Clerk's Files



Originator's Files OZ 06/029 W2

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DATE:	April 24, 2007	
то:	Chair and Members of Planning and Development Comm Meeting Date: May 14, 2007	nittee
FROM:	Edward R. Sajecki Commissioner of Planning and Building	
SUBJECT:	Information Report Official Plan Amendment and Rezoning Applications To permit an eight (8) storey retirement residence 1907 Lakeshore Road West Northeast corner of Lakeshore Road West and Walde Owner: 2107191 Ontario Inc. Applicant: Rob Freeman, Freeman Planning Solution Bill 20	en Circle
	Public Meeting	Ward 2
RECOMMENDATION:	That the Report dated April 24, 2007, from the Commissioner of Planning and Building regarding the applications to amend the Official Plan from "Residential High Density I - Special Site 16" to "Residential High Density II - Special Site 16, as amended" and to change the Zoning from "RM7D4-2649" (Apartment Dwellings) to "RM7D5-2649, as amended" (Retirement Residence) to permit an eight (8) storey retirement residence, under file OZ 06/029 W2, 2107191 Ontario Inc., 1907 Lakeshore Road West, be received for information.	
BACKGROUND:	In 2003, Official Plan Amendment and Rezoning applic	<i>.</i> .

The proposed apartment building was not constructed and the subject lands were subsequently sold.

The new owner of the property submitted a minor variance application in the fall of 2006 to permit an eight storey retirement residence with a maximum of 145 residential units and associated amenities. The Committee of Adjustment refused the minor variance application indicating that the request would be more appropriately dealt with through applications to amend the Official Plan and Zoning By-law. As a result, the subject applications were filed.

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

COMMENTS:	Details of the proposal are as follows:
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Development Pr	Development Proposal	
Applications	December 22, 2006	
submitted:	(complete on February 1, 2007)	
Height:	8 storeys	
Lot Coverage:	28.5 %	
Floor Space	2.34	
Index:		
Landscaped	52.5 %	
Area:		
Net Density:	255 units/ha	
	(103 units/acre)	
Gross Floor	13 250 m ² (142,626.48 sq. ft.)	
Area:	15 250 m (142,020.48 sq. n.)	
Number of	Maximum of 145 units	
units:		
Anticipated	Approximately 181*	
Population:	*Based on proposed unit breakdown for	
	the building	
Parking	Resident: 0.20 spaces per dwelling unit	
Required:	Visitor: 0.25 spaces per dwelling unit	
Parking	0.50 spaces per dwelling unit	
Provided:		

Development Proposal

Development i roposai	
Supporting	Planning Justification Letter
Documents:	

The statistics presented in the above chart cannot be directly compared to the condominium apartment building that was previously approved by Council because the proposed retirement residence is a different form of housing. Typically, a retirement residence consists of smaller units and more common amenity gross floor area than a condominium apartment building. Therefore, the unit count, floor space index and gross floor area of a retirement residence all appear to be significantly higher or much more intensive than an apartment building.

To date the applicant has not provided detailed information regarding the number, types or sizes of units proposed within the building. Further, no specific details have been provided with respect to the amount of amenity space that will be provided in this building. Therefore, additional information and clarification are required in order to allow staff to fully evaluate the proposal.

Site Characteristics	
Frontage:	90.00 m (295.27 ft.) on
	Lakeshore Road West
	133.00 m (436.35 ft.) on Walden Circle
Depth:	Irregular: 63.00 m (206.69 ft.)
Net Lot Area:	0.57 ha (1.40 ac.)
Existing Use:	vacant

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

Neighbourhood Context

The subject property is located in the Node at the westerly edge of the Clarkson Village commercial area. Overall, the Node includes a mix of commercial uses, apartment dwellings, row dwellings and detached dwellings. The subject property is also located in proximity to the Clarkson GO station. There is a difference in grade between the site and Lakeshore Road West and between the westerly side of the site and Walden Circle, with the subject site being higher than the street. In addition, the CNR Spur Line that runs along the easterly edge of the site is significantly higher than the site as it bridges over Lakeshore Road West. This spur line is used daily to service the Petro Canada plant that is located further south of the subject property. Currently the site is vacant; however, some significant trees exist along the westerly portion of the site. Information regarding the history of the site is found in Appendix I-1.

The surrounding land uses are described as follows:

- North: Across Walden Circle are row dwellings East: Across the CNR Spur Line is a retail commercial plaza
- South: Across Lakeshore Road West is a retail commercial plaza
- West: Across Walden Circle are row dwellings

Current Mississauga Plan Designation and Policies for Clarkson-Lorne Park District (May 5, 2003)

"Residential High Density I – Special Site 16" which permits apartment dwellings at a floor space index of 1.2. The applications are not in conformity with the land use designation as the proposed floor space index is 2.34.

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

Urban Design Policies for the Clarkson Lorne Park District

Section 4.7.3.1 - Community Identity and Focus

- a. Developments should be compatible with and enhance the character of Clarkson-Lorne Park as a diverse established community by integrating with the surrounding area.
- b. Development should be designed to reflect and enhance the Clarkson Village Mainstreet Commercial area and streetscape.
- c. The Clarkson Node, will be the focus of activity for the District, combining residential uses, cultural activities, shopping, dining, commerce and recreation.

Rail Policies in Mississauga Plan

Section 3.14.9.2 - Rail Noise, Safety, and Vibration is applicable to the proposed development. This section indicates that where residential and other land uses sensitive to noise are proposed in proximity to rail lines, it may be necessary to mitigate noise impacts. There are specific policies outlining the requirements for mitigating the impacts appropriately.

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

"Residential High Density II – Special Site 16, as amended" to permit a retirement residence with a maximum Floor Space Index of 2.35.

Existing Zoning

"RM7D4-2649" (Apartment Dwellings), which permits a maximum of 46 apartment dwelling units with a maximum gross floor area of 1.2 times the lot area and a maximum building height of 7 storeys. The minimum open space required is 55% of the lot

area. All site development plans are required to conform to the provisions of a Schedule "I".

Proposed Zoning By-law Amendment

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

"RM7D5-2649, as amended" (Retirement Residence), to permit a maximum of 145 retirement dwelling units, a maximum building height of 8 storeys, minimum open space of 52% of the lot area, and a maximum Floor Space Index of 2.35. All setbacks shall be in accordance with the provisions of a Schedule "I" (see Appendix I-5, Concept Plan).

Draft Mississauga Zoning By-law

A final report on the new draft Zoning By-law will be dealt with by Planning and Development Committee on April 30, 2007 and, it is anticipated that it will be further considered by Council on May 23, 2007. The draft Zoning for this property is "RA2-34" (Apartment Dwellings).

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

COMMUNITY ISSUES

A community meeting was held by Ward 2 Councillor, Pat Mullin on March 1, 2007.

The following is a summary of issues raised by the Community:

Comments

The proposed pedestrian crossing over Southdown Road should not be delayed any further as the additional density proposed with this project increases the necessity for the crossing.

Response

- 7 -

The report relating to the proposed Southdown Road Pedestrian Bridge was considered by General Committee and Council in February and the additional funding required for the project was approved. The tender has closed for this project and construction is scheduled to start in early May. It is anticipated that the duration of the work will be approximately four months. The project includes the construction of a single span prefabricated structural steel truss pedestrian bridge with approach ramps that adhere to the City's accessibility guidelines.

Comments

What is the definition of "senior" as it relates to the people that will be living in the proposed retirement residence? There is some concern that adult children will continue to live with their parents in this residence.

Response

The applicant has proposed a definition for "retirement dwelling" as follows: means a building, or part thereof, containing retirement dwelling units where common facilities are provided for the preparation and consumption of food and where housekeeping services and on-site medical services are provided, as required. A retirement dwelling may contain accessory personal service establishments, retail and recreational uses for the residents and is intended to be occupied by persons who are retired from the work force, or by reason of age or infirmity require the services provided in a semi independent living environment, but who do not require the services and support provided in a long-term care dwelling. The appropriateness of this definition will be evaluated in a future Supplementary Report.

Comments

Will enough visitor parking spaces be provided, particularly for holidays when more visitors are likely to attend the site? If not, visitors will be parking on Walden Circle which is not desirable.

Response

- 8 -

The applicant's proposed concept plan demonstrates that 8 visitor parking spaces will be provided at grade. The appropriateness of the proposed parking rate and number of visitor parking spaces will be evaluated in a future Supplementary Report.

Comments

Based on the proposed use of the site for a retirement residence will there be more service vehicles attending the site? The tight corners will make it difficult for larger trucks to maneuver, plus an increase in the number of large trucks will decrease the safety for pedestrians, particularly, children in the area.

Response

The applicant has indicated that based on their past experiences in developing retirement residences there will be less traffic associated with the proposed retirement residence than there would have been with the previously approved apartment building. The applicant has also indicated that it is unlikely that the service vehicles coming to the site will consist of overly large trucks. City staff will be reviewing both on-site vehicular circulation and traffic movements in this area prior to making a recommendation on the subject applications.

Comments

Some residents suggested that the City or the applicant should consider constructing a sidewalk on the east side of Walden Circle (along the westerly edge of the subject property), as there is a safety issue for pedestrians when vehicles turn north off of Lakeshore Road West onto Walden Circle. However, other residents disagreed with this position and indicated that the proposed walkway along the easterly edge of the subject site is sufficient. It was recognized that to facilitate the sidewalk, the existing retaining wall and mature trees may have to be removed and replaced.

Response

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City staff will be reviewing the technical and land requirements associated with providing a sidewalk on the east side of Walden Circle due to the difference in grade between the road and the subject property. Prior to recommendations being made on these applications, staff will determine the feasibility of providing such a sidewalk.

Comments

If commercial uses are proposed in this building there may be problems with respect to garbage and parking. Further, some residents indicated that extending commercial uses to this property will spoil the "rural" image of Walden Circle, which has a different feel from the rest of the Clarkson Village. Some residents also questioned what the proposed building will look like.

Response

At this time, the applicant is not proposing commercial uses in the building for the use of the general public. However, the applicant explained that some service uses such as a tuck shop, restaurant, theatre, demonstration cooking area, library, games room and dining area are proposed to be located on the ground floor of the building as part of the amenities provided to serve the needs of only the residents.

Based on the community meeting held, a focus group is being formed to assist in developing detailed elevations for the proposed building. However, at the time of writing of this report, the focus group had not yet met. Focus group meeting dates have been set for April 17, 2007 and May 7, 2007.

DEVELOPMENT ISSUES

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

Mainstreet Character of Clarkson Village

The Planning and Building Department is currently undertaking a visioning study for Clarkson Village. In accordance with the feedback received to date regarding the study, the applicant is strongly encouraged to explore opportunities to provide retail commercial uses at grade facing Lakeshore Road West.

Pedestrian Connection

Through the previous official plan amendment and rezoning applications on this site, the City secured an easement to provide a pedestrian walkway along the easterly edge of the site. The design and location of the walkway were in accordance with the requirements of both the City and CN Rail. The site layout proposed through the subject applications has not had sufficient regard for the required pedestrian connection, municipal easement or CN Rail requirements.

Grading of the Site

Detailed grading information has not been provided with the applications; however, we advise that there is a grade difference between the site and Lakeshore Road West and Walden Circle. The grade difference poses challenges with respect to providing commercial uses at grade; providing an accessible front entrance for people with disabilities; and, providing a sidewalk along Walden Circle (at the westerly edge of the subject property).

Screening

The proposed loading area is in proximity to the street, therefore, the applicant should demonstrate how the loading area can be adequately screened.

Proposed Lay-by Parking and Bus Stop

The applicant has shown proposed lay-by parking and a bus stop along Lakeshore Road West on the submitted concept plan. The lay-by parking causes concerns with respect to sight distance restraints in the area of the rail overpass. The applicant will be required to demonstrate the feasibility of the proposed lay-by parking and illustrate that adequate sight distances are afforded to motorists. Additionally, there is an existing bus stop and shelter in the area where the lay-by parking is being proposed. The applicant will be required to make appropriate arrangements to relocate the bus stop and shelter.

OTHER INFORMATION

Development Requirements

In conjunction with the proposed development, there are certain
other engineering and conservation matters with respect to noise,
traffic and shadowing, which will require the applicant to provide
the appropriate studies or enter into appropriate agreements with
the City. The applicant will also be required to obtain site plan
approval for the proposed development.

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 Clarkson-Lorne Park District Land Use Map Appendix I-4 - Excerpt of Existing Land Use Map Appendix I-5 - Concept Plan Appendix I-6 - Conceptual Rendering Appendix I-7 - Agency Comments Appendix I-8 - General Context Map

Edward R. Sajecki Commissioner of Planning and Building

Prepared By: Stacey Laughlin, Development Planner

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Site History

- May 5, 2003 The Region of Peel approved the Mississauga Plan Policies for the Clarkson-Lorne Park District, designating the subject lands "Residential Medium Density I".
- June 2, 2003 Council approved the Official Plan Amendment (OPA) and Rezoning applications being processed under file OZ 02/014 W2 for a seven (7) storey, 46 unit apartment building. The implementing OPA #6 was enacted on June 25, 2003 and the implementing zoning by-law was passed on September 28, 2003. The associated Site Plan application submitted under file SP 02/477 W2 never received final approval and was subsequently cancelled.
- October 17, 2006 A minor variance application was submitted under file 'A' 491/06 to permit a retirement residence with 140 dwelling units, with a floor space index of 2.33, a minimum open space of 52%, and a building height of eight (8) storeys. The application was considered by the Committee of Adjustment at their meetings on November 9, 2006 and November 23, 2006. The Committee refused the application on the basis it did not maintain the general intent and purpose of the Official Plan or Zoning By-law and should more appropriately proceed by way of Official Plan Amendment and Rezoning applications.



SIGN FILE









Architect Inc. GIOVANNI A. TASSONE

Nina's Court Metadore Rev Wet | Meanage 04 Proposed Retirement Building - Concept Rendering - Scheme 2 arts



CONCEPTUAL RENDERING OF BUILDING

File: OZ 06/029 W2

Agency Comments

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

Agency / Comment Date	Comment
Region of Peel (February 27, 2007)	The Region has no objection to the approval of the subject applications and provides the following comments:
	An amendment to the Region of Peel Official Plan will not be required.
	An existing 400 mm (16 in.) diameter watermain and an existing 250 mm (10 in.) diameter watermain is located on Lakeshore Road West and an existing 200 mm (8 in.) diameter watermain is located on Walden Circle. There is an existing watermain at the northern limits of the subject property. The Region will require a minimum 2 m (6.56 ft.) offset from the edge of the watermain pipe and an easement over the existing watermain. Details of an easement will be provided at Site Plan application stage.
	An existing 375 mm (15 in.) diameter sanitary sewer is located on Walden Circle.
	The applicant will be required to submit a Functional Servicing Report to Regional staff at the Site Plan application stage in order to determine the adequacy of the above-noted municipal water and sanitary sewer services.
	The subject land is not located within the vicinity of a landfill site.
	As the retail uses proposed in the development are sized to accommodate the residents of the development, the Region will collect the retail and residential waste that is generated by the residents of the proposed development.
	The residential portion of the development will require three 3 cubic yard compacted garbage bins and three 3 cubic yard non- compacted bins for recyclable materials. The bin set-out area is to be at the same elevation as the loading area driveway and there is not to be a curb between these two areas.

File: OZ 06/029 W2

Agency / Comment Date	Comment
	To facilitate adherence to the Region's Waste Collection By- law, the applicant will be required to ensure that the recycling collection program is as convenient to each resident in the development as the garbage collection program. Recycling is mandatory within all residential buildings, and waste collection services may be revoked by failing to comply. At the site plan stage, the applicant will need to identify the system to be used by providing a drawing of the waste storage room for the proposed development.
Peel District School Board (February 9, 2007)	The School Board has indicated that it has no comments as the applications are for a retirement residence and no school children should be expected from this proposal.
Dufferin-Peel Catholic District School Board (February 26, 2007)	The School Board has indicated that the application complies with the school accommodation criteria and as such the City of Mississauga school accommodation condition need not be applied.
City Community Services Department – Planning, Development and Business Services Division (April 4, 2007)	This Department indicated that 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> and in accordance with City's Policies and By- laws. Further, A cash contribution for trail signage will be required prior to by-law enactment.
City Community Services Department – Fire and Emergency Services Division (April 4, 2007)	This Department indicated that from an emergency response perspective, they have no concerns with respect to the applications. The site layout and building design will be assessed through the site plan and building permit processes.
City Transportation and Works Department (April 4, 2007)	This Department has indicated that these lands are currently subject to the warning clauses and conditions in accordance with the Development Agreement executed as part of the approval for OZ 02/014 W2 (Napev Construction). The

File: OZ 06/029 W2

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Agency / Comment Date	Comment
	applicant's concept plan does not take into account the development requirements contained within Schedules 'B' and 'F' of this agreement which includes conditions required by CN Rail and the construction details of a walkway over Part 1, Plan 43R-30266. An easement was granted over this walkway in favour of the City as part of the approval of this previous rezoning application.
	The concept plan is to be revised to address the placement of a walkway which addresses the requirements of the City and CN Rail. In the event that an alternate walkway configuration is approved by the City/CN Rail, the appropriate amendments to the Development Agreement and the existing easement registered on title will be required.
	This Department also noted concern with the proposed lay-by parking along Lakeshore Road West due to sight distance restraints in the area of the rail overpass. As a result, the applicant is required to determine the feasibility of the proposed lay-by parking and illustrate that adequate sight distances are afforded to motorists.
	In addition, the applicant is required to provide a completed Environmental Site Screening Questionnaire and Declaration (ESSQD and updated acoustical information to reflect the changes to the site layout.
	Prior to the preparation of a Supplementary Report, additional comments will be provided subject to the receipt and review of the above-captioned items.
CN Rail (March 9, 2007)	Residential development adjacent to the railway right-of-way is not appropriate without impact mitigation measures to reduce the incompatibility. The proposed residential use would be expected to comply with CN Rail's Principal Branch Line Requirements.
	It is specifically requested that the City include the 15.00 m (49.21 ft.) setback requirement in the Zoning By-law and that the principal branch line requirements be included in the development agreement.
	There is sufficient wording within Mississauga Plan to address CN Rail concerns with respect to the requested Official Plan

File: OZ 06/029 W2

Agency / Comment Date	Comment
	Amendment (OPA), however it is suggested the OPA make specific reference to the appropriate sections concerning development near railway corridors and that development be specifically required to have regard for these.
	CN Rail will also be seeking a separate agreement and an environmental easement in favour of CN Rail from the proponent to ensure their concerns are adequately addressed and future residents are aware of the railway's proximity and potential impacts.
	Should Council decide to approve the applications without incorporating the above requirements, CN Rail has no alternative but to request that they be referred to the Ontario Municipal Board pursuant to the provisions of the <i>Planning Act</i> .
Other City Departments and External Agencies	The following City Departments and external agencies offered no objection to these applications provided that all technical matters are addressed in a satisfactory manner: Bell Canada; Canada Post Corporation; Enersource Hydro Mississauga; Trans-Northern Pipelines Inc.; and, Credit Valley Hospital
	The following City Departments and external agencies were circulated the applications but provided no comments: Realty Services; Enbridge Gas Distribution Inc.; Hydro One Networks Inc.; Conseil Scolaire de District Catholique Centre- Sud; Conseil Scolaire de District Centre-Sud-Ouest; GO Transit; Rogers Cable; and, The Trillium Health Centre.

