



Corporate Report

Clerk's Files

Originator's
Files OZ 11/018 W5

PDC APR 2 2013

DATE: March 12, 2013

TO: Chair and Members of Planning and Development Committee
Meeting Date: April 2, 2013

FROM: Edward R. Sajecki
Commissioner of Planning and Building

SUBJECT: **Official Plan Amendment and Rezoning Applications**
To permit a two-storey motor vehicle repair facility
Part of Lot 11, Concession 1, W.H.S, designated as Parts 1 & 2,
Plan 43R-13493
Northwest corner of Derry Road West and Hurontario Street
Owner: Antorisa Investments Ltd.
Applicant: Bousfields Inc.
Bill 51

Supplementary Report **Ward 5**

RECOMMENDATION: That the Report dated March 12, 2013, from the Commissioner of Planning and Building recommending refusal of the applications under File OZ 11/018 W5, Antorisa Investments Ltd., Part of Lot 11, Concession 1, W.H.S, designated as Parts 1 & 2, Plan 43R-13493, northwest corner of Derry Road West and Hurontario Street, be adopted in accordance with the following:

1. That City Council direct the City Solicitor, representatives from the appropriate City Departments and any necessary consultants, to attend the Ontario Municipal Board hearing on the subject applications in support of the recommendations outlined in the report dated March 12, 2013 from the Commissioner of Planning and Building.

2. That City Council provide the Planning and Building Department with the authority to instruct Legal Services staff on any modifications to the position deemed necessary during the Ontario Municipal Board hearing process, however, if there is a potential for settlement, then a report shall be brought back to Council by the City Solicitor.

**REPORT
HIGHLIGHTS:**

- No revised concept plans or updated comments have been received since the public meeting on September 4, 2012;
- The applicant appealed the applications to the Ontario Municipal Board on October 18, 2012. An OMB pre-hearing has been scheduled for March 18, 2013;
- The new Mississauga Official Plan (2011) was approved by the Ontario Municipal Board on November 14, 2012, save and except for certain appeals, some of which affect the subject applications;
- The proposed official plan amendment and rezoning applications do not represent good planning, are premature and should be refused.

BACKGROUND:

A public meeting was held by the Planning and Development Committee on September 4, 2012, at which time a Planning and Building Department Information Report (Appendix S-1) was presented and received for information.

At the public meeting, the Planning and Development Committee passed Recommendation PDC-0052-2012, which was subsequently adopted by Council and is attached as Appendix S-2.

No revised plans or updated information have been received by the Planning and Building Department since the Information Report (Appendix S-1) was at Planning and Development Committee. Issues with access, grading, stormwater management, encroachments, land dedication requirements, and compatibility with the proposed Light Rail Transit Corridor along Hurontario Street are unresolved.

Further, technical documents identified in the Information Report remain outstanding and include:

- revised Stormwater Management Report;
- revised Heritage Impact Statement;
- revised Traffic Impact Review;
- Parking Utilization Study;
- validations for the Phases 1 and 2 Environmental Site Assessments dated August 2000; and
- planning rationale supporting the proposed development in consideration of the Hurontario Light Rail Transit as per the Hurontario/Main Street Corridor Master Plan adopted by Council.

At the time of preparation of the Information Report, not all City department comments had been received. Additional technical documents such as a Composite Utility Plan and Streetscape Master Plan are also required.

On October 18, 2012, the Official Plan Amendment and Rezoning Applications were appealed to the Ontario Municipal Board by the property owner, Antorisa Investments Ltd. At the time of preparation of this report, a hearing date has yet to be scheduled. A pre-hearing date has been scheduled for March 18, 2013. The purpose of this report is to receive Council's direction on the applications and the appeals.

COMMENTS:

See Appendix S-1 - Information Report prepared by the Planning and Building Department.

COMMUNITY ISSUES

Correspondence expressing objection to the applications was received by:

- email dated February 2, 2012 from Brutto Consulting on behalf of the owner of 7091 Hurontario Street (located north of the subject property on the east side of Hurontario Street, opposite Kingsway Drive) and;
- letter dated September 4, 2012 from Carl Brawley of Glen Schnarr and Associates Inc. on behalf of the owner of 7020 Hurontario Street (located immediately north of the subject property).

Issues identified are summarized below:

Comment

The proposal does not maintain the long standing intent of the Official Plan wherein the proposed vehicular repair facility uses were not contemplated or deemed to be appropriate at this Gateway location.

Comment

The proposed motor vehicle repair facility is not an appropriate land use at this intersection and does not conform with the planning policies and objectives of the Hurontario Street corridor. The application proposes eight (8) garage bay doors exposed directly to the property to the north, municipally known as 7020 Hurontario Street, which is not compatible from an urban design perspective.

Response to Comments

The above comments are also of significant concern to the Planning and Building Department. Staff's responses are contained within the Planning Comments section of this report.

PLANNING COMMENTS

The Planning and Building Department has reviewed and evaluated the materials submitted by the applicant in support of the applications and the appeals in the context of: relevant provincial policies, municipal policies, comments received from various City departments, agencies and the public, and the applicant's planning rationale.

Provincial Policy Statement (PPS)

The PPS states that "Planning authorities shall not permit development in planned corridors that could preclude or negatively affect the use of the corridor for the purpose(s) for which it is

identified" and that "a land use pattern, density and mix of uses should be promoted that minimizes the length and number of vehicle trips and supports the development of viable choices and plans for public transit".

The proposed development of a two-storey motor vehicle repair facility at or near existing and future major transit stops and stations does not take into account the planned context of Hurontario Street as an urban, vibrant, higher density transit and pedestrian-oriented street. The proposal is not consistent with the PPS.

Growth Plan for the Greater Golden Horseshoe

The Growth Plan states that "major transit stations and intensification corridors will be designated in Official Plans and will be planned to achieve: a) increased residential and employment densities that support and ensure the viability of existing and planned transit service levels; and b) a mix of residential, office, institutional, and commercial development where appropriate.

Hurontario Street has been identified as an Intensification Corridor in Mississauga Official Plan (2011), where growth is to be directed to provide higher density mixed-use development supportive of planned higher order transit along Hurontario Street. The addition of another motor vehicle oriented use at the principal intersection of Hurontario Street and Derry Road West does not support the vision for intensification corridors.

Mississauga Plan (2003)

The Official Plan Amendment application was submitted when Mississauga Plan (2003) was the, in force, Official Plan. This development proposal requires an amendment to the 2003 Mississauga Plan Policies for the Gateway Planning District. As outlined in the Information Report, Section 5.3.2.1 of Mississauga Plan provides criteria for evaluating site specific Official Plan Amendments. The criteria is outlined below, followed by a

discussion of how the proposed application does not address the intent of the criteria.

"The proposal will not adversely impact or destabilize the overall intent, goals and objectives of the Official Plan; and the development or functioning of the remaining lands which have the same designation, or neighbouring lands."

The location of the subject property is significant in terms of City image, area character and streetscape. Hurontario Street and Derry Road is a principal intersection for transit and employment growth along the Hurontario Corridor between Provincial Highways 401 and 407. At the time the OPA and rezoning applications were submitted and deemed complete (January 13, 2012), the proposed motor vehicle repair use was in conformity with the applicable "Business Employment" land use designation under the Gateway District Policies of Mississauga Plan (2003). However, an Official Plan Amendment was submitted due to the proposed two storey height of the building; whereas the applicable Special Site 2 policies require buildings at the corners of Hurontario Street and Derry Road West to be a minimum of three storeys.

The general policies of Mississauga Plan discourage Motor Vehicle Commercial uses as a single use and from locating at important intersections. While the site specific policies recognize the two existing motor vehicle service station/gas bar sites at the southeast and southwest corners of Hurontario Street and Derry Road, these uses are encouraged to be redeveloped given their prominent location. Due to the limited size of the subject property and the importance of the Hurontario Street and Derry Road intersection, land consolidation is also encouraged in the site specific policies in order to facilitate useable development parcels that allow for intensified development that would promote Hurontario Street as a major transit corridor.

"The land is suitable for the proposed uses, and compatible with existing and future uses of the surrounding lands."

While the applicant has submitted building elevations that appear to propose a three storey building with a height of approximately 10.8 m (35.3 ft.), the proposed building is, in fact, only partially two storeys in order to provide sufficient ceiling height for vehicular lifts on the ground floor. Windows are proposed on all sides of the building to give the impression of a three storey building from the street. A third storey is not proposed, and the proposed parking calculations are based on the gross floor area provided for a 756.7 sq. m (8,145.3 sq. ft.) partial two storey motor vehicle repair building.

From an urban design perspective, the Hurontario Street and Derry Road intersection is a major node that has a number of important functions, such as facilitating transit use through intensification and establishing a high quality image for the street. The applicable design guidelines outlined in the Upper Hurontario Corridor – A Design Mandate for Excellence Document (March 1996) identifies the north sector of the Hurontario Corridor as a gateway into Mississauga and "a distinctive civic boulevard having a high profile and design standard". The proposed partial two storey motor vehicle repair facility with parking located between the streetline and the front building face, visible service bays exposed to the property to the north, vehicular access points close to the intersection, insufficient building setbacks, and substandard landscaping and architectural gateway features does not satisfy the design guidelines or support the City's vision for the Hurontario Street and Derry Road intersection along the Hurontario Street corridor.

The proposed use with its significant design deficiencies will likely negatively impact the future development potential of lands with the same land use designation immediately north of the subject property, and discourage the redevelopment of the two existing motor vehicle service stations (located to the southeast and southwest) for more intensive, business employment (e.g. office)

development contemplated by the Official Plan at this high profile intersection.

"There are adequate infrastructure and community services to support the proposed development."

Vehicular access, grading, stormwater management, encroachments, land dedication requirements, and compatibility with the proposed Light Rail Transit Corridor along Hurontario Street are issues that remain outstanding. As a result, it has not been demonstrated that there is adequate infrastructure in place to support the proposed development. Notwithstanding these requirements, the proposal is not in keeping with the City's vision for the Hurontario Street corridor.

Hurontario/Main Street Corridor Master Plan Study (2010)

In July 2010, City Council endorsed the Hurontario/Main Street Corridor Master Plan Study. The Master Plan is a vision for Hurontario Street/Main Street as a Light Rail Transit Corridor that accommodates anticipated growth and transportation demands, and which complements and complies with both the Province of Ontario's Places to Grow legislation and Metrolinx's The Big Move Regional Transportation Plan. A Preliminary Design Study is now underway. A Light Rail Transit station is proposed at the intersection of Hurontario Street and Derry Road. In order to support the planned higher order transit, supportive land uses and densities are required along Hurontario Street.

Mississauga Official Plan (2011)

In 2011, the City of Mississauga adopted Mississauga Official Plan that takes a contemporary approach to land use planning in Mississauga, with a focus on integrating land use, transportation and urban design and providing for growth in locations that are supported by existing and planned infrastructure. Mississauga Official Plan was partially approved by the Ontario Municipal Board on November 14, 2012, save and except for certain appeals, some of which affect the subject applications.

The subject lands are located within the Gateway Corporate Centre. Corporate Centres represent major employment concentrations outside of the Downtown and are also considered Intensification Areas. The Gateway Corporate Centre is envisioned to be one of the premier office areas in Mississauga, with the greatest concentration of office development centered around major transit stations along the Hurontario Street Corridor, including the proposed Light Rail Transit Station at the intersection of Hurontario Street and Derry Road. The creation of office concentrations at major transit stations is critical to support the infrastructure investment in Light Rail Transit.

The subject lands continue to be designated "Business Employment" in Mississauga Official Plan (2011) but the designation no longer permits motor vehicle commercial uses as it did in Mississauga Plan (2003). The Gateway Corporate Centre, Business Employment land use policies are currently under appeal, and, as a result, the Gateway District Policies in Mississauga Plan (2003) remain in effect. Notwithstanding that the proposed motor vehicle repair facility is a permitted use under the Mississauga Plan (2003) policies, regard shall also be had for the Council endorsed Hurontario/Main Street Corridor Master Plan and the new official plan. Further, amendments to Mississauga Official Plan are proposed for the Gateway Corporate Centre Character Area to implement the findings of the Hurontario/Main Street Corridor Master Plan (2010).

Currently, lands in the Gateway Corporate Centre are generally designated "Business Employment" which permits a range of uses, some of which are land extensive and auto-dependent, such as warehousing and manufacturing. These types of uses are not supportive of the vision for Hurontario Street as a higher density mixed use corridor with Light Rail Transit. As a result, significant policy changes are proposed for the Gateway Corporate Centre Character Area, which are outlined in the Corporate Reports titled "Proposed Amendments to Mississauga Official Plan (2011) for the Gateway Corporate Centre Character Area" dated August 28, 2012 and September 25, 2012 summarized as follows:

- Identify the Hurontario Street Intensification Corridor and add policies to accommodate additional employment growth in support of the proposed Light Rail Transit system;
- Identify additional road network to allow integration of land uses within the Hurontario corridor;
- Identify major transit station locations and direct the largest concentration of density to these areas;
- Redesignate lands from "Business Employment" to "Office" to ensure the appropriate form of development occurs at the Major Transit Stations and along the frontage lands of the corridor, in support of the proposed Light Rail Transit system;
- Prohibit land extensive, auto dependant uses from fronting the corridor, including gas bars and car washes; and
- Establish a Public Realm Plan and built form standards to guide development in the Corporate Centre over the next 30-50 years.

These proposed changes and public submissions received at the statutory public meeting held on October 15, 2012 are currently under review by city staff. The recommendations are expected to be presented to City Council early fall 2013. Given the detailed draft policies developed to articulate the vision of the approved Hurontario/Main Street Corridor Master Plan (2010), and the lack of supporting studies for the proposed motor vehicle commercial use within the Gateway Corporate Centre Character Area, consideration of the subject applications is premature.

Policy Summary

The proposed partial two storey motor vehicle repair building with eight loading bays, visible parking, insufficient building setbacks, insufficient landscaped buffers, and frontage onto a major transit corridor does not support the goals and objectives of Mississauga Plan (2003), Mississauga Official Plan (2011) or the Hurontario/Main Street Corridor Master Plan (2010). Further, the proposal negatively impacts the future development of neighbouring properties that have the same land use designation.

Zoning

The existing "D" (Development) zoning is proposed to be amended to "E2-Exception" (Employment) to permit a Motor Vehicle Repair Facility - Restricted with exceptions for the reduced front yard and exterior side yard setbacks, reduced depth of landscaped buffers along all property lines, and a reduction in the amount of required parking. These exceptions are based on the concept plan dated October 5, 2011, which is attached as Appendix S-3 with the requested zone exceptions detailed in Appendix S-4. The concept plan in Appendix I-5 and proposed zoning standards outlined in Appendix I-9 within the Information Report were based upon an earlier dated plan, which was also submitted with the development applications. There are slight differences between the plans including the amount of parking proposed and the depth of the westerly landscaped buffer. The applicant has confirmed that it is the most recent plan that should be used.

While a built form which is urban in character with respect to reduced setbacks to the street is proposed, a 0.3 m (0.98 ft.) front and exterior side yard setbacks does not allow for a high standard of private realm streetscape design. Instead, it results in a parking space for persons with disabilities and the walkway to the main entrance of the building encroaching onto the City-owned right-of-ways, such that only one tree is proposed on private property along Hurontario Street. Significant landscaped buffer reductions are proposed on all sides of the property. The proposed landscaped buffer depths vary from 0.3 m (0.98 ft.) along the majority of the Derry Road West and Hurontario Street frontages, 1.5 m (4.92 ft.) along the westerly property line to the Derry West Cemetery, and 0.89 m (2.93 ft.) along the majority of the north property line, which does not allow for mitigation of visual impacts of the proposed service bays and parking lot onto the abutting development parcel to the north. Further, a site deficiency of 10 parking spaces, including 1 space for persons with disabilities is proposed for a site where off-street parking along Derry Road West and Hurontario Street is not an alternative.

The proposed partial two-storey motor vehicle repair facility requires exceptions to the "E2" (Employment) base zone, and would result in adverse impacts to the streetscape, abutting properties and the overall functionality of the site. Further, as lands at major intersections within the north sector of Hurontario Street, including Hurontario Street and Derry Road, are proposed to be redesignated to "office" in the amendments to Mississauga Official Plan (2011), the corresponding zoning would be "E1 – Exception" (Employment in Nodes). Review of the "E1" regulations, which are more restrictive than the "E2" regulations in terms of building setbacks, further demonstrates that the proposed setbacks and landscaped buffers are not appropriate.

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:

It has not been demonstrated that the proposed Official Plan Amendment and Rezoning are acceptable from a planning standpoint and, therefore, the application should not be approved for the following reasons:

1. The development as proposed does not support the overall intent, goals and objectives of Mississauga Plan (2003) or Mississauga Official Plan;
2. The proposed zoning standards are not appropriate to accommodate the requested use as encroachments will be required, and insufficient landscaping and parking are proposed for a property that is significant in terms of city image, area character and streetscape;
3. The proposed development is considered premature given the extensive policy review being undertaken for the Gateway Corporate Centre Character Area;

4. It has not been demonstrated that the proposed use is compatible with the Upper Hurontario Corridor design guidelines or the Hurontario/Main Street Corridor Master Plan Study;
5. Numerous outstanding technical concerns have not been addressed at the time of the preparation of this report.

ATTACHMENTS:

Appendix S-1: Information Report

Appendix S-2: Recommendation PDC-0052-2012

Appendix S-3: Concept Plan

Appendix S-4: Revised Proposed Zoning Standards

Edward R. Sajecki

Commissioner of Planning and Building

Prepared By: Stephanie Segreti, Development Planner



Corporate Report

Clerk's Files

Originator's

Files OZ 11/018 W5

PDC SEP 04 2012

DATE: August 14, 2012

TO: Chair and Members of Planning and Development Committee
Meeting Date: September 4, 2012

FROM: Edward R. Sajecki
Commissioner of Planning and Building

SUBJECT: **Information Report**
Official Plan Amendment and Rezoning Applications
To permit a two storey motor vehicle repair facility
Part of Lot 11, Concession 1, W.H.S., designated as Parts 1 & 2,
Plan 43R-13493
Northwest corner of Derry Road West and Hurontario Street
Owner: Antorisa Investments Inc.
Applicant: Bousfields Inc.
Bill 51

Public Meeting **Ward 5**

RECOMMENDATION: That the Report dated August 14, 2012, from the Commissioner of Planning and Building regarding the applications to amend Mississauga Plan from "Business Employment - Special Site 2" to "Business Employment - Special Site" and to change the Zoning from "D" (Development) to "E2 - Exception" (Employment), to permit a two storey motor vehicle repair facility under file OZ 11/018 W5, Antorisa Investments Inc., Part of Lot 11, Concession 1, W.H.S., designated as Parts 1 & 2, Plan 43R - 13493, be received for information.

**REPORT
HIGHLIGHTS:**

- Applications made to permit a two (2) storey motor vehicle repair facility (Active Green+Ross).
- Mississauga Plan policies permit a motor vehicle repair facility on the site; however, the new Mississauga Official Plan does not permit the use.
- Prior to the Supplementary Report, matters to be addressed include: the appropriateness of the proposed motor vehicle repair facility use for the site given the objectives for high-order office along Hurontario Street; the height and design of the building given the urban design objectives for Hurontario Street; and vehicular access concerns to the site.

BACKGROUND:

The above-noted applications have been circulated for technical comments. The purpose of this report is to provide preliminary information on the applications and to seek comments from the surrounding community.

COMMENTS:

Details of the proposal are as follows:

Development Proposal	
Applications submitted:	December 6, 2011 (Received) January 13, 2012 (Deemed Complete)
Height:	10.8 m (35.3 ft.)
Gross Floor Area:	756.7 m ² (8,145 sq. ft.)
Lot Coverage:	31.3%
Floor Space Index:	0.46
Landscaped Area:	10.4%
Parking Required:	33 spaces (2 required for persons with disabilities)
Parking Provided:	23 spaces (1 provided for persons with disabilities)
Supporting Documents:	Planning Justification Report Traffic Impact Review Building Initiatives Green Development Standards

Development Proposal	
	Arborist Report Heritage Impact Statement Stormwater Management Report Concurrence with Stage 1 & 2 Archaeological Assessment Memo

Site Characteristics	
Frontage:	26.0 m (85.3 ft.) on Hurontario Street
Depth:	52.1 m (170.9 ft.)
Net Lot Area:	1 637 m ² (17,621 sq. ft.)
Existing Use:	Vacant

Green Development Initiatives

The applicant has identified that green development initiatives will be addressed through the installation of permeable pavers where possible, the planting of new trees and native vegetation, the provision of bicycle parking in a weather-protected area and properly shielded exterior light fixtures. Additional information is provided in Appendices I-1 to I-9.

Neighbourhood Context

The subject property is located just south of the City of Brampton boundary and Highway 407. The site currently sits vacant with only a commercial billboard located on the lands. Information regarding the history of the site is found in Appendix I-1.

The surrounding land uses are described as follows:

- North: Vacant lands as well as an eight (8) storey office building, home to the Region of Peel offices, further north.
- East: A one storey restaurant (Grill One) and truck stop across Hurontario Street.
- South: A gas station (Husky) with vacant land further south across Derry Road West.
- West: Derry West Cemetery with the Mississauga Convention Centre further west.

Current Mississauga Plan Designation and Policies for Gateway (May 5, 2003)

"Business Employment" which permits an integrated mix of business activities that operate mainly within enclosed buildings, including, among others, industrial/manufacturing uses, offices, research and development, community uses, financial institutions, hotels, all types of restaurants, motor vehicle rental facilities and motor vehicle commercial uses. A motor vehicle repair facility is classified as a motor vehicle commercial use.

The site is also subject to the Gateway District Policies which are intended to encourage prestige development, accommodating a mix of manufacturing, distribution, research and development and office uses to take advantage of the system of highways and major roads and proximity to the airport. The Special Site 2 provisions of the Gateway District also apply to the four corners of Hurontario Street and Derry Road East/Derry Road West and Hurontario Street and Courtney Park Drive East/Courtney Park Drive West, as well as the Hurontario Street Corridor Development Policies (See Appendix I-8).

There are other policies in the Official Plan which also are applicable in the review of these applications including Urban Design policies (see Appendix I-8).

The proposed motor vehicle repair facility use is in conformity with the "Business Employment" land use designation, however, an Official Plan Amendment is required as the building has a proposed height of only two (2) storeys, whereas the Gateway District Special Site 2 policies require buildings at the corner of Hurontario Street and Derry Road East/Derry Road West to be a minimum of three (3) storeys.

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 lands are 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

"Business Employment - Special Site", to permit a two (2) storey motor vehicle repair facility.

Mississauga Official Plan (2011)

Mississauga Official Plan (2011) was adopted by City Council on September 29, 2010 and partially approved by the Region on September 22, 2011. Mississauga Official Plan (2011) has been appealed in its entirety; therefore, the existing Mississauga Plan (2003) remains in effect. While the existing Mississauga Plan (2003) is the plan of record against which the application is being reviewed, regard should also be given to the new Mississauga Official Plan (2011).

The new Mississauga Official Plan designates the subject lands as "Business Employment" which permits a broad range of employment type uses such as manufacturing, office and service uses, including restaurants. The "Business Employment" designation does not permit motor vehicle commercial uses. The subject lands are also located within the Gateway Corporate Centre, which is intended to serve as one of four prominent Corporate Centres within the City of Mississauga. The site is subject to the Special Site 1 provisions of the Gateway Corporate Centre, which apply to the four corners of Hurontario Street and Derry Road East/Derry Road West and Hurontario Street and

Courtneypark Drive East/Courtneypark Drive West (see Appendix I-8).

An amendment to the Mississauga Official Plan (2011) will be required to permit the proposed two (2) storey motor vehicle repair facility.

Existing Zoning

"D" (Development), which recognizes vacant lands not yet developed and/or permits the use that legally existed on the date of passing of By-law 0225-2007, until such time as the lands are rezoned in conformity with Mississauga Plan, in appropriate locations throughout the City. It permits a building or structure legally existing on the date of passing of this By-law and the existing legal uses of such building or structure.

Proposed Zoning By-law Amendment

"E2-Exception" (Employment), to permit a motor vehicle repair facility.

Details of the proposed exceptions to the "E2-Exception" (Employment) zone category are provided in Appendix I-9.

An amendment to the Mississauga Official Plan (2011) will be required should the appeals against the Plan be resolved prior to consideration of the supplementary report. Should an amendment be required, the lands should be zoned "E1-Exception" (Employment) as the corresponding zone category for lands designated Employment within a Corporate Centre is E1.

COMMUNITY ISSUES

No community meetings were held for the subject applications. A written submission was received by the Planning and Building Department on behalf of an adjacent land owner expressing concern over the motor vehicle repair facility proposed for the site

as the application is not in keeping with the intent of the Official Plan.

DEVELOPMENT ISSUES

Agency comments are summarized in Appendix I-7. Based on the comments received and the applicable Mississauga Plan policies the following matters will have to be reviewed:

Built Form

Policies in Mississauga Plan and Mississauga Official Plan require buildings in this area to be a minimum of three (3) storeys. The applicant is proposing a two (2) storey building that has the physical height of a typical three storey building at 10.8 m (35.3 ft.). It needs to be determined whether the proposed number of storeys, physical massing and location of the building is appropriate for the subject site given the requirement for any building to have prominence at this corner. Regard will also be given to the design guidelines as outlined in the *Upper Hurontario Corridor – A design mandate for excellence* document.

Streetscape

Staff will review the design of the proposed building to ensure that an appropriate main street storefront appearance and transparent façade is provided. The landscaping, lighting, screening of the parking lot and pedestrian connections will also be reviewed to protect for a pedestrian oriented main street along Hurontario Street.

Vehicular Access from Derry Road West

The City of Mississauga is undertaking the Hurontario Main Street Study. The land requirements for the study need to be determined, as potential road widenings or other land dedications may impact the subject site and the proposed development. The Region of Peel has indicated that it will not support a vehicular access point to the site on Derry Road West until it can be determined that a

westbound bus stop, as close to the Hurontario Street/Derry Road West intersection as possible, will not be prevented as a result of the subject proposal and any land dedication requirements identified through the Hurontario study.

Parking Utilization

A parking utilization study has not been submitted but will be required to properly review the proposed parking deficiency.

OTHER INFORMATION

Development Requirements

In conjunction with the proposed development, there are other matters which may 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:

Most 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 these applications.

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: Concept Plan
Appendix I-6: Elevations
Appendix I-7: Agency Comments
Appendix I-8: Mississauga Plan Policies

Appendix I-9: Proposed Zoning Standards

Appendix I-10: General Context Map

Edward R. Sajecki

Commissioner of Planning and Building

Prepared By: Jeff Markowiak, Development Planner

Antorisa Investments Inc.

File: OZ 11/018 W5

Site History

- May 5, 2003 – The Gateway District Policies and Land Use Map are approved by the Region of Peel, designating the lands as Business Employment.
- June 20, 2007 – Zoning By-law 0225-2007 came into force zoning the subject lands "D" (Development).
- December 1, 2009 – Mississauga Plan 40 came into effect, adding further policies and urban design principles to the Gateway District Policies.



LEGEND:



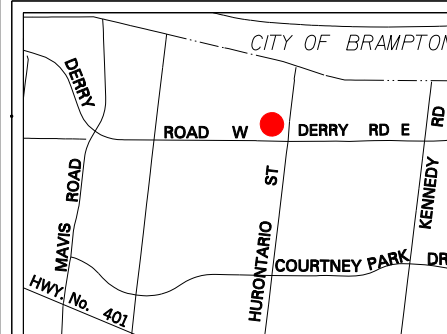
SUBJECT LANDS

DATE OF AERIAL PHOTO: 03 2011



SUBJECT:

ANTORISA INVESTMENTS LTD.



FILE NO:

OZ 11/018 W5

DWG. NO:

11018A

SCALE:

1:2500

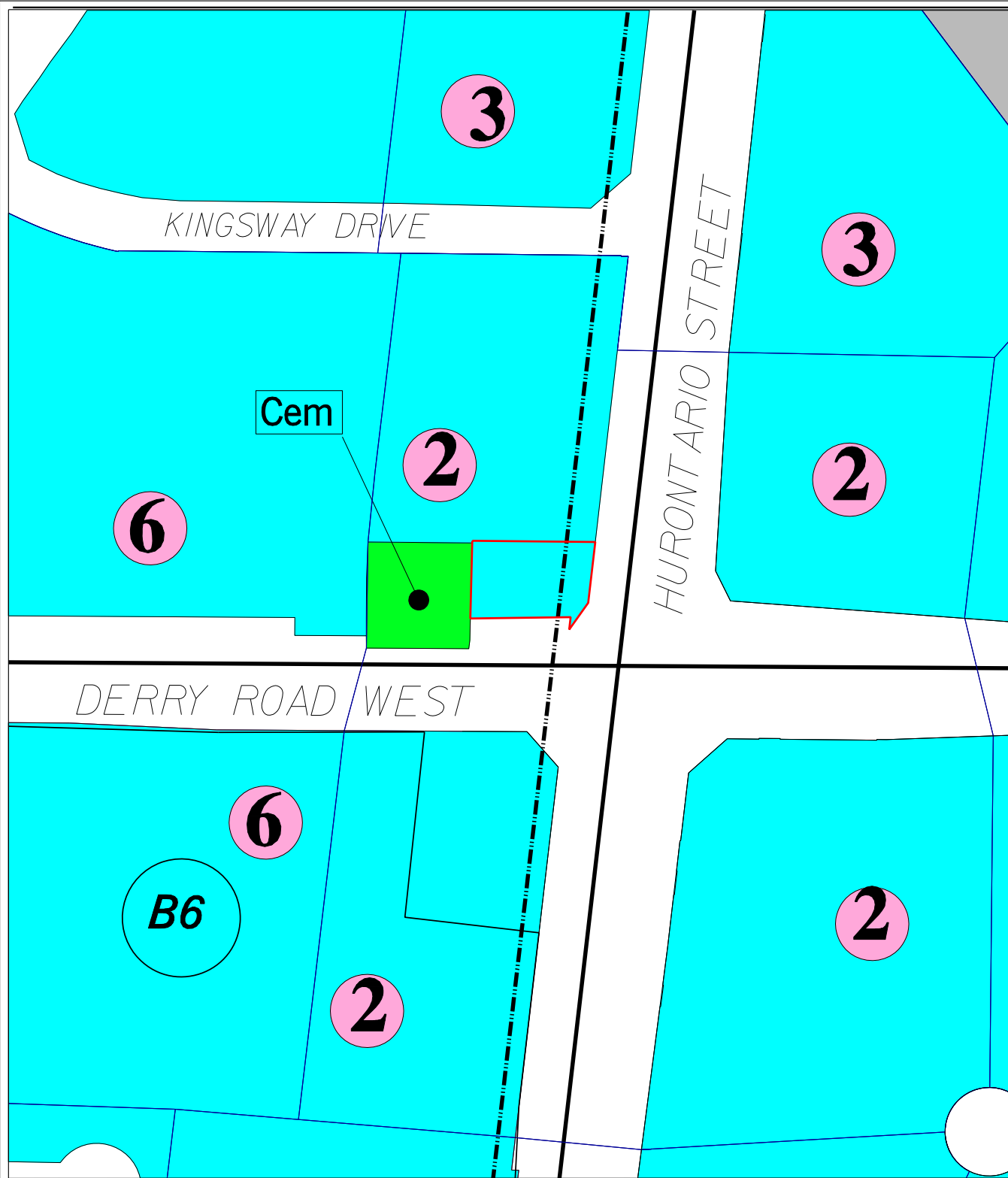
PDC DATE:

2012 09 04

DRAWN BY:

K. PROKOP

APPENDIX I-2



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

LAND USE DESIGNATIONS

- General Retail Commercial
- Motor Vehicle Commercial
- Business Employment
- Industrial
- Public Open Space
- Private Open Space
- Greenbelt
- Parkway Belt West
- Utility

TRANSPORTATION LEGEND

- Provincial Highway and Interchange
- Arterial
- Major Collector
- Major Collector (Scenic Route)
- Future Major Collector (conceptual)
- 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
- Cem – Cemetery
- Existing Stormwater Management Facility
- Proposed Stormwater Management Facility
- Special Site Areas (See Special Site Policies)
- 1996 NEP/2000 NEF Composite Noise Contours
- Planning District

SUBJECT LANDS

Amendment No. 95 Appealed to the Ontario Municipal Board

(B#) Appealed to the Ontario Municipal Board

*Amendment No. 95 Appealed to the Ontario Municipal Board.
Delete and replace with Higher Order Transit Corridor*

SUBJECT:
ANTORISA INVESTMENTS LTD.

FILE NO:
OZ 11/018 W5

DWG. NO:
11018R

SCALE:
1:2500

PDC DATE:
2012 09 04

DRAWN BY:
K. PROKOP

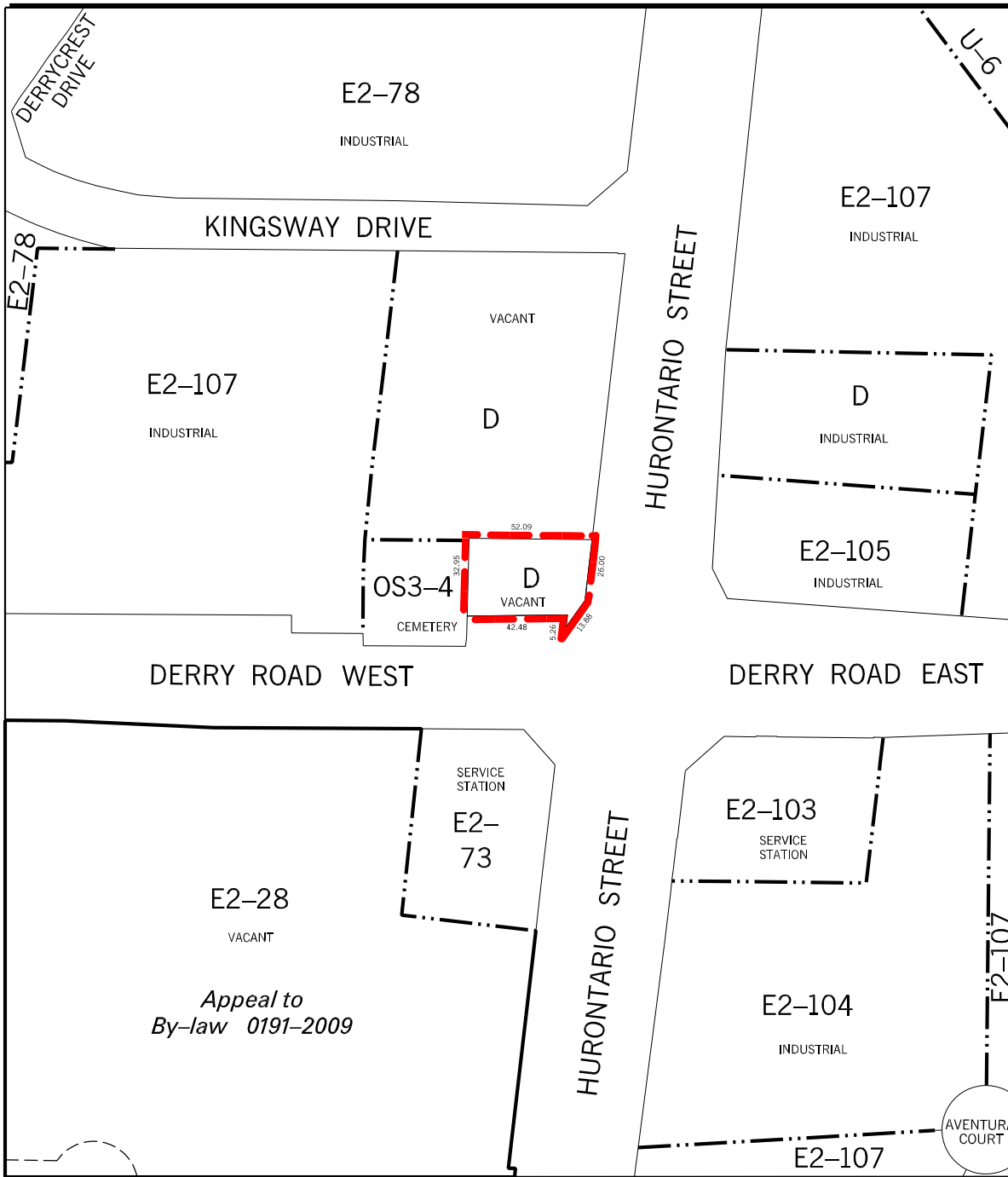
APPENDIX I-3

MISSISSAUGA Planning and Building


Produced by T&W, Geomatics

CITY OF BRAMPTON


DERY ROAD W, DERRY RD E, ROAD W, ST, KENNEDY, COURTNEY PARK DR, HWY No. 401, HURONTARIO



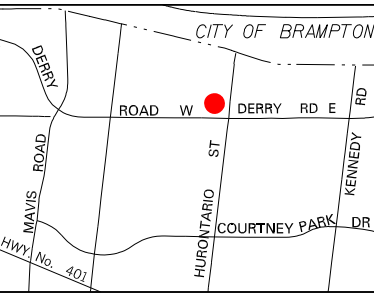

LEGEND:

 PROPOSED REZONING FROM 'D' (DEVELOPMENT) TO 'E2-EXCEPTION' (EMPLOYMENT) TO PERMIT A TWO STOREY MOTOR VEHICLE REPAIR FACILITY - RESTRICTED.

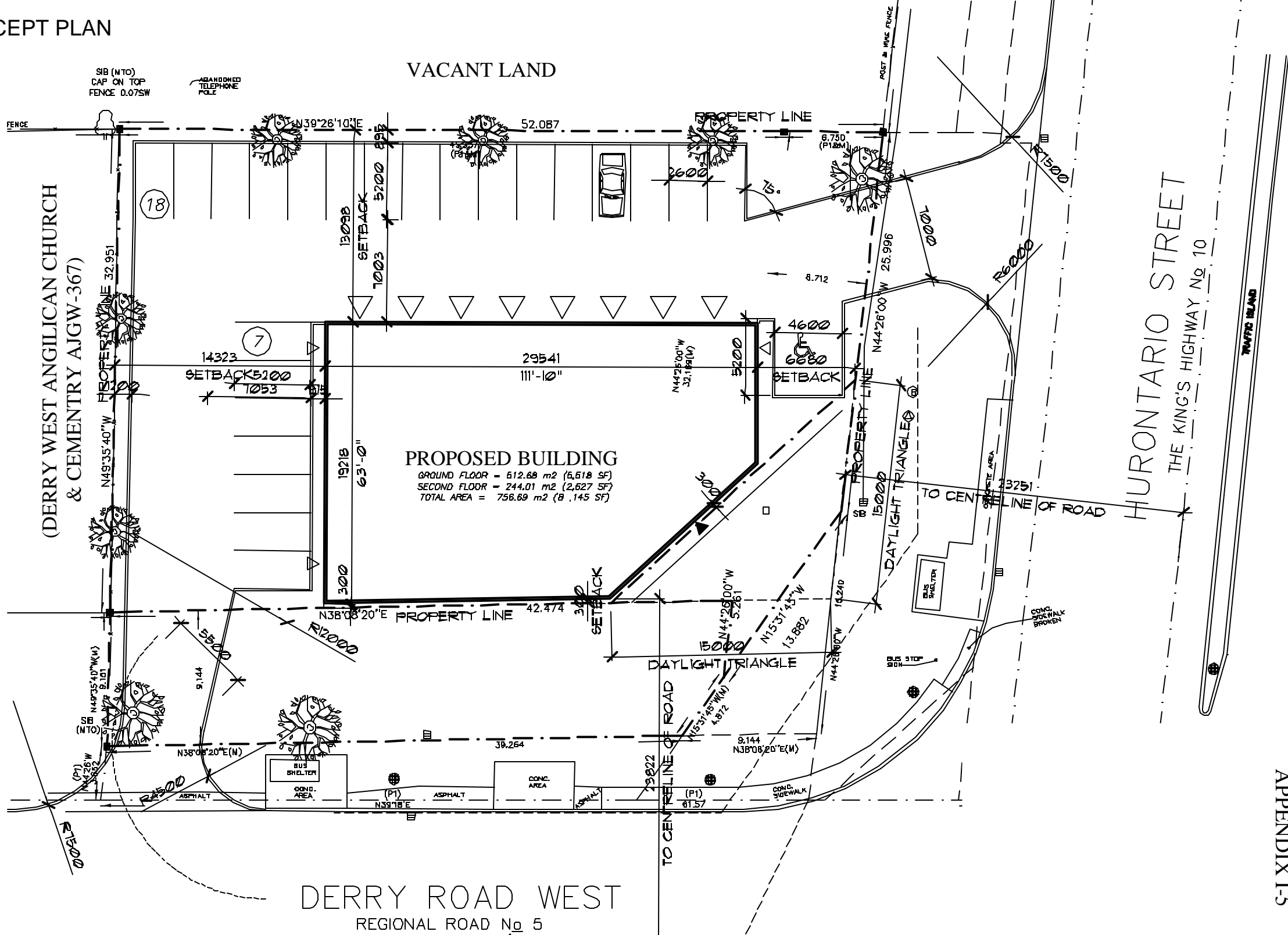
NOTE: EXISTING ZONING DELINEATED ON THE PLAN
 PROPOSED ZONING INDICATED BY SHADING WITHIN
 THE APPLICATION AREA.
 THIS IS NOT A PLAN OF SURVEY.

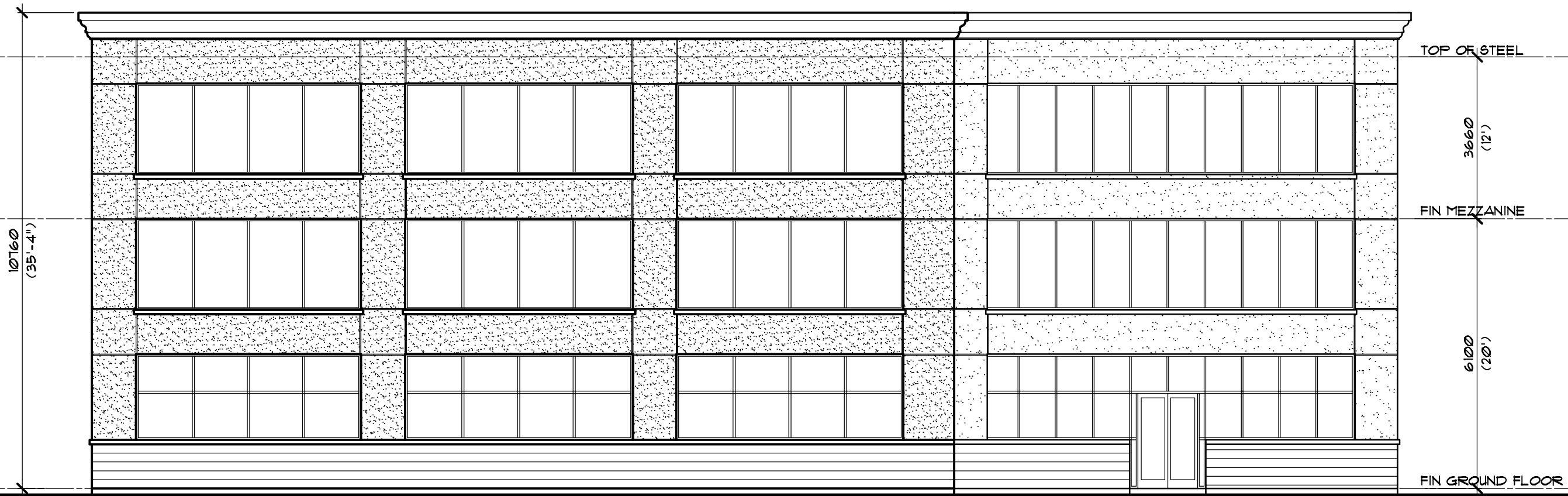


SUBJECT:
ANTORISA INVESTMENTS LTD.

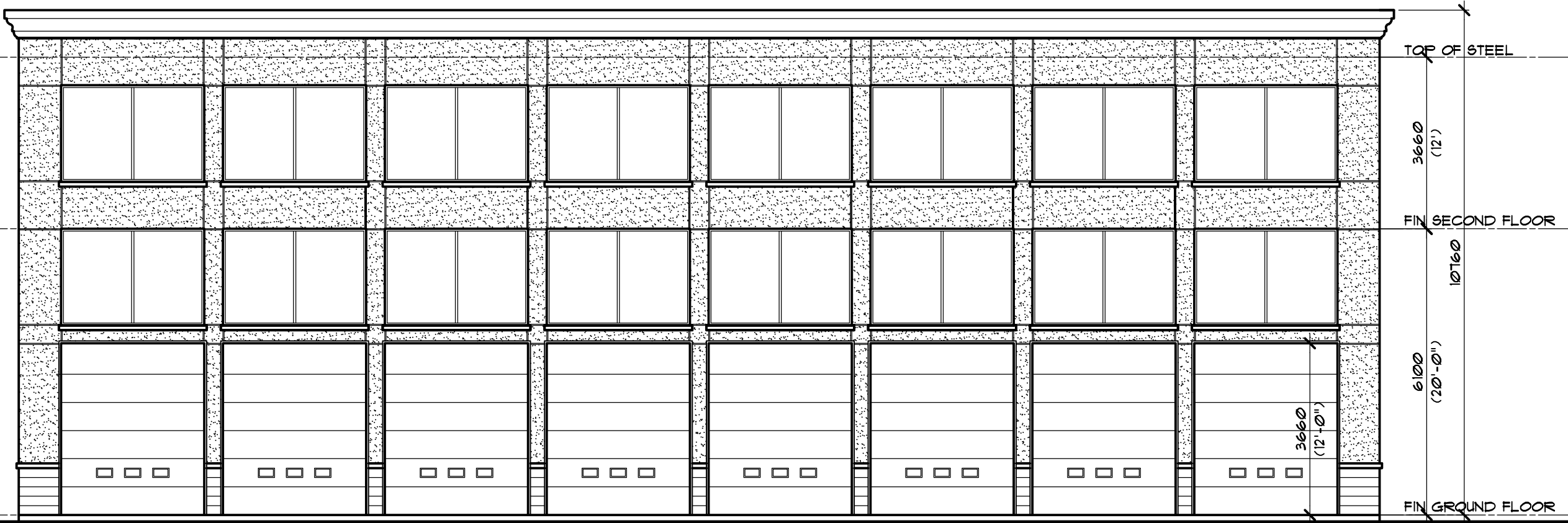
		FILE NO: OZ 11/018 W5	APPENDIX 1-4
		DWG. NO: 11018R	
		SCALE: 1:2500	
		PDC DATE: 2012 09 04	
		DRAWN BY: K. PROKOP	Produced by T&W, Geomatics

CONCEPT PLAN

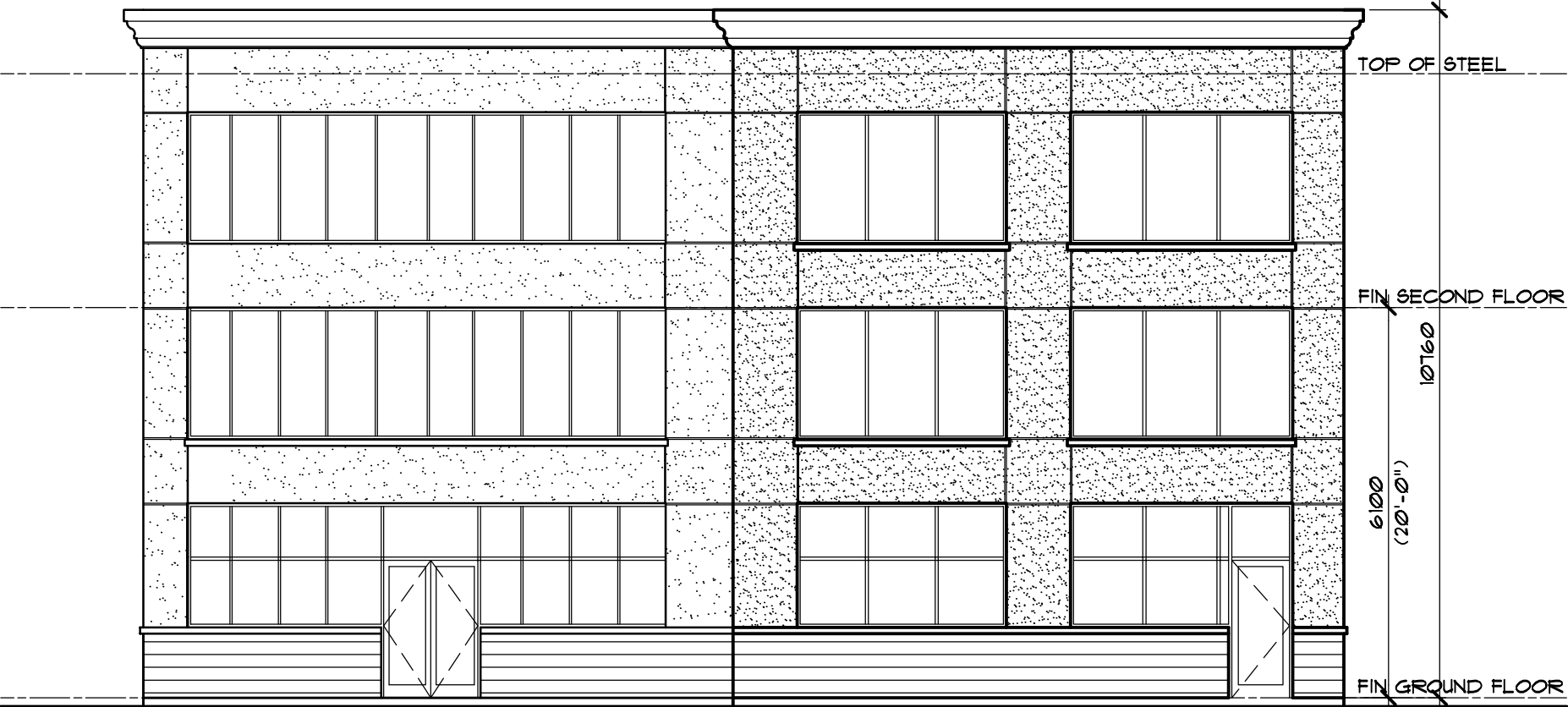




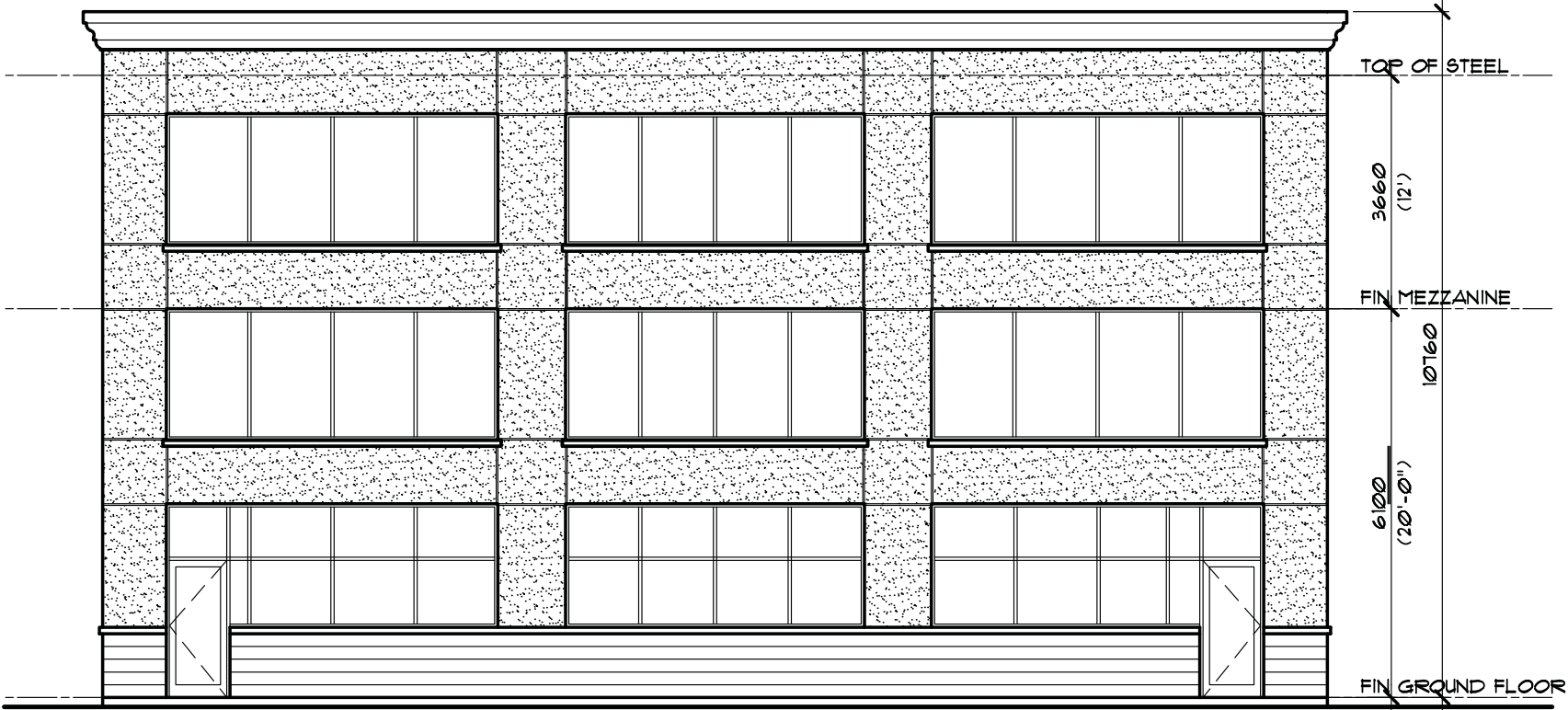
SOUTH ELEVATION



NORTH ELEVATION



EAST ELEVATION



WEST ELEVATION

Antorisa Investments Inc.

File: OZ 11/018 W5

Agency Comments

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

Agency / Comment Date	Comment
Region of Peel (April 25, 2012)	<p>The Traffic Engineering section has reviewed a Traffic Impact Review memorandum prepared by LEA Consulting Ltd. dated September 13, 2011. The intersection of Derry Road West and Hurontario Street has an approved Environmental Assessment which requires additional auxiliary lanes (specifically dual left turns and right turn lanes with channels in all directions) that will result in a reduced tangent curb line along Derry Road West and, consequently, affect the feasibility of a Derry Road West access point.</p> <p>Further, until such time as land requirements required to accommodate the Hurontario Main Street Study have been determined, and that any associated increase or reduction of curb frontage along Derry Road West can accommodate a vehicular entrance/exit at the westerly limits of the property without preventing the option for a westbound bus stop as close to the intersection as possible, the Region will not support a vehicular access point on Derry Road West. Should this proposal proceed with a site plan application, the Region will require a scoped traffic impact study including, but not limited to, a revised functional design assessing the feasibility of the Derry Road West access based on known property impacts at that time.</p> <p>The applicant is encouraged to pursue reciprocal access easements with properties to the north to gain access to the surrounding road network.</p> <p>The Region of Peel will be undertaking intersection improvements at Derry Road West and Hurontario Street. The Owner/Developer will be required to gratuitously convey additional lands above and beyond the Official Plan requirements to accommodate the intersection improvement works, including temporary and permanent easements.</p>

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Agency / Comment Date	Comment
	<p>The Region will require a daylight triangle and reserve at the intersection of Derry Road West at Hurontario Street.</p> <p>An existing 750 mm (30") diameter watermain is located on Derry Road and an existing 400 mm (16") diameter watermain is located on Hurontario Street. There is no existing municipal sanitary sewer to service this site. The closest existing sanitary sewer is a 250 mm (10") diameter sanitary sewer located on Kingsway Drive.</p> <p>A Storm water Management Report is required for our review to determine the affect of the proposal on the existing structures and drainage along the existing regional right-of-way.</p>
<p>City Community Services Department – Planning, Development and Business Services Division/Park Planning Section (March 7, 2012)</p>	<p>This Section notes that the subject property is adjacent to municipally owned Derry West Cemetery (P-407). As such, satisfactory arrangements regarding matters such as grading, tree preservation, hoarding and securities shall be made. Further, this Section notes that should these applications be approved, prior to the issuance of building permits, payment of cash-in-lieu of parkland dedication 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 the City's Policies and By-laws.</p>
<p>City Community Services Department – Culture Division (January 26, 2012)</p>	<p>The adjacent property, Derry West Cemetery, is designated under the <i>Ontario Heritage Act</i>. Accordingly, a Heritage Impact Statement is required. The submitted statement does not meet the terms of reference provided.</p>
<p>City Transportation and Works Department (May 8, 2012)</p>	<p>The Transportation and Works Department confirms receipt of a Site Plan, Stormwater Management Report, Site Servicing and Grading Plan, Traffic Impact Review and Environmental Site Assessment Phases 1 and 2.</p> <p>The applicant has been requested to provide a planning rationale letter indicating how the proposed development supports the proposed Hurontario Light Rail Transit as per the Hurontario/Main Street Corridor Master Plan adopted by Council.</p>

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Agency / Comment Date	Comment
	<p>Prior to the Supplementary Report meeting, the applicant has been requested to revise the plans to address certain grading concerns and encroachment issues.</p> <p>The applicant has also been requested to update the Stormwater Management Report, the Traffic Impact Review, and validate the Environmental Site Assessment Phases 1 and 2, dated August 2000.</p> <p>Further detailed comments/conditions will be provided prior to the Supplementary Report meeting pending receipt and review of the foregoing.</p>
City Arborist (February 24, 2012)	<p>The willow tree on the abutting Cemetery lands is adjacent to a very low lying parcel of land which is prone to wet conditions. The large willow is an asset in terms of water absorption. It is advisable, due to the tree's health and water absorption capabilities, to retain and prune this tree at the Developer's expense.</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> <p>City Community Services Department – Fire and Emergency City Economic Development Office Enersource Canada Post Rogers Cable</p>
	<p>The following external agencies were circulated the applications but provided no comments:</p> <p>Bell Canada City of Brampton Enbridge Greater Toronto Airport Authority (GTAA)</p>

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Mississauga Plan Policies

Gateway District – Special Site 2

4.15.6.3 The site is also subject to the Special Site 2 provisions of the Gateway District, which apply to the four corners of Hurontario Street and Derry Road East/Derry Road West and Hurontario Street and Courtneypark Drive East/Courtneypark Drive West. Notwithstanding the Business Employment designation and the Urban Design Policies in Section 4.15.3.2, the following additional policies will apply to lands located within Special Site 2:

- a. existing motor vehicle service station/gas bar sites at the southeast and southwest corners of Derry Road East/Derry Road West and Hurontario Street are recognized, but are encouraged to be redeveloped for other permitted uses;
- b. expansion of the existing motor vehicle service station/gas bar sites at the southeast and southwest corners of Derry Road East/Derry Road West and Hurontario Street will be permitted. As part of the expansion of the existing gas bar at the southeast corner of Derry Road East and Hurontario Street, a car wash will also be permitted.

The reconstruction or alteration of the existing car wash at the south-east corner of Hurontario Street and Derry Road East may be permitted if the proposal results in a visual or functional improvement of the site which achieves the intent and policies of the Gateway District Policies;

- c. accessory retail commercial uses will generally be limited to a maximum of 30% of the total Gross Floor Area (GFA).

Free-standing accessory retail commercial uses will not be permitted. Accessory retail commercial uses must be contained within the same building as the principal use;

- d. assembly of lands at the Hurontario/Derry intersection is encouraged;
- e. prior to development of the lands at the Hurontario/Derry intersection, an internal access concept will be prepared to the satisfaction of the Transportation and Works Department;
- f. these lands represent the principal intersections along the Hurontario corridor north of Provincial Highway 401 (Derry Road East/Derry Road West and Courtneypark Drive

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East/Courtneypark Drive West). Development abutting the intersections should highlight these locations as focal points within the streetscape, given their high profile and visibility.

In addition to the Urban Design Policies in Section 4.15.3.2, these lands will be subject to the following:

- built form at the corners of the intersections should have prominence, occupy a majority of the streetline and be a minimum of three (3) storeys. The reconstruction of the service stations at the south east and south west corners of Hurontario Street and Derry Road East/West for motor vehicle commercial purposes may be permitted if it results in an improvement of the site by meeting the spirit and intent of this Plan by providing, for example, the massing, height and built form of a two (2) storey mezzanine building.
 - buildings with minimal frontal setbacks with active street-oriented elevations, main front doors and fenestration integrated with the streetscape;
- g. regard will be given to the design guidelines as outlined in the urban design manual entitled Upper Hurontario Corridor – a Design Mandate for Excellence during the processing of development applications.

Gateway District – Hurontario Street Corridor Development Policies

4.15.3.2 The purpose of these policies is to promote high quality urban design and built form. These policies are also intended to reinforce and enhance the image of Hurontario Street as the main north-south corridor through the City.

- a. Encourage a high quality urban design in the built form which is distinctive and urban in character, and which contributes to the identity of Hurontario Street as a principal City thoroughfare.
- b. Encourage a high standard of public and private realm streetscape design that is coordinated and comprehensive which includes street furniture, public art, building forecourts, open space, bus shelters, tree planting, and the sensitive location of utilities.
- c. Ensure buildings are street-related with pedestrian entrances, active building elevations, and fenestration forming an integrated link between the building and the sidewalk.

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- d. Encourage the development of a unique Hurontario Street character, and enhance its image through the creation of streetscape design, prominent intersections built form features, an integrated public and private realm and gateway features.
- e. Orient the most active and architecturally detailed building facaded to the public street by use of main entrances and a large percentage of fenestration addressing the streetscape.
- f. Locate parking facilities at the rear and/or side of buildings instead of between the front of the building and the public street.
- g. Design buildings with sufficient height, mass and width of street frontage to define and frame the street.
- h. Complete the road system to improve cyclist and pedestrian movement, vehicular and servicing access, and to create usable and accessible development parcels.
- i. Integrate the principal and the accessory uses, within individual buildings.
- j. Encourage the continued development of varied and innovative prestige buildings.
- k. Encourage development that provides a safe and convenient pedestrian environment that promotes the use of Hurontario Street as a major transit corridor.
- l. Minimize building setbacks from the streetline(s) while balancing continuous landscaping between the building and the street and pedestrian linkages to the public sidewalk.
- m. Encourage the appropriate transition of built form between buildings.
- n. Provide for safe, pleasant and convenient pedestrian movement from the public sidewalk and on-site parking area to the principal building entrance(s).
- o. Discourage the fragmentation of land parcels that will inhibit the eventual development of employment uses. Encourage land consolidation, in particular at the principal intersections to facilitate useable development parcels.

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- p. Priority will be given to pedestrian movement when accommodating both pedestrian and vehicular traffic. Design efficient parking facilities to avoid circuitous routes and dead end aisles.
- q. Encourage built form (outside the gateway and main intersection areas) to incorporate a high level of physical continuity, cohesion and linkage between buildings, from block to block, and from street to street.
- r. Create a sense of prominence at the intersections of Hurontario Street, in addition to those subject to Special Site Policies, by integrating features such as, tall, more distinctive buildings located close to the street, unique landscape and streetscape treatment, elevated and distinguished rooflines.
- s. Internalize, screen and minimize visual impacts of the service and loading facilities from the streetscape(s), public view, pedestrian walkways, and abutting uses.
- t. The submission of a concept plan will be required for all development applications to demonstrate how the urban design policies will be implemented.
- u. Development applications will also have regard for the urban design guidelines in the urban design manual entitled Upper Hurontario Corridor – A Design Mandate for Excellence.

Mississauga Official Plan (2011) Policies

The language for the Special Site 2 and Urban Design Policies of the Gateway District in the Mississauga Plan, as outlined above, have been carried forward into the new Mississauga Official Plan under the Gateway Corporate – Special Site 1 policies (15.3.3.1) and Urban Design Policies (15.3.1).

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Proposed Zoning Standards – "E2-Exception" (Employment)

	Required Zoning By-law Standard	Proposed Standard
Parking	33 spaces (2 designated for persons with disabilities)	23 spaces (1 designated for persons with disabilities)
Minimum Front Yard Setback	7.5 m (24.6 ft.)	0 m (0 ft.)
Minimum depth of a landscape buffer measured from any other lot line	4.5 m (14.8 ft.)	1.5 m (4.9 ft.)



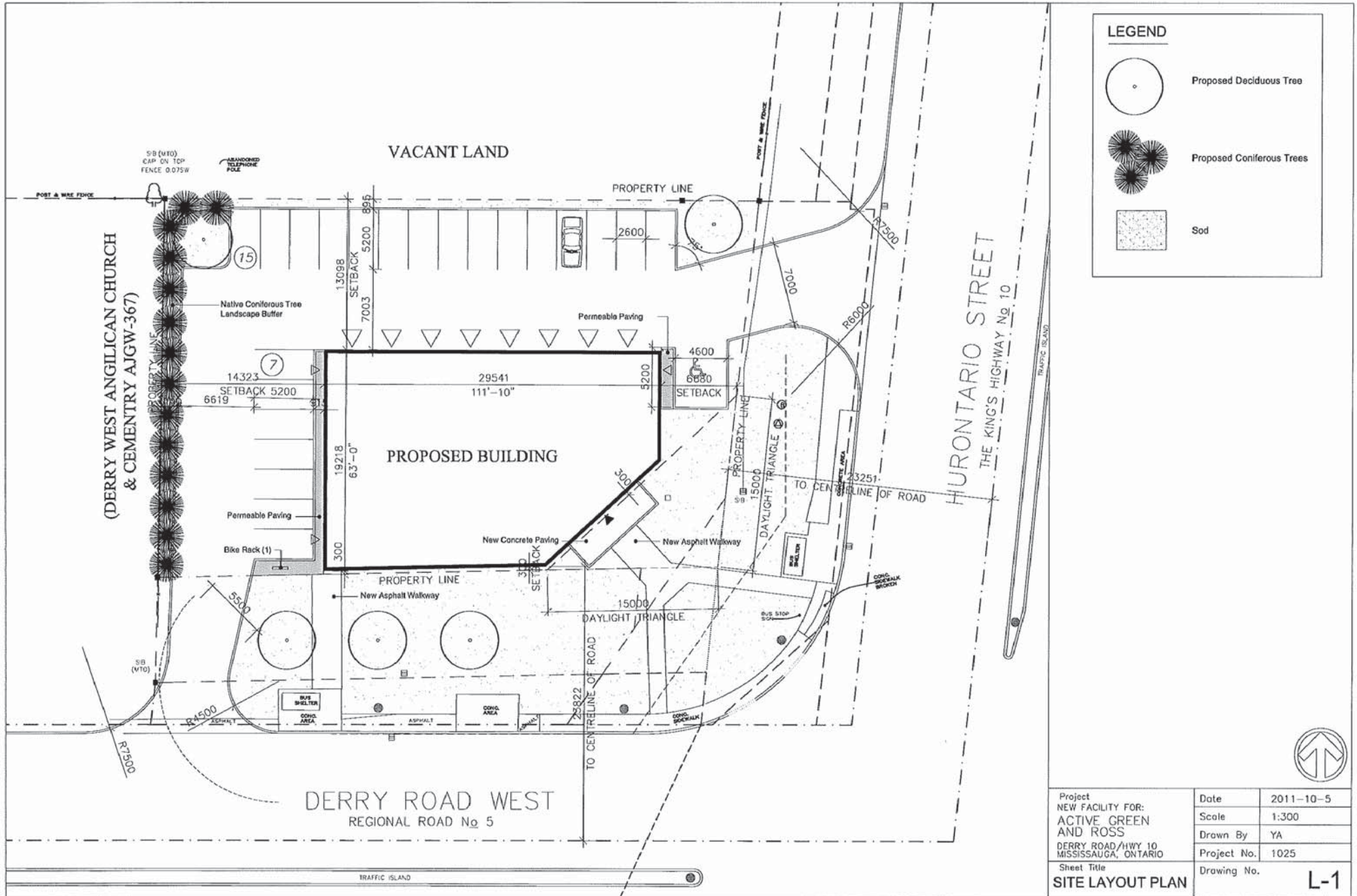
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Recommendation PDC-0052-2012

PDC-0052-2012

1. That the Report dated August 14, 2012, from the Commissioner of Planning and Building regarding the applications to amend Mississauga Plan from 'Business Employment - Special Site 2' to 'Business Employment - Special Site' and to change the Zoning from 'D' (Development) to 'E2 - Exception' (Employment), to permit a two storey motor vehicle repair facility under file OZ 11/018 W5, Antorisa Investments Inc., Part of Lot 11, Concession 1, W.H.S., designated as Parts 1 & 2, Plan 43R - 13493, be received for information.
2. That the correspondences expressing concern with respect to file OZ 11/018 W5 be received:
 - a. Email and attachments dated February 2, 2012 from Claudio Brutto
 - b. Letter dated September 4, 2012 from Carl Brawley, Glen Schnarr and Associates Inc.



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Revised Proposed Zoning Standards – "E2-Exception" (Employment)

	Required Zoning By-law Standard	Proposed Standard
Parking	33 spaces (2 designated for persons with disabilities)	23 spaces (1 designated for persons with disabilities)
Minimum Front Yard Setback	7.5 m (24.6 ft.)	0.3 m (0.98 ft.)
Minimum Exterior Side Yard Setback	7.5 m (24.6 ft.)	0.3 m (0.98 ft.)
Minimum depth of a landscape buffer measured from a lot line that is a street line (Hurontario Street)	4.5 m (14.8 ft.)	0.3 m (0.98 ft.)
(Derry Road)	4.5 m (14.8 ft.)	0.3 m (0.98 ft.)
Minimum depth of a landscape buffer measured from any other lot line (westerly side)	4.5 m (14.8 ft.)	1.5 m (4.9 ft.)
(north side)	4.5 m (14.8 ft.)	1.5 m (4.9 ft.)