated to the accessory uses would account for 57% of the total gross floor area – non residential. This results in the establishment of uses accessory that will not be subsidiary to the principal office use. In this regard, it can no longer be considered subordinate to the office use. Staff are of the opinion that there are clear MOP policies and zoning regulations in the zoning by-law that discourage a notable gross floor area increase as proposed for the recreational establishment in this instance.

Given the above, staff are of the opinion that the proposed increase of gross floor area does not meet the intent and purpose of the official plan and zoning by-law. Additionally, the variance does not result in appropriate development of the lands and cannot be considered 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 and note that we have no objections to the applicant's request.





Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

The Building Division is processing Certificate of Occupancy application C 24-3336. Based on the review of the information available in this application, the requested variance is 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: Alana Zheng, Supervisor Zoning Examination

Appendix 3 – Region of Peel Comments

We have no comments or objections.

Comments Prepared by: Petrele Francois, Junior Planner

Appendix 4 – Metrolinx

- The subject property is located within the Municipal Consent and Roadway Coordination review zone of Metrolinx's Hurontario LRT.

HuLRT – ADVISORY COMMENTS

- 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 jenna.auger@metrolinx.com.

Comments Prepared by: Jenna Auger, Third Party Project Review