



# Corporate Report

Clerk's Files

Originator's  
Files OZ 06/016 W5

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**DATE:** December 12, 2006

**TO:** Chair and Members of Planning and Development Committee  
January 8, 2007

**FROM:** Edward R. Sajecki  
Commissioner of Planning and Building

**SUBJECT:** **Information Report**  
**Rezoning Application**  
**To permit business employment uses, including offices**  
**Part of Lot 11, Concession 1, W.H.S.**  
**Northwest corner of Hurontario Street and Derry Road West**  
**Owner: P. Gabriele & Sons Limited**  
**Applicant: Christopher Gabriele**  
**Bill 20**

**Public Meeting** **Ward 5**

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**RECOMMENDATION:** That the Report dated December 12, 2006, from the Commissioner of Planning and Building regarding the application to change the Zoning from "A" (Agriculture) to "RCL1-Special Section" (Restricted Commercial) to permit business employment uses, including offices under file OZ 06/016 W5, P. Gabriele & Sons Limited, Part of Lot 11, Concession 1, W.H.S., northwest corner of Hurontario Street and Derry Road West, be received for information.

**BACKGROUND:** A rezoning application has been filed to permit the development of the lands for business employment uses, including offices. A preliminary plan has been filed in conjunction with the subject application to construct a four storey office building on the lands (see below for details).

The purpose of this report is to provide preliminary information on the above-noted application and to seek comments from the community.

**COMMENTS:**

Details of the proposal are as follows, based on the preliminary sketch plan:

<b>Development Proposal</b>	
Application submitted:	August 22, 2006, modified November 23, 2006
Proposed Gross Floor Area:	1 625 m <sup>2</sup> (17,491 sq. ft.)
Building Height:	Four storeys
Lot Coverage:	26.94%
Floor Space Index:	0.9
Landscaped Area:	14.5%
Parking Required:	52 spaces, based on a parking standard of 3.2 per 100 m <sup>2</sup> (1,076 sq. ft.) for offices (any medical uses would be calculated at 6.5 per 100 m <sup>2</sup> (1,076 sq. ft.), requiring 106 spaces if 100% of the structure is used for such)
Parking Provided:	52 spaces (32 below ground, 20 above ground)
Supporting Documents:	Archaeological Assessment Soil Geotechnical Report Environmental Site Assessment (Phase One and Two)

<b>Site Characteristics</b>	
Frontage:	39.9 m (131 ft.) facing Hurontario Street, 61.6 m (202 ft.) facing Derry Road West
Depth:	52.8 m (173 ft.)
Net Lot Area:	0.164 ha (0.41 ac.)
Existing Use:	Lands are presently vacant

Additional information is provided in Appendices I-1 to I-8.

### **Neighbourhood Context**

The subject property is located at the northwest corner of Hurontario Street and Derry Road West, adjacent to Derry West Cemetery. The surrounding area is a developing business employment community, in particular to the northwest where an office tower for Kingsway Financial is currently under construction on employment lands recently registered by Great West Life. Information regarding the history of the site is found in Appendix I-1.

The surrounding land uses are described as follows:

- North: Vacant lands, designated for Business Employment purposes;
- East: Grill One restaurant, lands subject to development applications to permit the construction of a gas station and associated retail uses (Canadian Tire);
- South: Petro Canada gas station, vacant lands designated for Business Employment purposes and subject to development applications to permit retail, industrial and office uses (Derry-Ten);
- West: Derry West Cemetery, Mississauga Convention Centre.

### **Current Mississauga Plan Designation and Policies for the Gateway Planning District (May 5, 2003)**

**"Business Employment - Special Site 2"** which permits an integrated mix of business activities that operate mainly within enclosed buildings. Offices are permitted, subject to a maximum Floor Space Index (FSI) of 1.0. The Special Site 2 policies apply to all lands at the intersection of Hurontario Street and Derry Road. Those that would be applicable in the review of this application would include the following:

- assembly of lands being encouraged, to also include consideration for an internal access concept to the satisfaction of the Transportation & Works Department;

- regard be given to urban design matters, in particular as outlined in *Upper Hurontario Corridor - A Design Mandate For Excellence*. Development abutting the intersection shall act as a focal point within the streetscape (see below for additional details).

The application is in conformity with the land use designation and no Official Plan amendments are proposed. There are other policies in the Official Plan which also are applicable in the review of the application including:

*Urban Design Policies (Section 3.15):*

The urban design policies of Mississauga Plan require that building and site design shall be undertaken in such a way to minimize the presence of parking, loading, garbage and service areas from the street. Buildings should address the street with principle entrances and be connected with strong pedestrian linkages. Any development for the lands will be subject to review under this set of criteria, in conjunction with the above referenced Upper Hurontario Corridor design guideline manual, which recommends the following for this location:

- minimum building heights of three stories;
- street line setback range of 3.0 m (9.8 ft.) to 4.5 m (14.7 ft.);
- minimum 75% of linear frontage occupied by built form within setback range, of which two thirds must be building and one third may be an architectural wall or feature;
- creation of entry forecourts combined with active building fronts;
- distinctive high profile architecture, with appropriate signage;
- landscape areas of 4.5 m (14.7 ft.) along all property lines.

### **Upper Hurontario Street Corridor Study**

On August 9, 2006, Council endorsed the *Upper Hurontario Street Corridor Study* which analyzed matters respecting the long term use and vision for the northern portion of Hurontario Street. This document concluded that, while the current long term land use and design vision for the corridor is valid, free-standing commercial

buildings including restaurants and banks are not appropriate. The Planning and Development Committee on December 5, 2006 referred the matter back to staff to address questions posed by a landowner within the study boundaries. The applicant is not proposing the above uses for the subject lands.

**Existing Zoning**

"A" (Agriculture) which permits agricultural uses.

**Proposed Zoning By-law Amendment**

The applicant has requested that the lands be rezoned to the following:

**"RCL1-Special Section" (Restricted Commercial)** to permit the development of the lands for business employment uses, in particular offices including medical.

As part of the rezoning, the applicant is proposing that the following standards be applied:

	<b>Required Zoning By-law Standard</b>	<b>Proposed Standard</b>
Parking	52 spaces (106 if all medical)	52 spaces
Loading	0 spaces	0 spaces (no change required)
Building Setbacks	7.5 m (24.6 ft.)	1.5 m (4.9 ft.)
Landscaped Open Space	10%	14.5% (no change required)
Maximum Gross Floor Area	1.0 times the lot area	1.0 times the lot area (no change required)

**Draft Mississauga Zoning By-law**

A report on the new draft Zoning By-law was received at the Planning and Development Committee on September 18, 2006 and

will be considered at a future meeting. The draft zoning for this property is "D" (Development).

The timing of the site specific Zoning By-law to permit the proposed development may be affected by the passage of the new Mississauga Zoning By-law and potential appeals. A recommendation will be included in the supplementary report to address the new Mississauga Zoning By-law.

### **COMMUNITY ISSUES**

No community meetings were held and no written comments were received by the Planning and Building Department.

### **DEVELOPMENT ISSUES**

Agency comments are summarized in Appendix I-7. Based on the comments received and applicable Mississauga Plan policies, the following matters will have to be addressed, prior to a Supplementary Report:

- Submission of an acceptable internal access concept plan to the satisfaction of the Transportation and Works Department;
- Submission of a revised concept plan that incorporates the setback requirement of 4.57 m (14.9 ft.) from the adjacent Derry West Cemetery as requested by the Community Services Department;
- Resolution of matters as raised by the Transportation and Works Department and the Region of Peel respecting road widening requirements and access, the submission of a traffic study, and revisions as requested to the concept plan.
- Acceptable revisions being made to the concept plan to incorporate appropriate landscape and urban design requirements, including a 4.5 m (14.7 ft.) free and clear of any restrictive easements.
- Submission of a parking justification study in support of the reduction in parking requested, if the building were to contain medical offices.
- Submission of a Heritage Impact Statement.

## **OTHER INFORMATION**

### **Development Requirements**

In conjunction with the proposed development, there are certain other engineering matters with respect to access and land requirements, which will require the applicant to enter into appropriate agreements with the City.

**FINANCIAL IMPACT:** Development charges will be payable in keeping with the requirements of the applicable Development Charges By-law of the City as well as financial requirements of any other official agency concerned with the development of the lands.

**CONCLUSION:** All agency and City department comments have been received and after the public meeting has been held and all issues are resolved, the Planning and Building Department will be in a position to make a recommendation regarding this application.

**ATTACHMENTS:**

- Appendix I-1 - Site History
- Appendix I-2 - Aerial Photograph
- Appendix I-3 - Excerpt of Gateway District Land Use Map
- Appendix I-4 - Excerpt of Existing Land Use Map
- Appendix I-5 - Proposed Concept Plan
- Appendix I-6 - Proposed Building Elevations
- Appendix I-7 - Agency Comments
- Appendix I-8 - General Context Map

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Edward R. Sajecki  
Commissioner of Planning and Building

*Prepared By: Rob Hughes, Development Planner*

**P. Gabriele & Sons Limited**

**File: OZ 06/016 W5**

**Site History**

- May 5, 2003 – The Region of Peel approved the Mississauga Plan Policies for the Gateway District, designating the subject lands as “Business Employment – Special Site 2”.





LEGEND:



SUBJECT LANDS

DATE OF AERIAL PHOTO: 2006



SUBJECT:  
**P. GABRIELE & SONS LIMITED**

		FILE NO: OZ 06016 W5
		DWG. NO: V806016A
		SCALE: NTS
		PDC DATE: 2007 01 08
		DRAWN BY: R.DICOSOLA



APPENDIX 1-2

**MISSISSAUGA**  
Planning and Building








Produced by  
T&W, Geomatics

**PART OF GATEWAY DISTRICT LAND USE MAP  
GATEWAY DISTRICT POLICIES OF MISSISSAUGA PLAN**








LAND USE DESIGNATIONS

-  General Commercial
-  Motor Vehicle Commercial
-  Business Employment
-  Open Space
-  Greenbelt
-  Parkway Belt West
-  Utility


TRANSPORTATION LEGEND

-  Provincial Highway and Interchange
-  Arterial
-  Major Collector
-  Major Collector (Scenic Route)
-  Minor Collector
-  Local Road
-  Major Transit Corridor

LAND USE LEGEND

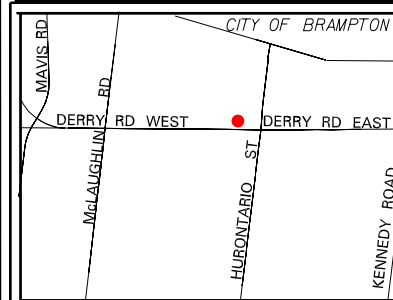
-  Regulatory Floodplain
-  LBPIA Operating Area Boundary - See Aircraft Noise Policies  
Note: In Gateway, all lands are within the LBPIA Operating Area
-  Node Boundary
- CP - City Park
- Cem - Cemetery
-  Existing Stormwater Management Facility
-  Proposed Stormwater Management Facility
-  1996 NEP2000 NEF Composite Noise Contours
-  Planning District

**B#** *Appealed to the Ontario Municipal Board*

 **SUBJECT LANDS**



**SUBJECT: P. GABRIELE & SONS LIMITED**



**FILE NO:**  
OZ 06016 W5

**DWG. NO:**  
06016L

**SCALE:**  
NTS

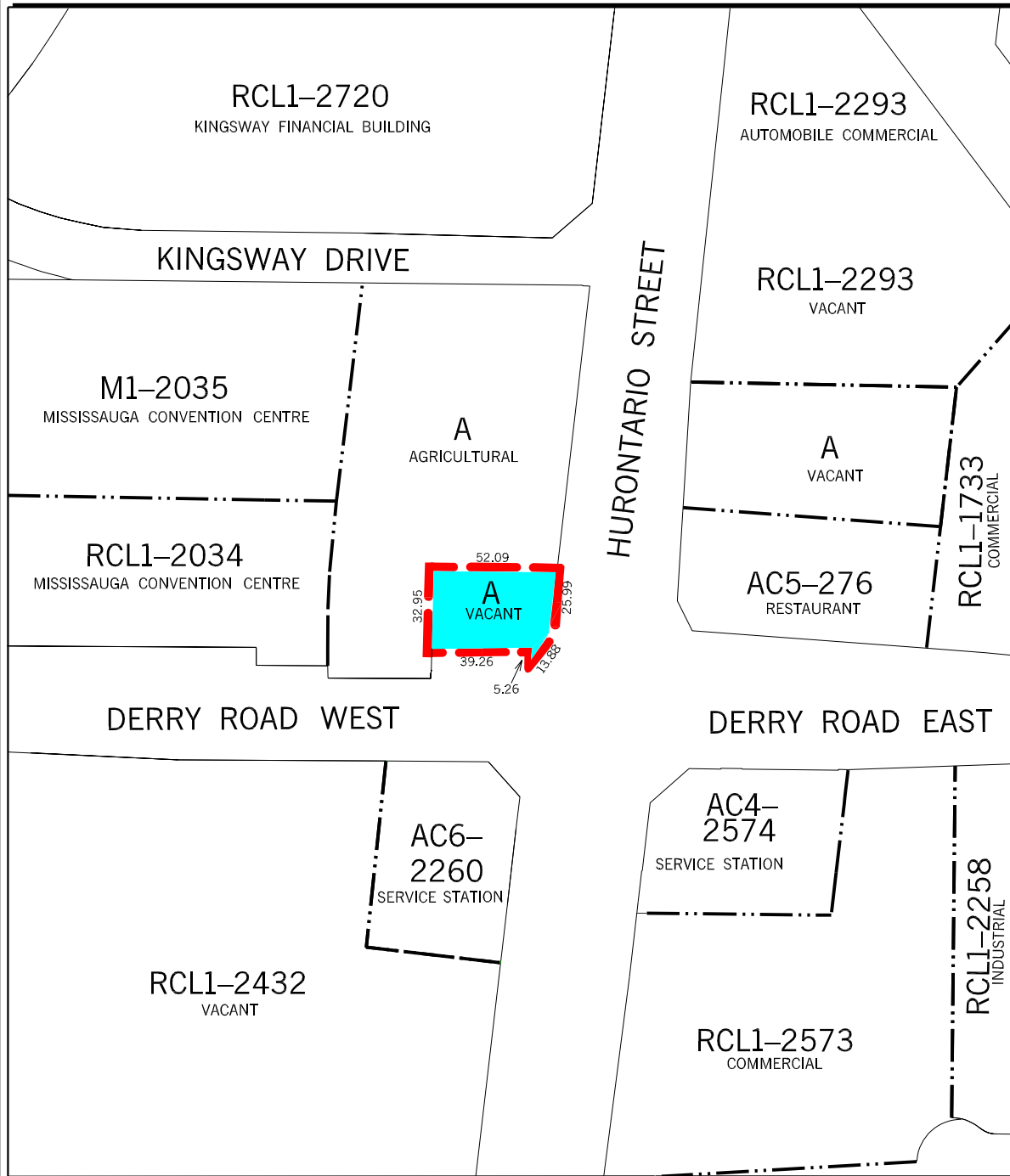
**PDC DATE:**  
2007 01 08

**DRAWN BY:**  
R.DICOSOLA

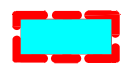
APPENDIX I-3

**MISSISSAUGA**  
Planning and Building

Produced by  
**T&W, Geomatics**



**LEGEND:**

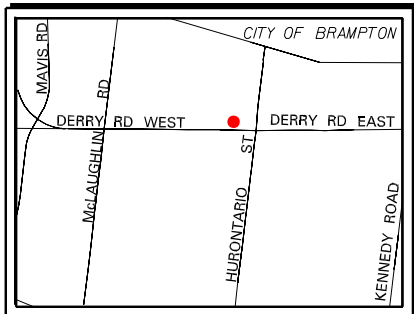


PROPOSED REZONING "A" (AGRICULTURE) TO "RCL1-SPECIAL SECTION" (RESTRICTED COMMERCIAL) TO PERMIT BUSINESS EMPLOYMENT USES, INCLUDING OFFICES.

**NOTE:** EXISTING ZONING DELINEATED ON THE PLAN PROPOSED ZONING INDICATED BY SHADING WITHIN THE APPLICATION AREA.



**SUBJECT:**  
**P. GABRIELE & SONS LIMITED**

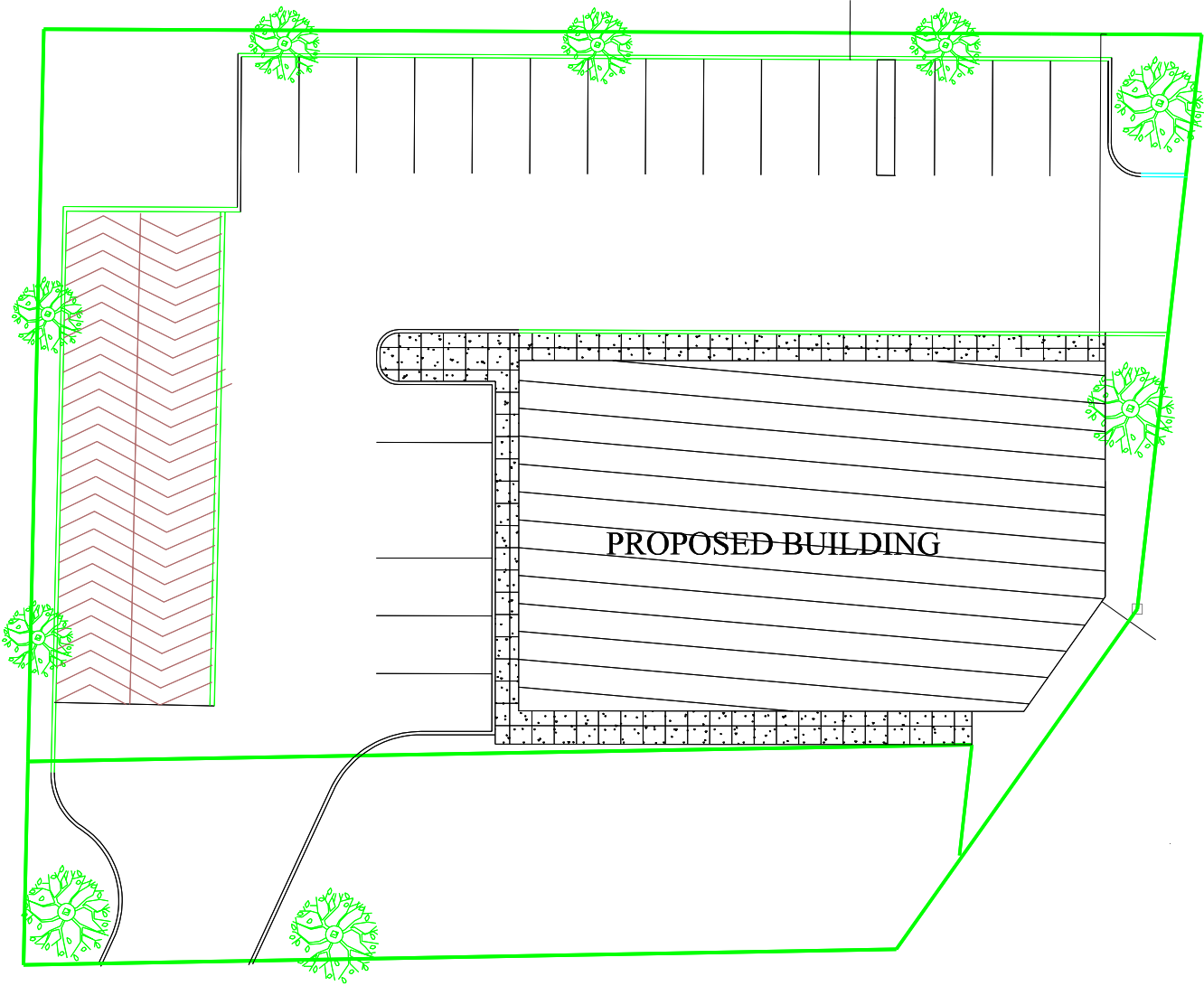


FILE NO: OZ 06/016 W5	APPENDIX 14
DWG. NO: 06016R	
SCALE: 1:2500	
PDC DATE: 2007 01 08	
DRAWN BY: R.DICOSOLA	

**MISSISSAUGA**  
Planning and Building

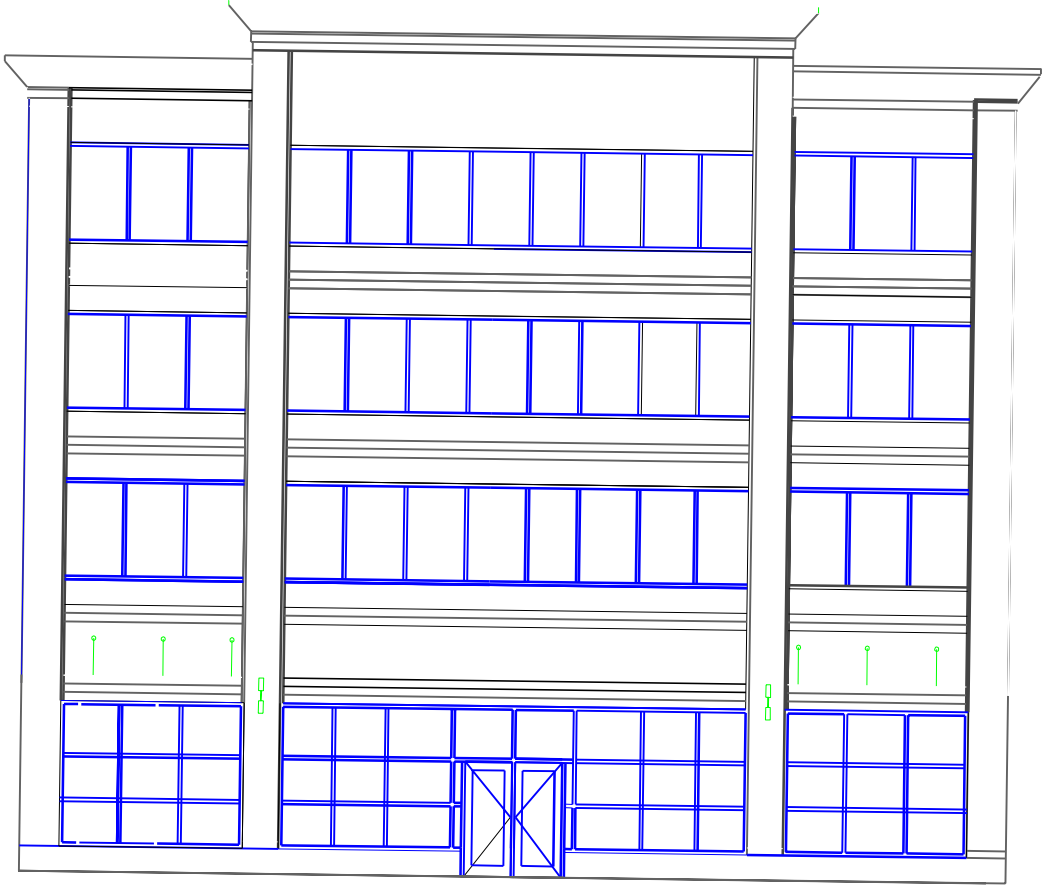
Produced by  
**T&W, Geomatics**

(DERRY WEST ANGLICAN CHURCH  
& CEMENTRY AJGW-367)



DERRY ROAD WEST

HURONTARIO STREET



P. Gabriele &amp; Sons Limited

File: OZ 06/016 W5

### Agency Comments

The following is a summary of comments from agencies and departments regarding the application.

Agency / Comment Date	Comment
Greater Toronto Airports Authority (November 27, 2006)	The maximum allowable development elevation for the subject lands is approximately 261 m (856 ft.) Above Sea Level (ASL) to 287 m (941 ft.) ASL. As the lands lie within the 35-40 NEF/NEP noise contours, acoustic design features should be incorporated into the design of the building.
Region of Peel (November 17, 2006)	<p>Municipal water services consist of a 400 mm (15.7 in.) diameter watermain on Hurontario Street, a 400 mm diameter watermain on Derry Road West and a 750 mm (29.5 in.) diameter watermain on Derry Road West. Municipal sanitary services consist of a 375 mm (14.7 in.) diameter sanitary sewer on Derry Road West, west of the subject property. The subject lands are not located within the vicinity of a landfill. On-site waste collection will be required through a private waste hauler.</p> <p>The Region is currently undergoing an intersection improvement project of Derry Road and Hurontario Street and additional property over and beyond the Official Plan may be required as a result of the design requirements. At the Site Plan stage of development, the owner/applicant is required to gratuitously convey to the Region, in fee simple and free from all encumbrances, a road widening to accommodate the required intersection improvement at Derry Road and Hurontario Street or meet the Official Plan requirement of 45 m (147.6 ft.) whichever is greater, a 0.3 m (1.0 ft.) reserve behind the property line along the frontage of Derry Road in order to restrict ingress and egress from the lands, and a 15 m x 15 m (49.2 ft.) daylight triangle.</p> <p>The Traffic and Transportation Engineering section is not in favour of the right in/right out access on Derry Road located approximately 60 m (196.8 ft.) from the centreline of</p>

P. Gabriele &amp; Sons Limited

File: OZ 06/016 W5

Agency / Comment Date	Comment
	<p>Hurontario Street. The potential weaving due to the entrance immediately west of the intersection will have safety and capacity implications to the through traffic. In addition, we have concerns with the proposed parking ramp located in the immediate vicinity of the proposed right in / right out access. The traffic operation at the parking ramp will obstruct the traffic flow at the access creating queuing within the access spilling onto Derry Road adversely affecting the traffic flow on Derry Road and creating unsafe conditions.</p> <p>The owner/applicant is required to submit a detailed Traffic Impact Study to the Region detailing safety and capacity implications on the Regional Road Network. Staff have reviewed the Phase 1 and Phase 2 Environmental Site Assessment Report, dated August, 2000, and concur with the test methodology and results of the report.</p>
<p>City Community Services Department – Planning, Development and Business Services Division (November 2, 2006)</p>	<p>Prior to the Supplementary Report, the applicant shall submit and receive approval for a Tree Preservation Plan and make any adjustments to the development proposal based upon the recommendations of the study; shall submit and receive approval for a Heritage Impact Statement given that the property is adjacent to the City-owned and Heritage Registered Derry West Cemetery (P-407); shall define the eastern limits of the Cemetery through a detailed property records search and a survey of the property; and finally shall revise the plan to incorporate a 4.57 m (14.9 ft.) structural setback from the eastern boundary of Derry West Cemetery.</p> <p>Prior to the enactment of the implementing Zoning By-law, cash contributions will be required for the planting of a double row of street trees along Hurontario Street; cash contributions will be required for trail signage along the perimeter of the site; securities will be taken to ensure for any clean up that may be required on the Cemetery lands; and finally, securities will be taken to ensure for the preservation of trees within the Cemetery.</p>

P. Gabriele &amp; Sons Limited

File: OZ 06/016 W5

Agency / Comment Date	Comment
	<p>Through the Site Plan Approval process, the applicant will be required to install hoarding along the property boundary between the site and Derry West Cemetery; and subsequently fencing will be required between the Cemetery property and the subject site that respects the historic character of the Cemetery.</p> <p>Prior to the issuance of building permits for the site, cash-in-lieu for park or other public recreational purposes is required pursuant to the <i>Planning Act</i> and in accordance with City's Policies and By-laws.</p> <p>Given the concern for the potential for deeply buried human remains, the applicant will be required to hire a licensed archaeologist to be on site to monitor the grounds during any excavation of the subject property.</p>
City Community Services Department – Fire and Emergency Services Division (November 20, 2006)	The application has been reviewed from an emergency response perspective and there are no concerns. Emergency response time to the site and water supply available are acceptable. Compliance with By-law 1036-81 and the Ontario Building Code will be assessed through the review of site plans and the building permit review process.
City Transportation and Works Department (November 23, 2006)	<p>This Department is in receipt of a Phase 1 and 2 Environmental Site Assessment (ESA) prepared by Soils Engineers which requires additional information regarding the potential for contamination from the previous service station land use. Furthermore, a letter of reliance shall be provided from the applicant's Environmental Consultant allowing the City to rely on the findings of the Phase 1 and 2 ESA and Soils Investigation report.</p> <p>The applicant will also be required to submit a concept plan which depicts how access is to be provided to the adjacent properties to the north and ultimately to the surrounding road network. This Department will require a copy of the Traffic Impact Study as requested by the Region of Peel.</p>



**P. Gabriele & Sons Limited****File: OZ 06/016 W5**

<b>Agency / Comment Date</b>	<b>Comment</b>
	<p>The applicant has been advised to have due regard for the existing transit stops/facilities at the intersection of Hurontario Street and Derry Road as part of the site concept design. Further detailed comments/conditions will be provided prior to the Supplementary Meeting pending the review of the foregoing.</p>
<p>Other City Departments and External Agencies</p>	<p>The following City Departments and external agencies offered no objection to the application provided that all technical matters are addressed in a satisfactory manner:</p> <ul style="list-style-type: none"> <li>- Bell Canada</li> <li>- Canada Post</li> <li>- Development Services, Planning and Building Department</li> <li>- Economic Development Office</li> <li>- Enersource Hydro Mississauga</li> </ul>
	<p>The following City Departments and external agencies were circulated the application but provided no comments:</p> <ul style="list-style-type: none"> <li>- City of Brampton</li> <li>- Enbridge Gas Distribution Inc.</li> <li>- Enbridge Pipelines Inc.</li> <li>- Hydro One Networks Inc.</li> <li>- Ministry of Transportation</li> <li>- Realty Services</li> <li>- Rogers Cable</li> <li>- Union Gas Limited Pipelines</li> </ul>

CITY OF BRAMPTON

