

# City of Mississauga Department Comments

Date Finalized: 2024-07-03	File(s): A268.24
To: Committee of Adjustment	Ward: 5
From: Committee of Adjustment Coordinator	Meeting date:2024-06-20 1:00:00 PM

## Consolidated Recommendation

The City has no objections to the application.

## Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a hotel proposing:

1. To permit a minimum of 48.5% of the exterior lot line to be occupied by a first storey streetwall of a street identified on schedule 5.2.1(2) whereas By-law 0225-2007, as amended, requires a minimum of 50% of the exterior lot line to be occupied by a street of a street identified on schedule 5.2.1(2).
2. A setback of a first storey street wall of 2.04m (approx. 6.69ft) whereas By-law 0225-2007, as amended, requires a minimum setback of a first storey street wall of 3.00m (approx. 9.84ft) in this instance;
3. A setback to the exterior side yard of 2.04m (approx. 6.69ft) whereas By-law 0225-2007, as amended, requires a minimum setback to the exterior side yard of 4.50m (approx. 14.76ft) in this instance;
4. A first storey streetwall glazing of 20.75% whereas By-law 0225-2007, as amended, requires a minimum first storey streetwall glazing of 50.00% in this instance; and,
5. 1 loading space whereas By-law 0225-2007, as amended, requires a minimum of 2 parking spaces in this instance.

## Background

**Property Address:** 110 Derry Road East

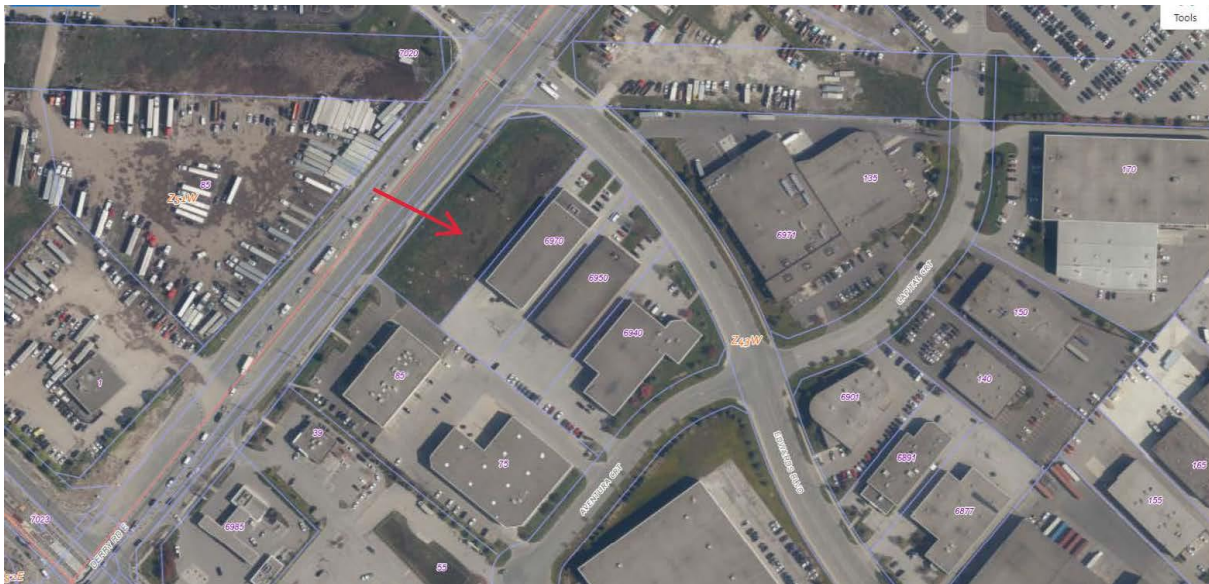
### Mississauga Official Plan

Character Area: Gateway Corporate Centre  
Designation: Office

**Zoning By-law 0225-2007****Zoning: O2- Office****Other Applications: IZR SP 24-138****Site and Area Context**

The subject property is located on the south side of Derry Road East, east of the Hurontario Street and Derry Road East intersection in the Gateway Corporate Centre Character Area. The subject property is currently vacant. The surrounding context is predominantly industrial and office buildings.

The applicant is proposing to construct a hotel requiring variances for minimum length of the exterior side lot line to be occupied by a first storey streetwall, setback of a first storey streetwall, exterior side yard setback, first storey streetwall glazing and loading spaces.

**Comments****Planning**

Section 45 of the *Planning Act* provides the Committee of Adjustment with the authority to grant relief from the requirements of a municipal zoning by-law. Approval of applications must meet the requirements set out under 45(1) and/or 45(2) (a) or (b) in the *Planning Act*.

Staff comments concerning the application of the four tests to this minor variance request are as follows:

**Does the proposal maintain the general intent and purpose of the Official Plan?**

The subject property is located in the Gateway Corporate Centre Character Area and is designated Office in Schedule 10 of the Mississauga Official Plan (MOP). The property forms part of Special Site 5 within the Gateway Corporate Centre Character Area policies, which is also known as the urban corridor of Derry Road East. Special Site 5 policies set out development and design guidelines to encourage an appropriate built form that frames the street and improves the pedestrian environment within the urban corridor area. Section 9 of the MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with existing site conditions, the surrounding context and the landscape of the character area. Staff are of the opinion the proposal maintains the general intent and purpose of the official plan.

**Does the proposal maintain the general intent and purpose of the Zoning By-law?**

Variances 1 and 4 request reduced ratios of the exterior lot line to be occupied by a first storey streetwall and first storey streetwall glazing. The intent of the minimum frontline percentage and glazing requirements is to avoid blank walls along key major streets within the Gateway Corporate Centre, and to promote a pedestrian-oriented environment. The site is located within a Major Transit Station Area with access to rapid transit, and the City's vision for this area is to transition towards a more pedestrian and transit-supportive built form. Development Planning staff are currently reviewing drawings from a pre-application meeting request for the subject property as part of the site plan approval process. Development Planning staff note the parking lot located west of the proposed hotel, abutting Derry Road East, will be screened appropriately with proposed landscaping and vegetation along the Derry Road East frontage. Additionally, the portion of the building fronting along Derry Road East includes meeting rooms, washrooms and hotel rooms, limiting the opportunities for glazing. Planning and Urban Design staff are satisfied that the proposed ratios for the exterior lot line to be occupied by a first storey streetwall and glazing on the façade is appropriate and will not negatively impact the planned function or character of the of the development and surrounding properties.

Variances 2 and 3 request a reduction to the exterior side yard setback. The general intent of exterior side yard regulations is to ensure that an adequate buffer exists between a structure's massing and the public realm. Staff note the setback is measured from a small portion of the first storey streetwall which protrudes forward an additional 0.3m (0.98ft) from the rest of the streetwall. Staff also note a required land dedication to the Region of Peel for the future widening of Derry Road East. This also impacts the exterior side yard setback provided Staff are of the opinion that the proposed exterior side yard setback will maintain an adequate buffer between the hotel and the public realm allowing for a substantial landscape space to be incorporate into the design of the proposed hotel.

Variance 5 relates to a reduction in loading spaces from 2 to 1. The intent of this regulation is to ensure there is adequate space reserved for the temporary parking of commercial motor vehicles while loading or unloading. Staff are of the opinion that the single loading space proposed is adequate for temporary commercial motor vehicles to service the subject property.

Given the above, planning staff are satisfied that the variances proposed maintain the general intent and purpose of the zoning by-law.

**Is the proposal desirable for the appropriate development of the subject lands and minor in nature?**

Staff are satisfied that the proposal represents appropriate development of the subject lands. The variances, both individually and cumulatively, are minor in nature and will not create any undue impacts to adjoining properties or the planned and existing character of the area.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed hotel will be addressed through the Building Permit process.



Comments Prepared by: Tony Iacobucci, Development Engineering

### Appendix 2 – Zoning Comments

The Building Department is currently processing a Site Plan Application permit under file IZR SP 24-138. Based on review of the information currently available in this permit application, the variances, as requested are correct.

Please note that comments reflect those provided through the above permit application and should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the application file noted above, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedures, separately through the application process in order to receive updated comments.



Comments Prepared by: Tage Crooks, Planner Zoning Examination

### Appendix 3 – Region of Peel

#### Minor Variance: A-24-268M / 110 Derry Road East

Development Engineering: Wendy Jawdek (905) 791-7800 x6019

#### Comments:

- Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at [siteplanservicing@peelregion.ca](mailto:siteplanservicing@peelregion.ca).
- Installation of and alterations to property line water valves and chambers and sanitary/storm sewer maintenance holes require inspection by Region of Peel inspectors to confirm if these works are completed in accordance with Region of Peel Design Criteria, standards, and specifications.
- The applicant shall verify the location of the existing service connections to the subject site and the contractor shall locate all existing utilities in the field. Requests for underground locates can be made at: <https://www.ontarioonecall.ca/portal/>
- For location of existing water and sanitary sewer infrastructure please contact Records by e-mail at [PWServiceRequests@peelregion.ca](mailto:PWServiceRequests@peelregion.ca)
- All unutilized water and sanitary services shall be abandoned in accordance with Region of Peel design specifications. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at [siteplanservicing@peelregion.ca](mailto:siteplanservicing@peelregion.ca).

Planning: Petrele Francois (905) 791-7800 x3356

#### Comments:

- We acknowledge that the subject site is located within a Regional Employment Area, identified on Schedule E-4 of the Regional Official Plan (ROP), within a Provincially Significant Employment Zone (F-12) and the Derry MTSA - which is required to be planned to achieve a minimum density of 160 person and job per hectare, as per Table 5 of the RPOP. Regional staff encourage the applicant to work with the City to address the appropriate mix of land uses, land use compatibility with nearby employment lands, and appropriate consideration to municipally initiated studies and recommendations that support the requirements of Policy s.5.6.19.10 as well as s.5.8 of the RPOP.

Comments Prepared by: Francois Petrele, Junior Planner