

Originator's

File OZ 06/007 W11

DATE: August 14, 2007

TO: Chair and Members of Planning and Development Committee

Meeting Date: September 4, 2007

FROM: Edward R. Sajecki

Commissioner of Planning and Building

SUBJECT: Information Report

Official Plan Amendment and Rezoning Applications To permit a medical clinic and three apartment units

364 Queen Street South

West side of Queen Street South, north of Reid Drive

Owner: Think Large Inc.

Applicant: John D. Rogers & Associates Inc.

Bill 20

Public Meeting Ward 11

RECOMMENDATION:

That the Report dated August 14, 2007, from the Commissioner of Planning and Building regarding the application to amend the Official Plan from "Residential - Low Density I, Special Site 3" to "Residential – Medium Density II, Special Site 3, as amended" and to change the Zoning from "TR4" (Transitional Zone) to

"R5 – Special Section" (Fifth Density Residential Zone - Special Section) to permit a medical office and three apartment units under file OZ 06/007~W11, Think Large Inc., 364 Queen Street South, be

received for information.

BACKGROUND:

Official Plan Amendment and Rezoning applications have been filed to convert an existing duplex to a mixed use building containing a medical office and three apartment units.

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

A site plan application has been submitted in support of the application under file SP 06/095 W11 (See Appendix I-5).

COMMENTS:

Details of the proposal are as follows:

Development Proposal		
Applications		
submitted:	April 24, 2006	
Gross Floor Area		
Existing:	184.5 m ² (1,986 sq. ft.);	
Proposed Addition:	234.6 m ² (2,525 sq. ft.);	
Total:	419.1 m^2 (4,511 sq. ft.), with medical	
	clinic comprising approximately	
	151 m ² (1,625 sq. ft.);	
Detached Garage:	43.3 m ² (466 sq. ft.).	
Height	2 storeys	
Lot Coverage:	24.3 %	
Floor Space Index:	0.45	
Landscaped Area:	38.7 %	
Net Density:	33.3 units/ha	
	13 units/acre	
Number of units:	3 residential apartment units (1	
	basement unit and 2 second storey	
	units), and medical clinic (ground	
	floor)	
Anticipated	6.879*	
Population:	*Average household sizes for all units	
	(by type) for the year 2011 (city	
	average) based on the 2005 Growth	
	Forecasts for the City of Mississauga.	
Parking Required:	13 spaces	
Parking Provided:	13 spaces	

Development Proposal	
Supporting	Noise Study
Documents:	Traffic Assessment
	Planning Justification
	Stormwater Management Report
	Heritage Impact Statement

Site Characteristics	
Frontage:	23.72 m (77.8 ft.)
Depth:	39.32 m (129 ft.)
Net Lot Area:	0.09 ha (0.23 ac.)
Existing Use:	two rental apartment units

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

Neighbourhood Context

The subject property is located in a largely residential section of Queen Street South. There are some dwellings which have been converted to office uses, and there is a gas bar located southeast of the subject property at the northeast corner of Reid Drive and Queen Street South. On the property is a two storey brick dwelling, with two apartment units, which is listed on the Heritage Register and several mature trees. Access and parking is currently provided through an easement over the driveway for 362A Queen Street South, shown on Appendix I-5. The existing dwelling is to be retained with an addition proposed to the south and west side of the building. Information regarding the history of the site is found in Appendix I-1.

The surrounding land uses are described as follows:

North: Detached Dwellings

East: Queen Street South, Detached Dwellings, Gas Bar,

Apartments

South: Detached Dwelling, Office, St. Lawrence & Hudson

Railway

West: Detached Dwelling, St. Lawrence & Hudson Railway

Current Mississauga Plan Designation and Policies for Streetsville District (November 2, 2006)

"Residential – Low Density I, Special Site 3" which permits detached dwellings to a maximum density of 17 units per net residential hectare (6.88 units per acre). Special Site 3 permits offices subject to meeting the following requirements to ensure that the residential character is maintained:

- a. any office conversion should maintain a residential appearance in keeping with the existing scale, materials, and character of the existing dwellings in the immediate area. The existing houses should be preserved if at all possible, while the interior floor plan may be altered for office use;
- b. any addition and alteration of existing building should be sensitive to the existing vernacular and heritage village theme, and should be largely confined to the rear of the property;
- c. any additions, alteration, conversion or redevelopment should maintain the existing front yard setback, with the front yard used for landscaping;
- d. sufficient on-site parking, which will consist of only surface parking, as required by the Zoning By-law, should be provided in the rear yard only at grade without removal of existing trees, except at the discretion of the City arborist;
- e. vehicular entrances should be combined to minimize the number of access points on Queen Street South;
- f. minimal signage will be permitted. The design of such signage and external lighting should be compatible with the residential character of the area;
- g. existing lot sizes should be retained;
- h. rear yard drainage will be provided to the satisfaction of the City.

The applications are not in conformity with the land use designation, as apartment units are not permitted within the "Residential Low Density I" designation. An Official Plan Amendment is proposed to "Residential Medium Density II" and Special Site 3 is to be amended to permit a medical office and horizontal multiple dwellings to a maximum density of 33.3 units per net residential hectare (13 units per net residential acre) with a maximum of three residential apartment units on the subject site, while still being subject to the special site policies for office uses.

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

Residential Policies

3.2.3.1

Residential lands will be developed to achieve a compact, orderly urban form generally characterized by lower densities in the interior of communities and higher densities along major roads and near concentrations of commercial, community, and transportation facilities.

3.2.3.8

Residential intensification, in the form of more compact development and higher densities in appropriate development areas, is encouraged subject to:

- a. adequate engineering and community services;
- b. compatibility with surrounding uses; and,
- c. development proposals addressing the scale and character of the existing residential area by having regard for natural vegetation, lot frontages and areas, building height coverage, mass setbacks, privacy, and overview.

Urban Design Policies

3.15.2.6

Building, landscaping and site design will minimize the effects of noise, unattractive views, other negative impacts and will buffer adjacent land uses.

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 – Medium Density II" which would permit all forms of horizontal multiple dwellings at a density of 42-57 units per net residential hectare and low rise apartments at a Floor Space Index of 0.3-1.0, with building heights not to exceed four storeys. The amended Special Site 3 would identify the subject site, permit a medical office, permit a maximum of 3 apartment units, and a maximum density of 33.3 units per net residential hectare (13 units per net residential acre).

Existing Zoning (By-law 65-30)

"TR4" (Transitional Zone) in By-law 65-30 (Streetsville Zoning By-law). The permitted uses include a single-family detached dwelling, a residential use in existence at the time of the passing of the By-law, and a clinic. The full list of permitted uses is summarized in Appendix I-8.

Proposed Zoning By-law Amendment

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

"R5 – Special Section" (Residential Fifth Density – Special Section), to permit a medical office and three (3) apartment units.

As part of the rezoning, the applicant is proposing that the following standards be applied:

	Required Zoning	Proposed Standard
	By-law Standard	
Parking	13 spaces	13 spaces
	- medical office: 6.5	
	spaces per 100 m ²	
	GFA;	
	- apartment units: 1	
	space per unit.	
Landscaped Open	40% of lot area	38.7% of lot area
Space		
Minimum Front	7.5 m	2.8 m
Yard Setback		
Minimum Rear Yard	10.5 m	1.2 m
Setback		
Minimum Side Yard	4.13 m	1.2 m
Setback	(50% of height)	

Mississauga Zoning By-law 0225-2007 (under appeal)

Zoning By-law 0225-2007 was approved by Council on June 20, 2007, and has been appealed to the Ontario Municipal Board. The subject property is zoned "R3" (Detached Dwelling Zone) in By-law 0225-2007, permitting a detached dwelling subject to specific setbacks and regulations.

When By-law 0225-2007 comes into force, the proposed zoning for this property will be "RM8 – Exception" (Detached, Semi-Detached, Duplex, Triplex and Horizontal Multiple Dwellings with 4 to 6 Dwelling Units Zone – Exception), as stated in the letter dated July 16, 2007 from John D. Rogers and Associates Inc.

The timing of the site specific Zoning By-law to permit the proposed development may be affected by the status of Zoning By-law 0225-2007 and the appeals. A recommendation will be included in the supplementary report to address Mississauga Zoning By-law 0225-2007.

COMMUNITY ISSUES

A letter was received from the adjacent property owners to the south at 366 Queen Street South dated October 3, 2006 providing the following concerns:

- increased stormwater impacts (flooding of basement);
- potential number of doctors practicing and impact on demand for parking, resulting in insufficient parking supply;
- impacts on privacy from idling cars, increased pedestrian traffic and noise; and,
- the owner and medical practitioner will not reside in the dwelling.

The above issues will be addressed in the Supplementary Report.

A community meeting was held by Ward 11, Councillor Carlson on May 24, 2007.

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

Comments

The proposal will generate excessive traffic and result in further congestion along Queen Street South.

Response

A Traffic Impact Study was submitted with the application. Comments on traffic impacts will be provided in the Supplementary Report, following further review.

Comments

The proposal will change the character and nature of south Streetsville.

Response

The impact on community character will be evaluated within the Supplementary Report.

DEVELOPMENT ISSUES

Agency comments are summarized in Appendix I-6 and school accommodation information is contained in Appendix I-7. Based on the comments received and the applicable Mississauga Plan policies the following matters will have to be addressed

- 1. Compatibility with adjacent residential uses, to ensure no adverse traffic and noise impacts;
- 2. Ensuring the proposal does not destabilize existing and designated uses in the area;
- 3. Provide legal authorization for increased traffic over the driveway of 362A Queen Street South (easement) for proposed intensified use of land.

OTHER INFORMATION

Development Requirements

In conjunction with the proposed development, there are certain other engineering and land use issues with respect to warning clauses, servicing, and access, which will require the applicant to enter into appropriate agreements with the City.

FINANCIAL IMPACT:

Development charges will be payable in keeping with the requirements of the applicable Development Charges By-law of the City as well as financial requirements of any other official agency concerned with the development of the lands.

CONCLUSION:

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 Streetsville District Land Use Map

Appendix I-4a - Excerpt of Existing Land Use Map

(By-law 65-30)

Appendix I-4b - Excerpt of Existing Land Use Map

(By-law 0225-2007)

Appendix I-5 - Concept Plan and Elevations

Appendix I-6 - Agency Comments

Appendix I-7 - School Accommodation

Appendix I-8 - TR4 Zone Permitted Uses

Appendix I-9a - General Context Map (By-law 65-30) Appendix I-9b - General Context Map (By-law 0225-2007)

Edward R. Sajecki

Commissioner of Planning and Building

Prepared By: Jonathan Famme, Development Planner

Site History

• May 5, 2003 – Mississauga Plan, with the exception of certain policies that were appealed to the Ontario Municipal Board (OMB), came into full force and effect. Since the appeals to Mississauga Plan do not pertain to this site, Mississauga Plan governs the subject lands. The subject site was designated "Residential - Low Density I, Special Site 5" within the Streetsville District.

• November 2, 2006 – Amendment No. 49 Streetsville District Policies and District Land Use Map was approved, with the exception of two site specific appeals to the Ontario Municipal Board (OMB), came into full force and effect. The two site specific appeals do not pertain to this site. The subject site is designated "Residential – Low Density I, Special Site 3" within the Streetsville District of Mississauga Plan.



LEGEND:



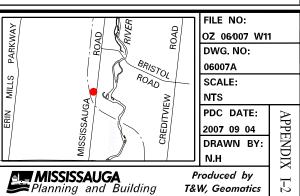
SUBJECT LANDS

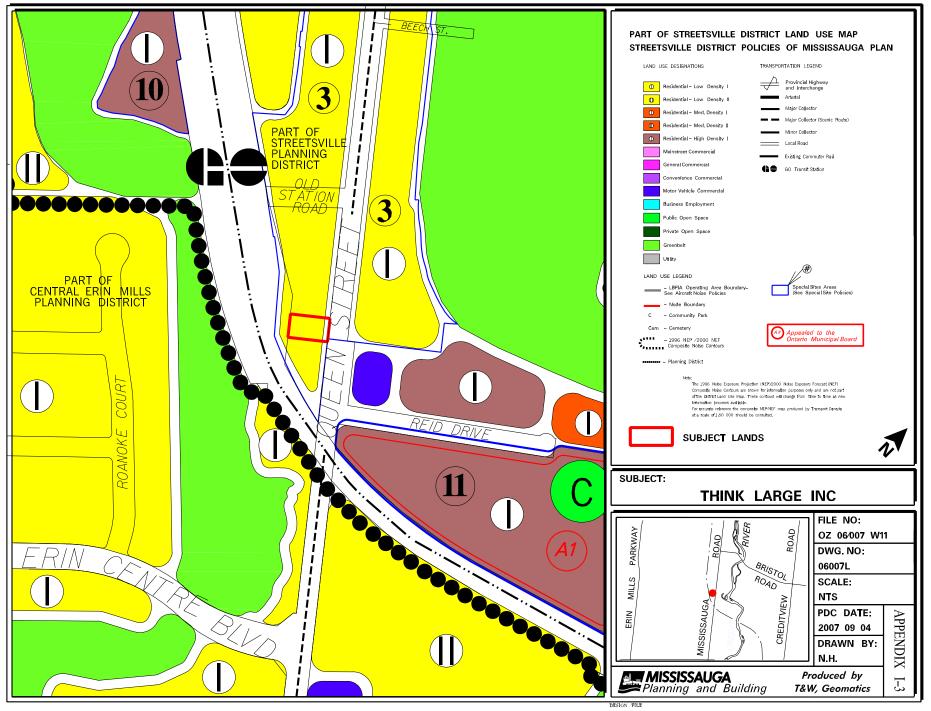
DATE OF AERIAL PHOTO: 2007

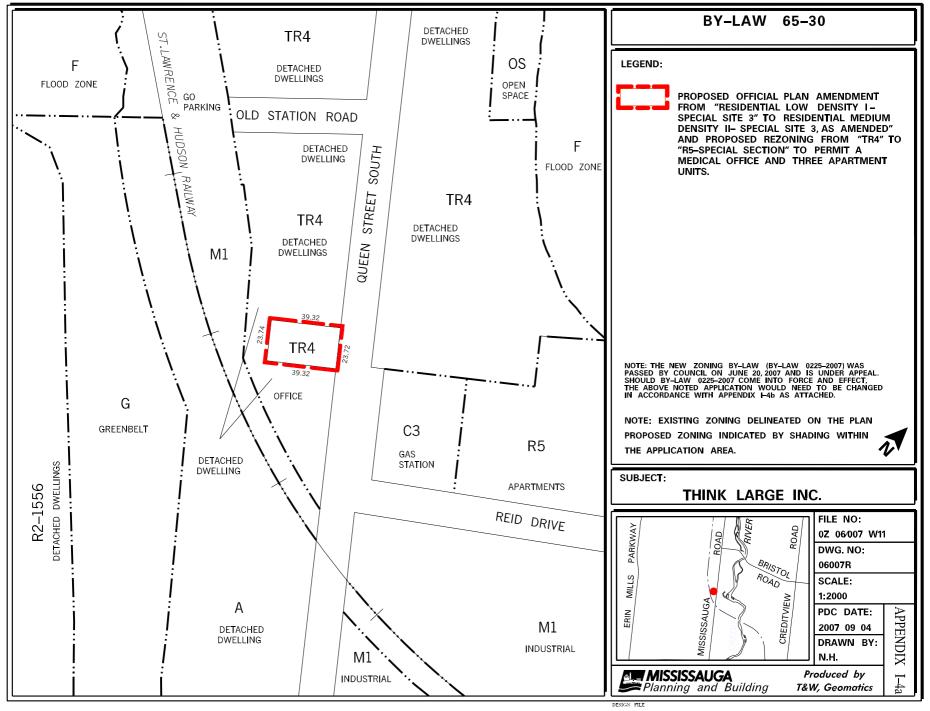


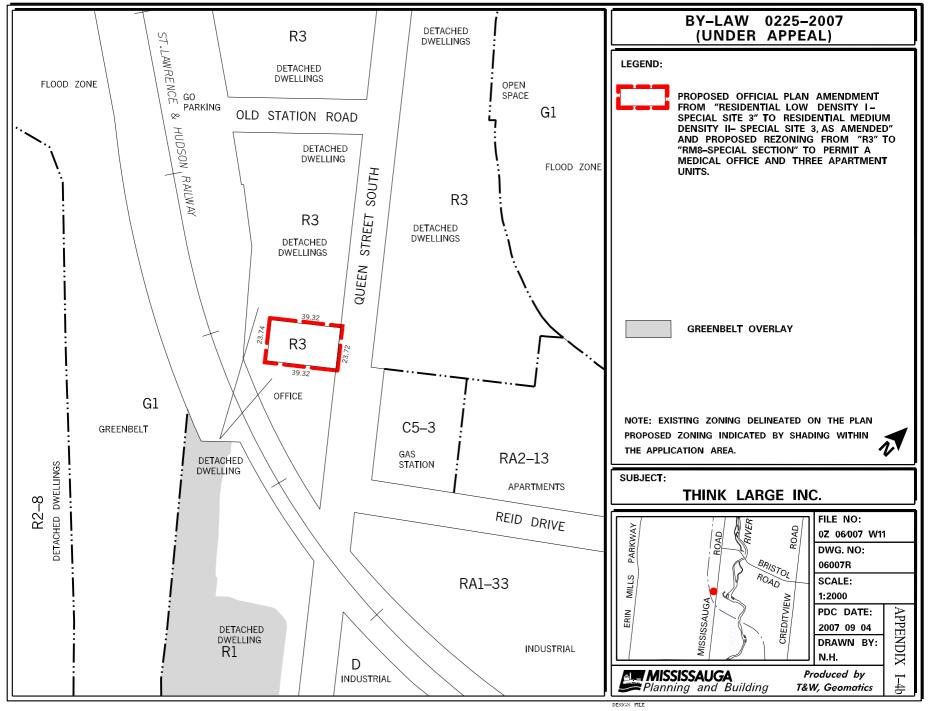
SUBJECT:

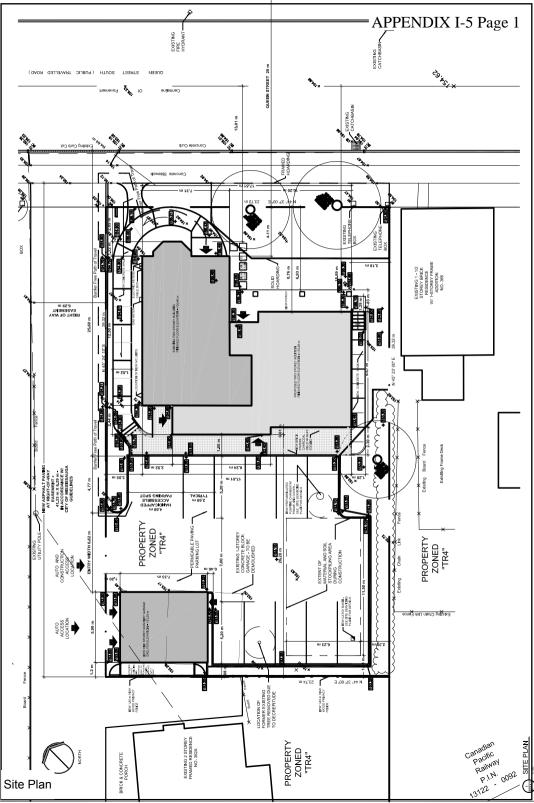
THINK LARGE INC.



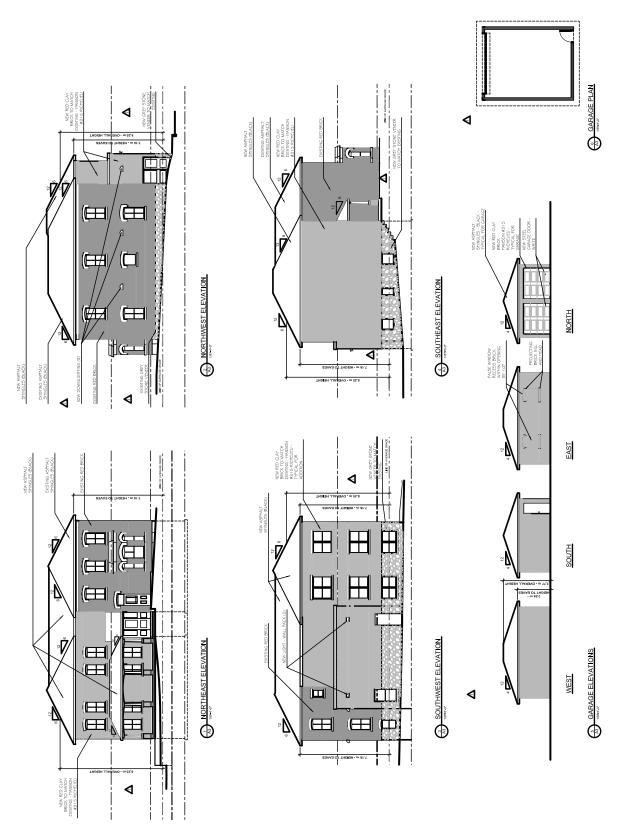








4



Agency Comments

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

Agency / Comment Date	Comment
Region of Peel (June 5, 2006)	The Region has no objection to the applications and requires no conditions of approval.
	Curbside waste collection will be provided for the residential portion of the proposed development, while a private hauler will be required for the waste from the medical clinic. Residential waste must be separated from medical waste, and must be clearly identifiable. Hazardous or pathological wastes, from the medical clinic must not be set out for collection. Medical waste must be collected by an appropriately licensed private hauler, Regional collection services may be suspended if these wastes are set out with the residential waste from this development.
Dufferin-Peel Catholic District School Board (July 30, 2007) and the Peel District School Board (July 23, 2007)	development. The Boards responded that they are satisfied with the current provision of educational facilities for the catchment area and, as such, the school accommodation condition as required by City of Mississauga Council Resolution 152-98 pertaining to satisfactory arrangements regarding the adequate provision and distribution of educational facilities need not be applied for this development application.
	In addition, if approved, the Peel District School Board also requires inclusion of the following condition in the Development Agreement as well as the Engineering Agreement:
	1. The Board requires that the following clause be placed in any agreement of purchase and sale entered into with respect to any lots on this plan, within a period of five years from the date of registration of the subdivision agreement:

Agency / Comment Date	Comment
	"Whereas, despite the efforts of the Peel District School Board, sufficient accommodation may not be available for all anticipated students in the neighbourhood schools, you are herby notified that some students may be accommodated in temporary facilities or bused to schools outside of the area, according to the Board's Transportation Policy. You are advised to contact the School Accommodation department of the Peel District School Board to determine the exact schools."
	If approved, the Dufferin-Peel Catholic District School Board requires the following:
	1. That the applicant shall agree in the Servicing and/or Subdivision Agreement to include the following warning clauses in all offers of purchase and sale of residential lots until the permanent school for the area has been completed.
	(a) "Whereas, despite the best efforts of the Dufferin-Peel Catholic District School Board, sufficient accommodation may not be available for all anticipated students from the area, you are hereby notified that students may be accommodated in temporary facilities and/or bussed to a school outside of the neighbourhood, and further, that students may later be transferred to the neighbourhood school."
	(b) "That the purchasers agree that for the purpose of transportation to school, the residents of the subdivision shall agree that children will meet the bus on roads presently in existence or at another place designated by the Board."
City Community Services Department – Planning, Development and Business Services Division (July 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 Planning Act (R.S.O. 1990, c.P. 13, as amended) and in accordance with City's Policies and By-laws.

Agency / Comment Date	Comment
City Transportation and Works Department (July 5, 2007)	The subject property is listed on the City's Heritage Register. The applicant has provided a completed Heritage Impact Statement, which is acceptable to Departmental standards. The document provided two options for the addition to the building. This Department concurs with the report's recommendation that option 2 is preferable. This option, as stated by the heritage consultant, offers a more "refined" treatment of the elevation, in keeping with the heritage structure." The applicant has provided a Traffic Assessment which is currently being reviewed by staff. Comments on the above study will be finalized prior to the preparation of the Supplementary Report.
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: - Development Services; - Economic Development; - Community Services – Fire Prevention; - Bell Canada; - Enbridge; and, - Enersource Hydro Mississauga.
	The following City Departments and external agencies were circulated the applications but provided no comments: - Realty Services; - Conseil Scolaire de District Catholique Centre-Sud; - Conseil Scolaire de District Centre-Sud-Ouest; - CN Rail; - CP Rail; and, - Canada Post.

School Accommodation

The Peel District School Board	The Dufferin-Peel Catholic District School Board
Student Yield:	 Student Yield: Junior Kindergarten to Grade 8 Grade 9 to Grade 12/OAC School Accommodation: St. Joseph (Elementary) Enrolment: 432
Capacity: 233 Portables: 0 Dolphin Sr.	Capacity: 475 Portables: 1 St. Aloysius Gonzaga
Enrolment: 567 Capacity: 609 Portables: 9 Streetsville S.S.	Enrolment: 1937 Capacity: 1656 Portables: 0
Enrolment: 1,007 Capacity: 1,008 Portables: 6 * Note: Capacity reflects the Ministry of Education rated capacity, not the Board rated capacity, resulting in the requirement of portables.	

TR4 Zone Permitted Uses

- a single-family detached dwelling;
- a residential use in existence at the time of the passing of the By-law;
- a group home in a single-family detached dwelling;
- a business use in existence at the time of the passing of the By-law;
- a private office located in a dwelling used by the business occupant as his private residence provided no staff is employed;
- any public or institutional use permitted in an OS zone;
- a place of religious assembly;
- a clinic;
- a nursery school;
- a parking lot;
- a public library;
- a public or private hospital;
- a public or private tennis or lawn bowling club;
- a YMCA or YWCA use;
- a Boys Scouts Association use;
- a Girl Guides Association use; and
- a Canadian Legion use.

