Clerk's Files



Report

Originator's Files OZ 05/043 W2

# **PDC** MAR 17 2008

DATE:	February 26, 2008			
TO:	Chair and Members of Planning and Development Committee Meeting Date: March 17, 2008			
FROM:	Edward R. Sajecki Commissioner of Planning and Building			
SUBJECT:	Information Report Official Plan Amendment and Rezoning Applications To permit a 15 storey, 124 unit condominium apartment building with 506 m <sup>2</sup> (5,447 sq. ft.) of ground level commercial uses 1969 and 1971 Lakeshore Road West Northeast corner of Lakeshore Road West and Walden Circle Owner: 607074 Ontario Limited Applicant: Makow Associates Architect Inc. Bill 20			
	Public Meeting Ward 2			
<b>RECOMMENDATION:</b>	That the Report dated February 26, 2008, from the Commissioner of Planning and Building regarding the applications to amend the Official Plan from "Mainstreet Commercial" to "Residential High Density II - Special Site" and to change the Zoning from "C4" (Mainstreet Commercial) to "RA4-Exception" (Residential Apartment), to permit a 15 storey, 124 unit condominium apartment building with 506 m <sup>2</sup> (5,447 sq. ft.) of ground level commercial uses under file OZ 05/043 W2, 607074 Ontario Limited, 1969 and 1971 Lakeshore Road West, be received for information.			

**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 community.

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The applicant provided revised supporting materials along with a detailed covering letter on November 23, 2007 which clarified the range of commercial uses being sought, proposed development standards and parking standards to be applied to the residential and commercial uses.

**COMMENTS:** Details of the proposal are as follows:

Development Proposal			
Applications submitted:	December 5, 2005		
Height:	15 storeys		
Lot Coverage:	38%		
Floor Space	3.3		
Index:			
Landscaped	25% (including green roofs)		
Area:			
Net Density:	202 units/ha		
	(112 units/acre)		
Gross Floor	$11 474 \text{ m}^2$ (123,509 sq. ft.) – Residential		
Area:	506 m <sup>2</sup> (5,447 sq. ft.) – Commercial		
Number of	55 – 1 bedroom		
units:	69 – 2 bedroom		
	124 units total		
Anticipated	285*		
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	68.8 spaces for 1 bedroom residential		
Required:	units (1.25 spaces/unit x 55 units)		
	96.6 spaces for 2 bedroom residential		
	units (1.40 spaces/unit x 69 units)		

Development Proposal				
	31 spaces for residential visitors (0.25			
	spaces/unit x 124 units)			
	10.1 spaces for commercial uses (4.3			
	spaces/100 m <sup>2</sup> (1,076.43 sq. ft.) x 235 m <sup>2</sup>			
	(2,530 sq. ft.))			
	43.4 spaces for restaurant uses (16			
	spaces/100 m <sup>2</sup> (1,076.43 sq. ft.) x 271 m <sup>2</sup>			
	(2,917 sq. ft.))			
	Total Required Parking: 250			
Parking	251			
Provided:				
Supporting	Proposed Standards and Planning			
Documents:	Justification Report; Phase I			
	Environmental Site Assessment;			
	Preliminary Servicing Report; Acoustical			
	Impact Study; Traffic Impact Study;			
	Heritage Impact Study; Shadow Study;			
	and Arborist Report.			

Site Characteristics		
Frontage:	56.08 m (184 ft.) - Lakeshore Road West	
Depth:	55.26 m (181 ft.) – Walden Circle	
Net Lot Area:	0.364 ha (0.9 ac.)	
Existing Use:	Two free-standing restaurant structures;	
	the Satellite Restaurant and Spoon and	
	Fork Restaurant	

Additional information is provided in Appendices I-1 to I-9.

## **Neighbourhood Context**

The subject property is located on the north side of Lakeshore Road West, east of Southdown Road. The property is part of the linear commercial area which runs along Lakeshore Road West through Clarkson Village. The lands also abut the Walden Spinney neighbourhood to the north where there is a mix of buildings including two and three storey row dwellings and apartment buildings ranging in height from 11 to 21 storeys.

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The surrounding land uses are described as follows:

North:	Passive and active recreational facilities associated with
	the Walden Club, including outdoor tennis courts and
	swimming pool
East:	Three storey row dwellings
South:	17 storey apartment building, south of Lakeshore Road
	West
West:	15 storey apartment building, west of Walden Circle

## **Current Mississauga Plan Designation and Policies for Clarkson-Lorne Park Planning District**

"Mainstreet Commercial" which permits establishments for the sale of goods and services, recreation, entertainment and accommodation to the general public. Residential, community and office uses will also be permitted. Compatible development is encouraged which recognizes the scale and enhances the character of Mainstreet Commercial areas. Infilling is the preferred form of pedestrian-oriented street-related commercial development, including the combination of commercial and residential uses.

The subject lands are also located within the Clarkson Village Node. Section 3.13.3 - Nodes generally indicate that these areas are intended to act as the focus of activity for the surrounding community, benefiting from good accessibility, visibility and a relatively high level of existing and potential transit service.

A high quality, compact and urban built form will be encouraged to reduce the impact of extensive parking areas, enhance pedestrian circulation, complement adjacent land uses, and distinguish the significance of nodes from surrounding areas.

The Mississauga Plan policies for the Clarkson-Lorne Park District were approved by the Region of Peel on May 5, 2003 with modifications adopted through Official Plan Amendment 25, which were subsequently approved by the Ontario Municipal Board on September 10, 2007, with the exception of individual sites which are the subject of active appeals. The applications are not in conformity with the Mississauga Plan policies for Clarkson-Lorne Park District and propose to change the applicable land use designation to accommodate residential apartment built form.

There are other policies in the Official Plan which also are applicable in the review of these applications including, but not limited to:

#### **Urban Design Policies**

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Section 3.18.2.1 – The most prominent, most intensive and highest built form in terms of density and height will be encouraged in the City Centre.

Section 3.18.2.3 – Heritage resources should be conserved and incorporated into community design and new development in a manner that enhances the heritage resources and makes them focal points for the community.

Section 3.18.2.4 – Building and site design will be compatible with site conditions, the surrounding context, features and surrounding landscape and intended character of the area.

Section 3.18.2.5 – Building, landscaping and site design will create appropriate visual and functional relationships between individual buildings, groups of buildings and open spaces.

#### **Criteria for Site Specific Official Plan Amendments**

Section 5.3.2 of Mississauga Plan contains criteria which require 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.

The applicant has provided a Planning Justification Report along with an Addendum Report which discusses how, in their opinion, the proposed development addresses this and other criterion. City staff are in the process of reviewing this report and detailed comments will be provided within the Supplementary Report.

#### The Provincial Policy Statement (PPS)

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The current PPS, which came into effect on March 1, 2005, contains several specific policies requiring municipalities to identify and promote opportunities to achieve certain goals, including: intensification; redevelopment; compact form; transit supportive densities; development close to existing public facilities and infrastructure; mixture of land uses; and efficient use of land. These goals differ from the previous PPS, which was approved in 1997, which only spoke generally to the concepts of residential intensification and the efficient use of land in built-up areas.

#### Growth Plan for the Greater Golden Horseshoe

The *Planning Act* was modified on January 1, 2007, to amongst other matters, require that decisions made by approval authorities, on development applications, conform with Provincial policies in place at the time of the decision. On June 16, 2006, the Growth Plan came into effect, more than five months after the receipt of these applications. Based upon the above noted changes to the *Planning Act*, the subject applications must conform to applicable Provincial policies, including the Growth Plan.

The Growth Plan contains policies to manage growth and development to a 2031 planning horizon for the defined Greater Golden Horseshoe area. The Plan directs growth to built-up areas, promotes transit-supportive densities and supports a mix of residential and employment land uses. Given recent changes to the *Planning Act*, there are a number of policies contained within the Growth Plan that must be considered in reviewing the subject applications:

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Section 2.2.2.1 – "Population and employment growth will be accommodated by – (a) directing a significant portion of new growth to the built-up areas of the community through intensification; (d) reducing dependence on the automobile through the development of mixed-use, transit supportive, pedestrianfriendly urban environments; encouraging cities and towns to develop as complete communities with a diverse mix of land uses, a range and mix of employment and housing types, high quality public open space and easy access to local stores and services."

Section 2.2.3.6 – "All municipalities will develop and implement through their official plans and other supporting documents, a strategy and policies to phase in and achieve intensification and the intensification target. This strategy and policies will - ....(e) recognize urban growth centres, intensification corridors and major transit station areas as a key focus for development to accommodate intensification.....(g) identify the appropriate type and scale of development in intensification areas..."

Section 2.2.3.7 – "All intensification areas will be planned and designed to – (a) cumulatively attract a significant portion of population and employment growth; (b) provide a diverse and compatible mix of land uses, including residential and employment uses, to support vibrant neighbourhoods; (e) generally achieve higher densities than the surrounding areas; and, (f) achieve an appropriate transition of built form to adjacent areas."

Section 2.2.5.1 – "Major Transit station areas and intensification corridors will be designated in official plans and 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 wherever appropriate."

The Growth Plan defines a Major Transit Station Area as "The area including around any existing or planned higher order transit station within a settlement area; or the area including and around a

major bus depot in an urban core. Station areas generally are defined as the area within an approximate 500 m (1,640 ft.) radius of a transit station, representing about a 10 minute walk."

The subject lands are located approximately 400 m (1,312 ft.) from the Clarkson GO Train Station, within the above noted radius defining a Major Transit Station Area.

#### **Residential Intensification (Interim Policies)**

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On October 26, 2006, interim residential intensification policies came into effect, replacing subsection 3.2.3.8 of Mississauga Plan, with the exception of two site specific appeals. Mississauga Plan was amended in response to numerous changes in the Provincial policy environment, including the Growth Plan for the Greater Golden Horseshoe. The City's Urban Growth Centre has been defined, as have intensification policies within and outside of its boundaries. The term interim has been applied to these policies to permit the incorporation of additional policies resulting from the conclusions of the ongoing comprehensive intensification study. As the subject applications are considered under the local policy framework in place at the time of application submission, only regard can be had for these policies during the review of the subject applications.

Several of the Residential Intensification policies are relevant in the review of the subject applications and have been included in Appendix I-8.

#### **Proposed Official Plan Designation and Policies**

"Residential High Density II-Special Site" to accommodate the proposed mixture of residential and ground level commercial uses and to permit the proposed maximum Floor Space Index (FSI) of 3.3, which exceeds the maximum FSI range of 1.0 to 2.5 permitted under the "Residential High Density II" policies of the Clarkson-Lorne Park District.

#### **Existing Zoning**

"C4" (Mainstreet Commercial), which permits a wide range of service commercial, office and entertainment/recreation uses.

#### **Proposed Zoning By-law Amendment**

"RA4-Exception" (Residential Apartment), to permit a 15 storey apartment building having a maximum of 124 dwelling units, with a maximum FSI of 3.3. A total Gross Floor Area (GFA) of 506 m<sup>2</sup> (5,447 sq. ft.) is proposed for ground level commercial uses, including a maximum GFA of 271 m<sup>2</sup> (2,917 sq. ft.) for restaurant uses and 235 m<sup>2</sup> (2,530 sq. ft.) for other specified commercial uses.

Ground level commercial uses proposed include restaurant, takeout restaurant, retail store, office, medical office, real estate office and personal service establishment.

In addition, the applicant proposes to reduce the minimum required landscaped open space from 40% of the lot area to 25%. Further, ten (10) of the required below grade parking spaces are proposed to be provided in a tandem configuration. An Exception Schedule is proposed to address minimum setbacks consistent with the concept site plan drawing attached as Appendix I-4.

#### **COMMUNITY ISSUES**

A community meeting was held by the Planning and Building Department and hosted by the Ward 2 Councillor, Patricia Mullin on May 16, 2007, at which more than 60 people were in attendance. Subsequent to this, a Focus Group was established and to date several meetings have been hosted by the Ward Councillor. In addition, numerous phone calls, emails and correspondence, including a 300 person petition have been received subsequent to the submission of the applications.

The following is a summary of issues and comments raised to date by the Community:

- The proposed configuration of the parking areas, including underground parking for commercial uses will result in overflow parking within the surface parking lot for 1271 Walden Circle and on-street parking along Walden Circle.
- The proposed buildings will result in unacceptable shadow impacts on the abutting communal outdoor amenity area associated with the Walden Club to the north and on the private amenity areas associated with row dwellings to the east.
- The proposed landscaped setbacks to the north and east property lines are not adequate to ensure preservation of the existing trees located on or adjacent to the property boundaries and to permit supplementary landscape screen materials to be planted. There is also an inadequate amount of total landscaped open space area proposed for the development.
- Traffic generated by the proposed development may exceed the capacities of Walden Circle and the intersection of Lakeshore Road West and Walden Circle. The resulting traffic volume increases may warrant the installation of traffic lights at Walden Circle and Lakeshore Road West. The proposed northerly driveway access onto Walden Circle will conflict with that of the existing Sheridan Club at 1271 Walden Circle.
- The proposed development is not consistent with the preliminary findings of the Clarkson Village Visioning Study.
- The proposed building is too tall and represents an overdevelopment of the lands.
- Commercial uses are not compatible with the character of the area and will result in greater traffic and parking conflicts than a proposal that includes only residential uses.

• Service facilities including garbage storage/pick-up and loading area will result in negative impacts in regard to noise, odour and visual aesthetics.

The above noted issues will be addressed in the Supplementary Report upon the receipt and review of all outstanding matters.

## **DEVELOPMENT ISSUES**

Agency comments are summarized in Appendix I-6 and school accommodation information is contained in Appendix I-9. Based on the comments received and the applicable Mississauga Plan policies the following matters will have to be addressed.

## Impacts Associated with Height and Massing

Planning staff have expressed concerns to the applicant about the proposed building height and massing as they relate to the surrounding context. The applicant has been requested to demonstrate how the proposed development will not detract from the existing established character of the area and fulfill the planned function of the area for Mainstreet Commercial purposes.

## **Clarkson Village Visioning Study**

The Planning and Building Department has initiated a review of the Mississauga Plan Policies for the Clarkson-Lorne Park District as they pertain to a defined area around Clarkson Village and Lakeshore Road West. The purpose of the review is to update the existing land use policies/designations in the District and to ensure a current and relevant vision for the District, to reflect changes in local circumstances and to be consistent with recent Provincial planning initiatives. This review includes consultation with City departments and agencies as well as local community stakeholder groups.

Notwithstanding the ongoing review, the subject applications will be evaluated on their own merits but also with regard to relevant work that will have been undertaken on the study at the time of the Supplementary Report for these applications.

## Site Design and Interface with Adjacent Lands

A number of issues related to site design need to be addressed, including the following:

- appropriate location for outdoor amenity space;
- appropriate setbacks, including the underground parking structure;
- design, function, location and number of vehicular driveways;
- relationship of the building to the pedestrian environment, including the location of underground vents and auxiliary stairwells;
- quantity and location of landscaped open space;
- transition in built form from abutting properties.

The applicant will be required to submit a site plan application in accordance with City requirements.

#### **OTHER INFORMATION**

#### **Development Requirements**

In conjunction with the proposed development, there are certain engineering and other matters with respect to site access, site servicing, encroachments, streetscape and utility requirements, which will require the applicant to 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 - Aerial Photograph
Appendix I-2 - Excerpt of Clarkson-Lorne Park District Land Use Map
Appendix I-3 - Excerpt of Existing Land Use Map
Appendix I-4 - Concept Plan
Appendix I-5 - Elevations
Appendix I-5 - Elevations
Appendix I-6 - Agency Comments
Appendix I-7 - School Accommodation
Appendix I-8 - Residential Intensification (Interim Policies)
Appendix I-9 - General Context Map

Edward R. Sajecki Commissioner of Planning and Building

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APPENDIX I-5 PAGE 1 OZ 05/043 W2



EAST ELEVATION

APPENDIX I-5 PAGE 2 OZ 05/043 W2

FAST FLEVATION





# 607074 Ontario Limited

# Agency Comments

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

Agency / Comment Date	Comment
Region of Peel (December 7, 2007)	Regional Development Planning staff has reviewed the Addendum Proposed Standards and Planning Justification Report prepared by Lethbridge & Lawson Ltd., dated October 2007. The appropriate Provincial and Regional policies for urban development and mixed land uses have been identified.
	Municipal services consist of an existing 200 mm (8 in.) diameter watermain, located on Walden Circle and a 250 mm (10 in.) and 400 mm (16 in.) diameter watermain on Lakeshore Road West. An existing 375 mm (15 in.) diameter sanitary sewer is also located on Walden Circle.
	In the event that the subject applications are approved by Council, a Functional Servicing Report (FSR) must be submitted by the applicant to determine the adequacy of water and sanitary sewer services for the proposed development prior to By-law enactment.
	The loading area must have a minimum overhead clearance of 7.5 m (24. 6 ft.). A minimum overhead clearance of 4.4 m (14.4 ft.) outside the loading area is required. In order to demonstrate compliance with these requirements, elevation drawings of the loading area and where the building extends over the waste collection route need to be provided.
	Additional requirement pertaining to the physical layout, functioning and operational requirements of the waste and recycling facilities shall be resolved through the site plan approval process.
Peel District School Board and Dufferin-Peel Catholic District School Board (January 17, 2008)	Both School 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

# Appendix I-6, Page 2

Agency / Comment Date	Comment
	pertaining to satisfactory arrangements regarding the adequate provision and distribution of educational facilities need not be applied for these development applications.
	In addition, if approved, both School Boards require that conditions pertaining to the provision of local school facilities and bussing of students to schools outside of the normal catchment area be included in the required development agreements and any agreements of purchase and sale entered into.
City Community Services Department – Planning, Development and Business Services Division (December 14, 2007)	The subject property is listed on the City's Heritage Register. In accordance with City policies, the applicant is to submit a Heritage Impact Statement prepared to the satisfaction of this Department, prior to the Supplementary Report. Should the applications be approved, prior to by-law enactment, a cash contribution for street trees will be required. Further, prior to the issuance of any building permits, cash-in-lieu of park or other recreational purposes 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 City policies and by-laws.
City Transportation and Works Department (January 17, 2008)	The applicant is to provide an updated Acoustic Impact Report to this Department for review to address the potential stationary noise impacts associated with the operations of the proposed loading area. The applicant is also to provide an updated Traffic Impact Study which addresses this Department's comments regarding background traffic, signal timing, and proposed access operations. Further, the applicant is to provide a copy of the Designated Substances Survey which was recommended in the submitted Phase I Environmental Site Assessment (ESA). Additional comments will be provided upon the receipt and review of the above-noted items.

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Agency / Comment Date	Comment			
Other City Departments and	The following City Departments and external agencies offered			
External Agencies	no objection to these applications provided that all technical			
	matters are addressed in a satisfactory manner:			
	Community Services – Fire and Emergency Services Division			
	Conseil Scolaire De District Catholique Centre-Sud			
	Trans-Northern Pipelines Inc.			
	Rogers Cable			
	Economic Development			
	Bell Canada			
	Credit Valley Hospital			
	Enersource – Hydro Mississauga			
	The following City Departments and external agencies were			
	circulated the applications but provided no comments:			
	Hydro One Networks Inc.			
	Conseil Scolaire De District Centre-Sud-Ouest			
	Go Transit			
	CN Rail			
	Trillium Health Centre			

# 607074 Ontario Limited

# File: OZ 05/043 W2

# **School Accommodation**

The Peel District School Board		The Dufferin-Peel Catholic District School Board			
• Student Y	/ield:	•	• Student Yield:		
11 6 12	Kindergarten to Grade 5 Grade 6 to Grade 8 Grade 9 to Grade 12/OAC		23 7	Junior Kindergarten to Grade 8 Grade 9 to Grade 12/OAC	
School Accommodation:		•	School Accommodation:		
Whiteoaks P.S.			St. Christop	oher Elementary School	
Enrolmer Capacity Portables Hillcrest	479 2		Enrolment: Capacity: Portables: Iona Second	566 474 2 dary School	
Enrolmer Capacity: Portables Lorne Pa	582 : 0		Enrolment: Capacity: Portables:	1099 723 11	
Enrolment: 1,336 Capacity: 1,236 Portables: 0 * Note: Capacity reflects the Ministry of Education rated capacity, not the Board rated capacity, resulting in the requirement of portables.					

## 607074 Ontario Limited

# Appendix I-8

## File: OZ 05/043 W2

Residential Intensification (Interim Policies)

Section 3.2.4.1 (b) – Intensification outside the Urban Growth Centre will occur through the development of vacant or underutilized lands in accordance with the intent of this Plan.

Section 3.2.4.3 (a) – Applications for residential intensification not in compliance with Section 3.2.4.1.b and requiring amendments to Mississauga Plan will generally be considered premature. Increases in density may be considered where the proposed development is compatible in built form and scale to surrounding development, enhances the existing or planned community and is consistent with the intent of this Plan.

Section 3.2.4.3 (b) – Where there is no restriction on the heights of buildings in the District Policies, any consideration to heights in excess of four (4) storeys will only be considered where it can be demonstrated that an appropriate transition in heights that respects the surrounding context will be achieved.

Section 3.2.4.4 (a) – Development should be compatible with the scale and character of a planned residential area by having regard for the following elements: natural environment; natural hazards; natural heritage features/natural areas system; lot frontages and areas; street and block patterns; building height; coverage; massing; architectural character; streetscapes; heritage features; setbacks; privacy and overview; the pedestrian environment; parking.

Section 3.2.4.4 (b) – Development proposals will demonstrate compatibility and integration with surrounding land uses by ensuring that an effective transition in built form is provided between areas of different development densities and scale. Transition in built form will act as a buffer between the proposed development and planned uses, and should be provided through appropriate height, massing, character, architectural design, siting, setbacks, parking, and open and amenity space.

Section 3.2.4.4 (e) – Development applications should complete streets and existing development patterns.

\* The above noted policies are not exhaustive of what may be applicable, but are illustrative of key directions found in Mississauga Plan pertaining to residential intensification.

