

# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2024-12-09	File(s): A541.24
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:12/12/2024 1:00:00 PM

## Consolidated Recommendation

The City recommends the application be refused.

## Application Details

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

1. A self storage use whereas By-law 0225-2007, as amended, does not permit a self storage use in this instance;
2. A minimum length of the front lot line to be occupied by a first storey streetwall of 36.85% whereas By-law 0225-2007, as amended, requires a minimum length of the front lot line to be occupied by a first storey streetwall of 80% in this instance;
3. A minimum area of the first storey streetwall that shall contain glazing of 32.07% whereas By-law 0225-2007, as amended, requires a minimum area of the first storey streetwall that shall contain glazing of 75% in this instance;
4. A minimum distance from a loading space to a street of 89.40m (approx. 293.31ft) whereas By-law 0225-2007, as amended, requires a minimum distance from a loading space to a street of 10.00m (approx. 32.81ft) in this instance;
5. A maximum setback of a first storey streetwall to a street of 20.8m (approx. 68.2ft) whereas By-law 0225-2007, as amended, permits a maximum setback of a first storey streetwall to a street of 5.0m (approx. 16.4ft) in this instance;
6. A minimum area of the first storey streetwall that shall contain glazing of 32.07% whereas By-law 0225-2007, as amended, requires a minimum area of the first storey streetwall that shall contain glazing of 50% in this instance; and
7. A maximum setback of a first storey streetwall to a street of 20.8m (approx. 68.2ft) whereas By-law 0225-2007, as amended, permits a maximum setback of a first storey streetwall to a street of 5.0m (approx. 16.4ft) in this instance.

## Background

**Property Address: 7091 Hurontario St**

**Mississauga Official Plan**

Character Area: Gateway Corporate Centre

Designation: Office

**Zoning By-law 0225-2007**

**Zoning: O2-1 - Office**

**Other Applications: IZR SP 24-2749**

**Site and Area Context**

The subject property is located along the east side of Hurontario Street, north of the Hurontario Street and Derry Road East intersection in the Gateway Corporate Centre. It is an interior lot with a one-storey multi-tenant building containing a motor vehicle service station with associated motor vehicle repair facilities. Limited landscaping is present with vegetative elements being located along the Hurontario Street frontage. The surrounding context contains a mix of office and employment uses, as well as vacant lands, with varying built forms on lots of varying sizes.

The Mississauga Official Plan identifies Corporate Centres as areas to be developed with a mix of employment uses, focusing on office development and uses with high employment densities. Hurontario Street is identified as an Intensification Corridor in the Mississauga Official Plan (MOP), which are roads that are identified as having the potential for higher density mixed use development consistent with planned transit service levels. The MOP policies promote high quality urban design and built form while also reinforcing and enhancing the image of Hurontario Street as the main north-south corridor through the City. The MOP Hurontario Street Corridor Development Policies highlighted below define the principles for physical form and character of Hurontario Street:

15.3.1.2.c. Buildings will be street related with main building entrances, active building elevations, and fenestration forming an integrated link between the building and the sidewalk. Active building features should be oriented to major street frontages and the light rail transit system;

15.3.1.2.f. Locate parking facilities at the rear and/or side of buildings instead of between the front of the building and the public street. As sites develop/redevelop, parking should be structured and preferably, underground. Transportation demand management measures will be encouraged;

15.3.1.2.g. Design buildings with sufficient height, mass and width of street frontage to define and frame the street;

15.3.1.2.k. Encourage development that provides a safe and convenient pedestrian environment that reinforces Hurontario Street as a major transit corridor;

15.3.1.2.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;

In addition, the subject property forms part of Special Site 2 within the Gateway Corporate Centre Character Area which reinforces the development and design policies and characteristics noted above to encourage an appropriate built form that frames the street and establishes an improved pedestrian environment.

The applicant is proposing to construct a new building requiring variances for use, minimum length of the front lot line to be occupied by a first storey streetwall, minimum glazing area of the first storey streetwall, minimum distance from a loading space to a street and maximum setback of a first storey streetwall to a street.



## 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). This designation permits offices as well as uses accessory thereto. Within the Gateway Corporate Centre Character Area, post-secondary education facilities are also permitted. As per variance 1, the applicant has proposed a self-storage facility use, which staff note is not permitted in the Office designation. Self-storage facility uses are only permitted within the Business Employment and Industrial designations and are generally discouraged from Intensification Corridors. Section 15.1.1.1 of the MOP clearly states that Corporate Centres are to be developed with a mix of employment uses focusing on office development and uses with high employment densities. In addition, related development policies expect built form along this section of Hurontario Street to properly frame the street and be conducive to facilitating a corridor that is envisioned to be pedestrian oriented and urban with incoming higher order transit. The proposed self-storage facility use does not contribute to the vision or objective of the Gateway Corporate Centre and Intensification Corridors and does not contain a high employment density required by the policies.

In addition, staff note the remaining variances pertain to the location of the building on the subject property. Development along the Hurontario Street Corridor is encouraged to provide a safe and convenient pedestrian environment promoting walkability and retail activation as well as an integrated public and private realm. Intensification Corridors within the City are expected to contain first storey commercial spaces that can, from a design perspective and contribute to the overall streetwall in a positive manner. The plans as proposed do nothing to achieve these policies. Staff note the drawings depict ground floor offices fronting onto Hurontario Street, however, the ground floor offices are associated with the proposed principal storage use and are reserved for the self-storage facility employees. The requested variances for glazing and setbacks reflect a built form and use that are not in line with the vision of the Gateway Corporate Centre. MOP policies Furthermore, the self-storage facility use does not contribute to a pedestrian oriented streetscape along the Hurontario Street frontage. Finally, Planning staff are of the opinion that the MOP has clear policies to discourage this type of use along this stretch of Hurontario Street Corridor in the Gateway Corporate Centre and is not appropriate for a site designated Office.

Given the above, the general intent and purpose of the official plan are not maintained in this instance.

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

Variance 1 requests a self-storage facility use. The subject property is zoned O2-1, which permits uses such as office, medical office, commercial school, financial institution, veterinary clinic, broadcasting/communication facility, science and technology facility, banquet hall/conference centre/convention centre, overnight accommodation and a university/college. The self-storage facility use is not a defined use in the zoning by-law and is not a permitted use in the O2-1 zone, as they are only permitted in Employment zones. The permitted uses in the zone are focused on locating high employment uses in the Office zone. The self-storage facility is not and is therefore inconsistent with the intent of the by-law. Staff are of the opinion that the use is not appropriate for the subject property or surrounding context area, as the use is not intended or permitted in the zone category and are in accordance with an entirely different zoning framework.

Variances 2, 3 and 6 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 the Hurontario Intensification Corridor 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 and use. Staff further note the Gateway Corporate Centre requires new development along the Hurontario Corridor to define and frame the street, forming an integrated link between the building and public realm. Staff are of the opinion that the proposed variances do not enhance the public realm and in fact take away from this intent. There is an increased opportunity to provide glazing and an increased first storey streetwall to support the City's vision of an active streetscape along the Hurontario Intensification Corridor.

Variances 4, 5 and 7 request increased setbacks from the first storey streetwall and loading space(s). The intent of the setback regulation is to ensure a general consistency in built form from one site to the next. This ensures a consistent and defined street edge close to the street, creating an active boulevard and sidewalk as the main linkage between developments, transit stops and other amenities. Staff further note that MOP policies indicate parking areas are to be located to the rear and/or side of buildings instead of between the front of the building and streetscape. The zoning by-law implements a number of design standards contained in the MOP vision by way of regulations. The proposal indicates parking is to be located in the front yard between the proposed building and the front lot line. The parking area contributes to the increased setback to the first storey streetwall which is not consistent with the intent of the zoning by-law regulations. The intent of the Gateway Corporate Centre regulations is to establish a consistent street wall close to the street and create an active public realm. Staff are of the opinion the variances do not meet the intent of the zoning by-law, specifically the regulations associated for the Hurontario Street Intensification Corridor.

Given the above, the proposal does not meet the intent and purpose of the zoning by-law.

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

Planning staff are of the opinion that the variances, both cumulatively and individually, are not minor in nature and do not contribute to orderly development as it facilitates a proposal that is undesirable with respect to the ultimate vision for the site and Gateway Corporate Centre Character Area. Furthermore, staff are of the opinion the application is premature. The establishment of a self-storage facility use in the Gateway Corporate Centre is not consistent with the MOP or zoning by-law. The introduction of this type of use should proceed through an official plan and zoning by-law amendment, and not the minor variance process. Additionally, comments from Zoning and Transportation and Work's staff note additional information is required to perform a holistic review of the application and that additional variances may be required.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

## **Appendices**

### **Appendix 1 – Transportation and Works Comments**

The Transportation and Works Department recommends that this application be deferred as it's premature pending further staff review. It's our understanding that the Building Department is processing an Independent Zoning Review (IZR SP 24-2749) and more information is being requested to verify the accuracy of the requested variances and to determine if additional variances would be required. In addition, we question this application proceeding without first having had a preliminary staff review through the Development Application Review Committee (DARC).







Comments Prepared by: Tony Iacobucci, Development Engineering

## Appendix 2 – Zoning Comments

The Building Department is processing an Independent Zoning Review application IZR SP 24-2749. Based on review of the information available in this application, we advise that more information is required in order to verify the accuracy of the requested variances or determine whether additional variances will be required.

Please note that comments reflect those provided through the above application. These comments may no longer be valid should there be changes contained within this Committee of Adjustment application that have not been submitted and reviewed through the application noted above. The applicant must submit any changes and/or updates to information and/or drawings separately through the above application in order to receive updated comments.

Comments Prepared by: Gary Gagnier, Zoning Examiner

## Appendix 3 – Region of Peel Comments

### Minor Variance Application: A-24-541M / 7091 Hurontario Street

Development Engineering: Wendy Jawdek ([wendy.jawdek@peelregion.ca](mailto:wendy.jawdek@peelregion.ca))(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.
- Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Site Servicing approvals are required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections by email at [siteplanservicing@peelregion.ca](mailto:siteplanservicing@peelregion.ca).
- 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 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).
- The applicant is required to adhere to Region of Peel Watermain Design Criteria Standard 4.3: all hydrants near driveways shall have a minimum of 1.25m clearance from the edge of driveway.

Comments Prepared by: Petrele Francois, Junior Planner

#### **Appendix 4 – Metrolinx**

Metrolinx is in receipt of the Minor Variance application for 7091 Hurontario St to construct a new 3-storey self-storage building with office use on the first floor, designed to operate as an office building as circulated on November 13, 2024, and to be heard at Public Hearing on December 12, 2024, at 1:00 PM. Metrolinx's comments on the subject application are noted below:

- The subject property is located within 60m of the proposed Hazel McCallion LRT (HMLRT) (formerly Hurontario LRT).

#### **LRT- CONDITIONS OF APPROVAL**

- A technical review may be required to assess the impact of the development on HMLRT infrastructure. Confirmation to be provided once detailed design material is made available.
- **Adjacent Development Technical Review** – The Developer needs to contact Metrolinx for sign off/approvals or to obtain a permit (such as single-family homes or mixed-use high-rise buildings) on lands that are located next to or within 60 metres of a Metrolinx Light Rail Transit (LRT) corridor (e.g., Eglinton Crosstown, Finch West and Hazel McCallion).
- **Construction Coordination** - The applicant should be advised that Metrolinx and its contractors will be utilizing the Hurontario Street right-of-way, and its intersections, during the project's Construction Period. Based on the location of the subject property, there is potential for construction coordination and traffic staging conflicts.
  - Should construction of the Hazel McCallion LRT and the proposed development occur simultaneously, Metrolinx will require the developer to submit schedule or staging plans to coordinate access to both parties.
- Please continue to engage Metrolinx as the development progresses.

To start a review, please contact [development.coordinator@metrolinx.com](mailto:development.coordinator@metrolinx.com). Please include property information as well as a description of your work or site plan, or any architectural drawings (if available) in your initial email.

Should you have any questions or concerns, please contact [Farah.Faroque@metrolinx.com](mailto:Farah.Faroque@metrolinx.com).

Comments Prepared by: Farah Faroque, Project Analyst