



Corporate Report

Clerk's Files

Originator's
Files OZ 08/013 W11

DATE: March 24, 2009

TO: Chair and Members of Planning and Development Committee
Meeting Date: April 14, 2009

FROM: Edward R. Sajecki
Commissioner of Planning and Building

SUBJECT: **Information Report**
Official Plan Amendment and Rezoning Applications
To permit a hotel and accessory commercial uses
290 Derry Road West
South side of Derry Road West, east of McLaughlin Road
Owner: 1706201 Ontario Inc.
Applicant: Greg Dell and Associates
Bill 51

Public Meeting

Ward 11

RECOMMENDATION: That the Report dated March 24, 2009, from the Commissioner of Planning and Building regarding the applications to amend the current "Business Employment - Special Site 4" Official Plan provisions applying to the lands, and to change the Zoning from "D" (Development) to "E2-Exception" (Employment), to permit a hotel and accessory commercial uses, under file OZ 08/013 W11, 1706201 Ontario Inc., 290 Derry Road West, south side of Derry Road West, east of McLaughlin Road, be received for information.

BACKGROUND: The above-noted applications have been circulated for technical comments. A community meeting has not been held. The purpose of this report is to provide preliminary information on the applications and to seek comments from the community.

COMMENTS:

The applications have been filed to allow for the construction of a six storey hotel facing Derry Road West, and a one storey, free standing accessory commercial building to the rear. Details of the proposal are as follows:

Development Proposal	
Applications submitted:	September 12, 2008, deemed to be complete on October 7, 2008
Proposed Gross Floor Area:	Hotel – 7 481 m ² (80,527 sq. ft.) Commercial Building – 1 038 m ² (11,173 sq. ft.) Total – 8 519 m ² (91,698 sq. ft.)
Height:	Hotel - six storeys Commercial Building - one storey
Lot Coverage:	15.36%
Landscaped Area:	39.25% (includes greenbelt lands associated with Fletcher's Creek)
Parking Required:	188 spaces
Parking Provided:	191 spaces
Supporting Documents:	Preliminary site plan and site servicing/grading plans Soil investigation report Functional storm report Phase one environmental report Geotechnical report Archaeological report Planning rationale report

Site Characteristics	
Frontage:	92.33 m (302.8 ft.), along Derry Road West
Depth:	Irregular
Net Lot Area:	1.49 ha (3.68 ac.)
Existing Use:	The lands are currently vacant.

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

Green Development Initiatives

There have been no green development initiatives identified by the applicant at this time.

Neighbourhood Context

The subject property is located within a developing business employment area, on the edge of a recently constructed residential community to the west which includes a range of housing types (detached and semi-detached homes and townhouses), parks and commercial space. At one time, the lands formed part of a larger parcel that extended to the south, owned by St. Ilija Macedonian Church. The majority of these lands are now owned by the City, with certain portions (including the subject lands) retained by the church and sold for development purposes.

Land uses on the property and for much of the surrounding area are restricted by the Greater Toronto Airports Authority given overhead aircraft noise, and exclude residential and other sensitive uses. The parcel slopes back from the road to the south, and may incorporate a portion of the Fletcher's Creek floodplain. The lands are presently vacant. Information regarding the history of the site is found in Appendix I-1.

The surrounding land uses are described as follows:

- North: A law office and rural lands with detached dwellings designated for employment purposes, and a commercial plaza under construction;
- East: Rural lands with detached dwellings designated for employment purposes;
- South: Fletcher's Creek and associated floodplain lands (under the ownership of the City);
- West: Rural lands with detached dwellings designated for employment purposes, detached and semi-detached dwellings beyond the future southward extension of Saint Barbara Boulevard.

Current Mississauga Plan Designation and Policies for the Meadowvale Village District (May 5, 2003)

"Business Employment - Special Site 4" which permits an integrated mix of business activities that operate mainly within enclosed buildings. The Meadowvale Village District Policies limit the range of employment uses permitted from that of the general "Business Employment" provisions contained within the Official Plan, and do not include the proposed hotel and accessory retail commercial uses requested. Hence, the applications are not in conformity with the current land use designation.

The Special Site 4 provisions apply to the subject lands, which permit as an additional use, a Place of Religious Assembly and related passive recreational uses. These provisions are a hold over from when the subject parcel formed part of the lands to the south as noted above, to which the special site provisions also apply.

There are other policies in the Official Plan which also are applicable in the review of these applications including:

Urban Design Policies:

Section 3.18 of Mississauga Plan provides for policies which speak to appropriate built form and scale, streetscape and context, and compatibility with the surrounding built form. Given the location of the site on a major road, and its prominence at the eastern entrance to the Meadowvale Village area, site and building design will be important.

Environmental Policies:

As noted above, Fletcher's Creek flows to the rear of the subject lands on property owned by the City, and is designated in the Official Plan as "Greenbelt". A portion of the floodplain may exist on the property. Fletcher's Creek is identified on Schedule 3, Environmental Areas of Mississauga Plan as a Natural Area, and is located within the regulatory storm floodplain. Section 3.15.3.2, which contains policies in this regard, states that any development is subject to the Natural Hazard policies which generally prohibit development on lands subject to flooding. If, through the

submission of detailed studies and a satisfactory review by the Conservation Authority and City, certain lands are determined to not be within the floodplain, development can proceed in accordance with policies for Natural Hazards and the underlying land use designation.

Aircraft Noise Policies:

The subject lands are located within the Lester B. Pearson International Airport Operating Area. Policies within Section 3.11.2. indicate that, subject to certain other provisions, new development for residential and other sensitive land uses (i.e. hospitals, nursing homes, daycares, and schools) will not be permitted. For hotels affected by an NEP/NEF of 30 or greater (includes the subject lands), it is recommended that a noise study be completed prior to development approval, to determine appropriate acoustical design criteria. See Greater Toronto Airports Authority comments in Appendix I-7 for additional information.

Criteria for Site Specific Official Plan Amendments

Section 5.3.2 of Mississauga Plan contains criteria which requires an applicant to submit satisfactory planning reports to demonstrate the rationale for the proposed amendment as follows:

- the proposal would not adversely impact or destabilize the following: the overall intent, goals and objectives of the Official Plan; and the development and functioning of the remaining lands which have the same designation, or neighbouring lands;
- the proposed land use is suitable for the proposed uses, and compatible with existing and future uses of surrounding lands;
- there is adequate infrastructure and community services to support the proposed development.

Proposed Official Plan Designation and Policies

The applicant is proposing to amend the current "Business Employment - Special Site 4" designation applying to the lands to

also permit hotels, motels and conference centres, and to permit accessory commercial uses not exceeding 1 038 m² (11,173 sq. ft.).

Existing Zoning

"D" (Development), which permits a building or structure legally existing on the date of the passing of By-law 0225-2007, and the existing legal use of such building or structure. The erection of new buildings or structures and the enlargement or replacement of existing buildings and structures shall not be permitted.

Proposed Zoning By-law Amendment

"E2-Exception" (Employment), to permit the following uses for the lands:

- overnight accommodation;
- banquet/conference/convention centre;
- restaurant;
- medical office;
- financial institution;
- accessory retail commercial and personal service establishment uses to the above, to a maximum of 1 038 m² (11,173 sq. ft.).

The applicant has also requested that parking be setback a minimum of 3.5 m (11.5 ft.) from any greenbelt area, as opposed to the 5.0 m (16.4 ft.) required by the 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. There is a long narrow parcel of land designated "Business Employment" located immediately to the west. The dimensions of the parcel are unknown as the alignment of Saint Barbara Boulevard has not been

confirmed. Further, the applicant has shown grading works on this property which may not be acceptable. Although the applicant's conceptual site plan shows a potential future connection between the two properties, additional work will need to be undertaken to demonstrate how this remnant parcel can be dealt with in the future.

Based on the comments received and the applicable Mississauga Plan policies, the following matters will have to be addressed:

- Delineation of the limits of development, and determination of the appropriate locations for parking areas and retaining walls, and their setbacks from any greenbelt areas, to the satisfaction of the Credit Valley Conservation. If it is determined that greenbelt lands form part of the subject property, the applications may need to be amended to reflect their zoning and designation as a greenbelt area;
- A review of the orientation of the buildings on the lands, and their relationship with all street frontages, both from an urban design and safety perspective;
- Location of vehicular access and servicing connections, having regard for future road connections in the immediate vicinity. This may require the applicant to enter into agreements with adjoining landowners;
- Submission of a Stage 2 Archaeological Assessment;
- Submission of a Traffic Impact Study, to the satisfaction of the Region of Peel, and the dedication of any required road widenings;
- The identification of any sustainable green technology to be used in the proposed development.

OTHER INFORMATION

Development Requirements

In conjunction with the proposed development, there are certain other engineering and conservation matters with respect to roads and grading, 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: When all agency and City department comments have been received and after the public meeting has been held, the Planning and Building Department will be in a position to make a recommendation regarding these applications.

ATTACHMENTS:

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

Edward R. Sajecki
Commissioner of Planning and Building

Prepared By: Rob Hughes, Development Planner

1706201 Ontario Inc.

File: OZ 08/013 W11

Site History

- 2003 - Lands to the south of the subject property were acquired by the City from the St. Ilija Macedonian Church, which resulted in the subject lands becoming a separate parcel. Being predominantly outside of the floodplain, the subject lands were retained by the church and sold to other parties for development.
- May 5, 2003 - The Region of Peel approved the Mississauga Plan Policies for the Meadowvale Village District, designating the subject lands as "Business Employment - Special Site 4".
- June 20, 2007 – Zoning By-law 0225-2007 came into force except for those sites which have been appealed. As no appeals have been filed the provisions of the new By-law apply. The subject lands are zoned "D" (Development).

PART OF MEADOWVALE VILLAGE DISTRICT LAND USE MAP MEADOWVALE VILLAGE POLICIES OF MISSISSAUGA PLAN

LAND USE DESIGNATIONS

- Residential - Low Density I
- Residential - Low Density II
- Residential - Medium Density I
- General Commercial
- Convenience Commercial
- Motor Vehicle Commercial
- Business Employment
- Public Open Space
- Greenbelt
- Parkway Belt West
- Utility

TRANSPORTATION LEGEND

- Provincial Highway and Interchange
- Arterial
- Major Collector
- Minor Collector
- Local Road
- Major Transit Corridor

LAND USE LEGEND

- Heritage Conservation District
- LBPIA Operating Area Boundary - See Aircraft Noise Policies
(Note: In Meadowvale Village this includes all lands to the East.)
- Lands Exempt From LBPIA Operating Area
- Lands experiencing noise levels of greater than 35 NEF
- Proposed Stormwater Management Facility
- Existing Stormwater Management Facility
- 1996 NEP/2000 NEF Composite Noise Contours
- Planning District

Special Site Areas
(See Special Site Policies)

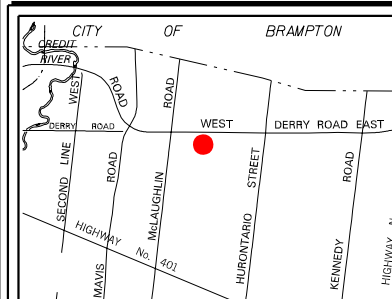
NOTE:
ANY PART OF THE ROAD NETWORK SHOWN
OUTSIDE THE CITY BOUNDARIES IS SHOWN
FOR INFORMATION PURPOSES ONLY.

SUBJECT LANDS



SUBJECT:

1706201 ONTARIO INC.



FILE NO:
OZ 08013 W11

DWG. NO:
08013L

SCALE:
N.T.S.

PDC DATE:
2009 04 14

DRAWN BY:
K. PROKOP

APPENDIX I-2

MISSISSAUGA
Planning and Building

Produced by
T&W, Geomatics



SAINT BARBARA
BOULEVARD

DERRY ROAD WEST

LONGVIEW
PLACE

ARROWSMITH
DRIVE

LEGEND:



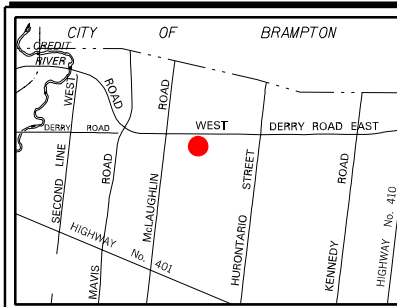
SUBJECT LANDS

DATE OF AERIAL PHOTO: 03 2008



SUBJECT:

1706201 ONTARIO INC.



FILE NO:

OZ 08013 W11

DWG. NO:

08013A

SCALE:

1:2500

PDC DATE:

2009 04 14

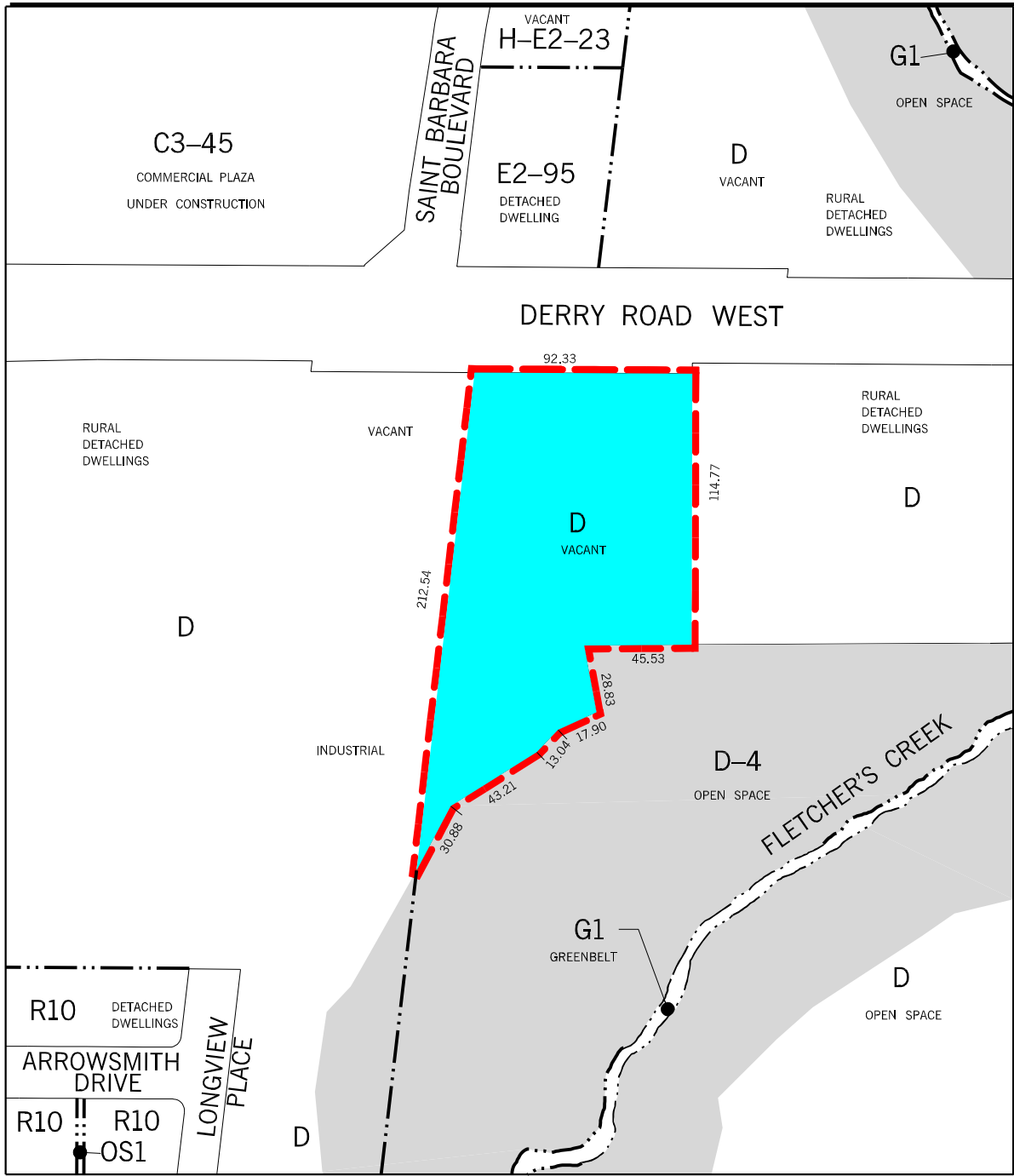
DRAWN BY:

K. PROKOP


MISSISSAUGA
Planning and Building


Produced by
T&W, Geomatics

APPENDIX I-3



LEGEND:

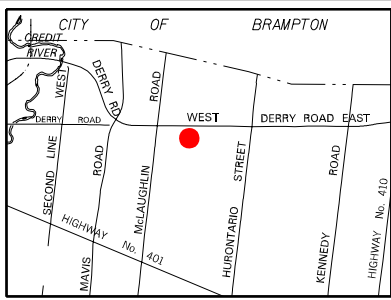
 **PROPOSED OFFICIAL PLAN AMENDMENT TO AMEND THE CURRENT "BUSINESS EMPLOYMENT-SPECIAL SITE 4" PROVISIONS APPLYING TO THE LANDS AND PROPOSED REZONING FROM "D" (DEVELOPMENT) TO "E2-EXCEPTION" (EMPLOYMENT) TO PERMIT A HOTEL AND ACCESSORY COMMERCIAL USES.**

 **GREENBELT OVERLAY**

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

SUBJECT:

1706201 ONTARIO INC.



CITY OF BRAMPTON

DERRY ROAD WEST

SECOND LINE ROAD

MAVIS HIGHWAY No. 401

MCLAUGHLIN ROAD

HURONTARIO STREET

KENNEDY ROAD

HIGHWAY No. 401

WEST

DERRY ROAD EAST

FILE NO:
OZ 08013 W11

DWG. NO:
08013R

SCALE:
1:2500

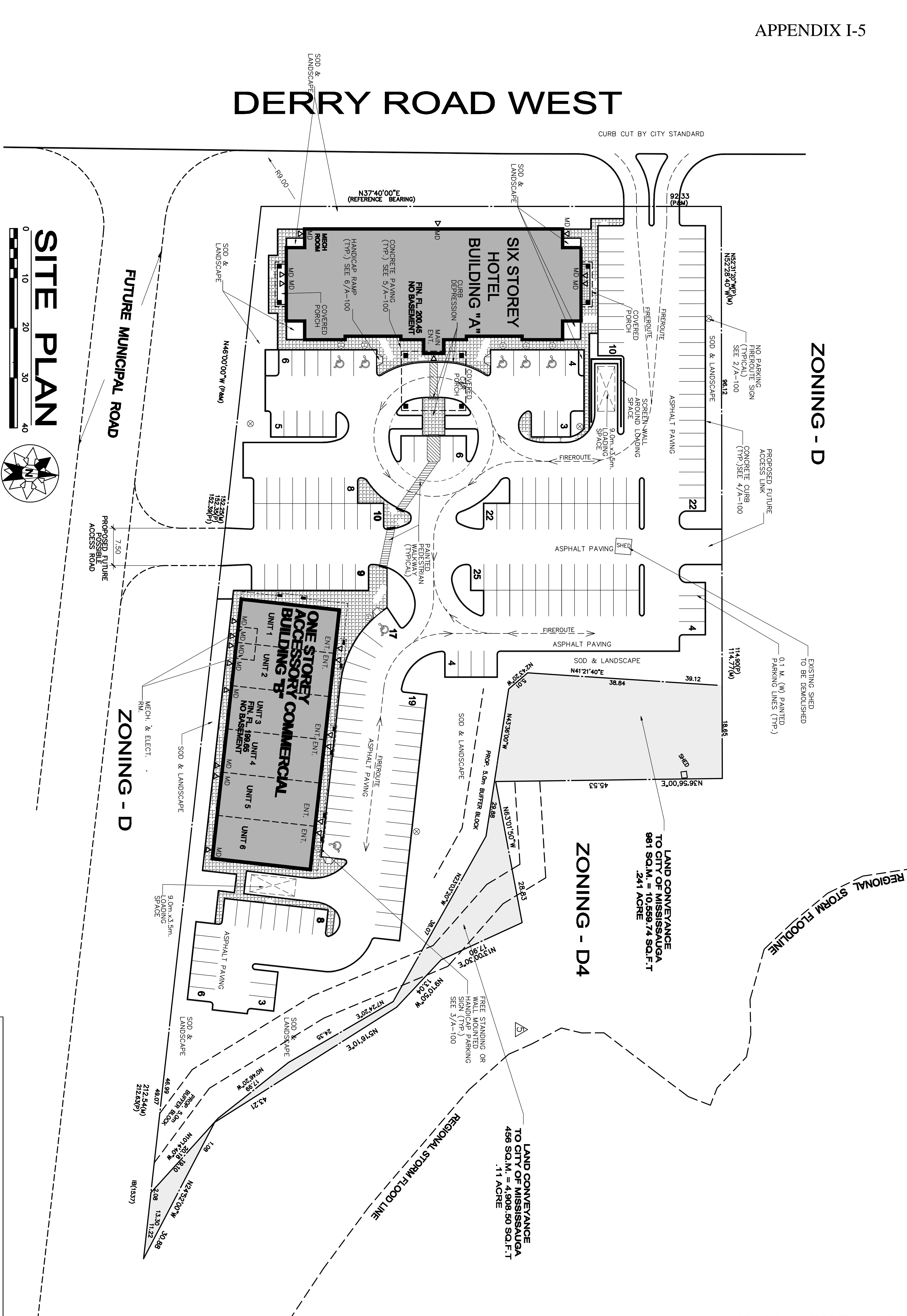
PDC DATE:
2009 04 14

DRAWN BY:
K. PROKOP

APPENDIX I-4

MISSISSAUGA
Planning and Building

Produced by
T&W, Geomatics



PROPOSED SIX STOREY HOTEL & ONE STOREY COMMERCIAL / RETAIL
DEVELOPMENT FOR
1706201 ONTARIO INC.
290 DERRY ROAD WEST CITY OF MISSISSAUGA



PROPOSED SIX STOREY HOTEL & ONE STOREY COMMERCIAL / RETAIL
DEVELOPMENT FOR
1706201 ONTARIO INC.
290 DERRY ROAD WEST CITY OF MISSISSAUGA



FRONT ELEVATION

(FACING PARKING LOT)

COMMERCIAL/RETAIL

1706201 Ontario Inc.

File: OZ 08/013 W11.

Agency Comments

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

Agency / Comment Date	Comment
<p>Greater Toronto Airports Authority (October 24, 2008)</p>	<p>According to the Airport Zoning Regulations for Toronto's Lester B. Pearson International Airport, development elevations on the subject property are affected by the Approach Surface for Runway 05 (future designation 05L) and the Approach Surface for proposed Runway 05R. The maximum allowable development elevation under the greater restriction (Approach Surface for proposed Runway 05R) ranges from approximately 277 m (908 ft.) Above Sea Level (A.S.L.) along the eastern boundary of the property to approximately 279 m (915 ft.) A.S.L. at the westernmost boundary. To calculate the maximum allowable height available for a structure on a property, the Finished Floor Elevation (FFE) of the structure would have to be subtracted from the maximum allowable development elevation stated for the property; in this case, the Approach Surface restriction for Runway 05R. When more detailed plans become available, please forward them to us for review.</p> <p>The subject property lies within the 35-40 NEF/NEP of the composite contour map for Toronto Pearson International Airport and within the Airport Operating Area (AOA). Noise contours depicting the Noise Exposure Forecast (NEF) and Noise Exposure Projection (NEP) are produced to encourage compatible land use planning in the vicinity of airports. Acoustic design features should be incorporated in the building components to the satisfaction of the City of Mississauga.</p>
<p>Region of Peel (November 24, 2008)</p>	<p>The subject land is located adjacent to the Fletcher's Creek. The Regional Official Plan (ROP) designates the Fletchers Creek as a Core Area of the Greenlands System in Peel, under Policy 2.3.2.6. Within this designation, ROP policies seek to protect environmental resources. The Region relies on the</p>

1706201 Ontario Inc.

File: OZ 08/013 W11.

Agency / Comment Date	Comment
	<p>environmental expertise of CVC staff for the review of development applications located within or adjacent to Core Areas of the Greenlands Systems in Peel and their potential impacts on the natural environment. Regional staff therefore, request that City staff consider comments from the CVC and incorporate their conditions of approval appropriately. Please be advised that Regional Planning staff is unable to support final approval of these applications until all environmental concerns have been addressed to the satisfaction of CVC.</p> <p>An existing 400 mm (16 in.)diameter watermain and an existing 300 mm diameter sanitary sewer are located on Derry Road West. The applicant is advised that storm water drainage will not be permitted onto Derry Road West. Staff have no objections to the proposed water and sewer servicing of the development. Detailed comments will be provided at the engineering stage. The subject lands are not located within the vicinity of a landfill site. The applicant is advised that on-site waste collection will be required through a private waste hauler.</p> <p>The Region will require a Traffic Impact Study which will address all accesses and possible road improvements to Derry Road West (Regional Road No.5). The proposed access onto Derry Road West (Regional Road No.5) will be restricted to right in/right out only. In addition, the Region's standard practice is to ensure all accesses are equipped with proper auxiliary lanes. Derry Road West (Regional Road No.5) has a right-of-way designation of 45 m (147 ft.). At the site plan stage the Region of Peel will require the gratuitous dedication of land to meet the Official Plan requirement of 22.5 m (74 ft.) from the centre line of Derry Road West. The Region will require a 15 m (49 ft.) x 15 m (49 ft.) daylight triangle at the northwest corner of the property to provide for the future roadway, and a 0.3 m (1 ft.) reserve along the frontage of Derry Road West behind the property line and the daylight triangle.</p>

1706201 Ontario Inc.

File: OZ 08/013 W11.

Agency / Comment Date	Comment
	<p>The proposal indicates that the access will be joint through the lands to the west. If this is the case, a legal easement between the two will be required for access and shall be registered on title. Furthermore, the access that exists for the property to the west will be under review as it will be used for something other than the approved use. In addition, the proposal will create access conflicts for the property to the east and south as this access will be blocked.</p>
Credit Valley Conservation (CVC) (February 19, 2009)	<p>The proposal is currently being reviewed by technical staff. Based on this agency's preliminary review, the following concerns have been identified and are to be addressed prior to the preparation of the Supplementary Report:</p> <ul style="list-style-type: none"> • Review of the applicant's proposal to grade and construct retaining walls within 5.0 m (16.4 ft.) of the top of bank setback; • Review of grading proposal on adjacent properties and within blocks which may be dedicated to the City as additions to the greenbelt; • Understanding the height and potential impacts, including maintenance, of retaining works (approximately 3.0 m (9.8) ft. high) adjacent to valley, in addition to potential slope stability concerns due to extensive placement of fill; • Consideration of the potential erosion impact from a proposed storm outlet on the valley and on the adjacent property owner; • Submission of additional information on the presence of shallow groundwater on-site; • Confirmation of the limits of development, and all hazard lands which may be dedicated to the municipality. <p>Additional and updated comments will be provided following technical review. Please note that a CVC permit will be required prior to any site works being initiated.</p>

1706201 Ontario Inc.

File: OZ 08/013 W11.

Agency / Comment Date	Comment
City Community Services Department – Planning, Development and Business Services Division (March 2, 2009)	<p>This Department notes that due to the site's proximity to Fletcher's Creek, and in accordance with the Stage 1 Archaeological Assessment recommendations, prior to the preparation of the Supplementary Report, the proponent shall carry out a Stage 2 Archaeological Assessment of the subject property. No grading or other soil disturbance shall take place on the subject property prior to the City and the Ministry of Culture having confirmed that all archaeological resource concerns have met licensing and resource conservation requirements.</p> <p>Should these applications be approved, and prior to the enactment of the implementing zoning by-law, hoarding will be required along City greenbelt lands. Further, in order to ensure protection and preservation of the City greenbelt lands, securities for any required restoration works, fencing, hoarding, and clean-up works will also be required.</p> <p>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 <i>Planning Act</i> (R.S.O. 1990, c.P. 13, as amended) and in accordance with City's Policies and By-laws.</p>
City Community Services Department – Fire and Emergency Services Division (February 6, 2009)	Fire has reviewed the applications from an emergency response perspective and has no concerns; emergency response time to the site and water supply available are acceptable. The site is to be developed in conformance with the OBC and By-law 1036-81 with respect to fire access and fire protection.
City Transportation and Works Department (March 6, 2009)	This Department stated that prior to the Supplementary Public Meeting, the applicant is required to provide an overall development concept which illustrates how vehicular access will be provided for the area. The applicant will also be required to provide an updated Functional Servicing Report which investigates locating the proposed storm outlet on the east side of the property to minimize the disturbance to the existing slope area. A maintenance access to the valley lands is

1706201 Ontario Inc.

File: OZ 08/013 W11.

Agency / Comment Date	Comment
	<p>also requested to be incorporated into the site design.</p> <p>Written confirmation that the long-term stable top-of-bank, hazard line and/or any required development setbacks have been established to the satisfaction of the local conservation authority will also be required. As the current proposal contemplates grading onto the external lands to the immediate west, the applicant is to provide written confirmation that satisfactory arrangements have been made with the adjacent landowner.</p> <p>Furthermore, a copy of the Traffic Impact Study requested by the Region of Peel is to be submitted to this Department for review. Comments on the above items will be finalized prior to the preparation of the Supplementary Report.</p>
Other City Departments and External Agencies	<p>The following City Departments and external agencies offered no objection to these applications provided that all technical matters are addressed in a satisfactory manner:</p> <ul style="list-style-type: none"> - City Economic Development Department - Enersource Hydro Mississauga
	<p>The following City Departments and external agencies were circulated the applications but provided no comments:</p> <ul style="list-style-type: none"> - City Realty Services Department - Hydro One Networks - Rogers Cable - Canada Post Corporation - Enbridge Gas Distribution - Enbridge Pipelines Inc. - Union Gas Limited Pipelines

